

# 割賦販売法

## Installment Sales Act

(昭和三十六年七月一日法律第百五十九号)  
(Act No. 159 of July 1, 1961)

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Chapter I General Provisions

（目的及び運用上の配慮）

(Purpose and Operational Considerations)

第一条 この法律は、割賦販売等に係る取引の公正の確保、購入者等が受けることのある損害の防止及びクレジットカード番号等の適切な管理等に必要な措置を講ずることにより、割賦販売等に係る取引の健全な発達を図るとともに、購入者等の利益を保護し、あわせて商品等の流通及び役務の提供を円滑にし、もつて国民経済の発展に寄与することを目的とする。

Article 1 (1) The purpose of this Act is to protect the interests of purchasers and to achieve a smooth distribution of goods and the smooth provision of services, as well as to promote the sound development of dealings in installment sales, by taking the necessary measures to ensure the fairness of dealings in installment sales, etc., to prevent damages that purchasers suffer, and to ensure the proper management, etc. of credit card numbers, so as to contribute to the development of the national economy.

2 この法律の運用にあつては、割賦販売等を行なう中小商業者の事業の安定及び振興に留意しなければならない。

(2) In the application of this Act, due consideration must be given to the stability and development of small and medium-sized commercial enterprises with dealings in installment sales.

（定義）

(Definitions)

第二条 この法律において「割賦販売」とは、次に掲げるものをいう。

Article 2 (1) The term "installment sale" as used in this Act means the following:

一 購入者から商品若しくは権利の代金を、又は役務の提供を受ける者から役務の対価を二月以上の期間にわたり、かつ、三回以上に分割して受領すること（購入者又は役務の提供を受ける者をして販売業者又は役務の提供の事業を営む者（以下「役務提供事業者」という。）の指定する銀行その他預金の受入れを業とする者に対し、二月以上の期間にわたり三回以上預金させた後、その預金のうちから商品若しくは権利の代金又は役務の対価を受領することを含む。）を条件として指定商品若しくは指定権利を販売し、又は指定役務を提供すること。

(i) the sale of a designated good or designated right or the provision of a

designated service, on the condition that the cost of the good or right is received from the purchaser, or consideration for the services to be received from the service recipient, in three or more installments over a period of two or more months (this includes the condition that after the purchaser or service recipient makes deposits of money in three or more installments over a period of two or more months with the bank or other person in the business of accepting deposits that is designated by the seller or person in the business of providing services (referred to below as a "service provider" in this Act), the seller or service provider receives payment for the good or right or consideration for the service out of that deposit); and

二 それを提示し若しくは通知して、又はそれと引換えに、商品若しくは権利を購入し、又は有償で役務の提供を受けることができるカードその他の物又は番号、記号その他の符号（以下この項及び次項、次条並びに第二十九条の二において「カード等」という。）をこれにより商品若しくは権利を購入しようとする者又は役務の提供を受けようとする者（以下この項及び次項、次条、第四条の二（第二十九条の四第一項において準用する場合を含む。）、第二十九条の二並びに第三十八条において「利用者」という。）に交付し又は付与し、あらかじめ定められた時期ごとに、そのカード等の提示若しくは通知を受けて、又はそれと引換えに当該利用者に販売した商品若しくは権利の代金又は当該利用者に提供する役務の対価の合計額を基礎としてあらかじめ定められた方法により算定して得た金額を当該利用者から受領することを条件として、指定商品若しくは指定権利を販売し又は指定役務を提供すること。

(ii) the sale of a designated good or designated right or the provision of a designated service, after issuing or granting a card or other object, or a number, symbol, or other code that a person can present, indicate, or trade in, in order to purchase goods or rights or receive paid services (referred to below as a "card, etc." in this paragraph, the following paragraph, the following Article and Article 29-2), to a person seeking to purchase goods or rights or receive services using such a card, etc. (referred to below as a "user" in this paragraph, the following paragraph, the following Article, Article 4-2 (including as applied mutatis mutandis pursuant to Article 29-4, paragraph (1)), Article 29-2, and Article 38), on the condition that an amount of money arrived at by a predetermined method of calculation based on the total cost of the goods or rights the user is sold or consideration for services the user receives when presenting, indicating, or trading in the card, etc., at regular, predetermined intervals.

2 この法律において「ローン提携販売」とは、次に掲げるものをいう。

(2) The term "loan-affiliated installment sale" as used in this Act means the following:

一 カード等を利用者に交付し又は付与し、当該利用者がそのカード等を提示し若しくは通知して、又はそれと引換えに購入した商品若しくは権利の代金又は提供を受

ける役務の対価に充てるためにする金銭の借入れで、二月以上の期間にわたり、かつ、三回以上に分割して返還することを条件とするものに係る購入者又は役務の提供者を受ける者の債務の保証（業として保証を行う者に当該債務の保証を委託することを含む。）をして、指定商品若しくは指定権利を販売し、又は指定役務を提供すること。

(i) the sale of a designated good or designated right or the provision of a designated service, after issuing or granting a card, etc. to a user and guaranteeing the obligations of the purchaser or service recipient (this includes requesting a person that provides guarantees in the course of trade to guarantee the obligations) in respect of a monetary loan that is made in order to cover the cost of goods or rights the user purchases or the consideration for services the user receives when presenting, indicating, or trading in the card, etc., on the condition that the loan be repaid in three or more installments over a period of two or more months; and

二 カード等を利用者に交付し又は付与し、当該利用者がそのカード等を提示し若しくは通知して、又はそれと引換えに購入した商品若しくは権利の代金又は提供を受ける役務の対価に充てるためにする金銭の借入れで、あらかじめ定められた時期ごとに、その借入金の合計額を基礎としてあらかじめ定められた方法により算定して得た金額を返済することを条件とするものに係る当該利用者の債務の保証（業として保証を行う者に当該債務の保証を委託することを含む。）をして、そのカード等の提示若しくは通知を受けて、又はそれと引換えに指定商品若しくは指定権利を販売し又は指定役務を提供すること。

(ii) the sale of a designated good or designated right or the provision of a designated service upon having a card, etc. presented, indicated, or traded in, after having issued or granted that card, etc. to the user and guaranteed the obligations of the user (this includes requesting a person that provides guarantees in the course of trade to guarantee the obligations) in respect of a monetary loan that is made in order to cover the cost of goods or rights the user purchases or the consideration for the services the user receives when presenting, indicating, or trading in the card, etc., on the condition that the user pay back an amount of money arrived at by a predetermined method of calculation based on the total amount of the loan, at regular, predetermined intervals.

3 この法律において「包括信用購入あつせん」とは、次に掲げるものをいう。

(3) The term "intermediation of comprehensive credit purchases" as used in this Act means the following:

一 それを提示し若しくは通知して、又はそれと引換えに、特定の販売業者から商品若しくは権利を購入し、又は特定の役務提供事業者から有償で役務の提供を受けることができるカードその他の物又は番号、記号その他の符号（以下この項及び次項、第三章第一節並びに第三十五条の十六において「カード等」という。）をこれにより商品若しくは権利を購入しようとする者又は役務の提供を受けようとする者（以

下この項、同節、同章第三節、同条、第三章の四第二節、第四十一条及び第四十一条の二において「利用者」という。)に交付し又は付与し、当該利用者がそのカード等を提示し若しくは通知して、又はそれと引換えに特定の販売業者から商品若しくは権利を購入し、又は特定の役務提供事業者から役務の提供を受けるときは、当該販売業者又は当該役務提供事業者に当該商品若しくは当該権利の代金又は当該役務の対価に相当する額の交付（当該販売業者又は当該役務提供事業者以外の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。）をするとともに、当該利用者から当該代金又は当該対価に相当する額をあらかじめ定められた時期までに受領すること（当該利用者が当該販売業者から商品若しくは権利を購入する契約を締結し、又は当該役務提供事業者から役務の提供を受ける契約を締結した時から二月を超えない範囲内においてあらかじめ定められた時期までに受領することを除く。）。

- (i) issuing or granting a card or other object or a number, symbol, or other code that a person can present, indicate, or trade in, in order to purchase goods or rights from a specific seller or receive paid services from a specific service provider (referred to below as "card, etc." in this paragraph, the following paragraph, Section 1 of Chapter III and Article 35-16), to a person seeking to purchase goods or rights or receive services using such a card, etc. (referred to below as a "user" in this paragraph, that Section, Section 3 of that Chapter, that Article, Section 2 of Chapter III-4, Article 41 and Article 41-2), and then delivering an amount that corresponds to the cost of goods or rights or the consideration for services to the seller or a service provider (including delivering such an amount to the seller or a service provider through a person other than that seller or a service provider) and receiving an amount that corresponds to that cost or consideration from the user by a predetermined date (excluding the receipt of such an amount by a predetermined date that is shorter than two months from when the user contracts to purchase the goods or rights from the seller or to receive the services from the service provider) when the user presents, indicates, or trades in that card, etc. to purchase goods or rights from a specific seller or to receive services from a specific service provider; and

二 カード等を利用者に交付し又は付与し、当該利用者がそのカード等を提示し若しくは通知して、又はそれと引換えに特定の販売業者から商品若しくは権利を購入し、又は特定の役務提供事業者から役務の提供を受けるときは、当該販売業者又は当該役務提供事業者に当該商品若しくは当該権利の代金又は当該役務の対価に相当する額の交付（当該販売業者又は当該役務提供事業者以外の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。）をするとともに、当該利用者からあらかじめ定められた時期ごとに当該商品若しくは当該権利の代金又は当該役務の対価の合計額を基礎としてあらかじめ定められた方法により算定して得た金額を受領すること。

- (ii) issuing or granting a card, etc. to a user, and then delivering an amount

that corresponds to the cost of goods or rights or the consideration for services to the seller or a service provider (this includes delivering such an amount to the seller or a service provider through a person other than that seller or a service provider) and receiving an amount of money arrived at by a predetermined method of calculation based on the total cost of the goods or rights or consideration for the services from the user, at regular, predetermined intervals, when the user presents, indicates, or trades in that card, etc. to purchase goods or rights from a specific seller or to receive services from a specific service provider.

4 この法律において「個別信用購入あつせん」とは、カード等を利用することなく、特定の販売業者が行う購入者への商品若しくは指定権利の販売又は特定の役務提供事業者が行う役務の提供を受ける者への役務の提供を条件として、当該商品若しくは当該指定権利の代金又は当該役務の対価の全部又は一部に相当する金額の当該販売業者又は当該役務提供事業者への交付（当該販売業者又は当該役務提供事業者以外の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。）をするとともに、当該購入者又は当該役務の提供を受ける者からあらかじめ定められた時期までに当該金額を受領すること（当該購入者又は当該役務の提供を受ける者が当該販売業者から商品若しくは指定権利を購入する契約を締結し、又は当該役務提供事業者から役務の提供を受ける契約を締結した時から二月を超えない範囲内においてあらかじめ定められた時期までに受領することを除く。）をいう。

(4) The term "intermediation of individual credit purchase" as used in this Act means delivering all or part of the amount of money corresponding to the cost of goods or designated rights or consideration for services to a specific seller or a specific service provider (including delivering such an amount to the seller or service provider through a person other than that seller or service provider) on the condition that the specific seller sell goods or designated rights to the purchaser or that the specific service provider provide services to the service recipient without a card, etc. being used, and receiving that amount of money from the purchaser or service recipient by a predetermined date (excluding the receipt of such an amount by a predetermined date that is shorter than two months from when the purchaser or service recipient contracts to purchase the goods or rights from the seller or receive the services from the service provider).

5 この法律において「指定商品」とは、定型的な条件で販売するのに適する商品であつて政令で定めるものをいい、「指定権利」とは、施設を利用し又は役務の提供を受ける権利のうち国民の日常生活に係る取引において販売されるものであつて政令で定めるものをいい、「指定役務」とは、次項、第三十五条の三の六十一、第三十五条の三の六十二、第四十一条及び第四十一条の二を除き、国民の日常生活に係る取引において有償で提供される役務であつて政令で定めるものをいう。

(5) The term "designated good" as used in this Act means a good specified by Cabinet Order that it is befitting to sell under standardized terms and conditions; the term "designated right" means a right specified by Cabinet

Order, constituting the right to use a facility or receive services, which is sold in a transaction that arises in the everyday lives of the people; and, except for in the following paragraph, Article 35-3-61, Article 35-3-62, Article 41, and Article 41-2, the term "designated service" means a service specified by Cabinet Order, which is provided for consideration in a transaction that arises in the everyday lives of the people.

6 この法律において「前払式特定取引」とは、次の各号に掲げる取引で、当該各号に定める者に対する商品の引渡し又は政令で定める役務（以下この項、第三十五条の三の六十一、第三十五条の三の六十二、第四十一条及び第四十一条の二において「指定役務」という。）の提供に先立つてその者から当該商品の代金又は当該指定役務の対価の全部又は一部を二月以上の期間にわたり、かつ、三回以上に分割して受領するものをいう。

(6) The term a "specified prepaid transaction" as used in this Act means one of the transactions stated in the following items, for which, before the delivery of the goods or the provision of the services that are prescribed by Cabinet Order (referred to below as "designated services" in this paragraph, Article 35-3-61, Article 35-3-62, Article 41, and Article 41-2) to the person prescribed in the relevant item, all or part of the cost of the goods or consideration for the designated services is received from the person in three or more installments over a period of two or more months:

一 商品の売買の取次ぎ 購入者

(i) brokerage for a purchase and sale of goods: the purchaser; or

二 指定役務の提供又は指定役務の提供をすること若しくは指定役務の提供を受けることの取次ぎ 当該指定役務の提供を受ける者

(ii) the provision of designated services, brokerage for a person to provide designated services, or brokerage for a person to receive designated services: the recipient of the designated services.

## 第二章 割賦販売

### Chapter II Installment Sales

#### 第一節 総則

##### Section 1 General Provisions

(割賦販売条件の表示)

(Indication of the Terms and Conditions of Installment Sales)

第三条 割賦販売を業とする者（以下「割賦販売業者」という。）は、前条第一項第一号に規定する割賦販売（カード等を利用者に交付し又は付与し、そのカード等の提示若しくは通知を受けて、又はそれと引換えに当該利用者に商品若しくは権利を販売し、又は役務を提供するものを除く。）の方法により、指定商品若しくは指定権利を販売しようとするとき又は指定役務を提供しようとするときは、その相手方に対して、経済産業省令・内閣府令で定めるところにより、当該指定商品、当該指定権利又は当該



指定役務に関する次の事項を示さなければならない。

Article 3 (1) If a person in the business of installment sales (referred to below as an "installment seller") seeks to sell designated goods or designated rights or to provide designated services in a way that involves an installment sale as prescribed in paragraph (1), item (i) of the preceding Article (excluding the sale of goods or rights or the provision of services to a user wherein the user is issued or granted a card, etc. and that card, etc. is presented, indicated, or traded in), the installment seller must indicate the following matters about the designated goods, designated rights, or designated services to the other party, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry, and Cabinet Office Order:

一 商品若しくは権利の現金販売価格（商品の引渡し又は権利の移転と同時にその代金の全額を受領する場合の価格をいう。以下同じ。）又は役務の現金提供価格（役務を提供する契約の締結と同時にその対価の全額を受領する場合の価格をいう。以下同じ。）

(i) the cash price of the goods or rights (meaning the price that the goods or rights would be if the seller received the full cost for them upon delivery of the goods or transfer of the rights; the same applies below) or the cash price of the services (meaning the price that services would be if the service provider received the full amount of consideration for them upon the conclusion of the service contract; the same applies below);

二 商品若しくは権利の割賦販売価格（割賦販売の方法により商品又は権利を販売する場合の価格をいう。以下同じ。）又は役務の割賦提供価格（割賦販売の方法により役務を提供する場合の価格をいう。以下同じ。）

(ii) the installment price of the goods or rights (meaning the price of the goods or rights when the seller sells them in a way that constitutes an installment sale; the same applies below) or the installment price of the services (meaning the price of the services when the service provider provides them in a way that involves an installment sale; the same applies below);

三 割賦販売に係る商品若しくは権利の代金又は役務の対価の支払（その支払に充てるための預金の預入れを含む。次項を除き、以下同じ。）の期間及び回数

(iii) the term and number of payments for the cost of the goods or rights or consideration for the services under the installment sale (including any deposit of money to be allocated to that payment; the same applies below, except in the following paragraph);

四 第十一条に規定する前払式割賦販売以外の割賦販売の場合には、経済産業省令・内閣府令で定める方法により算定した割賦販売の手数料の料率

(iv) if it is an installment sale other than a prepaid installment sale as prescribed in Article 11, the rate of the fee connected with that installment sale, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

五 第十一条に規定する前払式割賦販売の場合には、商品の引渡時期

(v) if it is a prepaid installment sale as prescribed in Article 11, the timing of the delivery of goods.

2 割賦販売業者は、前条第一項第一号に規定する割賦販売（カード等を利用者に交付し又は付与し、そのカード等の提示若しくは通知を受けて、又はそれと引換えに当該利用者に商品若しくは権利を販売し、又は役務を提供するものに限る。）の方法により、指定商品若しくは指定権利を販売するため又は指定役務を提供するため、カード等を利用者に交付し又は付与するときは、経済産業省令・内閣府令で定めるところにより、当該割賦販売をする場合における商品若しくは権利の販売条件又は役務の提供条件に関する次の事項を記載した書面を当該利用者に交付しなければならない。

(2) If an installment seller issues or grants a card, etc. to a user in order to sell designated goods or designated rights or provide designated services in a way that involves an installment sale as prescribed in paragraph (1), item (i) of the preceding Article (but only if the installment seller issues or grants the card, etc. to the user and sells goods or rights or provides services to the user when the card, etc. is presented, indicated, or traded in), the installment seller must deliver a document to the user stating the following matters in respect of the terms and conditions of the sale of goods or rights or the terms and conditions for the provision of services when an installment sale is made, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 割賦販売に係る商品若しくは権利の代金又は役務の対価の支払の期間及び回数

(i) the term and number of payments for the cost of the goods or rights or the consideration for the services in connection with an installment sale;

二 経済産業省令・内閣府令で定める方法により算定した割賦販売の手数料の料率  
(ii) the rate of the fee connected with an installment sale, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) the matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

3 割賦販売業者は、前条第一項第二号に規定する割賦販売の方法により、指定商品若しくは指定権利を販売するため又は指定役務を提供するため、カード等を利用者に交付し又は付与するときは、経済産業省令・内閣府令で定めるところにより、当該割賦販売をする場合における商品若しくは権利の販売条件又は役務の提供条件に関する次の事項を記載した書面を当該利用者に交付しなければならない。

(3) If an installment seller issues or grants a card, etc. to a user in order to sell designated goods or designated rights or provide designated services in a way that involves an installment sale as prescribed in paragraph (1), item (ii) of the preceding Article, the installment seller must deliver a document to the user

stating the following matters, in respect of the terms and conditions of the sale of goods or rights or the terms and conditions for the provision of services when an installment sale is made, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 利用者が弁済をすべき時期及び当該時期ごとの弁済金の額の算定方法

(i) the time at which the user is required to make payments and how the amount of the payment money is calculated each time;

二 経済産業省令・内閣府令で定める方法により算定した割賦販売の手数料の料率

(ii) the rate of the fee connected with an installment sale, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) the matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

4 割賦販売業者は、第一項、第二項又は前項の割賦販売の方法により指定商品若しくは指定権利を販売する場合の販売条件又は指定役務を提供する場合の提供条件について広告をするときは、経済産業省令・内閣府令で定めるところにより、当該広告に、それぞれ第一項各号、第二項各号又は前項各号の事項を表示しなければならない。

(4) When an installment seller sells designated goods or designated rights or provides designated services in a way that involves an installment sale as referred to in paragraph (1), paragraph (2), or the preceding paragraph, and advertises the terms and conditions of the sale or the terms and conditions for their provision, it must indicate the matters stated in the items of paragraph (1), the items of paragraph (2), or the items of the preceding paragraph, respectively, in its advertising, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(書面の交付)

(Delivery of Documents)

第四条 割賦販売業者は、第二条第一項第一号に規定する割賦販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、次の事項について当該契約の内容を明らかにする書面を購入者又は役務の提供を受ける者に交付しなければならない。

Article 4 (1) If an installment seller has concluded a contract to sell designated goods or designated rights or a contract to provide designated services in a way that involves an installment sale as prescribed in Article 2, paragraph (1), item (i), it must deliver a document to the purchaser or service recipient which makes clear the details of the contract with respect to the following matters without delay, pursuant to the provisions of Order of the Ministry of Economy,

Trade and Industry and Cabinet Office Order:

一 商品若しくは権利の割賦販売価格又は役務の割賦提供価格

(i) the installment price of the goods or rights or the installment price of the services;

二 賦払金（割賦販売に係る各回ごとの代金の支払分をいう。以下同じ。）の額

(ii) the amount of an installment (meaning the amount to be paid on each occasion in respect of installment sales; the same applies below);

三 賦払金の支払の時期及び方法

(iii) the timing and method of payment for the installments;

四 商品の引渡時期若しくは権利の移転時期又は役務の提供時期

(iv) the timing for the delivery of the goods, the timing for the transfer of the rights, or the timing for the provision of the services;

五 契約の解除に関する事項

(v) information about cancellation of the contract;

六 所有権の移転に関する定めがあるときは、その内容

(vi) if there are provisions concerning the transfer of ownership, their details; and

七 前各号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(vii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.

2 割賦販売業者は、第二条第一項第二号に規定する割賦販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、次の事項について当該契約の内容を明らかにする書面を購入者又は役務の提供を受ける者に交付しなければならない。

(2) If an installment seller has concluded a contract to sell designated goods or designated rights or a contract to provide designated services in a way that involves an installment sale as prescribed in Article 2, paragraph (1), item (ii), it must deliver a document to the purchaser or service recipient which makes clear the details of the contract with respect to the following matters without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 商品若しくは権利の現金販売価格又は役務の現金提供価格

(i) the cash price of the goods or rights or the cash price of the services;

二 弁済金の支払の方法

(ii) the method of payment for the payment money;

三 商品の引渡時期若しくは権利の移転時期又は役務の提供時期

(iii) the timing for the delivery of the goods, the timing for the transfer of the rights, or the timing for the provision of the services;

四 契約の解除に関する事項

(iv) information about cancellation of the contract;

五 所有権の移転に関する定めがあるときは、その内容

(v) if there are provisions concerning the transfer of ownership, their details;

and

六 前各号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(vi) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.

3 割賦販売業者は、指定商品、指定権利又は指定役務に係る第二条第一項第二号に規定する割賦販売に係る弁済金の支払を請求するときは、あらかじめ、経済産業省令・内閣府令で定めるところにより、次の事項を記載した書面を購入者又は役務の提供を受ける者に交付しなければならない。

(3) If an installment seller requests that the payment be made in connection with an installment sale as prescribed in Article 2, paragraph (1), item (ii) for designated goods, designated rights, or designated services, it must deliver a document to the purchaser or service recipient stating the following matters, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 弁済金を支払うべき時期

(i) the time at which the payment money is due; and

二 前号の時期に支払われるべき弁済金の額及びその算定根拠

(ii) the amount of the payment that must be made at the time referred to in the preceding item, and the basis for calculation.

(情報通信の技術を利用する方法)

(Means of Using Information and Communications Technology)

第四条の二 割賦販売業者は、第三条第二項若しくは第三項又は前条各項の規定による書面の交付に代えて、政令で定めるところにより、当該利用者又は購入者若しくは役務の提供を受ける者の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて経済産業省令・内閣府令で定めるもの（以下「電磁的方法」という。）により提供することができる。この場合において、当該割賦販売業者は、当該書面を交付したものとみなす。

Article 4-2 With the consent of the user, purchaser, or service recipient and pursuant to the provisions of Cabinet Order, in lieu of delivering a document under the provisions of paragraph (2) or paragraph (3) of Article 3 or the paragraphs of the preceding Article, an installment seller may provide the user, purchaser, or service recipient with the matters that are required to be stated in the document by a means that makes use of an electronic data processing system, or by any other means specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order which uses information and communications technology (referred to below as an "electronic or magnetic means"). In doing so, the installment seller is deemed to have delivered the

relevant document.

(契約の解除等の制限)

**(Restrictions on the Cancellation of Contracts)**

第五条 割賦販売業者は、割賦販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約について賦払金（第二条第一項第二号に規定する割賦販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約にあつては、弁済金。以下この項において同じ。）の支払の義務が履行されない場合において、二十日以上相当な期間を定めてその支払を書面で催告し、その期間内にその義務が履行されないときでなければ、賦払金の支払の遅滞を理由として、契約を解除し、又は支払時期の到来していない賦払金の支払を請求することができない。

Article 5 (1) In the event of an unperformed obligation to pay an installment pursuant to a contract under which designated goods or designated rights are sold or a contract under which designated services are provided in a way that involves an installment sale (or to make the payment, in respect of a contract under which designated goods or designated rights are sold or designated services are provided in a way that involves an installment sale as prescribed in Article 2, paragraph (1), item (ii); the same applies below in this paragraph), the installment seller may not cancel the contract or demand the payment of installments that are not yet due on the grounds of a delay in the payment of an installment, unless it makes a written demand for this to be paid within a reasonable period of not less than twenty days, and the obligation is not performed within that period.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the preceding paragraph are void.

(契約の解除等に伴う損害賠償等の額の制限)

**(Restriction on the Amount of Damages Accompanying the Cancellation of a Contract)**

第六条 割賦販売業者は、第二条第一項第一号に規定する割賦販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約が解除された場合（第三項及び第四項に規定する場合を除く。）には、損害賠償額の予定又は違約金の定めがあるときにおいても、次の各号に掲げる場合に依り当該各号に定める額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

Article 6 (1) In the event that a contract under which designated goods or designated rights are sold or designated services are provided in a way that involves an installment sale as prescribed in Article 2, paragraph (1), item (i) is cancelled (excluding in a case as prescribed in paragraph (3) or (4)), even if

the contract has provisions stating liquidated damages or the penalty for breach of contract, the installment seller may not demand that the purchaser or service recipient pay an amount of money that exceeds the total of the amount specified in the relevant of the following items for the case stated in that item plus the amount of delay damages for this based on the applicable statutory interest rate:

一 当該商品又は当該権利が返還された場合 当該商品の通常の使用料の額又は当該権利の行使により通常得られる利益に相当する額（当該商品又は当該権利の割賦販売価格に相当する額から当該商品又は当該権利の返還された時における価額を控除した額が通常の使用料の額又は当該権利の行使により通常得られる利益に相当する額を超えるときは、その額）

(i) the goods or rights are returned: the ordinary usage fee for those goods or an amount that corresponds to the profit that can normally be earned through the exercise of those rights (if the amount that corresponds to the installment price of the goods or rights less the market value of the goods or rights at the time of their return, exceeds the ordinary usage fee or the amount that corresponds to the profit that can normally be earned through the exercise of those rights, that amount);

二 当該商品又は当該権利が返還されない場合 当該商品又は当該権利の割賦販売価格に相当する額

(ii) the goods or rights are not returned: the amount that corresponds to the installment price of the goods or rights;

三 当該商品又は当該権利を販売する契約又は当該役務を提供する契約の解除が当該商品の引渡し若しくは当該権利の移転又は当該役務の提供の開始前である場合（次号に掲げる場合を除く。） 契約の締結及び履行のために通常要する費用の額

(iii) the contract under which the goods or rights were to be sold or the contract under which the services were to be provided is cancelled before the goods start to be delivered, before the rights start to be transferred, or before the services start to be provided (excluding in the case stated in in the following item): the amount of costs normally required for concluding and performing the contract;

四 当該役務が特定商取引に関する法律（昭和五十一年法律第五十七号）第四十一条第二項に規定する特定継続的役務に該当する場合であつて、当該役務を提供する契約の同法第四十九条第一項の規定に基づく解除が当該役務の提供の開始前である場合 契約の締結及び履行のために通常要する費用の額として当該役務ごとに同条第二項第二号の政令で定める額

(iv) the services fall under the category of specified continuous services as prescribed in Article 41, paragraph (2) of the Act on Specified Commercial Transactions (Act No. 57 of 1976), and the contract under which those services were to be provided is cancelled pursuant to the provisions of Article 49, paragraph (1) of that Act before they start to be provided: the amounts

specified by Cabinet Order which are referred to in paragraph (2), item (ii) of that Article, in accordance with each of the specified services, as the costs normally required for concluding and performing the contract;

五 当該役務を提供する契約の解除が当該役務の提供の開始後である場合（次号に掲げる場合を除く。） 提供された当該役務の対価に相当する額に、当該役務の割賦提供価格に相当する額から当該役務の現金提供価格に相当する額を控除した額を加算した額

(v) the contract under which the services are provided is cancelled after the services start to be provided (excluding the case stated in the following item): the amount that corresponds to the installment price of the services less the amount that corresponds to the cash price of the services, plus the amount that corresponds to the consideration for services provided; or

六 当該役務が特定商取引に関する法律第四十一条第二項に規定する特定継続的役務に該当する場合であつて、当該役務を提供する契約の同法第四十九条第一項の規定に基づく解除が当該役務の提供の開始後である場合 次の額を合算した額

(vi) the services fall under the category of specified continuous services as prescribed in Article 41, paragraph (2) of the Act on Specified Commercial Transactions, and the contract under which the services are provided is cancelled pursuant to the provisions of Article 49, paragraph (1) of that Act after the services start to be provided: the total of the following amounts:

イ 提供された当該役務の対価に相当する額に、当該役務の割賦提供価格に相当する額から当該役務の現金提供価格に相当する額を控除した額を加算した額

(a) the amount that corresponds to the installment price of the services less the amount that corresponds to the cash price of the services, plus the amount that corresponds to the consideration for services provided; or

ロ 当該役務を提供する契約の解除によつて通常生ずる損害の額として当該役務ごとに同条第二項第一号ロの政令で定める額

(b) the amounts specified by Cabinet Order which are referred to in paragraph (2), item (i), (b) of that Article, in accordance with each of the specified services, as the amount of damages that are normally caused by the cancellation of a contract under which the services are provided.

2 割賦販売業者は、前項の契約について賦払金の支払の義務が履行されない場合（契約が解除された場合を除く。）には、損害賠償額の予定又は違約金の定めがあるときにおいても、当該商品若しくは当該権利の割賦販売価格又は当該役務の割賦提供価格に相当する額から既に支払われた賦払金の額を控除した額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

(2) In the event of an unperformed obligation to pay an installment pursuant to the contract referred to in the preceding paragraph (excluding if that contract is cancelled), even if the contract has provisions stating liquidated compensation for loss or damage or the penalty for breach of contract, the



installment seller may not demand that the purchaser or service recipient pay an amount of money that exceeds the amount that corresponds to the installment price of the goods or rights or the installment price of the services less the amount of installments already paid, plus the amount of delay damages for this based on the applicable statutory interest rate.

- 3 割賦販売業者は、第二条第一項第一号に規定する割賦販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約が特定商取引に関する法律第三十七条第二項に規定する連鎖販売契約に該当する場合であつて、当該契約が同法第四十条の二第一項の規定により解除された場合には、損害賠償額の予定又は違約金の定めがあるときにおいても、契約の締結及び履行のために通常要する費用の額（次の各号のいずれかに該当する場合にあつては、当該額に当該各号に掲げる場合に応じ当該各号に定める額を加算した額）にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

- (3) In the event that a contract under which designated goods or designated rights are sold or a contract under which designated services are provided in a way that involves an installment sale as prescribed in Article 2, paragraph (1) item (i) constitutes a multilevel marketing contract as prescribed in Article 37, paragraph (2) of the Act on Specified Commercial Transactions, and that contract is cancelled pursuant to the provisions of Article 40-2, paragraph (1) of that Act, even if the contract has provisions stating liquidated damages or the penalty for breach of contract, the installment seller may not demand that the purchaser or service recipient pay an amount of money that exceeds the total amount of costs normally required for concluding and performing that contract (or, in a case that falls under one of the following items, the total of this amount and the amount specified in the relevant of those items for the case stated) plus the amount of delay damages for this based on the applicable statutory interest rate:

一 当該連鎖販売契約の解除が当該連鎖販売取引に伴う特定商取引に関する法律第三十三条第一項に規定する特定負担（次号、第三十五条の三の十一及び第三十五条の三の十四において「特定負担」という。）に係る商品の引渡し又は権利の移転後である場合 次の額を合算した額

- (i) the multilevel marketing contract is cancelled after the delivery of goods or transfer of rights involving a specified burden as prescribed in Article 33, paragraph (1) of the Act on Specified Commercial Transactions in connection with the multilevel marketing transactions (referred to as a "specified burden" in the following item, Article 35-3-11, and Article 35-3-14): the total of the following amounts:

イ 引渡しがされた当該商品又は移転がされた当該権利（当該連鎖販売契約に基づき販売が行われた商品又は権利に限り、特定商取引に関する法律第四十条の二第二項の規定により当該商品又は当該権利に係る同項に規定する商品販売契約が解

除されたものを除く。)の割賦販売価格に相当する額

(a) the amount that corresponds to the installment price of the delivered goods or transferred rights (limited to goods or rights that have been sold based on that multilevel marketing contract, and excluding goods or rights under a sales contract for goods as prescribed in Article 40-2, paragraph (2) of the Act on Specified Commercial Transactions which is cancelled pursuant to that paragraph); or

ロ 提供された特定商取引に関する法律第三十三条第一項に規定する特定利益（第三十五条の三の十四において「特定利益」という。）その他の金品（同法第四十条の二第二項の規定により解除された同項に規定する商品販売契約に係る商品又は権利に係るものに限る。）に相当する額

(b) the amount that corresponds to the specified profit as prescribed in Article 33, paragraph (1) of the Act on Specified Commercial Transactions (referred to as "specified profit" in Article 35-3-14) or any other money or goods that have been provided (limited to those that are connected with the goods or rights under a sales contract for goods as prescribed in Article 40-2, paragraph (2) of that Act which is cancelled pursuant to the provisions of that paragraph); or

二 当該連鎖販売契約の解除が当該連鎖販売取引に伴う特定負担に係る役務の提供開始後である場合 提供された当該役務（当該連鎖販売契約に基づき提供されたものに限る。）の対価に相当する額に、当該役務の割賦提供価格に相当する額から当該役務の現金提供価格に相当する額を控除した額を加算した額

(ii) the multilevel marketing contract is cancelled after services connected with a multilevel marketing transaction involving a specified burden is provided: the amount that corresponds to the installment price of the services less the amount that corresponds to the cash price of the services, plus the amount that corresponds to the consideration for services provided (limited to those provided based on the multilevel marketing contract).

4 割賦販売業者は、第二条第一項第一号に規定する割賦販売の方法により指定商品又は指定権利を販売する契約が特定商取引に関する法律第四十条の二第二項に規定する商品販売契約に該当する場合であつて、当該契約が同項の規定により解除された場合には、損害賠償額の予定又は違約金の定めがあるときにおいても、次の各号に掲げる場合に依り当該各号に定める額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者に対して請求することができない。

(4) In the event that a contract under which designated goods or designated rights are sold in a way that involves an installment sale as prescribed in Article 2, paragraph (1), item (i) constitutes a sales contract for goods as prescribed in Article 40-2, paragraph (2) of the Act on Specified Commercial Transactions, and that contract is cancelled pursuant to that paragraph, even if the contract has provisions stating liquidated damages or the penalty for breach of contract, the installment seller may not demand that the purchaser

pay an amount of money that exceeds the amount specified in the relevant of the following items for the case stated in that item plus the amount of delay damages for this based on the applicable statutory interest rate:

一 当該商品若しくは当該権利が返還された場合又は当該商品販売契約の解除が当該商品の引渡し若しくは当該権利の移転前である場合 当該商品又は当該権利の現金販売価格の十分の一に相当する額に、当該商品又は当該権利の割賦販売価格に相当する額から当該商品又は当該権利の現金販売価格に相当する額を控除した額を加算した額

(i) the goods or rights are returned or the sales contract for the goods is cancelled before the goods are delivered or before the rights are transferred: the amount that corresponds to the installment price of the goods or rights less the amount that corresponds to the cash price of the goods or rights, plus an amount that corresponds to 10 percent of the cash price of the goods or rights; or

二 当該商品又は当該権利が返還されない場合 当該商品又は当該権利の割賦販売価格に相当する額

(ii) the goods or rights are not returned: the amount that corresponds to the installment price of the goods or rights.

(所有権に関する推定)

(Presumption of Ownership)

第七条 第二条第一項第一号に規定する割賦販売の方法により販売された指定商品（耐久性を有するものとして政令で定めるものに限る。）の所有権は、賦払金の全部の支払の義務が履行される時までには、割賦販売業者に留保されたものと推定する。

Article 7 The ownership of designated goods sold in a way that involves an installment sale as prescribed in Article 2, paragraph (1) item (i) (limited to those specified by Cabinet Order as durable) is presumed to be retained by the installment seller until the obligation to pay the installments in full is performed.

(適用除外)

(Exclusion from Application)

第八条 この章の規定は、次の割賦販売については、適用しない。

Article 8 The provisions of this Chapter do not apply to one of the following installment sales:

一 指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約（次に掲げるものを除く。）であつて、当該契約の申込みをした者が営業のために若しくは営業として締結するもの又は購入者若しくは役務の提供を受ける者が営業のために若しくは営業として締結するものに係る割賦販売

(i) an installment sale based on a contract under which designated goods or designated rights are sold, or a contract under which designated services are

provided (excluding the following contracts), which the person offering the contract concludes for business purposes or as a part of its business or which the purchaser or service recipient concludes for business purposes or as a part of its business:

イ 連鎖販売業（特定商取引に関する法律第三十三条第一項に規定する連鎖販売業をいう。以下同じ。）に係る連鎖販売取引（同項に規定する連鎖販売取引をいう。以下同じ。）についての契約（当該契約以外の契約であつてその連鎖販売業に係る商品若しくは権利の販売又は役務の提供に係るもの（以下「特定商品販売等契約」という。）を含む。）のうち、その連鎖販売業に係る商品若しくは権利の販売又は役務の提供を店舗その他これに類似する設備によらないで行う個人との契約（以下「連鎖販売個人契約」という。）

(a) a contract for a multilevel marketing transaction (meaning a multilevel marketing transaction as prescribed in Article 33, paragraph (1) of the Act on Specified Commercial Transactions; the same applies below) arising from multilevel marketing (meaning multilevel marketing as prescribed in that paragraph; the same applies below) (including a contract other than one for such a transaction, which involves the sale of goods or rights or the provision of services linked to multilevel marketing (referred to below as a "sales contract for specified goods, etc.")), that constitutes a contract with an individual who sells goods or rights or provides services that arising from the multilevel marketing other than through a store or other similar facility (referred to below as a "personal multilevel marketing contract"); or

ロ 業務提供誘引販売業（特定商取引に関する法律第五十一条第一項に規定する業務提供誘引販売業をいう。以下同じ。）に係る業務提供誘引販売取引（同項に規定する業務提供誘引販売取引をいう。以下同じ。）についての契約のうち、その業務提供誘引販売業に関して提供され、又はあつせんされる業務を事業所その他これに類似する施設によらないで行う個人との契約（以下「業務提供誘引販売個人契約」という。）

(b) a contract for a business opportunity sales transaction (meaning a business opportunity sales transaction as prescribed in Article 51, paragraph (1) of the Act on Specified Commercial Transactions; the same applies below) arising from business opportunity sales (meaning business opportunity sales as prescribed in that paragraph; the same applies below), with an individual who performs services that are provided or arranged in connection with business opportunity sales, at a place other than a business establishment or other similar facility (referred to below as a "personal business opportunity sales contract").

二 本邦外に在る者に対して行う割賦販売

(ii) an installment sale to a person residing outside Japan;

三 国又は地方公共団体が行う割賦販売

(iii) an installment sale by the national or local government;

四 次の団体がその直接又は間接の構成員に対して行う割賦販売（当該団体が構成員以外の者にその事業又は施設を利用させることができる場合には、これらの者に対して行う割賦販売を含む。）

(iv) an installment sale by one of the following organizations to its direct or indirect member (if the organization is able to make its business or facility available to persons other than its members, this includes the installment sales to a non-member):

イ 特別の法律に基づいて設立された組合並びにその連合会及び中央会

(a) a partnership incorporated based on a special law, or a federation or central association of those partnerships;

ロ 国家公務員法（昭和二十二年法律第二百十号）第百八条の二又は地方公務員法（昭和二十五年法律第二百六十一号）第五十二条の団体

(b) an organization as referred to in Article 108-2 of the National Public Service Act (Act No. 120 of 1947) or Article 52 of the Local Public Service Act (Act No. 261 of 1950); or

ハ 労働組合

(c) a labor union.

五 事業者がその従業者に対して行う割賦販売

(v) an installment sale by a business operator to its employee; or

六 無尽業法（昭和六年法律第四十二号）第一条に規定する無尽に該当する割賦販売

(vi) an installment sale that falls under the category of a mutual loan prescribed in Article 1 of the Act on the Mutual Loan Business (Act No. 42 of 1931).

## 第二節 割賦販売の標準条件

### Section 2 Standard Terms and Conditions for Installment Sales

（標準条件の公示）

(Public Notice of Standard Terms and Conditions)

第九条 主務大臣は、第二条第一項第一号に規定する割賦販売（第十一条に規定する前払式割賦販売を除く。以下次条において同じ。）について、その健全な発達を図るため必要があるときは、指定商品ごとに、割賦販売価格に対する第一回の賦払金の額の標準となるべき割合及び第二条第一項第一号に規定する割賦販売に係る代金の支払の標準となるべき期間を定め、これを告示するものとする。

Article 9 When necessary in order to promote the sound development of installment sales as prescribed in Article 2, paragraph (1), item (i) (excluding prepaid installment sales as prescribed in Article 11; the same applies below in the following Article), the competent minister is to specify the percentage of the installment price to be used as the standards for the amount of the initial installment for each designated good and the term to be used as the standards for the payment of the cost in an installment sale as prescribed in Article 2,

paragraph (1), item (i), and to give public notice of these.

(勧告)

(Recommendations)

第十条 主務大臣は、割賦販売業者が前条の規定により告示した割合より著しく低い第一次の賦払金の額の割賦販売価格に対する割合又は同条の規定により告示した期間より著しく長い代金の支払の期間によつて指定商品の第二条第一項第一号に規定する割賦販売を行つているため、当該商品の同号に規定する割賦販売の健全な発達に著しい支障が生じ、又は生ずるおそれがあると認めるときは、当該割賦販売業者に対し、その割合を引き上げ、又はその期間を短縮すべきことを勧告することができる。

Article 10 (1) If the competent minister finds that a significant obstacle has arisen or could arise to the sound development of installment sales as prescribed in Article 2, paragraph (1), item (i) for designated goods because an installment seller is conducting installment sales of those designated goods as prescribed in that item with the initial installment at a percentage of the installment price which is significantly lower than the percentage of which public notice is issued pursuant to the provisions of the preceding Article, or with a term for the payment of the cost which is significantly longer than the term of which public notice is issued pursuant to that Article, the minister may recommend that the installment seller increase the percentage or shorten the term.

2 前項の規定による勧告は、告示により行なうことができる。

(2) A recommendation under the provisions of the preceding paragraph may be given through a public notice.

### 第三節 前払式割賦販売

#### Section 3 Prepaid Installment Sales

(前払式割賦販売業の許可)

(Prepaid Installment Sales Licenses)

第十一条 指定商品を引き渡すに先立つて購入者から二回以上にわたりその代金の全部又は一部を受領する第二条第一項第一号に規定する割賦販売（以下「前払式割賦販売」という。）は、経済産業大臣の許可を受けた者でなければ、業として営んではならない。ただし、次の場合は、この限りでない。

Article 11 It is not permissible for a person to engage in installment sales in the course of trade, through which it receives all or part of the cost of the designated goods from the purchaser in two or more installments as prescribed in Article 2, paragraph (1), item (i), before the delivery of the designated goods (referred to below as "prepaid installment sales"), without being licensed by the Minister of Economy, Trade and Industry; provided, however, that this does not apply in the following cases:

一 指定商品の前払式割賦販売の方法による年間の販売額が政令で定める金額に満たない場合

(i) the annual sales amount from prepaid installment sales of designated goods is less than the amount specified by Cabinet Order;

二 指定商品が新たに定められた場合において、現に当該指定商品を前払式割賦販売の方法により販売することを業として営んでいる者が、その定められた日から六月間（その期間内に次条第一項の申請書を提出した場合には、その申請につき許可又は不許可の処分があるまでの間を含む。）当該商品を販売するとき。

(ii) the designated goods are newly specified, and a person currently engaged in the sale of those designated goods in the course of trade through prepaid installment sales, sells those goods for six months from the date of their specification (if the application referred to in paragraph (1) of the following Article is submitted during that period, this includes the time up until the license sought under the application is granted or refused); or

三 前号の期間が経過した後において、その期間の末日までに締結した同号の指定商品の前払式割賦販売の契約に基づく取引を結了する目的の範囲内で営む場合

(iii) after the period stated in the preceding item passes, the only such dealings the person engages in are aimed at enabling the completion of transactions under the contracts for prepaid installment sales for the designated goods referred to in that item, which have been concluded by the last day of that period.

(許可の申請)

(Application for a License)

第十二条 前条の許可を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

Article 12 (1) A person seeking the license referred to in the preceding Article must submit an application to the Minister of Economy, Trade and Industry stating the following:

一 名称

(i) its name;

二 本店その他の営業所及び代理店の名称及び所在地

(ii) the names and locations of its principal office and other business offices and agency offices;

三 資本金又は出資の額及び役員 の氏名

(iii) its amount of stated capital or capital contributions, and the names of its officers; and

四 前払式割賦販売の方法により販売しようとする指定商品の種類

(iv) the types of designated goods it seeks to sell through prepaid installment sales.

2 前項の申請書には、定款、登記事項証明書、前払式割賦販売契約約款その他経済産

業省令で定める書類を添付しなければならない。ただし、経済産業省令で定める場合は、登記事項証明書の添付を省略することができる。

(2) The articles of incorporation, a certificate of registered information, the general conditions of the contract for prepaid installment sales, and the documents specified by Order of the Ministry of Economy, Trade and Industry must accompany the application referred to in the preceding paragraph; provided, however, that a certificate of registered information may be omitted if so specified by Order of the Ministry of Economy, Trade and Industry.

3 前項の場合において、定款が電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下同じ。）で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(3) In the case referred to in the preceding paragraph, if the articles of incorporation have been created in the form of an electronic or magnetic record (meaning a record used in computer data processing, which is created in electronic form, magnetic form, or any other form that is impossible to perceive through the human senses alone; the same applies below), the electronic or magnetic record (limited to one as specified by Order of the Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

第十三条 削除

Article 13 Deleted

第十四条 削除

Article 14 Deleted

（許可の基準）

(Licensing Standards)

第十五条 経済産業大臣は、第十一条の許可の申請をした者が次の各号のいずれかに該当すると認めるときは、同条の許可をしてはならない。

Article 15 (1) If the Minister of the Economy, Trade and Industry finds an applicant for the license referred to in Article 11 to fall under one of the following items, the minister must not grant the license referred to in that Article:

一 法人でない者

(i) a person that is not a corporation;

二 資本金又は出資の額が購入者の利益を保護するため必要かつ適当であると認められる金額で政令で定めるものに満たない法人

(ii) a corporation with a stated capital or capital contributions of less than the amount that is found to be necessary and appropriate for protecting the



- interests of purchasers, as specified by Cabinet Order;
- 三 資産の合計額から負債の合計額を控除した額が資本金又は出資の額の百分の九十に相当する額に満たない法人
- (iii) a corporation with an amount of total assets minus total liabilities that is less than 90 percent of its stated capital or capital contributions;
- 四 前二号に掲げるもののほか、その行おうとする前払式割賦販売に係る業務を健全に遂行するに足りる財産的基礎を有しない法人
- (iv) a corporation that, beyond what is stated in the preceding two items, does not have a sufficient financial basis to soundly perform the business involved in prepaid installment sales;
- 五 前払式割賦販売契約約款の内容が経済産業省令・内閣府令で定める基準に適合しない法人
- (v) a corporation with general conditions in the contract for prepaid installment sales that do not conform to the standards specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order;
- 六 第二十三条第一項又は第二項の規定により許可を取り消され、その取消しの日から二年を経過しない法人
- (vi) a corporation whose license has been rescinded pursuant to the provisions of Article 23, paragraph (1) or (2), if two years have not yet passed since the date of the rescission;
- 七 この法律の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から二年を経過しない法人
- (vii) a corporation that has been sentenced to a fine pursuant to the provisions of this Act, if two years have not yet passed since the day on which it finished serving the sentence or ceased to be subject to its enforcement; or
- 八 役員のうち次のいずれかに該当する者のある法人
- (viii) a corporation with an officer that falls under one of the following:
- イ 破産手続開始の決定を受けて復権を得ない者
- (a) a person that has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings;
- ロ 禁錮以上の刑に処せられ、又はこの法律の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から二年を経過しない者
- (b) a person that has been sentenced to imprisonment or a heavier punishment, or a person that has been sentenced to a fine pursuant to the provisions of this Act, if two years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement; or
- ハ 第十一条の許可を受けた者（以下「許可割賦販売業者」という。）が第二十三条第一項又は第二項の規定により許可を取り消された場合において、その処分があつた日前三十日以内にその許可割賦販売業者の役員であつた者で、その処分の

あつた日から二年を経過しないもの

(c) a person that, during the thirty days before the relevant disposition, was the officer of a person licensed as referred to in Article 11 (referred to below as a "licensed installment seller") whose license has been rescinded pursuant to Article 23, paragraph (1) or (2), if two years have not yet passed since the date of that disposition.

2 前項第三号の資産の合計額及び負債の合計額は、政令で定めるところにより計算しなければならない。

(2) The total assets and the total liabilities referred to in item (iii) of the preceding paragraph must be calculated pursuant to Cabinet Order.

3 経済産業大臣は、第十一条の許可の申請があつた場合において、不許可の処分をしたときは、遅滞なく、その理由を示して、その旨を申請者に通知しなければならない。

(3) If an application is filed for the license referred to in Article 11 and the Minister of Economy, Trade and Industry reaches the disposition not to grant the license, the minister must notify the applicant of this without delay, indicating the reasons for refusal.

(営業保証金の供託等)

(Making Business Security Deposits)

第十六条 許可割賦販売業者は、営業保証金を主たる営業所のもよりの供託所に供託しなければならない。

Article 16 (1) A licensed installment seller must make a business security deposit with the closest official depository to its principal business office.

2 許可割賦販売業者は、営業保証金を供託したときは、供託物受入れの記載のある供託書の写しを添附して、その旨を経済産業大臣に届け出なければならない。

(2) Once a licensed installment seller makes a business security deposit, it must file a notification of this with the Minister of Economy, Trade and Industry, accompanied by a copy of the deposit statement showing receipt of the deposit.

3 許可割賦販売業者は、前項の規定による届出をした後でなければ、前払式割賦販売の営業を開始してはならない。

(3) A licensed installment seller must not commence prepaid installment sale operations until after it files the notification under the provisions of the preceding paragraph.

第十七条 前条第一項の営業保証金の額は、主たる営業所につき十万円、その他の営業所又は代理店につき営業所又は代理店ごとに五万円の割合による金額の合計額とする。

Article 17 (1) The amount of the business security deposit referred to in paragraph (1) of the preceding Article is the sum total of 100,000 yen for the principal business office and 50,000 yen for each business office or agency office.

2 前項の営業保証金は、経済産業省令で定めるところにより、国債証券、地方債証券

その他の経済産業省令で定める有価証券（社債、株式等の振替に関する法律（平成十三年法律第七十五号）第二百七十八条第一項に規定する振替債を含む。）をもって、これに充てることができる。

(2) National and local government bonds and other securities specified by Order of the Ministry of Economy, Trade and Industry (including book-entry transfer bonds prescribed in Article 278, paragraph (1) of the Act on the Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001)) may serve as the business security deposit referred to in the preceding paragraph, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

第十八条 許可割賦販売業者は、営業の開始後新たに営業所又は代理店を設置したときは、当該営業所又は代理店につき前条第一項に規定する割合による金額の営業保証金を供託しなければならない。

Article 18 (1) If a licensed installment seller newly establishes a business office or agency office after commencing operations, it must deposit the business security deposit for each such business office or agency office in the amount calculated based on the rates prescribed in paragraph (1) of the preceding Article.

2 第十六条及び前条第二項の規定は、前項の規定により供託する場合に準用する。

(2) The provisions of Article 16 and paragraph (2) of the preceding Article apply mutatis mutandis when a deposit is made pursuant to the provisions of the preceding paragraph.

第十八条の二 許可割賦販売業者が一部の営業所又は代理店を廃止した場合において、営業保証金の額が第十七条第一項に規定する額をこえることとなつたときは、当該許可割賦販売業者は、そのこえる額を取り戻すことができる。

Article 18-2 (1) If a licensed installment seller closes some of its business offices or agency offices and the amount of the business security deposit exceeds the amount prescribed in Article 17, paragraph (1), the licensed installment seller may recover the excess amount.

2 前項の営業保証金の取戻しは、当該営業保証金につき第二十一条第一項の権利を有する者に対し、六月を下らない一定期間内に申し出るべき旨を公告し、その期間内にその申出がなかつた場合でなければ、することができない。ただし、営業保証金を取り戻すことができる理由が発生した時から十年を経過したときは、この限りでない。

(2) The recovery of the excess business security deposit as referred to in the preceding paragraph is not permitted unless public notice is issued to the persons with the right to that business security deposit as referred to in Article 21, paragraph (1), indicating that those persons must make a filing within a fixed period of not less than six months, and no filing is made within that period; provided, however, that this does not apply once ten years have passed following the occurrence of grounds for the recovery of a business security

deposit.

3 前項の公告その他第一項の規定による営業保証金の取戻しに関し必要な事項は、法務省令・経済産業省令で定める。

(3) The necessary matters of the public notice referred to in the preceding paragraph and other matters relevant to the recovery of the business security deposit as referred to in the provisions of paragraph (1) are specified by Order of the Ministry of Justice and Order of the Ministry of Economy, Trade and Industry.

(前受金保全措置)

(Preservative Measures for Advances Received)

第十八条の三 許可割賦販売業者は、毎年三月三十一日及び九月三十日（以下これらの日を「基準日」という。）において前払式割賦販売の契約を締結している者から基準日までにその契約に係る商品の代金の全部又は一部として受領した前受金の合計額の二分の一に相当する額が当該基準日における第十七条第一項に規定する営業保証金の額をこえるときは、次項の前受金保全措置を講じ、次条第一項の規定によりその旨を経済産業大臣に届け出た後でなければ、基準日の翌日から起算して五十日を経過した日以後においては、新たに前払式割賦販売の契約を締結してはならない。

Article 18-3 (1) If, as of March 31 and September 30 of each year (each of these days is referred to below as a "base date"), the amount that corresponds to one-half of the total amount of advances that a licensed installment seller has received, from persons with which it has concluded contracts for prepaid installment sales by that base date, as all or part of the cost of the goods under the contracts, exceeds the amount of the business security deposit provided for in Article 17, paragraph (1) as of the base date, the licensed installment seller must not conclude any new contract for prepaid installment sales after fifty days have passed counting from the day after that base date, until it takes the preservative measures for advances received which are referred to in the following paragraph and notifies the Minister of Economy, Trade and Industry of this pursuant to the provisions of paragraph (1) of the following Article.

2 前受金保全措置は、前受業務保証金の供託又は前受業務保証金供託委託契約の締結であつて、その措置により、許可割賦販売業者が、基準日において前払式割賦販売の契約を締結している者から当該基準日までにその契約に係る商品の代金の全部又は一部として受領した前受金の合計額の二分の一に相当する額から当該基準日における第十七条第一項に規定する営業保証金の額を差し引いた額に相当する額（以下「基準額」という。）をその契約によつて生じた債務の弁済に充てることのできるものとする。

(2) Preservative measures for advances received are the making of business deposit for prepaid services or the conclusion of a contract on the entrustment of business deposits for prepaid services, in a way that the licensed installment seller may allocate an amount that corresponds to one-half of the total amount

of the advances that it receives by the base date, from persons with which it has concluded contracts for prepaid installment sales as of the base date, as all or part of the cost of the goods under the contracts, after the business security deposit prescribed in Article 17, paragraph (1) as of the base date is deducted (referred to below as the "base amount"), toward the repayment of obligations arising from those contracts.

3 前受金保全措置として締結する前受業務保証金供託委託契約は、次条第一項の規定による届出の翌日以降次の基準日の翌日から起算して五十日を経過する日（その日前に当該次の基準日に係る基準額について同項の規定による届出があつたときは、その届出の日）までの間に、委託者たる許可割賦販売業者が第二十七条第一項各号の一に該当することとなつた場合又は受託者が第二十条の三第三項の規定による指示を受けた場合において、受託者が委託者のために委託額に相当する額の前受業務保証金を供託することを約する契約とする。

(3) A contract on the entrustment of business deposits for prepaid services that is concluded as a preservative measure for advances received is a contract under which the entrusted party agrees to make a business deposit for prepaid services on behalf of the entrusting party, in an amount that corresponds to that with which it is entrusted, if the licensed installment seller that is the entrusting party comes to fall under one of the items of Article 27, paragraph (1) or if the entrusted party receives instructions under the provisions of Article 20-3, paragraph (3), during the period from the day after the notification under the provisions of paragraph (1) of the following Article until fifty days have elapsed counting from the day after the next base date (or, if a notification under that paragraph which concerns the base amount for that next base date is filed before that day, until the day of that notification).

4 銀行その他政令で定める金融機関又は経済産業大臣の指定する者でなければ、前項の前受業務保証金供託委託契約（以下単に「供託委託契約」という。）の受託者となることができない。

(4) It is not permissible for a person other than a bank, financial institution specified by Cabinet Order, or person designated by the Minister of Economy, Trade and Industry to become the entrusted party under a contract on the entrustment of business deposit for prepaid services as referred to in the preceding paragraph (simply referred to below as a "contract on the entrustment of business deposits").

5 第十六条第一項及び第十七条第二項の規定は、前受金保全措置として前受業務保証金を供託する場合に準用する。

(5) The provisions of Article 16, paragraph (1) and Article 17, paragraph (2) apply mutatis mutandis when a business deposit for prepaid services is made as a preservative measure for advances received.

第十八条の四 前受金保全措置を講じた許可割賦販売業者は、基準日ごとに、当該基準

日に係る基準額についての前受金保全措置につき、書面で、経済産業大臣に届け出なければならない。

Article 18-4 (1) A licensed installment seller that takes preservative measures for advances received must file a written notification with the Minister of Economy, Trade and Industry on each base date, of the preservative measures for advances received in respect of that base amount, for that base date.

2 許可割賦販売業者が新たな前受金保全措置を講じて前項の規定による届出をする場合においては、当該前受金保全措置が、前受業務保証金の供託であるときは供託物受入れの記載のある供託書の写しを、供託委託契約の締結であるときは当該契約書の写しをそれぞれ同項の書面に添附しなければならない。

(2) When a licensed installment seller takes a new preservative measure for advances received and files a notification under the provisions of the preceding paragraph, the document referred to in that paragraph must be accompanied by a copy of the deposit statement showing the receipt of the deposit, if that preservative measure for advances received is the making of a business deposit for prepaid services, or by the copy of the contract, if that preservative measure for advances received is the conclusion of a contract on the entrustment of business deposits.

第十八条の五 前受金保全措置を講じている許可割賦販売業者は、基準日において前払式割賦販売の契約を締結している者から当該基準日までにその契約に係る商品の代金の全部又は一部として受領した前受金の合計額の二分の一に相当する額が当該基準日における第十七条第一項に規定する営業保証金の額以下となつたときは、次の基準日までに、前受業務保証金の全部を取り戻し、又は供託委託契約の全部を解除することができる。

Article 18-5 (1) If an amount that corresponds to one-half of the total amount of the advances that a licensed instalment seller taking preservative measures for advances received has received by the base date, from persons with which it has concluded contracts for prepaid installment sales as of the base date, as all or part of the cost of the goods under the contracts, falls below the amount of the business security deposit provided for in Article 17, paragraph (1) as of the base date, the licensed installment seller may recover all of the business deposits for the prepaid services or cancel all of the contracts on the entrustment of business deposits by the next base date.

2 前項に定める場合を除き、前受金保全措置を講じている許可割賦販売業者は、基準日において当該前受金保全措置により前払式割賦販売の契約によつて生じた債務の弁済に充てることができる額が当該基準日に係る基準額をこえることとなつたときは、次の基準日までに、そのこえる額につき、前受業務保証金を取り戻し、又は供託委託契約の全部若しくは一部を解除することができる。

(2) In a case beyond what is prescribed in the preceding paragraph, if, as of the base date, the amount that can be allocated to the repayment of obligations

under a contract for prepaid installment sales due to the preservative measures for advances received, exceeds the base amount for that base date, the licensed installment seller that is taking the preservative measures may recover the excess amount of the business deposits for prepaid services or cancel all or part of the contract on the entrustment of business deposits.

3 前二項の規定による前受業務保証金の取戻しは、経済産業省令で定めるところにより、経済産業大臣の承認を受けなければ、することができない。

(3) The recovery of business deposits for prepaid services under the provisions of the preceding two paragraphs may not be made without the approval of the Minister of the Economy, Trade and Industry having been obtained pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

4 前項に定めるもののほか、第一項又は第二項の規定による前受業務保証金の取戻しに関し必要な事項は、法務省令・経済産業省令で定める。

(4) Beyond what is prescribed in the preceding paragraph, necessary matters relevant to the recovery of business deposits for prepaid services under the provisions of paragraph (1) or paragraph (2), are specified by Order of the Ministry of Justice and Order of the Ministry of Economy, Trade and Industry.

5 第一項又は第二項の規定による供託委託契約の解除は、経済産業省令で定めるところにより、経済産業大臣の承認を受けなければ、その効力を生じない。

(5) The cancellation of a contract on the entrustment of business deposits under the provisions of paragraph (1) or paragraph (2) does not become effective without the approval of the Minister of Economy, Trade and Industry having been obtained pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

6 前受金保全措置としての供託委託契約は、第一項又は第二項の規定による場合のほか、その全部又は一部を解除することができない。ただし、当該供託委託契約の一部を解除した場合において、なお当該供託委託契約が第十八条の三第三項に規定する要件を満たすものであるときは、この限りでない。

(6) It is not permissible for a contract on the entrustment of business deposits as a preservative measure for advances received to be cancelled in whole or in part, except in the cases prescribed in paragraph (1) or paragraph (2); provided, however, that this does not apply if a part of the contract on the entrustment of business deposits is canceled and the contract on the entrustment of business deposits still satisfies the requirements prescribed in Article 18-3, paragraph (3).

7 前項の規定に反する特約は、無効とする。

(7) Any special provisions of a contract that run counter to the preceding paragraph are void.

(承継)

(Succession)

第十八条の六 許可割賦販売業者が事業の全部を譲渡し、又は許可割賦販売業者について合併若しくは分割（当該事業の全部を承継させるものに限る。）があつたときは、当該事業の全部を譲り受けた法人又は合併後存続する法人若しくは合併により設立した法人若しくは分割により当該事業の全部を承継した法人は、その許可割賦販売業者の地位を承継する。ただし、当該事業の全部を譲り受けた法人又は合併後存続する法人若しくは合併により設立した法人若しくは分割により当該事業の全部を承継した法人が第十五条第一項第二号又は同項第六号から第八号までのいずれかに該当するときは、この限りでない。

Article 18-6 (1) If a licensed installment seller transfers all of its business or if a licensed installment seller merges or undergoes a company split (limited to when all of its business is succeeded to), the corporation succeeding to all of its business, the corporation surviving the merger, the corporation incorporated in the merger, or the corporation succeeding to the whole of business in the company split, succeeds to the status of licensed installment seller; provided, however, that this does not apply if the corporation succeeding to the whole of the business, the corporation surviving the merger, the corporation incorporated in the merger, or the corporation succeeding to the whole of business in the company split falls under one of the provisions of Article 15, paragraph (1), item (ii) or items (vi) through (viii) inclusive.

2 前項の規定により許可割賦販売業者の地位を承継した者は、遅滞なく、その事実を証する書面を添附して、その旨を経済産業大臣に届け出なければならない。

(2) A person that succeeds to the status of licensed installment seller pursuant to the provisions of the preceding paragraph must file a notification of this, accompanied by documents evidencing that fact, with the Minister of Economy, Trade and Industry, without delay.

(変更の届出等)

(Notification of a Change)

第十九条 許可割賦販売業者は、第十二条第一項各号に掲げる事項について変更があつたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 19 (1) If there is any change in a matter stated in one of the items of Article 12, paragraph (1), the licensed installment seller must notify the Minister of Economy, Trade and Industry of this without delay.

2 許可割賦販売業者は、前払式割賦販売契約約款を変更しようとするときは、その旨を経済産業大臣に届け出なければならない。

(2) If a licensed installment seller seeks to change the general conditions of a contract for prepaid installment sales, it must notify the Minister of Economy, Trade and Industry of this.

3 経済産業大臣は、前項の規定による変更の届出があつた場合において、その変更後の前払式割賦販売契約約款の内容が第十五条第一項第五号の経済産業省令・内閣府令で定める基準に適合しなくなると認めるときは、当該許可割賦販売業者に対し、その



内容の変更を命ずることができる。

(3) If the Minister of Economy, Trade and Industry is notified of a change under the provisions of the preceding paragraph and the minister finds that the content of the general conditions of the contract for prepaid installment sales after the change no longer conforms to the standard specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order which are referred to in Article 15, paragraph (1), item (v), the minister may order the licensed installment seller to change that content.

4 第十二条第二項及び第三項の規定は第一項の規定による変更の届出をする場合に、同条第二項の規定は第二項の規定による変更の届出をする場合に準用する。

(4) The provisions of Article 12, paragraphs (2) and (3) apply mutatis mutandis when a notification of a change under paragraph (1) is filed and the provisions of paragraph (2) of that Article apply mutatis mutandis when a notification of a change under paragraph (2) is filed.

(帳簿の備付け)

(Keeping of Books)

第十九条の二 許可割賦販売業者は、経済産業省令で定めるところにより、帳簿を備え、前払式割賦販売の契約について経済産業省令で定める事項を記載し、これを保存しなければならない。

Article 19-2 A licensed installment seller must keep books, enter in them the matters specified by Order of the Ministry of Economy, Trade and Industry concerning contracts for prepaid installment sales, and archive them, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(契約の締結の禁止)

(Prohibition on the Conclusion of Contracts)

第二十条 経済産業大臣は、許可割賦販売業者が第十五条第一項第三号の規定に該当することとなつたときは、当該許可割賦販売業者に対し、前払式割賦販売の契約を締結してはならない旨を命じなければならない。ただし、その命令をすることによつて購入者の保護に欠けることとなる場合は、この限りでない。

Article 20 (1) If a licensed installment seller comes to fall under the provisions of Article 15, paragraph (1), item (iii), the Minister of Economy, Trade and Industry must order that licensed installment seller not to conclude a contract for prepaid installment sales; provided, however, that this does not apply if the protection of purchasers would be compromised by that order.

2 経済産業大臣は、前項の規定による命令をした場合において、その許可割賦販売業者が六月以内にその命令の要件に該当しなくなつたときは、その命令を取り消さなければならない。

(2) If the Minister of Economy, Trade and Industry issues an order under the provisions of the preceding paragraph and the licensed installment seller

comes to no longer fall under the requirements referred to in that order within six months, the minister must rescind that order.

(改善命令)

(Improvement Orders)

第二十条の二 経済産業大臣は、許可割賦販売業者の財産の状況又は前払式割賦販売に係る業務の運営が次の各号のいずれかに該当する場合において、購入者の利益を保護するため必要かつ適当であると認めるときは、その必要の限度において、当該許可割賦販売業者に対し、財産の状況又は前払式割賦販売に係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 20-2 (1) If a licensed installment seller's financial condition or the business operations that are connected with prepaid installment sales fall under one of the following items and the Minister of Economy, Trade and Industry finds it to be necessary and appropriate to protect the interests of purchasers, the minister, within the scope that it is necessary, may order the licensed installment seller to take the necessary measures to improve its financial condition or to improve business operations that are connected with prepaid installment sales:

一 一事業年度の収益の額の費用の額に対する比率が経済産業省令で定める率を下つた場合

(i) the ratio of revenues to expenditures during one business year falls below the ratio specified by Order of the Ministry of Economy, Trade and Industry;

二 流動資産の合計額の流動負債の合計額に対する比率が経済産業省令で定める率を下つた場合

(ii) the ratio of total current assets to total current liabilities falls below the ratio specified by Order of the Ministry of Economy, Trade and Industry; or

三 前二号に掲げる場合のほか、購入者の利益を保護するため財産の状況又は前払式割賦販売に係る業務の運営につき是正を加えることが必要な場合として経済産業省令で定める場合

(iii) a case beyond what is stated in the preceding two items, which is specified by Order of the Ministry of Economy, Trade and Industry as a case in which it is necessary to remedy its financial condition or to remedy business operations that are connected with prepaid installment sales in order to protect the interests of purchasers.

2 前項第一号の収益の額及び費用の額並びに同項第二号の流動資産の合計額及び流動負債の合計額は、経済産業省令で定めるところにより計算しなければならない。

(2) The amount of revenues to expenditures referred to in item (i) of the preceding paragraph and the total current assets and total current liabilities referred to in item (ii) of that paragraph, are calculated pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

3 経済産業大臣は、許可割賦販売業者の前払式割賦販売に係る業務の運営が第一項第

三号に該当する場合において、同項の規定による命令をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(3) If the business operations that are connected with the prepaid installment sales of a licensed installment seller fall under paragraph (1), item (iii), before the Minister of Economy, Trade and Industry seeks to issue an order under the provisions of that paragraph, the minister must consult with the Prime Minister.

4 内閣総理大臣は、許可割賦販売業者の前払式割賦販売に係る業務の運営が第一項第三号に該当する場合において、購入者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、同項の規定による命令に関し、必要な意見を述べることができる。

(4) If the business operations that are connected with the prepaid installment sales of a licensed installment seller fall under paragraph (1), item (iii), and the Prime Minister finds it to be necessary to protect the interests of purchasers, the minister may state a necessary opinion on an order under the provisions of that paragraph to the Minister of Economy, Trade and Industry.

(供託委託契約の受託者の供託等)

(Deposit by an Entrusted Party under a Contract on the Entrustment of Business Deposits)

第二十条の三 経済産業大臣は、前受金保全措置として供託委託契約を締結している許可割賦販売業者が第二十七条第一項第一号から第四号までの一に該当するとき、又は第二十一条第一項の権利を有する者若しくは当該許可割賦販売業者から当該許可割賦販売業者が第二十七条第一項第五号若しくは第六号に該当する旨の申出があつたときは、遅滞なく、第二十一条第一項の権利を有する者に対し、六十日以上のある一定の期間内に経済産業大臣に債権の申出をすべきこと及びその期間内に債権の申出をしないときは当該公示に係る前受金保全措置についての権利の実行の手續から除斥されるべきことを公示しなければならない。

Article 20-3 (1) If a licensed installment seller that concludes a contract on the entrustment of business deposits as a preservative measure for advances received, falls under one of Article 27, paragraph (1), items (i) through (iv) inclusive, or if a person with the right referred to in Article 21, paragraph (1) or such a licensed installment seller files a notification indicating that the licensed installment seller falls under Article 27, paragraph (1), item (v) or item (vi), the Minister of Economy, Trade and Industry must issue public notice to persons with the right referred to in Article 21, paragraph (1), without delay, indicating that any such person must file a claim with the Minister of Economy, Trade and Industry within a fixed period of not less than sixty days, and that failure to file a claim within that period excludes a person from the process by which rights are exercised in connection with the preservative measures for advances received concerning the public notice.

2 経済産業大臣は、前項の規定による公示をしたときは、遅滞なく、当該許可割賦販売業者に係る供託委託契約の受託者に対し、当該公示に係る債権の申出をすべき期間の末日までに当該供託委託契約に基づく前受業務保証金を供託すべきことを指示しなければならない。ただし、当該受託者が次項の規定による指示を受けて前受業務保証金を供託している場合は、この限りでない。

(2) If the Minister of Economy, Trade and Industry issues public notice under the provisions of the preceding paragraph, the minister, without delay, must instruct the entrusted party under the contract on the entrustment of business deposits with the relevant licensed installment seller to make a business deposit for prepaid services based on that contract on the entrustment of business deposits by the last day of the period during which the filing of claims to which the public notice concerns must be made; provided, however, that this does not apply if the entrusted party has already made the business deposit for prepaid services on receipt of the instructions under the provisions of the following paragraph.

3 経済産業大臣は、前項本文に定める場合のほか、許可割賦販売業者と前払式割賦販売の契約を締結した者のその契約によつて生ずる債権を保全するため必要があると認めるときは、当該許可割賦販売業者に係る供託委託契約の受託者に対し、期限を指定して供託委託契約に基づく前受業務保証金を供託すべきことを指示することができる。

(3) If the Minister of Economy, Trade and Industry finds it to be necessary for the preservation of a person's claims arising under a contract for prepaid installment sales that the person has concluded with a licensed installment seller, the minister may instruct the entrusted party under a contract on the entrustment of business deposits with that licensed installment seller to make a business deposit for prepaid services based on the contract on the entrustment of business deposits within a designated time frame, in a case beyond what is prescribed in the main clause of the preceding paragraph.

4 供託委託契約の受託者は、第二項本文の規定による指示を受けたときは第一項の規定による公示に係る債権の申出をすべき期間の末日までに、前項の規定による指示を受けたときは同項の規定により指定された期限までに、当該供託委託契約に基づく前受業務保証金を供託しなければならない。

(4) If the entrusted party under a contract on the entrustment of business deposits is given an instruction under the provisions of the main clause of paragraph (2), it must make the business deposit for prepaid services based on the contract on the entrustment of business deposits by the last day of the period during which the filing of claims to which the public notice under the provisions of paragraph (1) concerns must be made, and if it is given an instruction under the preceding paragraph, it must make that deposit within the time frame designated pursuant to that paragraph.

5 供託委託契約の受託者は、前項の規定により前受業務保証金を供託したときは、経済産業大臣に供託物受入れの記載のある供託書の写しを提出しなければならない。

(5) When the entrusted party under a contract on the entrustment of business deposits makes a business deposit for prepaid services pursuant to the provisions of the preceding paragraph, it must submit a copy of the deposit statement showing the receipt of the deposit to the Minister of Economy, Trade and Industry.

6 第十六条第一項の規定は、第四項の規定により供託する場合に準用する。この場合において、同条第一項中「主たる営業所」とあるのは、「許可割賦販売業者の主たる営業所」と読み替えるものとする。

(6) The provisions of Article 16, paragraph (1) apply mutatis mutandis when a deposit is made pursuant to the provisions of paragraph (4). In this case, the phrase "the principal business office" in paragraph (1) of that Article is deemed to be replaced with "the principal business office of the licensed installment seller".

第二十条の四 前条第二項本文の規定による指示を受けて前受業務保証金を供託した供託委託契約の受託者は、同条第一項の規定による公示に係る債権の申出をすべき期間内にその申出がなかつた場合には、その供託した前受業務保証金を取り戻すことができる。

Article 20-4 (1) The entrusted party under a contract on the entrustment of business deposits which makes a business deposit for prepaid services following the instructions under the provisions of the main clause of paragraph (2) of the preceding Article, may recover the business deposit for prepaid services it makes, if a filing of claims to which the public notice under the provisions of paragraph (1) of that Article concerns is not made within the period during which the claims must be filed.

2 前条第三項の規定による指示を受けて前受業務保証金を供託した供託委託契約の受託者は、同条第一項の規定による公示がされている場合にあつては当該公示に係る債権の申出をすべき期間内にその申出がなかつたとき、当該公示がされていない場合にあつては経済産業省令で定めるところにより経済産業大臣の承認を受けたときは、その供託した前受業務保証金を取り戻すことができる。

(2) The entrusted party under a contract on the entrustment of business deposits which makes a business deposit for prepaid services following instructions under paragraph (3) of the preceding Article may recover the business deposit for prepaid services it makes if the public notice under the provisions of paragraph (1) of that Article is issued and the claim to which that public notice concerns is not filed within the period that the claim must be filed; or if the public notice is not issued and the entrusted party obtains the approval of the Minister of Economy, Trade and Industry pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

3 前二項の規定による前受業務保証金の取戻しに関し必要な事項は、法務省令・経済産業省令で定める。

(3) The necessary matters relevant to the recovery of a business deposit for prepaid services under the provisions of the preceding two paragraphs are specified by Order of the Ministry of Justice and Order of the Ministry of Economy, Trade and Industry.

(営業保証金及び前受業務保証金の還付)

(Refunding of Business Security Deposits and Business Deposits for Prepaid Services)

第二十一条 許可割賦販売業者と前払式割賦販売の契約を締結した者は、その契約によつて生じた債権に関し、当該許可割賦販売業者又は当該許可割賦販売業者と供託委託契約を締結した受託者が供託した営業保証金又は前受業務保証金について、その債権の弁済を受ける権利を有する。

Article 21 (1) A person that concludes a contract for prepaid installment sales with a licensed installment seller has the right to be repaid for the claims arising from such a contract out of the business security deposit or business deposit for prepaid services made by the licensed installment seller or an entrusted party that has concluded a contract on the entrustment of business deposits with that licensed installment seller.

2 前項の権利の実行に関し必要な事項は、政令で定める。

(2) The necessary matters relevant to the exercise of the right referred to in the preceding paragraph are specified by Cabinet Order.

(権利の実行があつた場合の措置)

(Measures for When Rights Are Exercised)

第二十二条 許可割賦販売業者は、前条第一項の権利を有する者がその権利を実行したため、営業保証金が第十七条第一項に規定する額に不足することとなつたときは、その事実を知つた日以後遅滞なく、その不足額を供託しなければならない。

Article 22 (1) If a business security deposit comes to fall short of the amount specified in Article 17, paragraph (1) because a person that holds the right referred to in paragraph (1) of the preceding Article exercises that right, the licensed installment seller must deposit the shortfall without delay on or after the date on which it becomes aware of that fact.

2 前受金保全措置を講じている許可割賦販売業者は、前条第一項の権利を有する者がその権利を実行したため、当該前受金保全措置により前払式割賦販売の契約によつて生じた債務の弁済に充てることのできる額がその権利を実行した日の直前の基準日における基準額に不足することとなつたときは、その事実を知つた日以後遅滞なく、その不足額について新たに前受金保全措置を講じ、書面で、その旨を経済産業大臣に届け出なければならない。

(2) If the amount that may be allocated for the repayment of an obligation arising from a contract for prepaid installment sales based on preservative measures for advances received comes to fall short of the base amount as of the base date

immediately before the day on which the right referred to in paragraph (1) of the preceding Article is exercised, because a person that holds that right exercises it, the licensed installment seller that is taking those preservative measures for advances received must take a new preservative measure for advances received for the shortfall without delay on or after the day on which it becomes aware of that fact, and must notify the Minister of Economy, Trade and Industry of this in writing.

3 第十六条第二項及び第十七条第二項の規定は第一項の規定により供託する場合に、第十八条の四第二項の規定は前項の規定による届出に準用する。

(3) The provisions of Article 16, paragraph (2) and Article 17, paragraph (2) apply mutatis mutandis when a deposit is made pursuant to paragraph (1), and the provisions of Article 18-4, paragraph (2) apply mutatis mutandis to a notification under the provisions of the preceding paragraph.

(営業保証金及び前受業務保証金の保管替え等)

(Change of Depository for a Business Security Deposit or Business Deposit for Prepaid Services)

第二十二條の二 許可割賦販売業者又は供託委託契約の受託者は、金銭のみをもつて営業保証金又は前受業務保証金を供託している場合において、許可割賦販売業者の主たる営業所の所在地について変更があつたためそのもよりの供託所が変更したときは、遅滞なく、営業保証金又は前受業務保証金を供託している供託所に対し、費用を予納して、所在地変更後の許可割賦販売業者の主たる営業所のもよりの供託所への営業保証金又は前受業務保証金の保管替えを請求しなければならない。

Article 22-2 (1) If the business security deposit or business deposit for prepaid services is made solely in cash and the nearest depository changes because the location of the principal business office of the licensed installment seller has changed, the licensed installment seller or the entrusted party under a contract on the entrustment of business deposits must pay the expenses in advance and request the depository with which the business security deposit or business deposit for prepaid services has been made to transfer the business security deposit or business deposit for prepaid services to the depository which is nearest to the principal business office of the licensed installment seller after the change, without delay.

2 許可割賦販売業者は、第十七条第二項に規定する有価証券又はその有価証券及び金銭をもつて営業保証金又は前受業務保証金を供託している場合において、主たる営業所の所在地について変更があつたためその最寄りの供託所が変更したときは、遅滞なく、当該営業保証金又は前受業務保証金の額と同額の営業保証金又は前受業務保証金を所在地変更後の主たる営業所の最寄りの供託所に供託しなければならない。その供託をしたときは、法務省令・経済産業省令で定めるところにより、所在地変更前の主たる営業所の最寄りの供託所に供託した営業保証金又は前受業務保証金を取り戻すことができる。

(2) If a business security deposit or business deposit for prepaid services is made in the form of securities provided for in Article 17, paragraph (2) or in those securities and cash, and the nearest depository changes because the location of the principal business office of a licensed installment seller has changed, the licensed installment seller must make a business security deposit or business deposit for prepaid services in the same amount as that business security deposit or business deposit for prepaid services with the depository which is nearest to its principal business office after the change, without delay. Once that deposit is made, the business security deposit or business deposit for prepaid services that was made with the depository that was nearest to the principal business office before it changed location may be recovered pursuant to the provisions of Order of the Ministry of Justice and Order of the Ministry of Economy, Trade and Industry.

3 第十七条第二項の規定は、前項の規定により供託する場合に準用する。

(3) The provisions of Article 17, paragraph (2) apply mutatis mutandis when a deposit is made pursuant to the provisions of the preceding paragraph.

(許可の取消し等)

(Rescission of a License)

第二十三条 経済産業大臣は、許可割賦販売業者が次の各号の一に該当するときは、その許可を取り消さなければならない。

Article 23 (1) If a licensed installment seller falls under one of the following items, the Minister of Economy, Trade and Industry must rescind its license:

一 第十五条第一項第二号、第七号又は第八号の規定に該当することとなつたとき。

(i) it comes to fall under the provisions of Article 15, paragraph (1), item (ii), item (vii), or item (viii);

二 第二十条第一項の規定による命令があつた場合において、その命令の日から六月以内に同条第二項の規定による取消しがされないとき。

(ii) an order under Article 20, paragraph (1) is issued and a rescission under the provisions of paragraph (2) of that Article is not made within six months from the date of that order;

三 第二十条第一項の規定による命令に違反したとき。

(iii) it violates an order under the provisions of Article 20, paragraph (1); or

四 不正の手段により第十一条の許可を受けたとき。

(iv) it has obtained the license referred to in Article 11 by wrongful means.

2 経済産業大臣は、許可割賦販売業者が次の各号の一に該当するときは、当該許可割賦販売業者に対し、三月以内の期間を定めて前払式割賦販売の契約を締結してはならない旨を命じ、又はその許可を取り消すことができる。

(2) If a licensed installment seller falls under one of the following items, the Minister of Economy, Trade and Industry may order that licensed installment seller not to conclude any contract for prepaid installment sales for a fixed



period of no longer than three months, or may rescind its license:

一 第十六条第三項（第十八条第二項において準用する場合を含む。）の規定に違反して営業を開始したとき。

(i) it violates the provisions of Article 16, paragraph (3) (including as applied mutatis mutandis pursuant to Article 18, paragraph (2)) in commencing operations;

二 第十八条の三第一項の規定に違反して新たに前払式割賦販売の契約を締結したとき。

(ii) it violates the provisions of Article 18-3, paragraph (1) in concluding a new contract for prepaid installment sales;

三 第十九条第三項の規定による命令に違反したとき。

(iii) it violates an order under the provisions of Article 19, paragraph (3);

四 第二十条の二第一項の規定による命令に違反したとき。

(iv) it violates an order under the provisions of Article 20-2, paragraph (1);

五 第二十二条第一項の規定による供託をしないとき。

(v) it fails to make a deposit under the provisions of Article 22, paragraph (1);

or

六 第二十二条第二項の規定による前受金保全措置を講じないとき。

(vi) it fails to take preservative measures for advances received under the provisions of Article 22, paragraph (2).

3 経済産業大臣は、許可割賦販売業者が前項第四号の命令（当該許可割賦販売業者の前払式割賦販売に係る業務の運営が第二十条の二第一項第三号に該当する場合におけるものに限る。次項及び第四十条第二項において同じ。）に違反した場合において、前項の規定による処分をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(3) If a licensed installment seller violates the order referred to in item (iv) of the preceding paragraph (limited to an order issued when business operations that are connected with the prepaid installment sales of the licensed installment seller fall under Article 20-2, paragraph (1), item (iii); the same applies in the following paragraph and Article 40, paragraph (2)), before the Minister of Economy, Trade and Industry seeks to reach a disposition under the preceding paragraph, the minister must consult with the Prime Minister.

4 内閣総理大臣は、許可割賦販売業者が第二項第四号の命令に違反した場合において、購入者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、同項の規定による処分に関し、必要な意見を述べることができる。

(4) If a licensed installment seller violates the order referred to in item (iv) of paragraph (2) and the Prime Minister finds it to be necessary to protect the interests of purchasers, the minister may state a necessary opinion concerning a disposition under the provisions of that paragraph to the Minister of Economy, Trade and Industry.

5 経済産業大臣は、第一項又は第二項の規定により許可を取り消したときは、遅滞な

く、その理由を示して、その旨を当該許可割賦販売業者であつた者に通知しなければならない。

(5) If the Minister of Economy, Trade and Industry rescinds a license pursuant to the provisions of paragraph (1) or paragraph (2), the minister must notify the person that was formerly the relevant licensed installment seller of this, indicating the reasons for the rescission, without delay.

(処分の公示)

(Public Notice of a Disposition)

第二十四条 経済産業大臣は、第二十条第一項の規定による命令をし、若しくは同条第二項の規定によりこれを取り消したとき、又は前条第一項若しくは第二項の規定により許可を取り消したときは、経済産業省令で定めるところにより、その旨を公示しなければならない。

Article 24 If the Minister of Economy, Trade and Industry issues an order under the provisions of Article 20, paragraph (1) or rescinds such an order pursuant to the provisions of Article 20, paragraph (2), or if the minister rescinds a license pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, the minister must issue a public notice of this pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(許可の失効)

(Expiration of a License)

第二十五条 許可割賦販売業者が前払式割賦販売の営業を廃止したときは、許可は、その効力を失う。

Article 25 If a licensed installment seller discontinues operations in prepaid installment sales, its license expires.

(廃止の届出)

(Notification of Discontinuation)

第二十六条 許可割賦販売業者は、前払式割賦販売の営業を廃止したときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 26 (1) If a licensed installment seller discontinues operations in prepaid installment sales, it must notify the Minister of Economy, Trade and Industry of the discontinuation without delay.

2 第二十四条の規定は、前項の規定による届出があつた場合に準用する。

(2) The provisions of Article 24 apply mutatis mutandis when a notification under the preceding paragraph is filed.

(契約の解除)

(Cancellation of a Contract)

第二十七条 許可割賦販売業者が次の各号のいずれかに該当するときは、当該許可割賦

販売業者と前払式割賦販売の契約を締結している者でその契約に係る商品の引渡しを受けていないものは、その契約を解除することができる。

**Article 27** (1) If a licensed installment seller falls under one of the following items, a person that has concluded a contract for prepaid installment sales with that licensed installment seller but has not been delivered the goods under that contract may cancel the contract:

一 基準日の翌日から起算して五十日を経過する日までの間に当該基準日に係る基準額について前受金保全措置を講じなかつたとき。

(i) it fails to take preservative measures for advances received for the base amount as of the base date, on or before the day on which fifty days have passed since the day following the relevant base date;

二 第二十条第一項の規定による命令を受けたとき。

(ii) it becomes subject to an order under Article 20, paragraph (1);

三 第二十三条第一項又は第二項の規定により許可を取り消されたとき。

(iii) its license is rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 23;

四 第二十五条の規定により許可が効力を失つたとき。

(iv) its license loses validity pursuant to the provisions of Article 25;

五 破産手続開始、再生手続開始又は更生手続開始の申立てがあつたとき。

(v) a motion to commence bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings is filed; or

六 支払を停止したとき。

(vi) it suspends payments.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the preceding paragraph are void.

(許可の取消し等に伴う取引の結了等)

**(Completion of Transactions Upon Rescission of a License)**

第二十八条 許可割賦販売業者が第二十三条第一項若しくは第二項の規定により許可を取り消されたとき、又は第二十五条の規定により許可が効力を失つたときは、当該許可割賦販売業者であつた者又はその一般承継人は、当該許可割賦販売業者が締結した前払式割賦販売の契約に基づく取引を結了する目的の範囲内においては、なお許可割賦販売業者とみなす。

**Article 28** If the license of a licensed installment seller is rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 23 or loses validity pursuant to the provisions of Article 25, the person that was formerly the licensed installment seller or its general successor is deemed to continue to be a licensed installment seller, inasmuch as its sole aim is to enable the completion of transactions under contracts for prepaid installment sales that the licensed installment seller has concluded.

第二十九条 許可割賦販売業者が第二十三条第一項若しくは第二項の規定により許可を取り消されたとき、又は第二十五条の規定により許可が効力を失ったときは、許可割賦販売業者であつた者又はその承継人（前条の規定により許可割賦販売業者とみなされる者を除く。）は、当該許可割賦販売業者であつた者が供託した営業保証金又は前受業務保証金を取り戻すことができる。

Article 29 (1) If the license of a licensed installment seller is rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 23 or loses validity pursuant to the provisions of Article 25, the person that was formerly that licensed installment seller or its successor (excluding a person that is deemed to be a licensed installment seller pursuant to the provisions of the preceding Article) may recover the business security deposit or business deposit for prepaid services that the person that was formerly that licensed installment seller has made.

2 前項の営業保証金又は前受業務保証金の取戻しは、当該営業保証金又は前受業務保証金につき第二十一条第一項の権利を有する者に対し、六月を下らない一定期間内に申し出るべき旨を公告し、その期間内にその申出がなかつた場合でなければ、することができない。ただし、営業保証金又は前受業務保証金を取り戻すことができる理由が発生した時から十年を経過したときは、この限りでない。

(2) The recovery of a business security deposit or business deposit for prepaid services referred to in the preceding paragraph is not permitted unless public notice is issued to the persons with the right to that business security deposit or business deposit for prepaid services as referred to in Article 21, paragraph (1), indicating that those persons must make a filing within a fixed period of not less than six months, and no filing is made within that period; provided, however, that this does not apply once ten years have passed following the occurrence of grounds for the recovery of a business security deposit or business deposit for prepaid services.

3 前項の公告その他第一項の規定による営業保証金又は前受業務保証金の取戻しに関し必要な事項は、法務省令・経済産業省令で定める。

(3) The necessary matters of the public notice referred to in the preceding paragraph and those relevant to the recovery of the business security deposit or business deposit for prepaid services under the provisions of paragraph (1) are specified by Order of the Ministry of Justice and Order of the Ministry of Economy, Trade and Industry.

## 第二章の二 ローン提携販売

### Chapter II-2 Loan-Affiliated Installment Sales

(ローン提携販売条件の表示)

(Indication of the Terms and Conditions of Loan-Affiliated Installment Sales)

第二十九条の二 ローン提携販売を業とする者（以下「ローン提携販売業者」という。）は、第二条第二項第一号に規定するローン提携販売の方法により指定商品若しくは指定権利を販売するため又は指定役務を提供するためカード等を利用者に交付し又は付与するときは、経済産業省令・内閣府令で定めるところにより、当該ローン提携販売をする場合における商品若しくは権利の販売条件又は役務の提供条件に関する次の事項を記載した書面を当該利用者に交付しなければならない。

Article 29-2 (1) If a person in the business of loan-affiliated installment sales (referred to below as a "loan-affiliated installment seller") issues or grants a card, etc., to a user in order to sell designated goods or designated rights or provide designated services in a way that involves a loan-affiliated installment sale as prescribed in Article 2, paragraph (2), item (i), the loan-affiliated installment seller must deliver a document to the user stating the following matters with respect to the terms and conditions of the sale of goods or rights or the terms and conditions for the provision of services when a loan-affiliated installment sale is made, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 ローン提携販売に係る借入金の返還（利息の支払を含む。）の期間及び回数

(i) the term and number of payments (including interest payments) in connection with a loan-affiliated installment sale;

二 経済産業省令・内閣府令で定める方法により算定したローン提携販売に係る借入金の利息その他の手数料の料率

(ii) the interest rate and the rate of other fees connected with the loan under a loan-affiliated installment sale, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

2 ローン提携販売業者は、第二条第二項第二号に規定するローン提携販売の方法により、指定商品若しくは指定権利を販売するため又は指定役務を提供するため、カード等を利用者に交付し又は付与するときは、経済産業省令・内閣府令で定めるところにより、当該ローン提携販売をする場合における商品若しくは権利の販売条件又は役務の提供条件に関する次の事項を記載した書面を当該利用者に交付しなければならない。

(2) If a loan-affiliated installment seller issues or grants a card, etc. to a user in order to sell designated goods or designated rights or provide designated services in a way that involves a loan-affiliated installment sale as prescribed in Article 2, paragraph (2), item (ii), the loan-affiliated installment seller must deliver a document to the user stating the following matters in respect of the terms and conditions of the sale of goods or rights or the terms and conditions for the provision of services when a loan-affiliated installment sale is made, pursuant to the provisions of Order of the Ministry of Economy, Trade and

**Industry and Cabinet Office Order:**

一 利用者が弁済をすべき時期及び当該時期ごとの弁済金の額の算定方法

(i) the timing at which a user is required to make the payment and how the amount of the payment money is calculated each time;

二 経済産業省令・内閣府令で定める方法により算定したローン提携販売に係る借入金の利息その他の手数料の料率

(ii) the interest rate and the rate of other fees connected with the loan under a loan-affiliated installment sale, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

3 ローン提携販売業者は、第一項又は前項のローン提携販売の方法により指定商品若しくは指定権利を販売する場合の販売条件又は指定役務を提供する場合の提供条件について広告をするときは、経済産業省令・内閣府令で定めるところにより、当該広告に、それぞれ第一項各号又は前項各号の事項を表示しなければならない。

(3) When a loan-affiliated installment seller sells designated goods or designated rights or provides designated services in a way that involves a loan-affiliated installment sale as referred to in paragraph (1) or the preceding paragraph, and advertises the terms and conditions of the sale or the terms and conditions for their provision, it must indicate the matters stated in the items of paragraph (1) or in the preceding paragraph, respectively, in its advertising, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(書面の交付)

**(Delivery of Documents)**

第二十九条の三 ローン提携販売業者は、第二条第二項第一号に規定するローン提携販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、次の事項について契約の内容を明らかにする書面を購入者又は役務の提供を受ける者に交付しなければならない。

Article 29-3 (1) If a loan-affiliated installment seller concludes a contract under which it will sell designated goods or designated rights or provide designated services in a way that involves a loan-affiliated installment sale as prescribed in Article 2, paragraph (2), item (i), the loan-affiliated installment seller must deliver a document to the purchaser or service recipient which makes clear the details of the contract with respect to the following matters, without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

- 一 購入者又は役務の提供を受ける者の支払総額（ローン提携販売の方法により商品若しくは権利を販売し又は役務を提供する場合の価格（保証料その他の手数料を含む。）及びローン提携販売に係る借入金の利息の合計額をいう。）
- (i) the total amount payable by the purchaser or service recipient (meaning the total price of goods or rights sold or services provided in a way that involves a loan-affiliated installment sale (including guarantee fees and other fees), and the interest on the loan connected with that loan-affiliated installment sale);
- 二 分割返済金（ローン提携販売に係る各回ごとの借入金の返還分（利息の支払分を含む。）をいう。以下同じ。）の額
- (ii) the amount of the amortized repayments (meaning the amount of the loan to be repaid on each occasion in respect of the loan-affiliated installment sale (including the amount to be paid in interest); the same applies below);
- 三 分割返済金の返済の時期及び方法
- (iii) the timing and method of repayment in respect of the amortized repayments;
- 四 商品の引渡時期若しくは権利の移転時期又は役務の提供時期
- (iv) the timing for the delivery of the goods, the timing for the transfer of the rights, or the timing for the provision of the services;
- 五 契約の解除に関する事項
- (v) information about cancellation of the contract;
- 六 所有権の移転に関する定めがあるときは、その内容
- (vi) if there are provisions concerning the transfer of ownership, their details; and
- 七 前各号に掲げるもののほか、経済産業省令・内閣府令で定める事項
- (vii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.
- 2 ローン提携販売業者は、第二条第二項第二号に規定するローン提携販売の方法により指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、次の事項について契約の内容を明らかにする書面を購入者又は役務の提供を受ける者に交付しなければならない。
- (2) If a loan-affiliated installment seller concludes a contract under which it will sell designated goods or designated rights or provide designated services in a way that involves a loan-affiliated installment sale as prescribed in Article 2, paragraph (2), item (ii), the loan-affiliated installment seller must deliver a document to the purchaser or service recipient which makes clear the details of the contract with respect to the following matters, without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

- 一 購入者又は役務の提供を受ける者の当該ローン提携販売の契約に係る借入金の額  
(i) the amount of the loan engaged by the purchaser or service recipient under the contract for the loan-affiliated installment sale;
- 二 弁済金の返済の方法  
(ii) the method of repayment in respect of the payment money;
- 三 商品の引渡時期若しくは権利の移転時期又は役務の提供時期  
(iii) the timing of the delivery of the goods, the timing of the transfer of the rights, or the timing of the provision of the services;
- 四 契約の解除に関する事項  
(iv) information about cancellation of the contract;
- 五 所有権の移転に関する定めがあるときは、その内容  
(v) if there are provisions concerning the transfer of ownership, their details;  
and
- 六 前各号に掲げるもののほか、経済産業省令・内閣府令で定める事項  
(vi) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.

(準用規定)

(Provisions Applied Mutatis Mutandis)

第二十九条の四 第四条の二の規定はローン提携販売業者に、第八条（第六号を除く。）の規定はローン提携販売に準用する。この場合において、第四条の二中「第三条第二項若しくは第三項又は前条各項」とあるのは、「第二十九条の二第一項若しくは第二項又は第二十九条の三各項」と読み替えるものとする。

Article 29-4 (1) The provisions of Article 4-2 apply mutatis mutandis to a loan-affiliated installment seller and Article 8 (excluding item (vi)) applies mutatis mutandis to a loan-affiliated installment sale. In this case, the phrase "paragraph (2) or paragraph (3) of Article 3 or the paragraphs of the preceding Article" in Article 4-2 is deemed to be replaced with "paragraph (1) or paragraph (2) of Article 29-2 or the paragraphs of Article 29-3".

2 第三十条の四の規定は、第二条第二項第一号に規定するローン提携販売に係る分割返済金の返済についてローン提携販売業者に対して生じている事由をもつてローン提供業者（同号に規定する債務の保証を受けてローン提携販売に係る購入者又は役務の提供を受ける者に対して同号に規定する金銭の貸付けを業として行う者をいう。）に対抗する場合に準用する。この場合において、第三十条の四第一項中「商品」とあるのは「指定商品」と、「役務に」とあるのは「指定役務に」と、「第三十条の二の三第一項第二号の支払分」とあるのは「第二十九条の三第一項第二号の分割返済金」と、「当該役務」とあるのは「当該指定役務」と、同条第四項中「支払分」とあるのは「分割返済金」と読み替えるものとする。

(2) The provisions of Article 30-4 apply mutatis mutandis when grounds involving the payment of amortized repayments in connection with a loan-affiliated installment sale provided for in Article 2, paragraph (2), item (i),



which arise against a loan-affiliated installment seller, are asserted against the loan provider (meaning the person that has lent money as prescribed in that item to the purchaser or service recipient connected with a loan-affiliated installment sale in the course of trade, based on the guarantee of obligations prescribed in that item). In this case, the term "goods" in Article 30-4, paragraph (1) is deemed to be replaced with "designated goods"; the term "services" in that paragraph is deemed to be replaced with "designated services"; the phrase "amount to be paid as referred to in Article 30-2-3, paragraph (1), item (ii)" in that paragraph is deemed to be replaced with "amortized repayment as stated in Article 29-3, paragraph (1), item (ii)"; the term "services" in that paragraph is deemed to be replaced with "designated services"; and the term "amount to be paid" in paragraph (4) of that Article is deemed to be replaced with "amortized repayment".

3 第三十条の五の規定は、第二条第二項第二号に規定するローン提携販売に係る弁済金の返済について準用する。この場合において、第三十条の五第一項中「前条」とあるのは、「第二十九条の四第二項において準用する前条」とするほか、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 30-5 apply mutatis mutandis to the payment money for loan-affiliated installment sales prescribed in Article 2, paragraph (2), item (ii). In this case, the term "the preceding Article" in Article 30-5, paragraph (1) is deemed to be replaced with "the preceding Article as applied mutatis mutandis pursuant to Article 29-4, paragraph (2)", and other necessary technical replacements of terms are specified by Cabinet Order.

### 第三章 信用購入あつせん

#### Chapter III Intermediation of Credit Purchases

##### 第一節 包括信用購入あつせん

##### Section 1 Intermediation of Comprehensive Credit Purchases

##### 第一款 業務

##### Subsection 1 Business

(包括信用購入あつせんの取引条件に関する情報の提供等)

(Provision of Information on the Terms and Conditions of Transactions

Involving the Intermediation of Comprehensive Credit Purchases)

第三十条 包括信用購入あつせんを業とする者（以下「包括信用購入あつせん業者」という。）は、第二条第三項第一号に規定する包括信用購入あつせんをするためカード等を利用者に交付し又は付与するときは、経済産業省令・内閣府令で定めるところにより、当該包括信用購入あつせんをする場合における取引条件に関する次の事項に係る情報を当該利用者に提供しなければならない。

Article 30 (1) If a person in the business of the intermediation of comprehensive credit purchases (referred to below as a "comprehensive credit purchase

intermediary") issues or grants a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (i), the comprehensive credit purchase intermediary must provide the user with information relating to the following matters with respect to the terms and conditions of the intermediation of comprehensive credit purchases, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 包括信用購入あつせんに係る商品若しくは権利の代金又は役務の対価（包括信用購入あつせんの手数料を含む。）の支払の期間及び回数

(i) the term and number of payments, which the intermediation of comprehensive credit purchases is for, for the cost of the goods or rights or the consideration for the services (including fees for the intermediation of comprehensive credit purchases);

二 経済産業省令・内閣府令で定める方法により算定した包括信用購入あつせんの手数料の料率

(ii) the rate of the fees for the intermediation of comprehensive credit purchases, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

2 包括信用購入あつせん業者は、第二条第三項第二号に規定する包括信用購入あつせんをするためカード等を利用者に交付し又は付与するときは、経済産業省令・内閣府令で定めるところにより、当該包括信用購入あつせんをする場合における取引条件に関する次の事項に係る情報を当該利用者に提供しなければならない。

(2) If a comprehensive credit purchase intermediary issues or grants a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (ii), the comprehensive credit purchase intermediary must provide the user with information relating to the following matters with respect to the terms and conditions for the intermediation of comprehensive credit purchases, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 利用者が弁済をすべき時期及び当該時期ごとの弁済金の額の算定方法

(i) the timing at which a user is required to make the payment and how the amount of the payment money is calculated each time;

二 経済産業省令・内閣府令で定める方法により算定した包括信用購入あつせんの手数料の料率

(ii) the rate of the fees for the intermediation of comprehensive credit purchases, as arrived at by the method of calculation specified by Order of the Ministry of Economy; and Trade and Industry and Cabinet Office Order;

and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

3 包括信用購入あつせん業者は、前二項に規定するカード等の交付時又は付与時において利用者から第一項各号又は前項各号の事項を記載した書面の交付を求められたときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該書面を交付しなければならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

(3) When, at the time of issuance or granting of a card, etc. as stated in the preceding two paragraphs, a comprehensive credit purchase intermediary is requested by a user to deliver a document stating the matters stated in the items of paragraph (1) or in the items of the preceding paragraph, the comprehensive credit purchase intermediary must deliver the document without delay pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

4 包括信用購入あつせん業者は、第一項又は第二項に規定する包括信用購入あつせんをする場合の取引条件について広告をするときは、経済産業省令・内閣府令で定めるところにより、当該広告に、それぞれ第一項各号又は第二項各号の事項を表示しなければならない。

(4) When a comprehensive credit purchase intermediary advertises the terms and conditions for the intermediation of comprehensive credit purchases as stated in paragraph (1) or paragraph (2), the comprehensive credit purchase intermediary must indicate the matters stated in the items of paragraph (1) or in the items of paragraph (2), respectively, in its advertising, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(包括支払可能見込額の調査)

(Investigation into the Comprehensive Purchase Amount Projected to Be Affordable)

第三十条の二 包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者（個人である利用者に限る。以下この条、次条、第三十条の五の五、第三十条の五の六、第三十五条の二の四、第三十五条の二の五及び第三節において同じ。）に交付し若しくは付与しようとする場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額（包括信用購入あつせんに係る購入又は受領の方法により商品若しくは権利を購入し、又は役務を受領することができる額の上限であつて、あらかじめ定められたものをいう。以下同じ。）を増額しようとする場合には、

その交付若しくは付与又はその増額に先立つて、経済産業省令・内閣府令で定めるところにより、年収、預貯金、信用購入あつせん（包括信用購入あつせん及び個別信用購入あつせんをいう。以下同じ。）に係る債務の支払の状況、借入れの状況その他の当該利用者の包括支払可能見込額を算定するために必要な事項として経済産業省令・内閣府令で定めるものを調査しなければならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 30-2 (1) When a comprehensive credit purchase intermediary seeks to issue or grant a card, etc. to a user (limited to a user that is an individual; the same applies below in this Article, the following Article, Article 30-5-5, Article 30-5-6, Article 35-2-4, Article 35-2-5 and Section 3) in order to effect the intermediation of comprehensive credit purchases, or seeks to increase the credit line on a card, etc. it has issued or granted to a user (a credit line means the maximum amount of goods or rights the user can purchase or services the user can receive in a way that involves the intermediation of comprehensive credit purchases, and is specified in advance; the same applies below), the comprehensive credit purchase intermediary must investigate, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, the annual income, balance of deposits and savings, payment status of obligations that involve the intermediation of credit purchases (meaning the intermediation of comprehensive credit purchases and the intermediation of individual credit purchases; the same applies below), loan status, and other necessary matters relevant to the calculation of the comprehensive purchase amount projected to be affordable to the user as specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

2 この節において「包括支払可能見込額」とは、主として自己の居住の用に供する住宅その他の経済産業省令・内閣府令で定める資産を譲渡し、又は担保に供することなく、かつ、生活維持費（最低限度の生活を維持するために必要な一年分の費用として経済産業省令・内閣府令で定める額をいう。第三十五条の三の三において同じ。）に充てるべき金銭を使用することなく、利用者が包括信用購入あつせんに係る購入又は受領の方法により購入しようとする商品若しくは指定権利の代金又は受領しようとする役務の対価に相当する額の支払に充てることができると見込まれる一年間当たりの額をいう。

(2) The "comprehensive purchase amount projected to be affordable" as used in this Section means the projected amount that a user can allocate in a year for payment of the amount that corresponds to the cost of goods or designated rights that the user seeks to purchase or consideration for services that the user seeks to receive in a way that involves the intermediation of

comprehensive credit purchases, without transferring or pledging as collateral the home that the user principally uses as a residence or other assets specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, and without using money that should be allocated to the living expenses of the user (meaning the amount specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as the annual cost that is necessary for maintaining the minimum standards of living; the same applies in Article 35-3-3).

3 包括信用購入あつせん業者は、第一項本文の規定による調査を行うときは、第三十五条の三の三十六第一項の規定による指定を受けた者（以下「指定信用情報機関」という。）が保有する特定信用情報（利用者又は購入者（個人である購入者に限る。以下この項、第三十五条の三の三、第三十五条の三の四及び第三節において同じ。）若しくは役務の提供を受ける者（個人である役務の提供を受ける者に限る。以下この項、第三十五条の三の三、第三十五条の三の四及び同節において同じ。）の包括支払可能見込額、第三十条の五の四第一項に規定する利用者支払可能見込額又は第三十五条の三の三第二項に規定する個別支払可能見込額に関する情報（当該利用者又は購入者若しくは役務の提供を受ける者を識別することができる情報を含む。）のうち、信用購入あつせんに係る債務の支払の状況その他経済産業省令・内閣府令で定めるものをいう。以下同じ。）を使用しなければならない。

(3) When a comprehensive credit purchase intermediary performs an investigation pursuant to the provisions of the main clause of paragraph (1), it must use specified credit information (meaning information about the comprehensive purchase amount projected to be affordable, the user purchase amount projected to be affordable as prescribed in Article 30-5-4, paragraph (1) or the individual purchase amount projected to be affordable as prescribed in Article 35-3-3, paragraph (2) for a user, or for a purchaser (limited to an individual purchaser; the same applies below in this paragraph, Article 35-3-3, Article 35-3-4, and Section 3) or service recipient (limited an individual service recipient; the same applies below in this paragraph, Article 35-3-3, Article 35-3-4, and that Section) (including information that can be used to distinguish the user, purchaser, or service recipient) which concerns the payment status of obligations from the intermediation of credit purchases and other information specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; the same applies below) that is held by a person with a designation under the provisions of Article 35-3-36, paragraph (1) (referred to below as the "designated credit bureau").

4 包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与した場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額した場合には、経済産業省令・内閣府令で定めるところにより、第一項本文の規定による調査に関する記録を作成し、これを保存しなければならない。

(4) When a comprehensive credit purchase intermediary issues or grants a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases, or increases the credit line on a card, etc. it has issued or granted to a user, the comprehensive credit purchase intermediary must record and archive the results of the investigation under the provisions of the main clause of paragraph (1), pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(包括支払可能見込額を超える場合のカード等の交付等の禁止)

(Prohibition on the Issuance of a Card, etc. in Excess of the Comprehensive Purchase Amount Projected to Be Affordable)

第三十条の二の二 包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与しようとする場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額しようとする場合において、当該利用者に交付し若しくは付与しようとするカード等に係る極度額又は当該増額された後の極度額が、前条第一項本文の規定による調査により得られた事項を基礎として算定した包括支払可能見込額に包括信用購入あつせんに係る購入又は受領の方法により購入される商品若しくは指定権利の代金又は受領される役務の対価に相当する額の受領に係る平均的な期間を勘案して経済産業大臣及び内閣総理大臣が定める割合を乗じて得た額を超えるときは、当該カード等を交付し若しくは付与し、又は極度額を増額してはならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 30-2-2 If a comprehensive credit purchase intermediary seeks to issue or grant a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases or to increase the credit line on a card, etc. it has issued or granted to a user, but the credit line on the card, etc. that it seeks to issue or grant the user or the credit line after the increase would exceed the amount arrived at by multiplying the comprehensive purchase amount projected to be affordable as calculated based on information obtained in an investigation under the main clause of paragraph (1) of the preceding Article, by the rate specified by the Minister of Economy, Trade and Industry and the Prime Minister in consideration of the average term for receiving an amount that corresponds to the cost of goods or designated rights purchased or consideration for services received in a way that involves the intermediation of comprehensive credit purchases, the comprehensive credit purchase intermediary must not issue or grant the card, etc. or increase the credit line; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

(包括信用購入あつせん関係受領契約に関する情報の提供等)

(Provision of Information on Contract Providing the Receipt of Monies Subject to the Intermediation of Comprehensive Credit Purchases)

第三十条の二の三 包括信用購入あつせん業者は、包括信用購入あつせんに係る購入又は受領の方法により購入される商品若しくは指定権利の代金又は受領される役務の対価に相当する額の受領に係る契約（以下「包括信用購入あつせん関係受領契約」という。）であつて第二条第三項第一号に規定する包括信用購入あつせんに係るものを締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該契約に関する次の事項に係る情報を購入者又は役務の提供を受ける者に提供しなければならない。

Article 30-2-3 (1) When a comprehensive credit purchase intermediary concludes a contract under which an amount of money will be received that corresponds to the cost of goods or designated rights purchased or consideration for services received in a way that involves the intermediation of comprehensive credit purchases (referred to below as a "contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases") in connection with the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (i), the comprehensive credit purchase intermediary must provide the purchaser or service recipient with information relating to the following matters concerning that contract without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 購入者又は役務の提供を受ける者の支払総額（当該商品若しくは当該権利の現金販売価格又は当該役務の現金提供価格及び包括信用購入あつせんの手数料の合計額をいう。第三十条の三及び第三十条の四において同じ。）

(i) the total amount payable by the purchaser or service recipient (meaning the total of the cash price of the goods or rights or the cash price of the services, and the amount of fees for the intermediation of comprehensive credit purchases; the same applies in Article 30-3 and Article 30-4);

二 包括信用購入あつせんに係る各回ごとの商品若しくは権利の代金又は役務の対価（包括信用購入あつせんの手数料を含む。）の支払分の額並びにその支払の時期及び方法

(ii) the amount to be paid on each occasion against the cost of goods or rights or consideration for services that the intermediation of comprehensive credit purchases is for (including fees for the intermediation of comprehensive credit purchases), and the timing and method of its payment; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding two items.

2 包括信用購入あつせん業者は、包括信用購入あつせん関係受領契約であつて第二条第三項第二号に規定する包括信用購入あつせんに係るものを締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該契約に関する次の事項に係

る情報を購入者又は役務の提供を受ける者に提供しなければならない。

(2) When a comprehensive credit purchase intermediary concludes a contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases in connection with the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (ii), the comprehensive credit purchase intermediary must provide the purchaser or service recipient with information relating to the following matters concerning that contract without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 当該商品若しくは当該権利の現金販売価格又は当該役務の現金提供価格

(i) the cash price of the goods or rights or the cash price of the services;

二 弁済金の支払の方法

(ii) the method of payment for the payment money; and

三 前二号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iii) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.

3 包括信用購入あつせん業者は、商品、指定権利又は役務に係る第二条第三項第二号に規定する包括信用購入あつせんに係る弁済金の支払を請求するときは、あらかじめ、経済産業省令・内閣府令で定めるところにより、次の事項に係る情報を記載した書面を購入者又は役務の提供を受ける者に提供しなければならない。

(3) When a comprehensive credit purchase intermediary demands that the payment be made in connection with the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (ii), for goods, designated rights, or services, the comprehensive credit purchase intermediary must provide a document, in advance, to the purchaser or service recipient stating the information relating to the following matters, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 弁済金を支払うべき時期

(i) the time at which the payment must be made; and

二 前号の時期に支払われるべき弁済金の額及びその算定根拠

(ii) the amount of the payment that must be made at the time referred to in the preceding item, and the basis for calculation.

4 包括信用購入あつせん業者は、第一項若しくは第二項に規定する契約を締結する場合又は前項に規定する支払を請求する場合において、購入者又は役務の提供を受ける者から第一項各号若しくは第二項各号又は前項各号の事項を記載した書面の交付を求められたときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該書面を交付しなければならない。ただし、当該購入者又は当該役務の提供を受ける者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

(4) When, at the time of concluding a contract stated in paragraph (1) or



paragraph (2) or demanding a payment stated in the preceding paragraph, a comprehensive credit purchase intermediary is requested by a purchaser or service recipient to deliver a document stating the matters stated in the items of paragraph (1), the items of paragraph (2) or the items of the preceding paragraph, the comprehensive credit purchase intermediary must deliver the document without delay pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that purchaser or service recipient.

- 5 包括信用購入あつせん業者と包括信用購入あつせんに係る契約を締結した販売業者（特定の包括信用購入あつせん業者のために、利用者がカード等を提示し若しくは通知して、又はそれと引換えに販売業者から商品若しくは権利を購入し、又は役務提供事業者から役務の提供を受けるときは、自己の名をもつて当該販売業者又は当該役務提供事業者）に包括信用購入あつせんに係る購入又は受領の方法により購入された商品若しくは権利の代金又は受領される役務の対価に相当する額の交付（当該販売業者又は当該役務提供事業者以外の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。）をすること（以下「包括信用購入あつせん関係立替払取次ぎ」という。）を業とする者（以下「包括信用購入あつせん関係立替払取次業者」という。）と包括信用購入あつせん関係立替払取次ぎに係る契約を締結した販売業者を含む。以下「包括信用購入あつせん関係販売業者」という。）又は役務提供事業者（包括信用購入あつせん関係立替払取次業者と包括信用購入あつせん関係立替払取次ぎに係る契約を締結した役務提供事業者を含む。以下「包括信用購入あつせん関係役務提供事業者」という。）は、包括信用購入あつせんに係る販売の方法により商品若しくは指定権利を販売する契約又は包括信用購入あつせんに係る提供の方法により役務を提供する契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該契約に関する次の事項に係る情報を購入者又は役務の提供を受ける者に提供しなければならない。

- (5) When a seller that has concluded a contract for the intermediation of comprehensive credit purchases with a comprehensive credit purchase intermediary (including a seller that has concluded a contract with a person that is in the business of delivering, in its own name and on behalf of a specific comprehensive credit purchase intermediary, an amount that corresponds to the cost of goods or rights purchased or the consideration for services received in a way that involves the intermediation of comprehensive credit purchases, to the seller or the service provider (this includes delivering such an amount to the seller or service provider through a person other than that seller or service provider) when a user presents, indicates, or trades in a card, etc. in order to purchase goods or rights from a seller or receive services from a service provider (the delivery of such an amount is referred to below as "brokerage of third-party payments in the intermediation of comprehensive credit

purchases") (a person that delivers such an amount is referred to below as a "broker for third-party payments in the intermediation of comprehensive credit purchases"), the contract being for the brokerage of third-party payments in the intermediation of comprehensive credit purchases; a seller that concludes such a contract is referred to below as the "seller affiliated with the intermediation of comprehensive credit purchases") or a service provider that has concluded such a contract (this includes a service provider that has concluded a contract for the brokerage of third-party payments in the intermediation of comprehensive credit purchases with a broker for third-party payments in the intermediation of comprehensive credit purchases; a service provider that concludes such a contract is referred to below as the "service provider affiliated with the intermediation of comprehensive credit purchases") concludes a contract under which it will sell goods or designated rights in a way that involves the intermediation of comprehensive credit purchases or a contract under which it will provide services in a way that involves the intermediation of comprehensive credit purchases, it must provide the purchaser or the service recipient with the following information concerning that contract without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 商品若しくは権利の現金販売価格又は役務の現金提供価格

(i) the cash price of the goods or rights or the cash price of the services;

二 契約の締結時において商品の引渡し若しくは権利の移転又は役務の提供をしないときは、当該商品の引渡時期若しくは当該権利の移転時期又は当該役務の提供時期

(ii) if delivery of goods or transfer of right or provision of services is not done at the time of conclusion of the contract, the timing for the delivery of the goods or the timing for the transfer of the right or the timing for provision of the services;

三 契約の解除に関する定めがあるときは、その内容

(iii) if there are provisions concerning cancellation of the contract, its details;  
and

四 前三号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iv) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding three items.

6 包括信用購入あつせん関係販売業者又は包括信用購入あつせん関係役務提供事業者は、前項に規定する契約の締結時において購入者又は役務の提供を受ける者から同項各号の事項を記載した書面の交付を求められたときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該書面を交付しなければならない。ただし、当該購入者又は当該役務の提供を受ける者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

(6) When, at the time of conclusion of the contract prescribed in the previous paragraph, a seller on intermediation of comprehensive credit purchases or

service provider on intermediation of comprehensive credit purchases is requested by the purchaser or the service recipient to deliver a document that describes each item of the previous paragraph , it must deliver the document without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that purchaser or service recipient.

(契約の解除等の制限)

(Restriction on the Cancellation of a Contract)

第三十条の二の四 包括信用購入あつせん業者は、包括信用購入あつせん関係受領契約であつて次の各号に掲げる包括信用購入あつせんに係るものについて当該各号に定める支払分又は弁済金の支払の義務が履行されない場合において、二十日以上相当な期間を定めてその支払を書面（購入者又は役務の提供を受ける者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合にあつては、電磁的方法）により催告し、その期間内にその義務が履行されないときでなければ、支払分又は弁済金の支払の遅滞を理由として、契約を解除し、又は支払時期の到来していない支払分若しくは弁済金の支払を請求することができない。

Article 30-2-4 (1) In the event of an unperformed obligation to pay an amount to be paid or payment money prescribed in the relevant of following items pursuant to a contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases in connection with the intermediation of comprehensive credit purchases as stated in that item, the comprehensive credit purchase intermediary may not cancel the contract or demand the payment of amounts to be paid or the payment money that are not yet due on the grounds of a delay in the payment of an amount to be paid or time payment, unless it makes a written demand (or by electronic or magnetic means in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of a purchaser or service recipient) for this to be paid within a reasonable period of not less than twenty days, and the obligation is not performed within that period:

一 第二条第三項第一号に規定する包括信用購入あつせん 前条第一項第二号の支払分

(i) the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (i): the amount to be paid that is referred to in paragraph (1), item (ii) of the preceding Article; and

二 第二条第三項第二号に規定する包括信用購入あつせん 前条第三項第二号の弁済金

(ii) the intermediation of comprehensive credit purchases as prescribed in

Article 2, paragraph (3), item (ii): the payment money referred to in paragraph (3), item (ii) of the preceding Article.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the preceding paragraph are void.

(契約の解除等に伴う損害賠償等の額の制限)

(Restriction on the Amount of Damages Accompanying the Cancellation of a Contract)

第三十条の三 包括信用購入あつせん業者は、包括信用購入あつせん関係受領契約であつて第二条第三項第一号に規定する包括信用購入あつせんに係るものが解除された場合には、損害賠償額の予定又は違約金の定めがあるときにおいても、当該契約に係る支払総額に相当する額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

Article 30-3 (1) In the event that a contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases in connection with the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (i) is cancelled, even if the contract has provisions stating liquidated damages or the penalty for breach of contract, it is prohibited for the comprehensive credit purchase intermediary to demand that the purchaser or service recipient pay an amount of money that exceeds the amount that corresponds to the total amount payable under the contract plus the amount of delay damages based on the applicable statutory interest rate.

2 包括信用購入あつせん業者は、前項の契約について第三十条の二の三第一項第二号の支払分の支払の義務が履行されない場合（契約が解除された場合を除く。）には、損害賠償額の予定又は違約金の定めがあるときにおいても、当該契約に係る支払総額に相当する額から既に支払われた同号の支払分の額を控除した額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

(2) In the event of an unperformed obligation to pay the amount to be paid that is referred to in Article 30-2-3, paragraph (1), item (ii) in respect of the contract referred to in the preceding paragraph (excluding if that contract is cancelled), even if the contract has provisions stating liquidated damages or the penalty for breach of contract, the comprehensive credit purchase intermediary may not demand that the purchaser or service recipient pay an amount of money that exceeds the amount that corresponds to the total amount payable under the contract less the amount to be paid as referred to in that item that has already been paid, plus the amount of delay damages for this based on the applicable statutory interest rate.

(包括信用購入あつせん業者に対する抗弁)

**(Affirmative Defense Against a Comprehensive Credit Purchase Intermediary)**

第三十条の四 購入者又は役務の提供を受ける者は、第二条第三項第一号に規定する包括信用購入あつせんに係る購入又は受領の方法により購入した商品若しくは指定権利又は受領する役務に係る第三十条の二の三第一項第二号の支払分の支払の請求を受けたときは、当該商品若しくは当該指定権利の販売につきそれを販売した包括信用購入あつせん関係販売業者又は当該役務の提供につきそれを提供する包括信用購入あつせん関係役務提供事業者に対して生じている事由をもつて、当該支払の請求をする包括信用購入あつせん業者に対抗することができる。

Article 30-4 (1) If a purchaser or service recipient receives a demand to pay an amount to be paid as referred to in Article 30-2-3, paragraph (1), item (ii) for goods or designated rights purchased or services received in a way that involves the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (i), the purchaser or service recipient may assert an affirmative defense against the comprehensive credit purchase intermediary demanding the payment, based on grounds that have arisen against the seller affiliated with the intermediation of comprehensive credit purchases which sold the goods or designated rights or against the service provider affiliated with the intermediation of comprehensive credit purchases which provided the services.

2 前項の規定に反する特約であつて購入者又は役務の提供を受ける者に不利なものは、無効とする。

(2) Any special provisions of a contract that run counter to the provisions of the preceding paragraph and that are disadvantageous to the purchaser or service recipient are void.

3 第一項の規定による対抗をする購入者又は役務の提供を受ける者は、その対抗を受けた包括信用購入あつせん業者からその対抗に係る同項の事由の内容を記載した書面の提出を求められたときは、その書面を提出するよう努めなければならない。

(3) If a purchaser or service recipient that asserts an affirmative defense against a comprehensive credit purchase intermediary under the provisions of paragraph (1), is requested by the comprehensive credit purchase intermediary to submit a document stating the details of the grounds referred to in that paragraph in connection with that assertion, the purchaser or service recipient must endeavor to submit the document.

4 前三項の規定は、第一項の支払分の支払であつて政令で定める金額に満たない支払総額に係るものについては、適用しない。

(4) The provisions of the preceding three paragraphs do not apply to the payment of an amount to be paid as referred to in paragraph (1) that represents a payment toward the total amount payable which is less than the amount specified by Cabinet Order.

第三十条の五 第二条第三項第二号に規定する包括信用購入あつせんに係る弁済金の支払については、当該弁済金の支払が、その支払の時期ごとに、次の各号に規定するところにより当該各号に掲げる当該包括信用購入あつせんに係る債務に充当されたものとみなして、前条の規定を準用する。この場合において、同条第一項中「第三十条の二の三第一項第二号の支払分」とあるのは「第三十条の二の三第三項第二号の弁済金」と、同条第四項中「支払分」とあるのは「弁済金」と、「支払総額」とあるのは「第三十条の二の三第二項第一号の現金販売価格又は現金提供価格」と読み替えるものとする。

Article 30-5 (1) A payment for the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (ii) is deemed to have been made at the time of the payment of an obligation linked the intermediation of comprehensive credit purchases which is stated in the relevant of the following items, pursuant to that item, and the provisions of the preceding Article apply mutatis mutandis. In this case, the term "an amount to be paid as referred to in Article 30-2-3, paragraph (1), item (ii)" in paragraph (1) of the preceding Article is deemed to be replaced with "a payment as referred to in Article 30-2-3, paragraph (3), item (ii)"; the term "amount to be paid" in paragraph (4) of that Article is deemed to be replaced with "payment money"; and the term "total amount payable" in that paragraph is deemed to be replaced with "cash price stated in Article 30-2-3, paragraph (2), item (i)":

一 遅延損害金があるときは、それを優先し、次に、当該包括信用購入あつせんの手数料、これら以外の債務の順で、それぞれに充当する。

(i) delay damages, if any, take precedence over other obligations in terms of the allocation of a time payment, followed by fees for the intermediation of comprehensive credit purchases, and finally other obligations;

二 前号の遅延損害金については、その発生が早いものから順次に充当する。

(ii) a time payment is allocated to cover the delay damages referred to in the preceding item sequentially in chronological order;

三 第一号の手数料については、その支払うべき時期が早いものから順次に充当する。

(iii) a time payment is allocated to cover the fees referred to in item (i) sequentially from the first that comes due; and

四 遅延損害金及び包括信用購入あつせんの手数料以外の債務については、その包括信用購入あつせんの手数料の料率が高いものから順次に充当し、その充当の順位が等しいものについては、その債務が発生した時期が早いものから順次に充当する。

(iv) a time payment is allocated to cover obligations other than delay damages and fees for the intermediation of comprehensive credit purchases sequentially, starting with the one associated with the highest rate of fees for the intermediation of comprehensive credit purchases, and in chronological order, for obligations at the same place in the allocation order.

2 前項に定めるもののほか、第二条第三項第二号に規定する包括信用購入あつせんに

係る弁済金の支払に関し前条の規定を準用するために弁済金の充当について必要な事項は、政令で定める。

(2) Beyond what is prescribed in the preceding paragraph, the necessary matters relevant to the allocation of payment money in applying the preceding Article mutatis mutandis to the making of the payment linked to the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (ii), are specified by Cabinet Order.

(業務の運営に関する措置)

(Measures Concerning Business Operations)

第三十条の五の二 包括信用購入あつせん業者は、利用者又は購入者若しくは役務の提供を受ける者の利益の保護を図るため、経済産業省令・内閣府令で定めるところにより、その包括信用購入あつせんの業務に関して取得した利用者又は購入者若しくは役務の提供を受ける者に関する情報の適正な取扱い、その包括信用購入あつせんの業務を第三者に委託する場合における当該業務の適確な遂行及びその利用者又は購入者若しくは役務の提供を受ける者からの苦情の適切かつ迅速な処理のために必要な措置を講じなければならない。

Article 30-5-2 A comprehensive credit purchase intermediary, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, must take the necessary measures to properly handle information about users, purchasers, and service recipients that it acquires in the course of its services in the intermediation of comprehensive credit purchases, to ensure the proper performance of its services in the intermediation of comprehensive credit purchases if the comprehensive credit purchase intermediary entrusts those services to a third party, and to appropriately and promptly process complaints from users, purchasers, and service recipients, in order to protect the interests of users, purchasers, and service recipients.

(改善命令)

(Improvement Orders)

第三十条の五の三 経済産業大臣は、包括信用購入あつせん業者が第三十条の二第一項本文、第三項若しくは第四項、第三十条の二の二本文、前条、第三十五条の三の五十六から第三十五条の三の五十八まで又は第三十五条の三の五十九第一項の規定に違反していると認めるときは、その必要の限度において、当該包括信用購入あつせん業者に対し、包括信用購入あつせんに係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 30-5-3 (1) If the Minister of Economy, Trade and Industry finds a comprehensive credit purchase intermediary to be in violation of the provisions of the main clause of paragraph (1) of Article 30-2; paragraph (3) or paragraph (4) of that Article; the main clause of Article 30-2-2; the preceding Article;

Articles 35-3-56 through 35-3-58; or Article 35-3-59, paragraph (1), the minister, within the scope that it is necessary, may order the comprehensive credit purchase intermediary to take the necessary measures to improve the business operations that are connected with the intermediation of comprehensive credit purchases.

2 経済産業大臣は、包括信用購入あつせん業者が第三十条の二第一項本文、第三項若しくは第四項、第三十条の二の二本文又は前条の規定に違反している場合において、前項の規定による命令をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(2) If a comprehensive credit purchase intermediary violates the provisions of the main clause of paragraph (1) of Article 30-2; paragraph (3) or paragraph (4) of that Article; the main clause of Article 30-2-2; or the preceding Article, before the Minister of Economy, Trade and Industry seeks to issue an order under the provisions of the preceding paragraph, the minister must consult with the Prime Minister.

3 内閣総理大臣は、包括信用購入あつせん業者が第三十条の二第一項本文、第三項若しくは第四項、第三十条の二の二本文又は前条の規定に違反している場合において、利用者又は購入者若しくは役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、第一項の規定による命令に関し、必要な意見を述べることができる。

(3) If a comprehensive credit purchase intermediary violates the provisions of the main clause of paragraph (1) of Article 30-2; paragraph (3) or paragraph (4) of that Article; the main clause of Article 30-2-2; or the preceding Article, and the Prime Minister finds it to be necessary to protect the interests of users, purchasers, or service recipients, the minister may state a necessary opinion concerning the order under paragraph (1) to the Minister of Economy, Trade and Industry.

## 第二款 包括支払可能見込額の調査等の特例

### Subsection 2 Special Provisions on Investigation into the Comprehensive Purchase Amount Projected to Be Affordable

(認定包括信用購入あつせん業者)

(Certified Comprehensive Credit Purchase Intermediary)

第三十条の五の四 包括信用購入あつせん業者は、包括支払可能見込額に代えて、利用者支払可能見込額（最低限度の生活の維持に支障を生ずることなく、利用者が包括信用購入あつせんに係る購入又は受領の方法により購入しようとする商品若しくは指定権利の代金又は受領しようとする役務の対価に相当する額の支払に充てることができる見込まれる額をいう。以下同じ。）の算定を行おうとする場合は、経済産業省令で定めるところにより、次の各号のいずれにも該当する旨の経済産業大臣の認定を受けることができる。



Article 30-5-4 (1) When a comprehensive credit purchase intermediary calculates the user purchase amount projected to be affordable (meaning the projected amount that a user can allocate for payment of the amount that corresponds to the cost of goods or designated rights that a purchaser seeks to purchase or consideration for services that a service recipient seeks to receive in a way that involves the intermediation of a comprehensive credit purchase, without facing difficulty in maintaining the minimum standards of living; the same applies below) instead of the comprehensive purchase amount projected to be affordable, the comprehensive credit purchase intermediary may opt to obtain certification to the effect that all requirements in the following items are met from the Minister of Economy, Trade and Industry pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry:

一 当該算定の方法が、利用者の支払能力に関する情報を高度な技術的手法を用いて分析することにより利用者支払可能見込額を適確に算定することを可能とするものとして経済産業省令で定める基準に適合するものであること。

(i) the method of the calculation meets the standards specified by Order of the Ministry of Economy, Trade and Industry regarding methods that enable appropriate calculation of the user purchase amount projected to be affordable by, through advanced technical means, analyzing information on a user's ability to pay; and

二 当該算定を行う体制が、経済産業省令で定める基準に適合するものであること。

(ii) a system for making the calculation meets the standards specified by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の認定の申請が同項各号のいずれにも適合していると認めるときは、同項の認定をするものとする。

(2) If the Minister of Economy, Trade and Industry finds an application for certification stated in the preceding paragraph to meet all requirements in the items of that paragraph, the minister provides certification stated in that paragraph.

3 第一項の認定を受けた包括信用購入あつせん業者（以下「認定包括信用購入あつせん業者」という。）は、当該認定に係る同項第一号の方法又は同項第二号の体制を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の認定を受けなければならない。

(3) If a comprehensive credit purchase intermediary that has obtained certification stated in paragraph (1) (referred to below as a "Certified comprehensive credit purchase intermediary") seeks to change the method stated in item (i) of that paragraph or the system stated in item (ii) of that paragraph, the comprehensive credit purchase intermediary must obtain certification from the Minister of Economy, Trade and Industry pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

4 第二項の規定は、前項の変更の認定に準用する。

(4) The provisions of paragraph (2) apply mutatis mutandis to certification of a change stated in the preceding paragraph.

5 経済産業大臣は、認定包括信用購入あつせん業者が次の各号のいずれかに該当するときは、その認定を取り消すことができる。

(5) If a certified comprehensive credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry may rescind the certification for the intermediary:

一 第一項各号のいずれかに適合しなくなつたと認められるとき。

(i) it is found that it no longer meets either of the requirements stated in the items of paragraph (1).

二 第三項の規定に違反して、同項の変更の認定を受けずに、第一項第一号の方法又は同項第二号の体制を変更したとき。

(ii) it violates the provisions of paragraph (3) and changes the method stated in item (i) of paragraph (1) or the system stated in item (ii) of that paragraph without obtaining certification under paragraph (3);

三 第三十条の六第一項（次条第一項本文、第二項及び第三項並びに第三十条の五の六本文に係る部分に限る。）の規定による命令に違反したとき。

(iii) it violates an order under the provisions of Article 30-6, paragraph (1) (limited to portions related to the main clause of paragraph (1) of the following Article; paragraphs (2) and (3) of that Article; and the main clause of Article 30-5-6);

四 不正の手段により第一項の認定又は第三項の変更の認定を受けたとき。

(iv) it has obtained the certification under paragraph (1) or the certification for a change under paragraph (3) by wrongful means.

6 第三十条の二、第三十条の二の二及び前条の規定は、認定包括信用購入あつせん業者については、適用しない。

(6) the provisions of Article 30-2, Article 30-2-2 and the preceding Article do not apply to certified comprehensive credit purchase intermediaries.

(利用者支払可能見込額の算定)

(Calculation of User Purchase Amount Projected to Be Affordable)

第三十条の五の五 認定包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与しようとする場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額しようとする場合には、その交付若しくは付与又はその増額に先立つて、前条第一項の認定に係る同項第一号の方法により利用者支払可能見込額を算定しなければならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 30-5-5 (1) When a certified comprehensive credit purchase intermediary seeks to issue or grant a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases, or seeks to increase the

credit line on a card, etc. it has issued or granted to a user, the certified comprehensive credit purchase intermediary must calculate the user purchase amount projected to be affordable by the method stated in the preceding Article, paragraph (1), item (i) related to certification under that paragraph, before the issuance, granting or increase; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

2 認定包括信用購入あつせん業者は、利用者支払可能見込額を算定するために必要な事項の調査を行うときは、指定信用情報機関が保有する特定信用情報を使用しなければならない。

(2) When a certified comprehensive credit purchase intermediary investigates necessary matters relevant to the calculation of the user purchase amount projected to be affordable, the certified comprehensive credit purchase intermediary must use specified credit information held by the designated credit bureau.

3 認定包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与した場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額した場合には、経済産業省令・内閣府令で定めるところにより、利用者支払可能見込額の算定に関する記録を作成し、これを保存しなければならない。

(3) When a certified comprehensive credit purchase intermediary issues or grants a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases, or increases the credit line on a card, etc. it has issued or granted to a user, the certified comprehensive credit purchase intermediary must record and archive the results of calculation of the user purchase amount projected to be affordable, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

4 認定包括信用購入あつせん業者は、経済産業省令で定めるところにより、定期的に、利用者支払可能見込額の算定の実績その他経済産業省令で定める事項を経済産業大臣に報告しなければならない。

(4) A certified comprehensive credit purchase intermediary must periodically make a report to the Minister of Economy, Trade and Industry about the results of the calculation of the user purchase amount projected to be affordable and other information specified by Order of the Ministry of Economy, Trade and Industry, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(利用者支払可能見込額を超える場合のカード等の交付等の禁止)

(Prohibition on the Issuance of a Card, etc. in Excess of the User Purchase Amount Projected to Be Affordable)

第三十条の五の六 認定包括信用購入あつせん業者は、包括信用購入あつせんをするた

めカード等を利用者に交付し若しくは付与しようとする場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額しようとする場合において、当該利用者に交付し若しくは付与しようとするカード等に係る極度額又は当該増額された後の極度額が、利用者支払可能見込額を超えるときは、当該カード等を交付し若しくは付与し、又は極度額を増額してはならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 30-5-6 If a certified comprehensive credit purchase intermediary seeks to issue or grant a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases or to increase the credit line on a card, etc. it has issued or granted to a user, but the credit line on the card, etc. that it seeks to issue or grant to the user or the credit line after the increase would exceed the user purchase amount projected to be affordable, the certified comprehensive credit purchase intermediary must not issue or grant the card, etc. or increase the credit line; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

(契約の解除等の制限の特例)

(Special Provisions on Restrictions on the Cancellation of a Contract)

第三十条の五の七 認定包括信用購入あつせん業者がその交付し又は付与したカード等に係る極度額が政令で定める金額以下である利用者と包括信用購入あつせん関係受領契約を締結した場合における第三十条の二の四第一項の規定の適用については、同項中「二十日」とあるのは、「七日以上二十日以下の間で政令で定める日数」とする。

Article 30-5-7 With respect to application of the provisions of Article 30-2-4, paragraph (1) in a case where a certified comprehensive credit purchase intermediary concludes a contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases with a user whose credit line on the card, etc. that it has issued or granted the user does not exceed the amount specified by Cabinet Order, the term "twenty days" in that paragraph is deemed to be replaced with "the number of days that falls between seven days and twenty days that is specified by Cabinet Order".

(改善命令)

(Improvement Orders)

第三十条の六 経済産業大臣は、認定包括信用購入あつせん業者が第三十条の五の二、第三十条の五の五第一項本文、第二項若しくは第三項、第三十条の五の六本文、第三十五条の三の五十六から第三十五条の三の五十八まで又は第三十五条の三の五十九第一項の規定に違反していると認めるときは、その必要の限度において、当該認定包括信用購入あつせん業者に対し、包括信用購入あつせんに係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 30-6 (1) If the Minister of Economy, Trade and Industry finds a certified comprehensive credit purchase intermediary to be in violation of the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 30-5-5; paragraph (2) or paragraph (3) of that Article; the main clause of Article 30-5-6; Articles 35-3-56 through 35-3-58; or Article 35-3-59, paragraph (1), the minister, within the scope that it is necessary, may order the certified comprehensive credit purchase intermediary to take the necessary measures to improve the business operations that are connected with the intermediation of comprehensive credit purchases.

2 経済産業大臣は、認定包括信用購入あつせん業者が第三十条の五の二、第三十条の五の五第一項本文、第二項若しくは第三項又は第三十条の五の六本文の規定に違反している場合において、前項の規定による命令をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(2) If a certified comprehensive credit purchase intermediary violates the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 30-5-5; paragraph (2) or paragraph (3) of that Article; or the main clause of Article 30-5-6, before the Minister of Economy, Trade and Industry seeks to issue an order under the provisions of the preceding paragraph, the minister must consult with the Prime Minister.

3 内閣総理大臣は、認定包括信用購入あつせん業者が第三十条の五の二、第三十条の五の五第一項本文、第二項若しくは第三項又は第三十条の五の六本文の規定に違反している場合において、利用者又は購入者若しくは役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、第一項の規定による命令に関し、必要な意見を述べることができる。

(3) If a certified comprehensive credit purchase intermediary violates the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 30-5-5; paragraph (2) or paragraph (3) of that Article; or the main clause of Article 30-5-6, and the Prime Minister finds it to be necessary to protect the interests of users, purchasers, or service recipients, the minister may state a necessary opinion concerning the order under paragraph (1) to the Minister of Economy, Trade and Industry.

### **第三款 包括信用購入あつせん業者の登録等**

#### **Subsection 3 Registration of Comprehensive Credit Purchase Intermediaries**

(包括信用購入あつせん業者の登録)

(Registration of Comprehensive Credit Purchase Intermediaries)

第三十一条 包括信用購入あつせんは、経済産業省に備える包括信用購入あつせん業者登録簿に登録を受けた法人（以下「登録包括信用購入あつせん業者」という。）でなければ、業として営んではならない。ただし、第三十五条の三の六十第一項第四号の

団体については、この限りでない。

Article 31 It is prohibited for a person other than a corporation that is registered in the comprehensive credit purchase intermediary register maintained at the Ministry of Economy, Trade and Industry (referred to below as a "registered comprehensive credit purchase intermediary") to engage in the intermediation of comprehensive credit purchases in the course of trade; provided, however, that this does not apply to an organization as referred to in Article 35-3-60, paragraph (1), item (iv).

(登録の申請)

(Application for Registration)

第三十二条 前条の登録を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

Article 32 (1) A person seeking registration as stated in the preceding Article must submit an application to the Minister of Economy, Trade and Industry stating the following matters:

一 名称

(i) its name;

二 本店その他の営業所（外国法人にあつては、本店及び国内における主たる営業所その他の営業所）の名称及び所在地

(ii) the names and locations of its principal office and business offices (or if it is established under a foreign law, its principal office and primary business office in Japan and other business offices in Japan);

三 資本金又は出資の額

(iii) its amount of stated capital or capital contributions; and

四 役員（業務を執行する社員、取締役若しくは執行役又はこれらに準ずる者をいい、いかなる名称を有する者であるかを問わず、法人に対し、これらの者と同等以上の支配力を有するものと認められる者として経済産業省令で定めるものを含む。以下この節、次節及び第三章の四第二節において同じ。）の氏名

(iv) the names of its officers (this means the members, directors, and executive officers that execute its business, or any other person equivalent to them, and includes any person, irrespective of title, that is specified by Order of the Ministry of Economy, Trade and Industry as being recognized to have at least the same amount of influence over the corporation as those persons; the same applies below in this Section, the following Section and Section 2 of Chapter 3-4).

2 前項の申請書には、定款、登記事項証明書その他経済産業省令で定める書類を添付しなければならない。ただし、経済産業省令で定める場合は、登記事項証明書の添付を省略することができる。

(2) The articles of incorporation, a certificate of registered information, and the documents specified by Order of the Ministry of Economy, Trade and Industry

must accompany the application referred to in the preceding paragraph; provided, however, that a certificate of registered information may be omitted if so, specified by Order of the Ministry of Economy, Trade and Industry.

3 前項の場合において、定款が電磁的記録で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(3) In the case referred to in the preceding paragraph, if the articles of incorporation have been created in the form of an electronic or magnetic record, the electronic or magnetic record (limited to one as specified by Order of the Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

（登録及びその通知）

(Registration and Notice)

第三十三条 経済産業大臣は、前条第一項の規定による登録の申請があつたときは、次条第一項の規定により登録を拒否する場合を除くほか、前条第一項各号に掲げる事項及び登録年月日を包括信用購入あつせん業者登録簿に登録しなければならない。

Article 33 (1) Whenever there is an application for registration under the provisions of paragraph (1) of the preceding Article, the Minister of Economy, Trade and Industry must register the matters stated in the items of paragraph (1) of the preceding Article and the date of registration in the comprehensive credit purchase intermediary register, unless the minister refuses to effect a registration, pursuant to the provisions of paragraph (1) of the following Article.

2 経済産業大臣は、第三十一条の登録をしたときは、遅滞なく、その旨を当該登録の申請をした者に通知しなければならない。

(2) Once the Minister of Economy, Trade and Industry effects a registration as referred to in Article 31, the minister must notify the applicant for the registration of this without delay.

（登録の拒否）

(Refusal to Effect a Registration)

第三十三条の二 経済産業大臣は、第三十二条第一項の申請書を提出した者が次の各号のいずれかに該当するとき、又は当該申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 33-2 (1) If the person submitting an application as referred to in Article 32, paragraph (1) falls under one of the following items, or if the application or a document accompanying it contains a false statement concerning important matters or omits a statement of important fact, the Minister of Economy, Trade and Industry must refuse that registration:

一 法人でない者

- (i) a person that is not a corporation;  
二 外国法人である場合には、国内に営業所を有しない者
- (ii) if it is established under a foreign law, one that has no business office in Japan;  
三 資本金又は出資の額が包括信用購入あつせん関係販売業者又は包括信用購入あつせん関係役務提供事業者を保護するため必要かつ適当であると認められる金額で政令で定めるものに満たない法人
- (iii) a corporation with a stated capital or capital contributions of less than the amount that is found to be necessary and appropriate to protect sellers affiliated with the intermediation of comprehensive credit purchases or service providers affiliated with the intermediation of comprehensive credit purchases, as specified by Cabinet Order;  
四 資産の合計額から負債の合計額を控除した額が資本金又は出資の額の百分の九十に相当する額に満たない法人
- (iv) a corporation with total assets minus total liabilities of an amount that is less than 90 percent of its stated capital or capital contributions;  
五 第三十四条の二第一項又は第二項の規定により登録を取り消され、その取消の日から五年を経過しない法人
- (v) a corporation whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 34-2, if five years have not yet passed since the date of the rescission;  
六 この法律又は貸金業法（昭和五十八年法律第三十二号）の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない法人
- (vi) a corporation that has been sentenced to a fine pursuant to the provisions of this Act or the Money Lending Business Act (Act No. 32 of 1983), if five years have not yet passed since the day on which it finished serving the sentence or ceased to be subject to its enforcement;  
七 役員のうち次のいずれかに該当する者のある法人
- (vii) a corporation with an officer that falls under one of the following:  
イ 破産手続開始の決定を受けて復権を得ない者  
(a) a person that has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings;  
ロ 禁錮以上の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者  
(b) a person that has been sentenced to imprisonment or a heavier punishment, if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;  
ハ この法律、貸金業法若しくは暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）の規定（同法第三十二条の二第七項の規定を除



く。)に違反し、又は刑法(明治四十年法律第四十五号)若しくは暴力行為等処罰に関する法律(大正十五年法律第六十号)の罪を犯し、罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない者

(c) a person that has been sentenced to a fine for violating the provisions of this Act, the Money Lending Business Act, or the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) (excluding the provisions of Article 32-2, paragraph (7) of that Act) or for committing a crime stated in the Penal Code (Act No. 45 of 1907) or in the Act on Punishment of Physical Violence and Others (Act No. 60 of 1926), if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

ニ 登録包括信用購入あつせん業者が第三十四条の二第一項又は第二項の規定により登録を取り消された場合において、その処分があつた日前三十日以内にその登録包括信用購入あつせん業者の役員であつた者で、その処分の日から五年を経過しないもの

(d) a person that, during the thirty days before the relevant disposition, was the officer of a registered comprehensive credit purchase intermediary whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 34-2, if five years have not yet passed since the date of that disposition; or

ホ 暴力団員による不当な行為の防止等に関する法律第二条第六号に規定する暴力団員(以下この号において「暴力団員」という。)又は暴力団員でなくなつた日から五年を経過しない者(以下「暴力団員等」という。)

(e) a member of an organized crime group as prescribed in Article 2, item (iv) of Act on Prevention of Unjust Acts by Organized Crime Group Members (referred to below as a "member of an organized crime group" in this item) or a person that has not yet had five years pass since the date on which the person ceased to be the member of an organized crime group (referred to below as the "member of an organized crime group, etc.");

ハ 暴力団員等がその事業活動を支配する法人

(viii) a corporation whose business activities are controlled by the member of an organized crime group, etc.;

九 暴力団員等をその業務に従事させ、又はその業務の補助者として使用するおそれのある法人

(ix) a corporation that is likely to allow the member of an organized crime group, etc. to engage in its business activities or to employ that person as an assistant in its business activities;

十 包括信用購入あつせんに係る業務に関し不正又は不誠実な行為をするおそれがあると認めるに足りる相当の理由がある法人として経済産業省令で定めるもの

(x) a corporation specified by Order of the Ministry of Economy, Trade and

Industry as one that there are sufficient grounds to find likely to engage in illegal or dishonest acts in respect of business connected with the intermediation of comprehensive credit purchases; or

十一 第三十条の二第一項本文に規定する調査、第三十五条の十六第一項及び第三項に規定する措置その他この法律に定める措置の円滑な実施を確保するために必要な体制、利用者又は購入者若しくは役務の提供を受ける者の苦情を適切かつ迅速に処理するために必要な体制その他の包括信用購入あつせんの公正かつ適確な実施を確保するために必要なものとして経済産業省令で定める体制が整備されていると認められない法人

(xi) a corporation that is found not to have in place the necessary system for ensuring the smooth implementation of investigations provided for in the main clause of Article 30-2, paragraph (1), the smooth implementation of measures specified in the provisions of Article 35-16, paragraphs (1) and (3), or the smooth implementation of other measures specified in this Act; the necessary system for appropriately and promptly processing complaints by users, purchasers, or service recipients; or any other system specified by Order of the Ministry of Economy, Trade and Industry as necessary for ensuring fair and proper implementation in the intermediation of comprehensive credit purchases.

2 第十五条第二項及び第三項の規定は、第三十二条第一項の規定による登録の申請があつた場合に準用する。

(2) The provisions of Article 15, paragraphs (2) and (3) apply mutatis mutandis when an application for registration under Article 32, paragraph (1) is filed.

(変更の届出)

(Notification of Changes)

第三十三条の三 登録包括信用購入あつせん業者は、第三十二条第一項各号に掲げる事項について変更があつたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 33-3 (1) If there is any change in a matter stated in one of the items of Article 32, paragraph (1), the registered comprehensive credit purchase intermediary must notify the Minister of Economy, Trade and Industry of this without delay.

2 経済産業大臣は、前項の規定による変更の届出を受理したときは、その届出があつた事項を包括信用購入あつせん業者登録簿に登録しなければならない。

(2) Upon receipt of the notification prescribed in the preceding paragraph, the Minister of Economy, Trade and Industry must register the matters reported in the notification to the comprehensive credit purchase intermediary register.

3 第三十二条第二項及び第三項の規定の規定は、第一項の規定による変更の届出をする場合に準用する。

(3) The provisions of Article 32, paragraphs (2) and (3) apply mutatis mutandis

when the notification of a change under the provisions of paragraph (1) is filed.

(登録簿の閲覧)

(Inspection of the Register)

第三十三条の四 経済産業大臣は、包括信用購入あつせん業者登録簿を一般の閲覧に供しなければならない。

Article 33-4 The Minister of Economy, Trade and Industry must make the comprehensive credit purchase intermediary register available for public inspection.

(改善命令)

(Improvement Orders)

第三十四条 経済産業大臣は、登録包括信用購入あつせん業者が第三十三条の二第一項第十一号（認定包括信用購入あつせん業者にあつては、第三十条の二第一項本文に規定する調査に係る部分を除く。）の規定に該当することとなつたと認めるときは、その必要の限度において、当該登録包括信用購入あつせん業者に対し、包括信用購入あつせんに係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 34 If the Minister of Economy, Trade and Industry finds a Registered comprehensive credit purchase intermediary to have come to fall under the provisions of Article 33-2, paragraph (1), item (xi) (excluding portions related to investigation stated in the main clause of paragraph (1) of Article 30-2, in the case of certified comprehensive credit purchase intermediaries), the minister, within the scope that it is necessary, may order the registered comprehensive credit purchase intermediary to take the necessary measures to improve the business operations that are connected with the intermediation of comprehensive credit purchases.

(登録の取消し等)

(Rescission of Registration)

第三十四条の二 経済産業大臣は、登録包括信用購入あつせん業者が次の各号のいずれかに該当するときは、その登録を取り消さなければならない。

Article 34-2 (1) If a registered comprehensive credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry must rescind its registration:

一 第三十三条の二第一項第二号、第三号又は第六号から第十号までのいずれかに該当することとなつたとき。

(i) it comes to fall under the provisions of one of Article 33-2, paragraph (1), item (ii), item (iii) or items (vi) through (x); or

二 不正の手段により第三十一条の登録を受けたとき。

(ii) it has obtained the registration referred to in Article 31 by wrongful means.

2 経済産業大臣は、登録包括信用購入あつせん業者が次の各号のいずれかに該当するときは、その登録を取り消し、又は一年以内の期間を定めて、包括信用購入あつせんに係る業務の全部若しくは一部の停止を命ずることができる。

(2) If a registered comprehensive credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry may rescind its registration, or may order the suspension of all or part of the business operations connected with the intermediation of comprehensive credit purchases during a fixed period of no longer than one year:

一 第三十条の五の三第一項（当該登録包括信用購入あつせん業者が認定包括信用購入あつせん業者である場合にあつては、第三十条の六第一項（第三十条の五の二、第三十五条の三の五十六から第三十五条の三の五十八まで及び第三十五条の三の五十九第一項に係る部分に限る。））又は前条の規定による命令に違反したとき。

(i) it violates an order under the provisions of Article 30-5-3, paragraph (1) (or Article 30-6, paragraph (1) (limited to portions related to Article 30-5-2; Articles 35-3-56 through 35-3-58; and Article 35-3-59, paragraph (1)), if that registered comprehensive credit purchase intermediary is a certified comprehensive credit purchase intermediary) or the preceding Article;

二 第三十三条の二第一項第四号の規定に該当することとなつたとき。

(ii) it comes to fall under the provisions of Article 33-2, paragraph (1), item (iv);  
or

三 第三十三条の三第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(iii) it fails to file a notification under the provisions of Article 33-3, paragraph (1) or files a false notification;

3 経済産業大臣は、登録包括信用購入あつせん業者が前項第一号の命令（当該登録包括信用購入あつせん業者が第三十条の二第一項本文、第三項若しくは第四項、第三十条の二の二本文又は第三十条の五の二の規定（当該登録包括信用購入あつせん業者が認定包括信用購入あつせん業者である場合にあつては、同条の規定）に違反している場合におけるものに限る。次項及び第四十条第四項において同じ。）に違反した場合において、前項の規定による処分をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(3) If a registered comprehensive credit purchase intermediary violates the order referred to in item (i) of the preceding paragraph (limited to the order in a case in which the registered comprehensive credit purchase intermediary violates the provisions of the main clause of paragraph (1) of Article 30-2; paragraph (3) or paragraph (4) of that Article; the main clause of Article 30-2-2; or Article 30-5-2 (or the provisions of that Article, if the registered comprehensive credit purchase intermediary is a certified comprehensive credit purchase intermediary); the same applies in the following paragraph and Article 40, paragraph (4)), before the Minister of Economy, Trade and Industry seeks to reach a disposition under the provisions of the preceding paragraph, the minister must consult with the Prime Minister.

4 内閣総理大臣は、登録包括信用購入あつせん業者が第二項第一号の命令に違反した場合において、利用者又は購入者若しくは役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、同項の規定による処分に関し、必要な意見を述べることができる。

(4) If a registered comprehensive credit purchase intermediary violates an order under the provisions of paragraph (2), item (i) and the Prime Minister finds it to be necessary to protect the interests of users, purchasers, or service recipients, the minister may state a necessary opinion concerning the disposition under that paragraph to the Minister of Economy, Trade and Industry.

5 経済産業大臣は、第一項又は第二項の規定により登録を取り消したときは、遅滞なく、その理由を示して、その旨を当該登録包括信用購入あつせん業者であつた者に通知しなければならない。

(5) If the Minister of Economy, Trade and Industry rescinds a registration pursuant to the provisions of paragraph (1) or paragraph (2), the minister must notify the person that was formerly the relevant registered comprehensive credit purchase intermediary of this, indicating the reasons, without delay.

(登録の消除)

(Deletion of Registration)

第三十四条の三 経済産業大臣は、次の各号のいずれかに該当するときは、包括信用購入あつせん業者登録簿につき、その登録包括信用購入あつせん業者に関する登録を消除しなければならない。

Article 34-3 (1) If a registered comprehensive credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry must delete the registration of that registered comprehensive credit purchase intermediary from the comprehensive credit purchase intermediary register:

一 前条第一項又は第二項の規定により登録を取り消したとき。

(i) the minister rescinds its registration pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article; or

二 第三十五条の規定による届出があつたときその他包括信用購入あつせんの営業を廃止したことが判明したとき。

(ii) a notification under the provisions of Article 35 is filed, or the intermediary is discovered to have discontinued operations in the intermediation of comprehensive credit purchases.

三 第三十五条の二の三第一項の登録をしたとき。

(iii) a registration referred to in Article 35-2-3, paragraph (1) is effected.

2 前条第五項の規定は、前項第二号又は第三号の規定により登録を消除した場合に準用する。

(2) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis if a registration is deleted pursuant to the provisions of item (ii) or

(iii) of the preceding paragraph.

(処分の公示)

(Public Notice of a Disposition)

第三十四条の四 経済産業大臣は、第三十四条の二第一項若しくは第二項の規定により登録を取り消したとき、同項の規定により包括信用購入あつせんに係る業務の全部若しくは一部の停止を命じたとき、又は前条第一項第二号の規定により登録を消除したときは、経済産業省令で定めるところにより、その旨を公示しなければならない。

Article 34-4 When the Minister of Economy, Trade and Industry rescinds a registration pursuant to the provisions of Article 34-2, paragraph (1) or paragraph (2), or when it orders suspension of all or part of business operations connected with the intermediation of comprehensive credit purchases in accordance with that paragraph, or when it deletes a registration pursuant to the provisions of the preceding Article, paragraph (1), items 2, it must issue public notice of this in accordance with what is specified by Order of the Ministry of Economy, Trade and Industry.

(廃止の届出)

(Notification of Discontinuation)

第三十五条 登録包括信用購入あつせん業者は、包括信用購入あつせんの営業を廃止したときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 35 When a registered comprehensive credit purchase intermediary has discontinued operations in the intermediation of comprehensive credit purchases, it must notify the Minister of Economy, Trade and Industry of this without delay.

(販売業者等の契約の解除)

(Cancellation of a Contract by the Seller)

第三十五条の二 登録包括信用購入あつせん業者が第三十四条の二第一項若しくは第二項の規定により登録を取り消され、同項の規定による命令（業務の一部の停止の命令にあつては、カード等を交付し又は付与してはならない旨の命令を含むものに限る。）を受け、又は第三十四条の三第一項第二号の規定により登録を消除されたときは、当該登録包括信用購入あつせん業者と包括信用購入あつせんに係る契約を締結した販売業者（当該登録包括信用購入あつせん業者のために包括信用購入あつせん関係立替払取次ぎを行う包括信用購入あつせん関係立替払取次業者と包括信用購入あつせん関係立替払取次ぎに係る契約を締結した販売業者を含む。）又は役務提供事業者（当該登録包括信用購入あつせん業者のために包括信用購入あつせん関係立替払取次ぎを行う包括信用購入あつせん関係立替払取次業者と包括信用購入あつせん関係立替払取次ぎに係る契約を締結した役務提供事業者を含む。）は、将来に向かつてその契約を解除することができる。

Article 35-2 (1) If a registered comprehensive credit purchase intermediary has

its registration rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 34-2, receives an order (if this is an order for suspension of part of business operations, that order is limited to one that includes an order for refraining from issuing or granting a card, etc.) under the provisions of that paragraph, or has its registration deleted pursuant to the provisions of paragraph (1), item (ii) of Article 34-3, a seller or service provider that has concluded a contract for the intermediation of comprehensive credit purchases with that registered comprehensive credit purchase intermediary (the seller includes one that has concluded a contract for the brokerage of third-party payments in the intermediation of comprehensive credit purchases with a broker for third-party payments in the intermediation of comprehensive credit purchases that engages in the brokerage of third-party payments in the intermediation of comprehensive credit purchases on behalf of that registered comprehensive credit purchase intermediary; and the service provider includes one that has concluded a contract for the brokerage of third-party payments in the intermediation of comprehensive credit purchases with a broker for third-party payments in the intermediation of comprehensive credit purchases that engages in the brokerage of third-party payments in the intermediation of comprehensive credit purchases on behalf of that registered comprehensive credit purchase intermediary) may effect a prospective cancellation of that contract.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the preceding paragraph are void.

(登録の取消し等に伴う取引の結了等)

(Completion of Transaction Associated with Rescission of Registration)

第三十五条の二の二 登録包括信用購入あつせん業者が第三十四条の二第一項若しくは第二項の規定により登録を取り消されたとき、又は第三十四条の三第一項第二号若しくは第三号の規定により登録が消除されたときは、当該登録包括信用購入あつせん業者であつた者又はその一般承継人は、当該登録包括信用購入あつせん業者が交付し又は付与したカード等に係る取引を結了する目的の範囲内においては、なお登録包括信用購入あつせん業者とみなす。

Article 35-2-2 If a registered comprehensive credit purchase intermediary has its registration rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 34-2, or has its registration deleted pursuant to the provisions of paragraph (1), item (ii) or (iii) of Article 34-3, the one who used to be the registered comprehensive credit purchase intermediary or its general successor is still deemed to be a registered comprehensive credit purchase intermediary within the scope of the purpose of completing the transactions related to the cards, etc. issued or granted by the relevant registered comprehensive credit

purchase intermediary.

#### 第四款 登録少額包括信用購入あつせん業者

#### Subsection 4 Registered Comprehensive Small Amount Credit Purchase Intermediaries

(登録)

(Registration)

第三十五条の二の三 第三十一条の規定にかかわらず、経済産業省に備える少額包括信用購入あつせん業者登録簿に登録を受けた法人（以下「登録少額包括信用購入あつせん業者」という。）は、包括信用購入あつせん（その利用者に交付し又は付与するカード等に係る極度額が政令で定める金額以下のものに限る。以下この款において同じ。）を業として営むことができる。

Article 35-2-3 (1) Notwithstanding the provisions of Article 31, a corporation registered in the comprehensive small amount credit purchase intermediary register maintained at the Ministry of Economy, Trade and Industry (referred to below as a "registered comprehensive small amount credit purchase intermediary") may engage in the intermediation of comprehensive credit purchases (limited to cases where a credit line on a card, etc. that it issues or grants to a user does not exceed the amount specified by Cabinet Order; the same applies below in this subsection) in the course of trade.

2 第三十条の二、第三十条の二の二、第三十条の二の四及び第三十条の五の三から第三十条の六までの規定は、登録少額包括信用購入あつせん業者については、適用しない。

(2) The provisions of Article 30-2, Article 30-2-2, Article 30-2-4 and Articles 30-5-3 through 30-6 do not apply to registered comprehensive small amount credit purchase intermediaries.

(利用者支払可能見込額の算定)

(Calculation of User Purchase Amount Projected to Be Affordable)

第三十五条の二の四 登録少額包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与しようとする場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額しようとする場合には、その交付若しくは付与又はその増額に先立つて、前条第一項の登録に係る第三十五条の二の九第一項第四号の方法により利用者支払可能見込額を算定しなければならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 35-2-4 (1) When a registered comprehensive small amount credit purchase intermediary seeks to issue or grant a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases, or seeks to increase the credit line on a card, etc. it has issued or granted to a user, the



registered comprehensive small amount credit purchase intermediary must calculate the user purchase amount projected to be affordable by the method stated in the Article 35-2-9, paragraph (1), item (iv) related to registration under paragraph (1) of the preceding Article, before the issuance, granting or increase; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

2 登録少額包括信用購入あつせん業者は、利用者支払可能見込額を算定するために必要な事項の調査を行うときは、指定信用情報機関が保有する特定信用情報を使用しなければならない。

(2) When a registered comprehensive small amount credit purchase intermediary investigates necessary matters relevant to the calculation of the user purchase amount projected to be affordable, the registered comprehensive small amount credit purchase intermediary must use specified credit information held by the designated credit bureau.

3 登録少額包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与した場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額した場合には、経済産業省令・内閣府令で定めるところにより、利用者支払可能見込額の算定に関する記録を作成し、これを保存しなければならない。

(3) When a registered comprehensive small amount credit purchase intermediary issues or grants a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases, or increases the credit line on a card, etc. it has issued or granted to a user, the registered comprehensive small amount credit purchase intermediary must record and archive the results of calculation of the user purchase amount projected to be affordable, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(利用者支払可能見込額を超える場合のカード等の交付等の禁止)

(Prohibition on the Issuance of a Card in Excess of the User Purchase Amount Projected to Be Affordable)

第三十五条の二の五 登録少額包括信用購入あつせん業者は、包括信用購入あつせんをするためカード等を利用者に交付し若しくは付与しようとする場合又は利用者に交付し若しくは付与したカード等についてそれに係る極度額を増額しようとする場合において、当該利用者に交付し若しくは付与しようとするカード等に係る極度額又は当該増額された後の極度額が、利用者支払可能見込額を超えるときは、当該カード等を交付し若しくは付与し、又は極度額を増額してはならない。ただし、当該利用者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 35-2-5 If a registered comprehensive small amount credit purchase

intermediary seeks to issue or grant a card, etc. to a user in order to effect the intermediation of comprehensive credit purchases or to increase the credit line on a card, etc. it has issued or granted to a user, but the credit line on the card, etc. that it seeks to issue or grant to the user or the credit line after the increase would exceed the user purchase amount projected to be affordable, the registered comprehensive small amount credit purchase intermediary must not issue or grant the card, etc. or increase the credit line; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that user.

(契約の解除等の制限)

(Restrictions on the Cancellation of a Contract)

第三十五条の二の六 登録少額包括信用購入あつせん業者は、包括信用購入あつせんに係る購入又は受領の方法により購入される商品若しくは指定権利の代金又は受領される役務の対価に相当する額の受領に係る契約であつて次の各号に掲げる包括信用購入あつせんに係るものについて当該各号に定める支払分又は弁済金の支払の義務が履行されない場合において、七日以上二十日以下の間で政令で定める日数以上の相当な期間を定めてその支払を書面（購入者又は役務の提供を受ける者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合にあつては、電磁的方法）により催告し、その期間内にその義務が履行されないときでなければ、支払分又は弁済金の支払の遅滞を理由として、契約を解除し、又は支払時期の到来していない支払分若しくは弁済金の支払を請求することができない。

Article 35-2-6 (1) In the event of an unperformed obligation to pay an amount to be paid or payment money prescribed in the relevant following items pursuant to a contract under which an amount of money will be received that corresponds to the cost of goods or designated rights purchased or consideration for services received in a way that involves the intermediation of a comprehensive credit purchases and which is in connection with the intermediation of comprehensive credit purchases as stated in those items, the registered comprehensive small amount credit purchase intermediary may not cancel the contract or demand the payment of amounts to be paid or payment money that are not yet due on the grounds of a delay in the payment of an amount to be paid or payment money, unless it makes a written demand (or by electronic or magnetic means in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of a purchaser or service recipient) for this to be paid within a reasonable period consisting of not less than the number of days that falls between seven days and twenty days that is specified by Cabinet Order, and the obligation is not performed within that period:

一 第二条第三項第一号に規定する包括信用購入あつせん 第三十条の二の三第一項

第二号の支払分

(i) the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (i): the amount to be paid that is referred to in paragraph (1), item (ii) of Article 30-2-3; and

二 第二条第三項第二号に規定する包括信用購入あつせん 第三十条の二の三第三項第二号の弁済金

(ii) the intermediation of comprehensive credit purchases as prescribed in Article 2, paragraph (3), item (ii): the payment money referred to in paragraph (3), item (ii) of Article 30-2-3.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the preceding paragraph are void.

(経済産業大臣への定期報告)

(Regular Report to the Minister of Economy, Trade and Industry)

第三十五条の二の七 登録少額包括信用購入あつせん業者は、経済産業省令で定めるところにより、定期的に、利用者支払可能見込額の算定の実績その他経済産業省令で定める事項を経済産業大臣に報告しなければならない。

Article 35-2-7 A registered comprehensive small amount credit purchase intermediary must periodically make a report to the Minister of Economy, Trade and Industry about the results of calculation of the user purchase amount projected to be affordable and other information specified by Order of the Ministry of Economy, Trade and Industry, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(改善命令)

(Improvement Orders)

第三十五条の二の八 経済産業大臣は、登録少額包括信用購入あつせん業者が第三十条の五の二、第三十五条の二の四第一項本文、第二項若しくは第三項、第三十五条の二の五本文、第三十五条の三の五十六から第三十五条の三の五十八まで又は第三十五条の三の五十九第一項の規定に違反していると認めるときは、その必要の限度において、当該登録少額包括信用購入あつせん業者に対し、包括信用購入あつせんに係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 35-2-8 (1) If the Minister of Economy, Trade and Industry finds a registered comprehensive small amount credit purchase intermediary in violation of the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 35-2-4; paragraph (2) or paragraph (3) of that Article; the main clause of Article 35-2-5; Articles 35-3-56 through 35-3-58; or Article 35-3-59, paragraph (1), the minister, within the scope that it is necessary, may order the registered comprehensive small amount credit purchase intermediary to take the necessary measures to improve the business operations that are

connected with the intermediation of comprehensive credit purchases.

2 経済産業大臣は、登録少額包括信用購入あつせん業者が第三十条の五の二、第三十五条の二の四第一項本文、第二項若しくは第三項又は第三十五条の二の五本文の規定に違反している場合において、前項の規定による命令をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(2) If a registered comprehensive small amount credit purchase intermediary violates the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 35-2-4; paragraph (2) or paragraph (3) of that Article; or the main clause of Article 35-2-5, before the Minister of Economy, Trade and Industry seeks to issue an order under the provisions of the preceding paragraph, the minister must consult with the Prime Minister.

3 内閣総理大臣は、登録少額包括信用購入あつせん業者が第三十条の五の二、第三十五条の二の四第一項本文、第二項若しくは第三項又は第三十五条の二の五本文の規定に違反している場合において、利用者又は購入者若しくは役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、第一項の規定による命令に関し、必要な意見を述べることができる。

(3) If a registered comprehensive small amount credit purchase intermediary violates the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 35-2-4; paragraph (2) or paragraph (3) of that Article; or the main clause of Article 35-2-5, and the Prime Minister finds it to be necessary to protect the interests of users, purchasers, or service recipients, the minister may state a necessary opinion concerning the order under paragraph (1) to the Minister of Economy, Trade and Industry.

(登録の申請)

(Application for Registration)

第三十五条の二の九 第三十五条の二の三第一項の登録を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

Article 35-2-9 (1) A person seeking registration as stated in Article 35-2-3, paragraph (1) must submit an application to the Minister of Economy, Trade and Industry stating the following matters:

一 名称

(i) its name;

二 本店その他の営業所（外国法人にあつては、本店及び国内における主たる営業所その他の営業所）の名称及び所在地

(ii) the names and locations of its principal office and business offices (or if it is established under a foreign law, its principal office and primary business office in Japan and other business offices in Japan);

三 役員の氏名

(iii) the names of its officers;

四 利用者支払可能見込額の算定の方法

(iv) the method of calculation of the user purchase amount projected to be affordable; and

五 利用者支払可能見込額の算定を行う体制

(v) the system for calculating the user purchase amount projected to be affordable.

2 前項の申請書には、定款、登記事項証明書その他経済産業省令で定める書類を添付しなければならない。ただし、経済産業省令で定める場合は、登記事項証明書の添付を省略することができる。

(2) The articles of incorporation, a certificate of registered information, and the documents specified by Order of the Ministry of Economy, Trade and Industry must accompany the application referred to in the preceding paragraph; provided, however, that a certificate of registered information may be omitted if so, specified by Order of the Ministry of Economy, Trade and Industry.

3 前項の場合において、定款が電磁的記録で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(3) In the case referred to in the preceding paragraph, if the articles of incorporation have been created in the form of an electronic or magnetic record, the electronic or magnetic record (limited to one as specified by Order of the Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

（登録及びその通知）

（Registration and Notice）

第三十五条の二十 経済産業大臣は、前条第一項の規定による登録の申請があつたときは、次条第一項の規定により登録を拒否する場合を除くほか、前条第一項各号に掲げる事項及び登録年月日を少額包括信用購入あつせん業者登録簿に登録しなければならない。

Article 35-2-10 (1) Whenever there is an application for registration under the provisions of paragraph (1) of the preceding Article, the Minister of Economy, Trade and Industry must register the matters stated in the items of paragraph (1) of the preceding Article and the date of registration in the comprehensive small amount credit purchase intermediary register, unless the minister refuses to effect a registration pursuant to the provisions of paragraph (1) of the following Article.

2 経済産業大臣は、第三十五条の二三第一項の登録をしたときは、遅滞なく、その旨を当該登録の申請をした者に通知しなければならない。

(2) Once the Minister of Economy, Trade and Industry effects a registration as referred to in Article 35-2-3, paragraph (1), the minister must notify the applicant for the registration of this without delay.

（登録の拒否）

**(Refusal to Effect a Registration)**

第三十五条の二の十一 経済産業大臣は、第三十五条の二の九第一項の申請書を提出した者が次の各号のいずれかに該当するとき、又は当該申請書若しくはその添付書類のうち重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 35-2-11 (1) If the person submitting an application as referred to in Article 35-2-9, paragraph (1) falls under one of the following items, or if the application or a document accompanying it contains a false statement concerning important matters or omits a statement of important fact, the Minister of Economy, Trade and Industry must refuse that registration:

一 法人でない者

(i) a person that is not a corporation;

二 外国法人である場合には、国内に営業所を有しない者

(ii) if it is established under a foreign law, one that has no business office in Japan;

三 資産の合計額から負債の合計額を控除した額が経済産業省令で定める要件を満たさない法人

(iii) a corporation with an amount of total assets minus total liabilities that does not meet requirements specified by Order of the Ministry of Economy, Trade and Industry;

四 第三十五条の二の十四第一項又は第二項の規定により登録を取り消され、その取消の日から五年を経過しない法人

(iv) a corporation whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 35-2-14, if five years have not yet passed since the date of the rescission;

五 この法律又は貸金業法の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない法人

(v) a corporation that has been sentenced to a fine pursuant to the provisions of this Act or the Money Lending Business Act, if five years have not yet passed since the day on which it finished serving the sentence or ceased to be subject to its enforcement;

六 役員のうち次のいずれかに該当する者のある法人

(vi) a corporation with an officer that falls under one of the following:

イ 破産手続開始の決定を受けて復権を得ない者

(a) a person that has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings;

ロ 禁錮以上の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者

(b) a person that has been sentenced to imprisonment or a heavier punishment, if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its

enforcement;

ハ この法律、貸金業法若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の三第七項及び第三十二条の十一第一項の規定を除く。）に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯し、罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者

(c) a person that has been sentenced to a fine for violating the provisions of this Act, the Money Lending Business Act or the Act on Prevention of Unjust Acts by Organized Crime Group Members (excluding the provisions of Article 32-3, paragraph (7) and Article 32-11, paragraph (1) of that Act) or for committing a crime stated in the Penal Code or in the Act on Punishment of Physical Violence and Others, and five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

ニ 登録少額包括信用購入あつせん業者が第三十五条の二の十四第一項又は第二項の規定により登録を取り消された場合において、その処分の日前三十日以内にその登録少額包括信用購入あつせん業者の役員であつた者で、その処分のあつた日から五年を経過しないもの

(d) a person that, during the thirty days before the relevant disposition, was the officer of a registered comprehensive small amount credit purchase intermediary whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 35-2-14, if five years have not yet passed since the date of the disposition; or

ホ 暴力団員等

(e) a member of an organized crime group, etc.

七 暴力団員等がその事業活動を支配する法人

(vii) a corporation whose business activities are controlled by the member of an organized crime group, etc.;

八 暴力団員等とその業務に従事させ、又はその業務の補助者として使用するおそれのある法人

(viii) a corporation that is likely to allow the member of an organized crime group, etc. to engage in its business activities or to employ that person as an assistant in its business activities;

九 包括信用購入あつせんに係る業務に関し不正又は不誠実な行為をするおそれがあると認めるに足りる相当の理由がある法人として経済産業省令で定めるもの

(ix) a corporation specified by Order of the Ministry of Economy, Trade and Industry as one that has sufficient grounds to be found likely to engage in illegal or dishonest acts in respect of business connected with the intermediation of comprehensive credit purchases;

十 第三十五条の十六第一項及び第三項に規定する措置その他この法律に定める措置の円滑な実施を確保するために必要な体制、利用者又は購入者若しくは役務の提供

を受ける者の苦情を適切かつ迅速に処理するために必要な体制その他の包括信用購入あつせんの公正かつ適確な実施を確保するために必要なものとして経済産業省令で定める体制が整備されていると認められない法人

(x) a corporation that is found not to have in place the necessary system for ensuring the smooth implementation of measures prescribed in Article 35-16, paragraphs (1) and (3), and other measures prescribed in this Act, the necessary system for appropriately and promptly processing complaints from users, purchasers or service recipients, and other systems specified by Order of the Ministry of Economy, Trade and Industry as necessary for ensuring fair and proper implementation in the intermediation of comprehensive credit purchases; or

十一 利用者支払可能見込額の算定について、次のいずれかに該当する法人

(xi) a corporation that falls under one of the following concerning calculation of the user purchase amount projected to be affordable:

イ 当該算定の方法が、利用者の支払能力に関する情報を高度な技術的手法を用いて分析することにより利用者支払可能見込額を適確に算定することを可能とするものとして経済産業省令で定める基準に適合しないものであること。

(a) the method of the calculation does not conform to the standards specified by Order of the Ministry of Economy, Trade and Industry regarding methods that enable appropriate calculation of the user purchase amount projected to be affordable by, through advanced technical means, analyzing information on a user's ability to pay;

ロ 当該算定を行う体制が、経済産業省令で定める基準に適合しないものであること。

(b) a system for making the calculation does not conform to the standards specified by Order of the Ministry of Economy, Trade and Industry.

2 第十五条第二項及び第三項の規定は、第三十五条の二の九第一項の規定による登録の申請があつた場合に準用する。

(2) The provisions of Article 15, paragraphs (2) and (3) apply mutatis mutandis when an application for registration under Article 35-2-9, paragraph (1) is filed.

(変更の登録)

(Registration of Changes)

第三十五条の二の十二 登録少額包括信用購入あつせん業者は、第三十五条の二の九第一項第四号又は第五号に掲げる事項を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の変更の登録を受けなければならない。

Article 35-2-12 (1) If a registered comprehensive small amount credit purchase intermediary seeks to change the matters stated in Article 35-2-9, paragraph (1), item (iv) or item (v), it must have the change registered by the Minister of Economy, Trade and Industry pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.



2 第十五条第三項、第三十五条の二の十及び前条第一項（第十一号に係る部分に限る。）の規定は、前項の変更の登録に準用する。この場合において、第三十五条の二の十第一項中「前条第一項各号に掲げる事項」とあるのは、「変更に係る事項」と読み替えるものとする。

(2) The provisions of Article 15, paragraph (3); Article 35-2-10; and paragraph (1) of the preceding Article (limited to portions related to item (xi)) apply mutatis mutandis to the registration of a change stated in the preceding paragraph. In this case, the term "the matters stated in the items of paragraph (1) of the preceding Article" in Article 35-2-10, paragraph (1) is deemed to be replaced with "matters related to a change".

（変更の届出）

(Notification of Changes)

第三十五条の二の十三 登録少額包括信用購入あつせん業者は、第三十五条の二の九第一項第一号から第三号までに掲げる事項について変更があつたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 35-2-13 (1) If there is any change in a matter stated in items (i) through (iii) of Article 35-2-9, paragraph (1), a registered comprehensive small amount credit purchase intermediary must file a notification of this with the Minister of Economy, Trade and Industry, without delay.

2 経済産業大臣は、前項の規定による変更の届出を受理したときは、その届出があつた事項を少額包括信用購入あつせん業者登録簿に登録しなければならない。

(2) Upon receipt of the notification of a change prescribed in the preceding paragraph, the Minister of Economy, Trade and Industry must register the matters reported in the notification to the comprehensive small amount credit purchase intermediary register.

3 第三十五条の二の九第二項及び第三項の規定は、第一項の規定による変更の届出をする場合に準用する。

(3) The provisions of Article 35-2-9, paragraphs (2) and (3) apply mutatis mutandis when the notification of a change under the provisions of paragraph (1) is filed.

（登録の取消し等）

(Rescission of Registration)

第三十五条の二の十四 経済産業大臣は、登録少額包括信用購入あつせん業者が次の各号のいずれかに該当するときは、その登録を取り消さなければならない。

Article 35-2-14 (1) If a registered comprehensive small amount credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry must rescind its registration:

一 第三十五条の二の十一第一項第二号又は第五号から第九号までのいずれかに該当することとなつたとき。

- (i) it comes to fall under the provisions of one of Article 35-2-11, paragraph (1), item (ii) or items (v) through (ix);
- 二 第三十五条の二の十二第一項の規定に違反して、同項の変更の登録を受けずに、第三十五条の二の九第一項第四号の方法又は同項第五号の体制を変更したとき。
- (ii) it violates the provisions of Article 35-2-12, paragraph (1) and changes the method stated in item (iv) of Article 35-2-9, paragraph (1) or the system stated in item (v) of that paragraph without obtaining the change registration referred to in Article 35-2-12, paragraph (1); or
- 三 不正の手段により第三十五条の二の三第一項の登録又は第三十五条の二の十二第一項の変更の登録を受けたとき。
- (iii) it has obtained the change registration referred to in Article 35-2-3, paragraph (1) or Article 35-2-12, paragraph (1) by wrongful means.
- 2 経済産業大臣は、登録少額包括信用購入あつせん業者が次の各号のいずれかに該当するときは、その登録を取り消し、又は一年以内の期間を定めて、包括信用購入あつせんに係る業務の全部若しくは一部の停止を命ずることができる。
- (2) If a registered comprehensive small amount credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry may rescind its registration, or may order the suspension of all or part of the business operations connected with the intermediation of comprehensive credit purchases during a fixed period of no longer than one year:
- 一 第三十五条の二の八第一項の規定又は第三十五条の三において読み替えて準用する第三十四条の規定による命令に違反したとき。
- (i) it violates an order under the provisions of Article 35-2-8, paragraph (1) or Article 34, which is applied mutatis mutandis following the deemed replacement of terms pursuant to Article 35-3;
- 二 第三十五条の二の十一第一項第三号の規定に該当することとなつたとき。
- (ii) it comes to fall under the provisions of Article 35-2-11, paragraph (1), item (iii); or
- 三 前条第一項の規定による届出をせず、又は虚偽の届出をしたとき。
- (iii) it fails to file a notification under the provisions of the preceding Article, paragraph (1) or files a false notification.
- 3 経済産業大臣は、登録少額包括信用購入あつせん業者が前項第一号の命令（当該登録少額包括信用購入あつせん業者が第三十条の五の二、第三十五条の二の四第一項本文、第二項若しくは第三項又は第三十五条の二の五本文の規定に違反している場合におけるものに限る。次項及び第四十条第四項において同じ。）に違反した場合において、前項の規定による処分をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。
- (3) If a registered comprehensive small amount credit purchase intermediary violates the order referred to in item (i) of the preceding paragraph (limited to an order in a case where the registered comprehensive small amount credit

purchase intermediary violates the provisions of Article 30-5-2; the main clause of paragraph (1) of Article 35-2-4; paragraph (2) or paragraph (3) of that Article; or the main clause of Article 35-2-5; the same applies in the following paragraph and Article 40, paragraph (4)), before the Minister of Economy, Trade and Industry seeks to reach a disposition under the preceding paragraph, the minister must consult with the Prime Minister.

4 内閣総理大臣は、登録少額包括信用購入あつせん業者が第二項第一号の命令に違反した場合において、利用者又は購入者若しくは役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、同項の規定による処分に関し、必要な意見を述べることができる。

(4) If a registered comprehensive small amount credit purchase intermediary violates an order under the provisions of paragraph (2), item (i) and the Prime Minister finds it to be necessary to protect the interests of users, purchasers, or service recipients, the minister may state a necessary opinion concerning the disposition under that paragraph to the Minister of Economy, Trade and Industry.

5 経済産業大臣は、第一項又は第二項の規定により登録を取り消したときは、遅滞なく、その理由を示して、その旨を当該登録少額包括信用購入あつせん業者であつた者に通知しなければならない。

(5) If the Minister of Economy, Trade and Industry rescinds a registration pursuant to the provisions of paragraph (1) or paragraph (2), the minister must notify the person that was formerly the relevant registered comprehensive small amount credit purchase intermediary of this, indicating the reasons, without delay.

(登録の消除)

(Deletion of Registration)

第三十五条の二の十五 経済産業大臣は、次の各号のいずれかに該当するときは、少額包括信用購入あつせん業者登録簿につき、その登録少額包括信用購入あつせん業者に関する登録を消除しなければならない。

Article 35-2-15 (1) If a registered comprehensive small amount credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry must delete the registration of that registered comprehensive small amount credit purchase intermediary from the comprehensive small amount credit purchase intermediary register:

一 第三十一条の登録をしたとき。

(i) a registration referred to in Article 31 is effected;

二 前条第一項又は第二項の規定により登録を取り消したとき。

(ii) the minister rescinds its registration pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article; or

三 次条において準用する第三十五条の規定による届出があつたときその他包括信用

購入あつせんの営業を廃止したことが判明したとき。

(iii) a notification under the provisions of Article 35 as applied mutatis mutandis in the following Article is filed, or the intermediary is discovered to have discontinued operations in the intermediation of comprehensive credit purchases.

2 前条第五項の規定は、前項第一号又は第三号の規定により登録を削除した場合に準用する。

(2) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis if a registration is deleted pursuant to the provisions of item (i) or (iii) of the preceding paragraph.

(準用規定)

(Provisions Applied Mutatis Mutandis)

第三十五条の三 第三十三条の四、第三十四条及び第三十四条の四から第三十五条の二の二までの規定は、登録少額包括信用購入あつせん業者に準用する。この場合において、第三十四条中「第三十三条の二第一項第十一号（認定包括信用購入あつせん業者にあつては、第三十条の二第一項本文に規定する調査に係る部分を除く。）」とあるのは「第三十五条の二の十一第一項第十号又は第十一号」と、第三十四条の四、第三十五条の二第一項及び第三十五条の二の二中「第三十四条の二第一項」とあるのは「第三十五条の二の十四第一項」と、第三十四条の四中「前条第一項第二号」とあり、及び第三十五条の二第一項中「第三十四条の三第一項第二号」とあるのは「第三十五条の二の十五第一項第三号」と、第三十五条の二の二中「第三十四条の三第一項第二号」とあるのは「第三十五条の二の十五第一項第一号」と読み替えるものとする。

Article 35-3 The provisions of Article 33-4; Article 34; and Articles 34-4 through 35-2-2 apply mutatis mutandis to registered comprehensive small amount credit purchase intermediaries. In this case, the phrase "Article 33-2, paragraph (1), item (xi) (excluding portions related to investigation stated in the main clause of paragraph (1) of Article 30-2, in the case of certified comprehensive credit purchase intermediaries)" in Article 34 is deemed to be replaced with "Article 35-2-11, paragraph (1), item (x) or item (xi)"; the phrase "paragraph (1) of Article 34-2" in Article 34-4; Article 35-2, paragraph (1); and Article 35-2-2 is deemed to be replaced with "paragraph (1) of Article 35-2-14"; the phrase "the preceding Article, paragraph (1), items 2" in Article 34-4 and the phrase "paragraph (1), item (ii) of Article 34-3" in Article 35-2, paragraph (1) are deemed to be replaced with "paragraph (1), item (iii) of Article 35-2-15"; and the phrase "paragraph (1), item (ii) of Article 34-3" in Article 35-2-2 is deemed to be replaced with "paragraph (1), item (i) of Article 35-2-15".

## 第二節 個別信用購入あつせん

### Section 2 Intermediation of Individual Credit Purchases

#### 第一款 業務

## Subsection 1 Business

(個別信用購入あつせんの取引条件の表示)

(Indication of Terms and Conditions for the Intermediation of Individual Credit Purchases)

第三十五条の三の二 個別信用購入あつせんを業とする者（以下「個別信用購入あつせん業者」という。）と個別信用購入あつせんに係る契約を締結した販売業者（以下「個別信用購入あつせん関係販売業者」という。）又は役務提供事業者（以下「個別信用購入あつせん関係役務提供事業者」という。）は、個別信用購入あつせんに係る販売又は提供の方法により商品若しくは指定権利を販売しようとするとき又は役務を提供しようとするときは、その相手方に対して、経済産業省令・内閣府令で定めるところにより、当該商品、当該指定権利又は当該役務に関する次の事項を示さなければならない。

Article 35-3-2 (1) If a seller or a service provider that concludes a contract for the intermediation of an individual credit purchases with a person that is in the business of the intermediation of individual credit purchases (the person is referred to below as an "individual credit purchase intermediary") (the seller is referred to below as the "seller affiliated with the intermediation of individual credit purchases" and the service provider is referred to as the "service provider affiliated with the intermediation of individual credit purchases"), seeks to sell goods or designated rights or provide designated services in a way that involves the intermediation of individual credit purchases, it must indicate the following matters about the goods, designated rights, or designated services to the counterparty, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 商品若しくは権利の現金販売価格又は役務の現金提供価格

(i) the cash price of the goods or rights or the cash price of the services;

二 購入者又は役務の提供を受ける者の支払総額（個別信用購入あつせんに係る販売又は提供の方法により商品若しくは権利を販売する場合の価格又は役務を提供する場合の価格及び個別信用購入あつせんの手数料の合計額をいう。以下この節において同じ。）

(ii) the total amount payable by the purchaser or service recipient (meaning the total of the cost of goods or rights that are sold or consideration for services that are provided in a way that involves the intermediation of individual credit purchases, and the fees for the intermediation of individual credit purchases; the same applies below in this Section);

三 個別信用購入あつせんに係る商品若しくは権利の代金又は役務の対価の全部又は一部（当該代金又は当該対価の全部又は一部に係る個別信用購入あつせんの手数料を含む。）の支払の期間及び回数

(iii) the term and number of payments for the full or partial cost of goods or rights or consideration for services that the intermediation of individual

credit purchases is for (including fees for the intermediation of individual credit purchases in respect of that full or partial cost or consideration);

四 経済産業省令・内閣府令で定める方法により算定した個別信用購入あつせんの手数料の料率

(iv) the rate of the fees for the intermediation of individual credit purchases, as arrived at by the method of calculation specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; and

五 前各号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(v) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.

2 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、個別信用購入あつせんに係る販売又は提供の方法により商品若しくは指定権利を販売する場合の販売条件又は役務を提供する場合の提供条件について広告をするときは、経済産業省令・内閣府令で定めるところにより、当該広告に前項各号の事項を表示しなければならない。

(2) When the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases sells goods or designated rights or provides services in a way that involves the intermediation of individual credit purchases and advertises the terms and conditions of the sale or the terms and conditions for their provision, it must indicate the matters stated in the items of the preceding paragraph in its advertising, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(個別支払可能見込額の調査)

(Investigation of the Individual Purchase Amount Projected to Be Affordable)

第三十五条の三の三 個別信用購入あつせん業者は、個別信用購入あつせんに係る購入又は受領の方法により購入される商品若しくは指定権利の代金又は受領される役務の対価に相当する額の受領に係る契約（以下「個別信用購入あつせん関係受領契約」という。）を締結しようとする場合には、その契約の締結に先立って、経済産業省令・内閣府令で定めるところにより、年収、預貯金、信用購入あつせんに係る債務の支払の状況、借入れの状況その他の当該購入者又は当該役務の提供を受ける者の個別支払可能見込額を算定するために必要な事項として経済産業省令・内閣府令で定めるものを調査しなければならない。ただし、当該購入者又は当該役務の提供を受ける者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 35-3-3 (1) Before an individual credit purchase intermediary seeks to conclude a contract under which an amount of money will be received that corresponds to the cost of goods or designated rights purchased or consideration for services received in a way that involves the intermediation of individual credit purchases (the contract is referred to below as a "contract

providing the receipt of monies subject to the intermediation of individual credit purchases"), it must investigate, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, the annual income, balance of deposits and savings, payment status of obligations connected with the intermediation of credit purchases, loan status, and other necessary matters relevant to the calculation of the individual purchase amount projected to be affordable for that purchaser or service recipient, as specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; provided, however, that this does not apply in a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that purchaser or service recipient.

2 この節において「個別支払可能見込額」とは、主として自己の居住の用に供する住宅その他の経済産業省令・内閣府令で定める資産を譲渡し、又は担保に供することなく、かつ、生活維持費に充てるべき金銭を使用することなく、購入者又は役務の提供を受ける者が個別信用購入あつせんに係る購入又は受領の方法により購入しようとする商品若しくは指定権利の代金又は受領しようとする役務の対価に相当する額の支払に充てることができると見込まれる一年間当たりの額をいう。

(2) The "individual purchase amount projected to be affordable" as used in this Section means the projected amount that a purchaser or service recipient can allocate in a year for payment of the amount that corresponds to the cost of goods or designated rights that a purchaser seeks to purchase or consideration for services that a service recipient seeks to receive in a way that involves the intermediation of individual credit purchases, without transferring or pledging as collateral the home that the purchaser or service recipient principally uses as a residence or other assets specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, and without using money that should be allocated to the living expenses of the purchaser or service recipient.

3 個別信用購入あつせん業者は、第一項本文の規定による調査を行うときは、指定信用情報機関が保有する特定信用情報を使用しなければならない。

(3) When an individual credit purchase intermediary performs an investigation pursuant to the provisions of the main clause of paragraph (1), it must use the specified credit information held by a designated credit bureau.

4 個別信用購入あつせん業者は、個別信用購入あつせん関係受領契約を締結した場合には、経済産業省令・内閣府令で定めるところにより、第一項本文の規定による調査に関する記録を作成し、これを保存しなければならない。

(4) When an individual credit purchase intermediary concludes a contract providing the receipt of monies subject to the intermediation of individual credit purchases, the individual credit purchase intermediary must prepare and archive a record of the investigation under the main clause of paragraph (1), pursuant to the provisions of Order of the Ministry of Economy, Trade and

## Industry and Cabinet Office Order.

(個別支払可能見込額を超える場合の個別信用購入あつせん関係受領契約の締結の禁止)

### (Prohibition on the Conclusion of a Contract Providing the Receipt of Monies Subject to the Intermediation of Individual Credit Purchases in Excess of the Individual Purchase Amount Projected to Be Affordable)

第三十五条の三の四 個別信用購入あつせん業者は、個別信用購入あつせん関係受領契約を締結しようとする場合において、購入者又は役務の提供を受ける者の支払総額のうち一年間に支払うこととなる額が、前条第一項本文の規定による調査により得られた事項を基礎として算定した個別支払可能見込額を超えるときは、当該個別信用購入あつせん関係受領契約を締結してはならない。ただし、当該購入者又は当該役務の提供を受ける者の保護に支障を生ずることがない場合として経済産業省令・内閣府令で定める場合は、この限りでない。

Article 35-3-4 If an individual credit purchase intermediary seeks to conclude a contract providing the receipt of monies subject to the intermediation of individual credit purchases, but the part of the total amount payable that the purchaser or service recipient would have to pay during a year's time exceeds the individual purchase amount projected to be affordable as calculated based on information obtained in an investigation under the provisions of the main clause of paragraph (1) of the preceding Article, the individual credit purchase intermediary must not conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases; provided, however, that this does not apply to a case specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as one that does not prejudice the protection of that purchaser or service recipient.

(個別信用購入あつせん関係販売契約等の勧誘に係る調査)

### (Investigation into the Solicitation Connected with a Contract for Sales Involving the Intermediation of Individual Credit Purchases)

第三十五条の三の五 個別信用購入あつせん業者は、次の各号のいずれかに該当する契約（第三十五条の三の七において「特定契約」という。）であつて、個別信用購入あつせんに係る販売の方法により商品若しくは指定権利を販売する契約（以下「個別信用購入あつせん関係販売契約」という。）又は個別信用購入あつせんに係る提供の方法により役務を提供する契約（以下「個別信用購入あつせん関係役務提供契約」という。）に該当するものに係る個別信用購入あつせん関係受領契約を締結しようとする場合には、その契約の締結に先立つて、経済産業省令・内閣府令で定めるところにより、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者による同条各号のいずれかに該当する行為の有無に関する事項であつて経済産業省令・内閣府令で定める事項を調査しなければならない。

Article 35-3-5 (1) If an individual credit purchase intermediary seeks to conclude



a contract falling under one of the following items (that contract is referred to as a "specified contract" in Article 35-3-7) which constitutes a contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with a contract under which goods or designated rights are sold in a way that involves the intermediation of individual credit purchases (referred to below as "contract for sales involving the intermediation of individual credit purchases") or a contract under which services are provided in a way that involves the intermediation of individual credit purchases (referred to below as a "contract for services involving the intermediation of individual credit purchases"), before concluding the contract and pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, the intermediary must investigate the matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order concerning whether the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has committed an act falling under one of the items of Article 35-3-7:

一 特定商取引に関する法律第二条第一項に規定する訪問販売（以下「訪問販売」という。）に係る契約

(i) a contract arising from door-to-door sales as prescribed in Article 2, paragraph (1) of the Act on Specified Commercial Transactions (referred to below as "door-to-door sales");

二 特定商取引に関する法律第二条第三項に規定する電話勧誘販売（以下「電話勧誘販売」という。）に係る契約

(ii) a contract arising from telemarketing sales as prescribed in Article 2, paragraph (3) of the Act on Specified Commercial Transactions (referred to below as "telemarketing sales");

三 連鎖販売個人契約のうち特定商品販売等契約を除いたもの（以下「特定連鎖販売個人契約」という。）

(iii) a personal multilevel marketing contract other than a sales contract for specified goods, etc. (referred to below as a "specified personal multilevel marketing contract");

四 特定商取引に関する法律第四十一条第一項第一号に規定する特定継続的役務提供契約又は同項第二号に規定する特定権利販売契約（以下「特定継続的役務提供等契約」という。）

(iv) a specified continuous service contract as prescribed in Article 41, paragraph (1), item (i) of the Act on Specified Commercial Transactions or a sales contract for specified rights as prescribed in item (ii) of that paragraph (referred to below as a "specified continuous service contract"); or

五 業務提供誘引販売個人契約

(v) a personal business opportunity sales contract.

2 個別信用購入あつせん業者は、経済産業省令・内閣府令で定めるところにより、前項の規定による調査に関する記録を作成し、これを保存しなければならない。

(2) An individual credit purchase intermediary must prepare and archive a record of any investigation under the preceding paragraph, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

(調査の協力)

(Cooperation with Investigations)

第三十五条の三の六 個別信用購入あつせん関係販売業者及び個別信用購入あつせん関係役務提供事業者は、前条第一項の規定による調査に協力するよう努めなければならない。

Article 35-3-6 The seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases must endeavor to cooperate with the investigation under paragraph (1) of the preceding Article.

(個別信用購入あつせん関係受領契約の申込みの承諾等の禁止)

(Prohibition on the Acceptance of an Offer for a Contract Providing the Receipt of Monies Subject to the Intermediation of Individual Credit Purchases)

第三十五条の三の七 個別信用購入あつせん業者は、第三十五条の三の五第一項の規定による調査その他の方法により知った事項からみて、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が特定契約に係る個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約の申込み又は締結の勧誘をするに際し、次の各号のいずれかに該当する行為をしたと認めるときは、当該勧誘の相手方に対し当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の申込みをし、又は当該勧誘の相手方から受けた当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の申込みを承諾してはならない。ただし、当該勧誘の相手方が当該個別信用購入あつせん関係販売契約又は当該個別信用購入あつせん関係役務提供契約の締結を必要とする特別の事情があることを確認した場合その他当該勧誘の相手方の利益の保護に欠け、又は欠けることとなるおそれがないと認めるときは、この限りでない。

Article 35-3-7 If an individual credit purchase intermediary finds, based on information learned in an investigation under the provisions of Article 35-3-5, paragraph (1) or from any other source, that the seller affiliated with the intermediation of individual credit purchase or the service provider affiliated with the intermediation of individual credit purchases has engaged an act falling under one of the following items in soliciting an offer for a contract for a sale involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases which

constitutes a specified contract, or in soliciting a person to conclude such a contract, the individual credit purchase intermediary must not offer the solicited party a contract stipulating the receipt of monies subject to the intermediation of individual credit purchases in connection with the contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases, and must not accept the solicited party's offer of a contract stipulating the receipt of monies subject to the intermediation of individual credit purchases in connection with the contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases; provided, however, that this does not apply if there are confirmed to be special circumstances that make it necessary for the solicited party to conclude the contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases, or if it is found that the interests of the solicited party are not compromised and are unlikely to become compromised:

一 特定商取引に関する法律第六条第一項から第三項まで、第二十一条各項、第三十四条第一項から第三項まで、第四十四条各項又は第五十二条第一項若しくは第二項の規定に違反する行為

(i) an act that violates the provisions of one of Article 6, paragraphs (1) through (3) of the Act on Specified Commercial Transactions or of the paragraphs of Article 21; Article 34, paragraphs (1) through (3); the paragraphs of Article 44; or Article 52, paragraph (1) or paragraph (2) of that Act; or

二 消費者契約法（平成十二年法律第六十一号）第四条第一項から第三項までに規定する行為（同条第二項に規定する行為にあつては、同項ただし書の場合に該当するものを除く。）

(ii) an act prescribed in one of Article 4, paragraphs (1) through (3) of the Consumer Contract Act (Act No. 61 of 2000) (excluding an act prescribed in paragraph (2) of that Article which falls under the proviso to that paragraph).

（個別信用購入あつせん関係販売業者等による書面の交付）

**(Delivery of Documents by the Seller Affiliated with the Intermediation of Individual Credit Purchases)**

第三十五条の三の八 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該契約に関する次の事項を記載した書面を購入者又は役務の提供を受ける者に交付しなければならない。

Article 35-3-8 When the seller affiliated with the intermediation of individual

credit purchases or the service provider Affiliated with the intermediation of individual credit purchases concludes the contract for sales involving the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases, it must deliver a document to the purchaser or service recipient stating the following information concerning that contract without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 商品若しくは権利又は役務の種類

(i) the type of goods or rights or services;

二 購入者又は役務の提供を受ける者の支払総額

(ii) the total amount payable by the purchaser or service recipient;

三 個別信用購入あつせんに係る各回ごとの商品若しくは権利の代金又は役務の対価の全部又は一部（当該代金又は当該対価の全部又は一部に係る個別信用購入あつせんの手数料を含む。以下同じ。）の支払分の額並びにその支払の時期及び方法

(iii) the amount to be paid on each occasion against the full or partial cost of goods or rights or consideration for services that the intermediation of individual credit purchases is for (including fees for the intermediation of individual credit purchases in respect of that full or partial cost or consideration; the same applies below), and the timing and method of its payment;

四 商品の引渡時期若しくは権利の移転時期又は役務の提供時期（当該契約が特定継続的役務提供等契約であるときは、役務の提供期間又は権利の行使により受けることができる役務の提供期間）

(iv) the timing for the delivery of the goods, the timing for the transfer of the rights, or the timing for the provision of the services (or, if the contract is a specified continuous service contract, the service period or the period during which services are provided that the person can receive by exercising those rights);

五 当該契約が連鎖販売個人契約であるときは、商品若しくは権利の再販売、受託販売又は同種役務の提供についての条件に関する基本的な事項

(v) if the contract is a personal multilevel marketing contract, basic information about the conditions under which the goods or rights are resold or sold on consignment, or the basic matters of the conditions under which the same kind of services are provided;

六 当該契約が特定継続的役務提供等契約であつて、当該役務の提供に際し当該役務の提供を受ける者が購入する必要がある商品があるときは、その商品名

(vi) if the contract is a specified continuous service contract and there are goods that the service recipient is required to purchase on being provided the service, the name of those goods;

七 当該契約が業務提供誘引販売個人契約であるときは、商品若しくは権利若しくは

提供される役務を利用する業務の提供又はあつせんについての条件に関する基本的な事項

(vii) if the contract is a personal business opportunity sales contract, basic information about the conditions under which business services that use the goods, rights, or services that are to be provided, are provided or arranged;

八 当該契約の解除に関する事項（購入者又は役務の提供を受ける者が第三十五条の三の十第一項第四号から第六号までに定める契約の相手方である場合には同条第五項本文の規定により当該契約が解除されたものとみなされることに関する事項を含み、購入者又は役務の提供を受ける者が第三十五条の三の十一第一項に規定する契約の相手方である場合には同条第七項本文の規定により当該契約が解除されたものとみなされることに関する事項を含む。）

(viii) information about cancellation of the contract (if the purchaser or service recipient is the other party to a contract as specified in one of Article 35-3-10, paragraph (1), items (iv) through (vi), this includes information about the contract being deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (5) of that Article; and if the purchaser or service recipient is the other party to a contract as prescribed in Article 35-3-11, paragraph (1), this includes information about the contract being deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7) of that Article); and

九 前各号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(ix) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding items.

（個別信用購入あつせん業者による書面の交付）

**(Delivery of Documents by an Individual Credit Purchase Intermediary)**

第三十五条の三の九 個別信用購入あつせん業者は、次に掲げる個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の申込みを受けたときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該契約に関する次項各号の事項を記載した書面を当該申込みをした者に交付しなければならない。

Article 35-3-9 (1) If an individual credit purchase intermediary is offered a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases stated in one of the following, it must deliver a document to the offeror stating the information about that contract which is stated in the items of the following paragraph without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業

者が特定商取引に関する法律第二条第一項第一号に規定する営業所等（以下「営業所等」という。）以外の場所においてその申込みを受けた個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約

(i) a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases under an offer that the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has accepted at a place other than a business office, etc. as prescribed in Article 2, paragraph (1), item (i) of the Act on Specified Commercial Transactions (that place is referred to below as a "business office, etc.");

二 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が営業所等において、営業所等以外の場所において呼び止めて営業所等同行させた者その他特定商取引に関する法律第二条第一項第二号に規定する政令で定める方法により誘引した者（以下「個別信用購入あつせん関係特定顧客」という。）からその申込みを受けた個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約

(ii) a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases under an offer that the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has accepted at a business office, etc., from a person that the seller or service provider has stopped at a place other than a business office, etc. and caused to follow the seller or service provider to the business office, etc. or from a person that the seller or service provider has induced to the business office, etc. by a means specified by Cabinet Order which is referred to in Article 2, paragraph (1), item (ii) of the Act on Specified Commercial Transactions (referred to below as a "specified customer affiliated with the intermediation of individual credit purchases");

三 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が、電話をかけ又は特定商取引に関する法律第二条第三項に規定する政令で定める方法により電話をかけさせ、その電話において行う個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約の締結についての勧誘により、その相手方（以下「個別信用購入あつせん関係電話勧誘顧客」という。）からその申込みを同条第二項に規定する郵便等（以下「郵便等」という。）により受けた当該個別信用購入あつせん関係販売契約又は当該個別信用購入あつせん関係役務提供契約

(iii) a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases for which the seller affiliated with the

intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has telephoned the other party or caused the other party to telephone the seller or service provider by a means specified by Cabinet Order which is referred to in Article 2, paragraph (3) of the Act on Specified Commercial Transactions, during which telephone call the seller or service provider has solicited the other party to conclude the contract for sales involving the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases, due to which the seller or service provider has received an offer from the other party (referred to below as a "customer subject to telemarketing in connection with the intermediation of individual credit purchases") through the mail, etc. as prescribed in paragraph (2) of that Article (referred to below as "mail, etc.");  
or

四 特定連鎖販売個人契約、特定継続的役務提供等契約又は業務提供誘引販売個人契約（以下「特定連鎖販売個人契約等」という。）であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するもの

(iv) a specified personal multilevel marketing contract, a specified continuous service contract, or a personal business opportunity sales contract (referred to below as a "specified personal multilevel marketing contract, etc.") constituting a contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases.

2 前項の書面には、次の事項を記載するものとする。

(2) The following matters are to be stated in the document referred to in the preceding paragraph:

一 前条第一号から第七号までの事項

(i) matters referred to in items (i) through (vii) of the preceding Article;

二 当該契約の申込みの撤回又は当該契約の解除に関する事項（購入者又は役務の提供を受ける者が次条第一項第一号から第三号までに定める契約の申込みをした者である場合には同項から同条第三項まで、同条第五項から第七項まで及び同条第九項から第十四項までの規定に関する事項を含み、購入者又は役務の提供を受ける者が第三十五条の三の十一第一項に規定する契約の申込みをした者である場合には同項から同条第五項まで、同条第七項から第九項まで及び同条第十一項から第十四項までの規定に関する事項を含む。）

(ii) matters about withdrawal of the contract offer and about cancellation of the contract (if the purchaser or service recipient is a person offering a contract as provided in one of items (i) through (iii) of the following Article, this includes matters in respect of the provisions of paragraphs (1) through (3) of that Article, paragraphs (5) through (7) of that Article, and paragraphs (9) through (14) of that Article; and if the purchaser or service recipient is a

person offering a contract as provided in Article 35-3-11, paragraph (1), this includes matters in respect of the provisions of paragraphs (1) through (5) of that Article, paragraphs (7) through (9) of that Article, and paragraphs (11) through (14) of that Article);

三 第三十五条の三の五第一項の規定による調査の対象となるべき事項

(iii) matters subject to an investigation under Article 35-3-5, paragraph (1);

and

四 前三号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iv) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding three items.

3 個別信用購入あつせん業者は、次に掲げる個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約を締結したときは、遅滞なく、経済産業省令・内閣府令で定めるところにより、当該契約に関する次項各号の事項を記載した書面を購入者又は役務の提供を受ける者に交付しなければならない。

(3) If an individual credit purchase intermediary concludes a contract stipulating the receipt of monies subject to the intermediation of individual credit purchases which is connected with a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases stated in one of the following, it must deliver a document to the purchaser or service recipient stating the information about that contract which is stated in the items of the following paragraph without delay, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order:

一 個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者が営業所等以外の場所において締結した個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約（営業所等において個別信用購入あつせん関係特定顧客以外の顧客から申込みを受けた個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約を除く。）又は個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者が営業所等以外の場所においてその申込みを受け、営業所等において締結した個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約

(i) a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases that the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases concludes at a place other than a business office, etc. (excluding a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases that is offered by a customer other than the specified customer affiliated with the



intermediation of that individual credit purchase at a business office, etc.); or a contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases which is offered to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases at a place other than a business office, etc. and which is concluded at a business office, etc.;

二 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が営業所等において個別信用購入あつせん関係特定顧客と締結した個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約

(ii) a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases which the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases concludes with the specified customer affiliated with the intermediation of individual credit purchases at a business office, etc.;

三 個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者が個別信用購入あつせん関係電話勧誘顧客と郵便等により締結した当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者が個別信用購入あつせん関係電話勧誘顧客から申込みを郵便等により受け、締結した当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供契約

(iii) a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchase which the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases concludes with a customer subject to telemarketing in connection with the intermediation of individual credit purchases through the mail, etc.; or a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases which is offered to the seller affiliated with the intermediation of individual credit purchases or service provider affiliated with the intermediation of individual credit purchases through the mail, etc. by a customer subject to telemarketing in connection with the intermediation of individual credit purchases, and which it concludes; or

四 特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するもの

(iv) a specified personal multilevel marketing contract, etc. constituting a contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases.

4 前項の書面には、次の事項を記載するものとする。

(4) The following matters are to be stated in the document referred to in the preceding paragraph:

一 前条第一号から第七号までの事項

(i) matters referred to in items (i) through (vii) of the preceding Article;

二 当該契約の解除に関する事項（購入者又は役務の提供を受ける者が次条第一項第四号から第六号までに定める契約の相手方である場合には同項から同条第三項まで、同条第五項から第七項まで及び同条第九項から第十四項までの規定に関する事項のうち契約の解除に関する事項を含み、購入者又は役務の提供を受ける者が第三十五条の三の十一第一項に規定する契約の相手方である場合には同項から同条第五項まで、同条第七項から第九項まで及び同条第十一項から第十四項までの規定に関する事項のうち契約の解除に関する事項を含む。）

(ii) matters about cancellation of the contract (if the purchaser or service recipient is the other party to a contract as specified in paragraph (1), items (iv) through (vi) of the following Article, this includes matters with respect to the provisions of paragraphs (1) through (3) of that Article, paragraphs (5) through (7) of that Article, and paragraphs (9) through (14) of that Article, which constitutes matters about cancellation of the contract; and if the purchaser or service recipient is the other party to a contract as specified in Article 35-3-11, paragraph (1), this includes matters with respect to the provisions of paragraphs (1) through (5) of that Article, paragraphs (7) through (9) of that Article, and paragraphs (11) through (14) of that Article, which constitutes matters about cancellation of the contract);

三 第三十五条の三の五第一項の規定による調査の結果に関する事項

(iii) the results of the investigation under the provisions of Article 35-3-5, paragraph (1); and

四 前三号に掲げるもののほか、経済産業省令・内閣府令で定める事項

(iv) matters specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, beyond what is stated in the preceding three items.

(個別信用購入あつせん関係受領契約の申込みの撤回等)

(Withdrawal of the Offer, etc. for a Contract Providing the Receipt of Monies Subject to the Intermediation of Individual Credit Purchases)

第三十五条の三の十 次の各号に掲げる場合において、当該各号に定める者（以下この条において「申込者等」という。）は、書面により、申込みの撤回等（次の各号の個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の申込みの撤回又は次の各号の個別信用購入

あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の解除をいう。以下この条において同じ。)を行うことができる。ただし、前条第三項の書面を受領した日(その日前に同条第一項の書面を受領した場合にあつては、当該書面を受領した日)から起算して八日を経過したとき(申込者等が、個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん業者が個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、若しくは申込みの撤回等を妨げるため、申込みの撤回等に関する事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん業者が個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約を締結させ、若しくは申込みの撤回等を妨げるため、威迫したことにより困惑し、これらによつて当該期間を経過するまでに申込みの撤回等を行わなかつた場合には、当該申込者等が、当該個別信用購入あつせん関係販売業者若しくは当該個別信用購入あつせん関係役務提供事業者又は当該個別信用購入あつせん業者が経済産業省令・内閣府令で定めるところにより申込みの撤回等を行うことができる旨を記載して交付した書面を受領した日から起算して八日を経過したとき)は、この限りでない。

Article 35-3-10 (1) In a case stated in one of the following items, the person specified in the relevant item (referred to below as the "offeror, etc." in this Article) may withdraw the offer, etc. (meaning withdrawing the offer for a contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with a contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases as stated in the relevant of those items; or cancelling a contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with a contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases as stated in the relevant of those items; the same applies below in this Article) using a paper document; provided, however, that this does not apply once eight days have passed counting from the day on which the offeror, etc. receives the document referred to in paragraph (3) of the preceding Article (or, if the offeror, etc. receives the document referred to in paragraph (1) of that Article before receiving the document referred to in paragraph (3), counting from the day on which the offeror, etc. receives the document referred to in paragraph (1)) (if the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary conveys false information while the offeror, etc. is being solicited

to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the contract for the sale involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases, or conveys false information about the withdrawing of offers, etc. in order to prevent the offeror, etc. from withdrawing the offer, etc., thereby leading the offeror, etc. to mistakenly believe that the false information conveyed about withdrawing the offer, etc. is true, due to which circumstances the offeror, etc. does not withdraw the offer, etc. before that period; or if the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary uses intimidation in order to cause the offeror, etc. to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the contract for the sales involving the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases, or uses intimidation to prevent the offeror, etc. from withdrawing the offer, etc., thereby overwhelming the offeror, etc., due to which circumstances the offeror, etc. does not withdraw the offer, etc. before that period; this means once eight days have passed counting from the day on which the offeror, etc. receives a document issued to the offeror, etc. by the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary, stating that the offeror, etc. may withdraw the offer, etc. pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order):

一 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が営業所等以外の場所において個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約の申込みを受けた場合 当該申込みをした者

(i) the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases is offered the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases at a place other than a business office, etc.: the person making the offer;

二 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が営業所等において個別信用購入あつせん関係特定顧客から個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約の申込みを受けた場合 当該申込みをした者

(ii) the seller affiliated with the intermediation of individual credit purchases

or the service provider affiliated with the intermediation of individual credit purchases is offered the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases by the specified customer affiliated with the intermediation of the individual credit purchases, at a business office, etc.): the person making the offer;

三 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が個別信用購入あつせん関係電話勧誘顧客から当該個別信用購入あつせん関係販売契約又は当該個別信用購入あつせん関係役務提供契約の申込みを郵便等により受けた場合 当該申込みをした者

(iii) the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases is offered the contract for the sale involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases by a customer subject to telemarketing in connection with the intermediation of the individual credit purchases, through the mail, etc.): the person making the offer;

四 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が営業所等以外の場所において個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約を締結した場合（個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者の営業所等において当該契約の申込みを受けた場合を除く。） 当該契約の相手方

(iv) the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases concludes the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases at a place other than a business office, etc. (unless the seller affiliated with the intermediation of the individual credit purchases or service provider affiliated with the intermediation of the individual credit purchases is offered the contract at its business office, etc.): the other party to the contract;

五 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が営業所等において個別信用購入あつせん関係特定顧客と個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約を締結した場合 当該契約の相手方

(v) the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases concludes the contract for the sale involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases with the specified customer affiliated with the intermediation of the individual credit purchases, at a

business office, etc.: the other party to the contract; or

六 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が個別信用購入あつせん関係電話勧誘顧客と当該個別信用購入あつせん関係販売契約又は当該個別信用購入あつせん関係役務提供契約を郵便等により締結した場合当該契約の相手方

(vi) the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases concludes the contract for the sale involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases with a customer subject to telemarketing in connection with the intermediation of the individual credit purchases, through the mail, etc.: the other party to the contract.

2 申込みの撤回等は、前項本文の書面を發した時に、その効力を生ずる。

(2) The withdrawal of an offer, etc. becomes effective upon dispatch of the paper document referred to in the main clause of the preceding paragraph.

3 申込みの撤回等があつた場合においては、個別信用購入あつせん業者は、当該申込みの撤回等に伴う損害賠償又は違約金の支払を請求することができない。

(3) If an offer, etc. is withdrawn, it is not permissible for the individual credit purchase intermediary to claim damages or demand the payment of a penalty for breach of contract in connection with that offer, etc. being withdrawn.

4 個別信用購入あつせん業者は、第一項本文の書面を受領した時には、直ちに、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者にその旨を通知しなければならない。

(4) Upon receipt of a paper document as referred to in the main clause of paragraph (1), the individual credit purchase intermediary must immediately notify the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases of this.

5 申込者等が申込みの撤回等を行つた場合には、当該申込みの撤回等に係る第一項本文の書面を發する時において現に効力を有する個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込み又は個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約は、当該申込者等が当該書面を發した時に、撤回されたものとみなし、又は解除されたものとみなす。ただし、当該申込者等が当該書面において反対の意思を表示しているときは、この限りでない。

(5) If an offeror, etc. withdraws an offer, etc., the offer for the contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases; or the contract for sales involving the intermediation of individual credit purchases or contract for services involving the intermediation of individual credit purchases; which is valid at the time of dispatch of the paper document referred to in the main clause of paragraph (1) for withdrawing the offer, etc.,

is deemed to be withdrawn or cancelled at the time the offeror, etc. dispatches that document; provided, however, that this does not apply if the offeror, etc. manifests a contrary intention in that document.

6 前項本文の規定により個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みが撤回され、又は個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約が解除されたものとみなされた場合においては、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、当該契約の申込みの撤回又は当該契約の解除に伴う損害賠償又は違約金の支払を請求することができない。

(6) If the offer for a contract for sales involving the intermediation of individual credit purchases or for a contract for services involving the intermediation of individual credit purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of the preceding paragraph, or if the contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, it is not permissible for the seller affiliated with the intermediation of the individual credit purchases or the service provider affiliated with the intermediation of the individual credit purchases to claim damages or demand the payment of a penalty for breach of contract in connection with the withdrawal of the offer for that contract or the cancellation of that contract.

7 個別信用購入あつせん業者は、申込みの撤回等があり、かつ、第五項本文の規定により個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みが撤回され、又は個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約が解除されたものとみなされた場合には、既に商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額の個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者への交付をしたときにおいても、申込者等に対し、当該個別信用購入あつせん関係販売業者又は当該個別信用購入あつせん関係役務提供業者に対して交付をした当該商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額その他当該個別信用購入あつせんにより得られた利益に相当する金銭の支払を請求することができない。

(7) If an offer, etc. is withdrawn and the offer for the contract for the sale involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5) or the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases is deemed to have been cancelled pursuant to those provisions, even if the individual credit purchase intermediary has already delivered an amount of money that corresponds to the full or partial cost of goods or rights or consideration for services to the

seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases, it is not permissible for the individual credit purchase intermediary to demand that the offeror, etc. pay the amount of money that corresponds to the full or partial cost of goods or rights or consideration for services which has been delivered to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchase, or other money that corresponds to the profit that it would have earned through the intermediation of the individual credit purchases.

8 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、第五項本文の規定により個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みが撤回され、又は個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約が解除されたものとみなされた場合において、個別信用購入あつせん業者から既に商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額の交付を受けたときは、当該個別信用購入あつせん業者に対し、当該交付を受けた商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額を返還しなければならない。

(8) If the offer for a contract for sales involving the intermediation of individual credit purchases or for a contract for services involving the intermediation of individual credit purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5), or if the contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, and the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has already been delivered an amount of money that corresponds to the full or partial cost of goods or rights or consideration for services by the individual credit purchase intermediary, it must return the amount of money that corresponds to the full or partial cost of the goods or rights or consideration for the services that it has been delivered, to the individual credit purchase intermediary.

9 個別信用購入あつせん業者は、申込みの撤回等があり、かつ、第五項本文の規定により個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みが撤回され、又は個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約が解除されたものとみなされた場合において、申込者等から当該個別信用購入あつせん関係受領契約に関連して金銭を受領しているときは、当該申込者等に対し、速やかに、これを返還しなければならない。

(9) In the event that an offer, etc. is withdrawn and the offer for the contract for sales involving the intermediation of the individual credit purchases or for the contract for services involving the intermediation of the individual credit



purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5), or the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases is deemed to have been cancelled pursuant to those provisions, if the individual credit purchase intermediary has already received money in connection with the contract providing the receipt of monies subject to the intermediation of the individual credit purchases from the offeror, etc., the individual credit purchase intermediary must return that money to the offeror, etc. immediately.

10 第五項本文の規定により個別信用購入あつせん関係販売契約の申込みが撤回され、又は個別信用購入あつせん関係販売契約が解除されたものとみなされた場合において、その個別信用購入あつせん関係販売契約に係る商品の引渡し又は権利の移転が既にされているときは、その引取り又は返還に要する費用は、個別信用購入あつせん関係販売業者の負担とする。

(10) If the offer for a contract for sales involving the intermediation of individual credit purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5) or if a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, and the goods or rights under the contract for sales involving the intermediation of the individual credit purchases have already been delivered or transferred, the seller affiliated with the intermediation of individual credit purchases bears the cost required for the retrieval or return of those goods or rights.

11 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、第五項本文の規定により第一項第一号若しくは第二号の個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みが撤回され、又は同項第四号若しくは第五号の個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約が解除されたものとみなされた場合には、既に当該個別信用購入あつせん関係販売契約に基づき引き渡された商品が使用され若しくは指定権利の行使により施設が利用され若しくは役務が提供され又は当該個別信用購入あつせん関係役務提供契約に基づき役務が提供されたときにおいても、同項第一号、第二号、第四号又は第五号に定める者に対し、その商品の使用により得られた利益若しくは当該権利の行使により得られた利益に相当する金銭又は当該個別信用購入あつせん関係役務提供契約に係る役務の対価その他の金銭の支払を請求することができない。

(11) In the event that the offer for a contract for sales involving the intermediation of individual credit purchases or for a contract for services involving the intermediation of individual credit purchases as stated in item (i) or item (ii) of paragraph (1) is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5), or in the event that the contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit

purchases as stated in item (iv) or item (v) of that paragraph is deemed to have been cancelled pursuant to those provisions, even if goods delivered based on the contract for sales involving the intermediation of the individual credit purchases have been used, even if facilities have been used or services have been provided based on the exercise of designated rights, and even if services have been provided based on the contract for services involving the intermediation of the individual credit purchases, it is not permissible for the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases to demand that the person specified in item (i), item (ii), item (iv), or item (v) of that paragraph pay money that corresponds to the profit it would have earned due to the use of the goods or exercise of the rights, or to pay the consideration for the services or other money under the contract for services involving the intermediation of the individual credit purchases.

- 1 2 個別信用購入あつせん関係役務提供事業者又は個別信用購入あつせん関係販売業者は、第五項本文の規定により第一項第三号の個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約であつて指定権利を販売するもの申込みが撤回され、又は同項第六号の個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約であつて指定権利を販売するものが解除されたものとみなされた場合には、既に当該個別信用購入あつせん関係役務提供契約に基づき役務が提供され又は当該権利の行使により施設が利用され若しくは役務が提供されたときにおいても、同項第三号又は第六号に定める者に対し、当該個別信用購入あつせん関係役務提供契約に係る役務の対価その他の金銭又は当該権利の行使により得られた利益に相当する金銭の支払を請求することができない。

- (12) In the event that the offer for a contract for sales involving the intermediation of individual credit purchases or for a contract for services involving the intermediation of individual credit purchases as stated in item (iii) of paragraph (1), which constitutes a contract under which designated rights are sold, is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5); or in the event that a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases as stated in item (vi) of that paragraph, which constitutes a contract under which designated rights are sold, is deemed to have been cancelled pursuant to those provisions, even if services have been provided based on the contract for services involving the intermediation of the individual credit purchases and even if facilities have been used or services have been provided based on the exercise of those rights, it is not permissible for the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases to demand that the person specified in item (iii) or item (vi) of that paragraph pay consideration or

other money for services under the contract for services involving the intermediation of the individual credit purchases, or that the person pay money that corresponds to the profit the seller or service provider would have earned due to the exercise of those rights.

- 1 3 個別信用購入あつせん関係役務提供事業者は、第五項本文の規定により個別信用購入あつせん関係役務提供契約の申込みが撤回され、又は個別信用購入あつせん関係役務提供契約が解除されたものとみなされた場合において、当該個別信用購入あつせん関係役務提供契約に関連して金銭（個別信用購入あつせん業者から交付されたものを除く。）を受領しているときは、申込者等に対し、速やかに、これを返還しなければならない。

(13) If the offer for a contract for services involving the intermediation of individual credit purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5), or if a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, and the service provider affiliated with the intermediation of individual credit purchases has received money under the contract for services involving the intermediation of the individual credit purchases (excluding money delivered by the individual credit purchase intermediary), it must return that money to the offeror, etc. immediately.

- 1 4 個別信用購入あつせん関係役務提供契約又は個別信用購入あつせんに係る販売の方法により指定権利を販売する契約における申込者等は、その個別信用購入あつせん関係役務提供契約又は個別信用購入あつせんに係る販売の方法により指定権利を販売する契約につき第五項本文の規定により契約の申込みが撤回され、又は契約が解除されたものとみなされた場合において、当該個別信用購入あつせん関係役務提供契約又は当該個別信用購入あつせんに係る販売の方法により指定権利を販売する契約に係る役務の提供に伴い申込者等の土地又は建物その他の工作物の現状が変更されたときは、当該個別信用購入あつせん関係役務提供事業者又は当該個別信用購入あつせん関係販売業者に対し、その原状回復に必要な措置を無償で講ずることを請求することができる。

(14) If the offer for a contract for services involving the intermediation of individual credit purchases or for a contract under which designated rights are to be sold in a way that involves the intermediation of individual credit purchases is deemed to have been withdrawn pursuant to the provisions of the main clause of paragraph (5), or if that contract is deemed to have been cancelled pursuant to those provisions, and the existing state of the land, building, or other structure of the offeror, etc. was changed in connection with services that were to be provided under the contract for services involving the intermediation of the individual credit purchases or in connection with the contract under which designated rights were to be sold in a way that involved the intermediation of the individual credit purchases, the offeror, etc. may demand that the service provider affiliated with the intermediation of

individual credit purchases or the seller affiliated with the intermediation of individual credit purchases take the necessary measures to restore it to its original state at no charge.

15 第一項から第三項まで、第五項から第七項まで及び第九項から前項までの規定に反する特約であつて申込者等に不利なものは、無効とする。

(15) Any special provisions of a contract that run counter to the provisions of one of paragraphs (1) through (3), paragraphs (5) through (7), or paragraph (9) through the preceding paragraph, and that are disadvantageous to the offeror, etc., are void.

第三十五条の三の十一 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものの申込みを受けた場合における当該申込みをした者又は特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものを締結した場合における当該契約の相手方（以下この条において「申込者等」という。）は、次に掲げる場合を除き、書面により、その特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の申込みの撤回又はその特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の解除を行うことができる。

Article 35-3-11 (1) A person that offers a seller affiliated with the intermediation of individual credit purchases or a service provider affiliated with the intermediation of individual credit purchases, a specified personal multilevel marketing contract, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or the other party to a contract that a seller affiliated with the intermediation of individual credit purchases or a service provider affiliated with the intermediation of individual credit purchases concludes as a specified personal multilevel marketing contract, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases (that party is referred to below as the "offeror, etc." in this Article) may withdraw the offer for a contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified personal multilevel marketing contract, etc. that so constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or may cancel the contract providing the receipt of monies subject to the intermediation of

individual credit purchases which is connected with the specified personal multilevel marketing contract, etc. that so constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, using a paper document, except in any of the following cases:

一 特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものの申込者等が第三十五条の三の九第三項の書面を受領した日（その日前に同条第一項の書面を受領した場合にあつては、当該書面を受領した日）から起算して二十日を経過したとき（その特定連鎖販売個人契約に係る特定負担が再販売をする商品の購入についてのものである場合において、同条第三項の書面を受領した日がその特定連鎖販売個人契約に基づき購入したその商品につき最初の引渡しを受けた日となる場合には、その引渡しを受けた日から起算して二十日を経過したとき）。ただし、申込者等が、個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん業者若しくは特定商取引に関する法律第三十三条第二項に規定する統括者（以下「統括者」という。）、同法第三十三条の二に規定する勧誘者（以下「勧誘者」という。）若しくは同条に規定する一般連鎖販売業者（以下「一般連鎖販売業者」という。）がその統括者の統括する一連の連鎖販売業に係る特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、若しくは申込みの撤回等（その連鎖販売業に係る特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の申込みの撤回又はその連鎖販売業に係る特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の解除をいう。以下この号において同じ。）を妨げるため、申込みの撤回等に関する事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん業者若しくは統括者、勧誘者若しくは一般連鎖販売業者がその統括者の統括する一連の連鎖販売業に係る特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約を締結させ、若しくは申込みの撤回等を妨げるため、威迫したことにより困惑し、これらによつて当該期間を経過するまでに申込みの撤回等を行わなかつた場合には、当該申込者等が、当該個別信用購入あつせん関係販売業者若しくは当該個別信用購入あつせん関係役務提供事業者若しくは当該個別信用購入あつせん業者又は当該統括者、当該勧誘者若しくは当該一般連鎖販売業者が経済産業省令・内閣府令で定めるところにより申込みの撤回等を行うことができる旨を記載して交付した書面を受領した日から起算して二十日を経過したとき。

(i) twenty days have passed counting from the day on which the offeror, etc. of

a specified personal multilevel marketing contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases receives the document referred to in Article 35-3-9, paragraph (3) (or, if the offeror, etc. receives the document referred to in paragraph (1) of that Article before receiving the document referred to in paragraph (3), counting from the day on which the offeror, etc. receives the document referred to in paragraph (1)) (or twenty days have passed counting from the date of delivery, if the specified burden under the specified personal multilevel marketing contract is the purchase of goods to be resold, and the offeror, etc. receives the document referred to in paragraph (3) of that Article on a day before the first delivery of goods purchased under the specified personal multilevel marketing contract); provided, however, that if the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary, the coordinator provided for in Article 33, paragraph (2) of the Act on Specified Commercial Transactions (referred to below as the "coordinator"), the solicitor provided for in Article 33-2 of that Act (referred to below as the "solicitor"), or the general multilevel marketing distributor provided for in that Article (referred to below as the "general multilevel marketing distributor") conveys false information while the offeror, etc. is being solicited to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified personal multilevel marketing contract that is linked to the multilevel marketing program coordinated by the coordinator and that constitutes a contract for a sale involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or if that person conveys false information about the withdrawing of offers, etc. in order to prevent the offeror, etc. from withdrawing the offer, etc. (meaning withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified personal multilevel marketing contract that is linked to that multilevel marketing and that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases; or canceling the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified personal multilevel marketing contract that is linked to that multilevel marketing and that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the

intermediation of individual credit purchases; the same applies below in this item), thereby leading the offeror, etc. to mistakenly believe that the false information conveyed about withdrawing the offer, etc. is true, due to which circumstances the offeror, etc. does not withdraw the offer, etc. before that period; or if the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, individual credit purchase intermediary, coordinator, solicitor, or general multilevel marketing distributor uses intimidation in order to cause the offeror, etc. to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified personal multilevel marketing contract that is linked to the multilevel marketing program coordinated by the coordinator and that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or if that person uses intimidation in order to prevent the offeror, etc. from withdrawing the offer, etc., thereby overwhelming the offeror, etc., due to which circumstances the offeror, etc. does not withdraw the offer, etc. before that period; this means once twenty days have passed counting from the day on which the offeror, etc. receives a document issued to the offeror, etc. by the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, individual credit purchase intermediary, coordinator, solicitor, or general multilevel marketing distributor, stating that the offeror, etc. may withdraw the offer, etc. pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order;

- 二 特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売契約に該当するものの申込者等が第三十五条の三の九第三項の書面を受領した日（その日前に同条第一項の書面を受領した場合にあつては、当該書面を受領した日）から起算して八日を経過したとき。ただし、申込者等が、個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん業者が特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、若しくは申込みの撤回等（特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約の申込みの撤回又は特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約の解除をいう。以下この号において同じ。）を妨げるため、申込みの撤回等に関する事項につき不実のことを告げる行為をしたことにより当該告げられた内容

が事実であるとの誤認をし、又は個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん業者が特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約を締結させ、若しくは申込みの撤回等を妨げるため、威迫したことにより困惑し、これらによつて当該期間を経過するまでに申込みの撤回等を行わなかつた場合には、当該申込者等が、当該個別信用購入あつせん関係役務提供事業者若しくは当該個別信用購入あつせん関係販売業者又は当該個別信用購入あつせん業者が経済産業省令・内閣府令で定めるところにより申込みの撤回等を行うことができる旨を記載して交付した書面を受領した日から起算して八日を経過したとき。

- (ii) eight days have passed counting from the day on which the offeror, etc. of a specified continuous service contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases receives the document referred to in Article 35-3-9, paragraph (3) (or, if the offeror, etc. receives the document referred to in paragraph (1) of that Article before receiving the document referred to in paragraph (3), counting from the day on which the offeror, etc. receives the document referred to in paragraph (1)); provided, however, that if the service provider affiliated with the intermediation of individual credit purchases, seller affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary conveys false information while the offeror, etc. is being solicited to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified continuous service contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or conveys false information about the withdrawing of offers, etc. in order to prevent the offeror, etc. from withdrawing the offer, etc. (meaning withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified continuous service contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases; or canceling the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified continuous service contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases; the same applies below in this item), thereby leading the offeror, etc. to mistakenly believe that the false information conveyed about withdrawing



the offer, etc. is true, due to which circumstances the offeror, etc. does not withdraw the offer, etc. before that period; or if the service provider affiliated with the intermediation of individual credit purchases, seller affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary uses intimidation in order to cause the offeror, etc. to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the specified continuous service contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or uses intimidation to prevent the offeror, etc. from withdrawing the offer, etc., thereby overwhelming the offeror, etc., due to which circumstances the offeror, etc. does not withdraw the offer, etc. before that period; this means once eight days have passed counting from the day on which the offeror, etc. receives a document issued to the offeror, etc. by the service provider affiliated with the intermediation of individual credit purchases, seller affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary, stating that the offeror, etc. may withdraw the offer, etc. pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order; or

- 三 業務提供誘引販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものの申込者等が第三十五条の三の九第三項の書面を受領した日（その日前に同条第一項の書面を受領した場合にあつては、当該書面を受領した日）から起算して二十日を経過したとき。ただし、申込者等が、個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん業者が業務提供誘引販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、若しくは申込みの撤回等（その業務提供誘引販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の申込みの撤回又はその業務提供誘引販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の解除をいう。以下この号において同じ。）を妨げるため、申込みの撤回等に関する事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者若しくは個別信用購入あつせん業者が業務提供誘引販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約を締結させ、若しくは申込みの撤回等を妨げるため、威迫したことにより困惑し、これらによつて当該期間を経過するまでに申込みの撤回等を行わ

なかつた場合には、当該申込者等が、当該個別信用購入あつせん関係販売業者若しくは当該個別信用購入あつせん関係役務提供事業者又は当該個別信用購入あつせん業者が経済産業省令・内閣府令で定めるところにより申込みの撤回等を行うことができる旨を記載して交付した書面を受領した日から起算して二十日を経過したとき。

(iii) twenty days have passed counting from the day on which the offeror, etc. of a personal business opportunity sales contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases receives the document referred to in Article 35-3-9, paragraph (3) (or, if the offeror, etc. receives the document referred to in paragraph (1) of that Article before receiving the document referred to in paragraph (3), counting from the day on which the offeror, etc. receives the document referred to in paragraph (1)); provided, however, that if the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary conveys false information while the offeror, etc. is being solicited to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the personal business opportunity sales contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or conveys false information about the withdrawing of offers, etc. in order to prevent the offeror, etc. from withdrawing the offer, etc. (meaning withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the personal business opportunity sales contract that constitutes a contract for sales involving the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases; or canceling the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the personal business opportunity sales contract that constitutes a contract for a sale involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases; the same applies below in this item); or if the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary uses intimidation in order to cause the offeror, etc. to conclude the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the personal business opportunity sales contract that constitutes a contract for a sale involving the

intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, or uses intimidation to prevent the offeror, etc. from withdrawing the offer, etc.; this means once twenty days have passed counting from the day on which the offeror, etc. receives a document issued to the offeror, etc. by the seller affiliated with the intermediation of individual credit purchases, service provider affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary, stating that the offeror, etc. may withdraw the offer, etc. pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order.

2 前項第一号ただし書に規定する申込みの撤回等があり、かつ、特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものが特定商取引に関する法律第四十条第一項の規定により解除された場合又は第七項本文の規定により解除されたものとみなされた場合において、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が申込者等に対し、当該連鎖販売業に係る商品若しくは権利の販売又は役務の提供を行つており、かつ、特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約を締結した個別信用購入あつせん業者が併せて当該商品若しくは当該権利又は当該役務に係る特定商品販売等契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約を締結している場合には、申込者等は、前項第一号に掲げる場合を除き、当該特定商品販売等契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約についても、書面により、当該契約の申込みの撤回又は当該契約の解除を行うことができる。

(2) In the event that an offer, etc. is withdrawn as prescribed in the proviso to item (i) of the preceding paragraph and the specified personal multilevel marketing contract that constitutes a contract for a sale involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is cancelled pursuant to the provisions of Article 40, paragraph (1) of the Act on Special Commercial Transactions, or is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7), if the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has sold goods or rights or provided services to the offeror, etc. which are linked to that multilevel marketing, and the individual credit purchase intermediary that concluded the contract providing the receipt of monies subject to the intermediation of individual credit purchases which was connected with the specified personal multilevel marketing contract that constituted the contract for sales involving

the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases has also concluded, in respect of those goods, rights, or services, a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a sales contract for specified goods, etc. which constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, the offeror, etc. may also withdraw the offer for or cancel the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the sales contract for specified goods, etc. that constitutes that contract for sales involving the intermediation of individual credit purchases or that contract for services involving the intermediation of individual credit purchases, using a paper document, except in the case stated in item (i) of the preceding paragraph.

- 3 第一項第二号ただし書に規定する申込みの撤回等があり、かつ、特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売契約に該当するものが特定商取引に関する法律第四十八条第一項の規定により解除された場合又は第七項本文の規定により解除されたものとみなされた場合において、個別信用購入あつせん関係役務提供事業者又は個別信用購入あつせん関係販売業者が関連商品（同条第二項に規定する関連商品をいう。以下同じ。）の販売又はその代理若しくは媒介を行つており、かつ、特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約を締結した個別信用購入あつせん業者が併せて当該関連商品の販売に係る契約（以下「関連商品販売契約」という。）であつて個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約を締結している場合には、申込者等は、第一項第二号に掲げる場合を除き、当該関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約についても、書面により、当該契約の申込みの撤回又は当該契約の解除を行うことができる。ただし、申込者等が第三十五条の三の九第一項の書面又は同条第三項の書面を受領した場合において、関連商品であつてその使用若しくは一部の消費により価額が著しく減少するおそれがある商品として同法第四十八条第二項に規定する政令で定めるものを使用し又はその全部若しくは一部を消費したとき（当該個別信用購入あつせん関係役務提供事業者若しくは当該個別信用購入あつせん関係販売業者又は当該個別信用購入あつせん業者が当該申込者等に当該商品を使用させ、又はその全部若しくは一部を消費させた場合を除く。）は、この限りでない。

- (3) In the event that an offer, etc. is withdrawn as prescribed in the proviso to item (ii) of paragraph (1) and the specified continuous service contract that constitutes a contract for services involving the intermediation of individual credit purchases or a contract for sales involving the intermediation of individual credit purchases is cancelled pursuant to the provisions of Article 48,

paragraph (1) of the Act on Special Commercial Transactions, or is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7), if the service provider affiliated with the intermediation of individual credit purchases or the seller affiliated with the intermediation of individual credit purchases has sold related goods (meaning related goods as prescribed in paragraph (2) of that Article; the same applies below) or acted as agent or intermediary for their sale, and the individual credit purchase intermediary that concluded the contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with the specified continuous service contract that constituted the contract for sales involving the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases, has also concluded a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a contract under which those related goods are sold (referred to below as a "sales contract for related goods") which constitutes a contract for sales involving the intermediation of individual credit purchases, the offeror, etc. may also withdraw the offer for or cancel the contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with the sales contract for related goods that constitutes that contract for sales involving the intermediation of individual credit purchases, using a paper document, except in the case stated in paragraph (1), item (ii); provided, however, that this does not apply if the offeror, etc. has received the document referred to in Article 35-3-9, paragraph (1) or that referred to in paragraph (3) of that Article, and has used or has fully or partially consumed the related goods which are specified by Cabinet Order as referred to in Article 48, paragraph (2) of that Act as goods whose value is likely to decline significantly if used or partially consumed (unless the service provider affiliated with the intermediation of individual credit purchases, seller affiliated with the intermediation of individual credit purchases, or individual credit purchase intermediary has caused the offeror, etc. to use those goods or to fully or partially consume them).

4 第一項、第二項又は前項本文の規定による契約の申込みの撤回又は契約の解除は、当該契約の申込みの撤回又は当該契約の解除を行う旨の書面を發した時に、その効力を生ずる。

(4) The withdrawal of an offer for a contract or the cancellation of a contract as under the provisions of paragraph (1), paragraph (2), or the main clause of the preceding paragraph becomes effective upon dispatch of a paper document indicating that the offer for the contract is withdrawn or that the contract is cancelled.

5 第一項、第二項又は第三項本文の規定による契約の申込みの撤回又は契約の解除があつた場合においては、個別信用購入あつせん業者は、当該契約の申込みの撤回又は

当該契約の解除に伴う損害賠償又は違約金の支払を請求することができない。

(5) If an offer for a contract is withdrawn or a contract is cancelled as under the provisions of paragraph (1), paragraph (2), or the main clause of paragraph (3), it is not permissible for the individual credit purchase intermediary to claim damages or to demand the payment of a penalty for breach of contract in connection with the withdrawal of the offer for that contract or the cancellation of that contract.

6 個別信用購入あつせん業者は、第一項の書面又は第三項本文の書面を受領した時には、直ちに、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者はその旨を通知しなければならない。

(6) If an individual credit purchase intermediary receives the paper document referred to in paragraph (1) or that referred to in the main clause of paragraph (3), the individual credit purchase intermediary must immediately notify the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases of this.

7 申込者等が第一項第一号ただし書に規定する申込みの撤回等、同項第二号ただし書に規定する申込みの撤回等又は同項第三号ただし書に規定する申込みの撤回等（以下この項において「申込みの撤回等」という。）を行つた場合には、当該申込みの撤回等に係る第一項の書面を発する時において現に効力を有する特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものは、当該申込者等が当該書面を発した時に、解除されたものとみなし、申込者等が第三項本文の規定により契約の申込みの撤回又は契約の解除を行つた場合には、当該契約の申込みの撤回又は当該契約の解除に係る同項本文の書面を発する時において現に効力を有する関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものは、当該申込者等が当該書面を発した時に、解除されたものとみなす。ただし、当該申込者等が当該書面において反対の意思を表示しているときは、この限りでない。

(7) If an offeror, etc. withdraws an offer, etc. as prescribed in the proviso to paragraph (1), item (i); as prescribed in the proviso to item (ii) of that paragraph; or as prescribed in the proviso to item (iii) of that paragraph (that offer, etc. is referred to below as the "withdrawal of the offer, etc." in this paragraph), the specified personal multilevel marketing contract, etc. which is effective at the time of dispatch of a paper document as referred to in paragraph (1) that relates to the withdrawal of the offer, etc., and which constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, is deemed to have been cancelled at the time the offeror, etc. dispatches the paper document, and if the offeror, etc. withdraws the offer for a contract or cancels a contract pursuant to the provisions of the main clause of paragraph (3), the sales contract for related goods that is effective at the time

of dispatch of a paper document as referred to in the main clause of that paragraph that relates to the withdrawal of the contract offer or the cancellation of the contract, and which constitutes a contract for sales involving the intermediation of individual credit purchases, is deemed to have been cancelled at the time the offeror, etc. dispatches the document; provided, however, that this does not apply if the offeror, etc. manifests a contrary intention in that document.

8 前項本文の規定により特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するもの又は関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものが解除されたものとみなされた場合において、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、当該契約の解除に伴う損害賠償又は違約金の支払を請求することができない。

(8) If a specified personal multilevel marketing contract, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to the provisions of the main clause of the preceding paragraph, or if a sales contract for related goods which constitutes a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, it is not permissible for the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases to claim damages or to demand the payment of a penalty for breach of contract in connection with the cancellation of that contract.

9 個別信用購入あつせん業者は、第一項又は第三項本文の規定による契約の申込みの撤回又は契約の解除があり、かつ、第七項本文の規定により特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するもの又は関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものが解除されたものとみなされた場合には、既に商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額の個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者への交付をしたときにおいても、申込者等に対し、当該個別信用購入あつせん関係販売業者又は当該個別信用購入あつせん関係役務提供事業者に対して交付をした当該商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額その他当該個別信用購入あつせんにより得られた利益に相当する金銭の支払を請求することができない。

(9) In the event that an offer is withdrawn or a contract is cancelled as under the provisions of the main clause of paragraph (1) or paragraph (3), and the specified personal multilevel marketing contract, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit

purchases is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7) or the sales contract for related goods that constitutes a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, even if the individual credit purchase intermediary has already delivered an amount of money that corresponds to the full or partial cost of the goods or rights or consideration for services to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases, it is not permissible for the individual credit purchase intermediary to demand that the offeror, etc. pay an amount of money that corresponds to the full or partial cost of the goods or the rights or consideration for services which has been delivered to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases, nor is it permissible for the intermediary to demand that the offeror, etc. pay an amount of money that corresponds to the profit that it would have earned through the intermediation of individual credit purchases.

10 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、第七項本文の規定により特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するもの又は関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものが解除されたものとみなされた場合において、個別信用購入あつせん業者から既に商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額の交付を受けたときは、当該個別信用購入あつせん業者に対し、当該交付を受けた商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額を返還しなければならない。

(10) If a specified personal multilevel marketing contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7), or if a sales contract for related goods that constitutes a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, and the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has already been delivered an amount of money that corresponds to the full or partial cost of goods or rights or consideration for services by the individual credit purchase intermediary, it must return the amount of money that corresponds to the full or partial cost of goods or rights or consideration for services that it has received to the individual credit purchase intermediary.

11 個別信用購入あつせん業者は、第一項又は第三項本文の規定による契約の申込みの撤回又は契約の解除があり、かつ、第七項本文の規定により特定連鎖販売個人契約



等であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するもの又は関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものが解除されたものとみなされた場合において、申込者等から当該個別信用購入あつせん関係受領契約に関連して金銭を受領しているときは、当該申込者等に対し、速やかに、これを返還しなければならない。

(11) In the event that the offer for a contract is withdrawn or a contract is cancelled as under the provisions of paragraph (1) or the main clause of paragraph (3), and the specified personal multilevel marketing contract, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7) or the sales contract for related goods that constitutes a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, if the individual credit purchase intermediary has already received money in association with the contract providing the receipt of monies subject to the intermediation of individual credit purchases from the offeror, etc., the individual credit purchase intermediary must return that money to the offeror, etc. immediately.

1 2 第七項本文の規定により特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約に該当するもの又は関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものが解除されたものとみなされた場合において、その特定連鎖販売個人契約等であつて個別信用購入あつせん関係販売契約に該当するもの又は関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものに係る商品の引渡し又は権利の移転が既にされているときは、その引取り又は返還に要する費用は、個別信用購入あつせん関係販売業者の負担とする。

(12) If a specified personal multilevel marketing contract, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7), or if a sales contract for related goods that constitutes a contract for sales involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to those provisions, and the goods or rights under the specified personal multilevel marketing contract, etc. that constitutes the contract for sales involving the intermediation of individual credit purchases or the sales contract for related goods that constitutes the contract for sales involving the intermediation of the individual credit purchases have been delivered or transferred, the seller affiliated with the intermediation of individual credit purchases bears the costs required for the retrieval or return of those goods or rights.

1 3 個別信用購入あつせん関係役務提供事業者又は個別信用購入あつせん関係販売業者は、第七項本文の規定により特定継続的役務提供等契約であつて個別信用購入あつ

せん関係役務提供契約又は個別信用購入あつせんに係る販売の方法により指定権利を販売する契約に該当するものが解除されたものとみなされた場合には、既に当該特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約に該当するものに基づき役務が提供され、又は当該権利の行使により施設が利用され若しくは役務が提供されたときにおいても、申込者等に対し、当該特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約に該当するものに係る役務の対価その他の金銭又は当該権利の行使により得られた利益に相当する金銭の支払を請求することができない。

(13) In the event that a specified continuous service contract that constitutes a contract for services involving the intermediation of individual credit purchases or that constitutes a contract under which designated rights are sold in a way that involves the intermediation of individual credit purchases, is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7), even if the services have been provided based on the specified continuous service contract that constitutes the contract for services involving the intermediation of the individual credit purchases or even if facilities have been used or services have been provided based on the exercise of those rights, it is not permissible for the service provider affiliated with the intermediation of individual credit purchases or the seller affiliated with the intermediation of individual credit purchases to demand that the offeror, etc. pay consideration for services or other money under the specified continuous service contract that constitutes the contract for services involving the intermediation of individual credit purchases, nor is it permissible for the service provider or seller to demand that the offeror, etc. pay an amount of money that corresponds to the profit that it would have earned due to the exercise of those rights.

1 4 個別信用購入あつせん関係役務提供事業者は、第七項本文の規定により特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約に該当するものが解除されたものとみなされた場合において、特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約に該当するものに関連して金銭（個別信用購入あつせん業者から交付されたものを除く。）を受領しているときは、申込者等に対し、速やかに、これを返還しなければならない。

(14) If a specified continuous service contract that constitutes a contract for services involving the intermediation of individual credit purchases is deemed to have been cancelled pursuant to the provisions of the main clause of paragraph (7), and the service provider affiliated with the intermediation of individual credit purchases has received money under the specified continuous service contract that constitutes the contract for services involving the intermediation of the individual credit purchases (excluding money delivered by the individual credit purchase intermediary), it must return that money to the offeror, etc. immediately.

1 5 第一項から第五項まで、第七項から第九項まで及び第十一項から前項までの規定

に反する特約であつて申込者等に不利なものは、無効とする。

(15) Any special provisions of a contract that run counter to the provisions of one of paragraphs (1) through (5), paragraphs (7) through (9), or paragraph (11) through the preceding paragraph, and that are disadvantageous to the offeror, etc., are void.

(通常必要とされる分量を著しく超える商品の販売契約等に係る個別信用購入あつせん関係受領契約の申込みの撤回等)

(Withdrawing an Offer, etc. for a Contract Providing the Receipt of Monies Subject to the Intermediation of Individual Credit Purchases in Connection with a Sales Contract for Goods in a Quantity That Significantly Exceeds What Is Normally Required)

第三十五条の三の十二 第三十五条の三の十第一項各号に掲げる場合において、当該各号に定める者（以下この条において「申込者等」という。）は、当該各号の個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約であつて特定商取引に関する法律第九条の二第一項各号又は第二十四条の二第一項各号に掲げる契約に該当するもの（以下この条において「特定契約」という。）に係る個別信用購入あつせん関係受領契約の申込みの撤回又は特定契約に係る個別信用購入あつせん関係受領契約の解除（以下この条において「申込みの撤回等」という。）を行うことができる。ただし、申込者等に当該特定契約の締結を必要とする特別の事情があつたときは、この限りでない。

Article 35-3-12 (1) In a case stated in the items of Article 35-3-10, paragraph (1), the person specified in that item (referred to below as the "offeror, etc." in this Article) may withdraw the offer for a contract providing the receipt of monies subject to the intermediation of individual credit purchases which is connected with a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases as stated in that item which constitutes a contract as stated in the items of Article 9-2, paragraph (1) or in the items of Article 24-2, paragraph (1), of the Act on Specified Commercial Transactions (referred to below as a "specified contract" in this Article), or may cancel a contract providing the receipt of monies subject to the intermediation of individual credit purchases that is connected with a specified contract (referred to below as the "offer, etc." being "withdrawn" in this Article, when the offeror, etc. withdraws such an offer or cancels such a contract); provided, however, that this does not apply if there are special circumstances that make it necessary for the offeror, etc. to conclude that specified contract.

2 前項の規定による権利は、当該個別信用購入あつせん関係受領契約の締結の時から一年以内に行使しなければならない。

(2) The right under the provisions of the preceding paragraph must be exercised within one year from the conclusion of the contract providing the receipt of

monies subject to the intermediation of individual credit purchases.

3 申込みの撤回等があつた場合においては、個別信用購入あつせん業者は、当該申込みの撤回等に伴う損害賠償又は違約金の支払を請求することができない。

(3) If an offer, etc. is withdrawn, it is not permissible for the individual credit purchase intermediary to claim damages or to demand the payment of a penalty for breach of contract in connection with the offer, etc. being withdrawn.

4 個別信用購入あつせん業者は、申込みの撤回等があつた場合には、既に商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額の個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者への交付をしたときにおいても、申込者等に対し、当該個別信用購入あつせん関係販売業者又は当該個別信用購入あつせん関係役務提供事業者に対して交付をした当該商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額その他当該個別信用購入あつせんにより得られた利益に相当する金銭の支払を請求することができない。ただし、申込みの撤回等があつた時前に特定商取引に関する法律第九条第一項、第九条の二第一項、第二十四条第一項又は第二十四条の二第一項の規定により当該特定契約の申込みが撤回され、又は当該特定契約が解除された場合は、この限りでない。

(4) In the event that an offer, etc. is withdrawn, even if the individual credit purchase intermediary has already delivered an amount of money that corresponds to the full or partial cost of goods or rights or consideration for services to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases, it is not permissible for it to demand that the offeror, etc. pay the amount of money that corresponds to the full or partial cost of goods or rights or consideration for services which it has delivered to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases, nor is it permissible for the intermediary to demand that the offeror, etc. pay an amount of money that corresponds to the profit that it would have earned through the intermediation of the individual credit purchases; provided, however, that this does not apply if the offer for the specified contract is withdrawn or the specified contract is cancelled pursuant to the provisions of Article 9, paragraph (1), Article 9-2, paragraph (1), Article 24, paragraph (1), or Article 24-2, paragraph (1) of the Act on Specified Commercial Transactions, before the offer, etc. is withdrawn.

5 個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、申込みの撤回等があつた場合において、個別信用購入あつせん業者から既に商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額の交付を受けたときは、当該個別信用購入あつせん業者に対し、当該交付を受けた商品若しくは権利の代金又は役務の対価の全部又は一部に相当する金額を返還しなければならない。ただし、申込みの撤回等があつた時前に特定商取引に関する法律第九条第一項、第九条の

二第一項、第二十四条第一項又は第二十四条の二第一項の規定により当該特定契約の申込みが撤回され、又は当該特定契約が解除された場合は、この限りでない。

(5) If an offer, etc. is withdrawn, and the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has already received an amount of money that corresponds to the full or partial cost of goods or rights or consideration for services from the individual credit purchase intermediary, it must return the amount of money that corresponds to the full or partial cost of goods or rights or consideration for services which it has received to the individual credit purchase intermediary; provided, however, that this does not apply if the offer for the specified contract is withdrawn or the specified contract is cancelled pursuant to the provisions of Article 9, paragraph (1), Article 9-2, paragraph (1), Article 24, paragraph (1), or Article 24-2, paragraph (1) of the Act on Specified Commercial Transactions, before the offer, etc. is withdrawn.

6 個別信用購入あつせん業者は、申込みの撤回等があつた場合において、申込者等から当該個別信用購入あつせん関係受領契約に関連して金銭を受領しているときは、当該申込者等に対し、速やかに、これを返還しなければならない。

(6) If an offer, etc. is withdrawn, and the individual credit purchase intermediary has already received money under the contract providing the receipt of monies subject to the intermediation of individual credit purchases from the offeror, etc., it must return the money to the offeror, etc. immediately.

7 申込みの撤回等があつた時以後、特定商取引に関する法律第九条第一項、第九条の二第一項、第二十四条第一項又は第二十四条の二第一項の規定により当該特定契約の申込みが撤回され又は当該特定契約が解除された場合においては、同法第九条第六項（同法第九条の二第三項において準用する場合を含む。）及び第二十四条第六項（同法第二十四条の二第三項において準用する場合を含む。）の規定の適用については、同法第九条第六項及び第二十四条第六項中「金銭」とあるのは、「金銭（割賦販売法第三十五条の三の二第一項に規定する個別信用購入あつせん業者から交付されたものを除く。）」とする。

(7) Concerning application of the provisions of Article 9, paragraph (6) of the Act on Specified Commercial Transactions (including as applied mutatis mutandis pursuant to Article 9-2, paragraph (3) of that Act) and Article 24, paragraph (6) of the Act on Specified Commercial Transactions (including as applied mutatis mutandis pursuant to Article 24-2, paragraph (3) of that Act) if the offer for a specified contract is withdrawn or a specified contract is cancelled pursuant to the provisions of Article 9), Article 9-2, paragraph (1), Article 24, paragraph (1), or Article 24-2, paragraph (1) of that Act after an offer, etc. is withdrawn, the term "money" in Article 9, paragraph (6) and Article 24, paragraph (6) of that Act is deemed to be replaced with "money (excluding the money delivered by an individual credit purchase intermediary prescribed in Article 35-3-2,

paragraph (1) of the Installment Sales Act)".

8 第一項から第四項まで及び第六項の規定に反する特約であつて申込者等に不利なものは、無効とする。

(8) Any special provisions of a contract that run counter to the provisions of one of paragraphs (1) through (4) or paragraph (6) and that are disadvantageous to the offeror, etc., are void.

(個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示の取消し)  
(Disaffirmation of a Manifested Intention to Offer a Contract Providing the Receipt of Monies Subject to the Intermediation of Individual Credit Purchases or to Accept an Offer for the Contract)

第三十五条の三の十三 購入者又は役務の提供を受ける者は、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が訪問販売に係る個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約又は電話勧誘販売に係る個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、次に掲げる事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は第一号から第五号までに掲げる事項につき故意に事実を告げない行為をしたことにより当該事実が存在しないとの誤認をし、これらによつて当該契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。

Article 35-3-13 (1) If the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases conveys false information concerning one of the following facts while the purchaser or service recipient is being solicited to conclude a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases arising from door-to-door sales, or while the purchaser or service recipient is being solicited to conclude a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases arising from telemarketing sales, thereby leading the purchaser or service recipient to mistakenly believe that the false information conveyed is true; or if the seller or service provider willfully fails to disclose a fact connected with a matter stated in one of items (i) through (v) while the purchaser or service recipient is being solicited to conclude the contract, thereby leading the purchaser or service recipient to mistakenly believe that fact not to exist; and if it is with the mistaken belief that the purchaser or service recipient manifests the

intention to offer such a contract or to accept an offer for such a contract, the purchaser or service recipient may disaffirm the intention so manifested:

一 購入者又は役務の提供を受ける者の支払総額

(i) the total amount payable by the purchaser or service recipient;

二 個別信用購入あつせんに係る各回ごとの商品若しくは権利の代金又は役務の対価の全部又は一部の支払分の額並びにその支払の時期及び方法

(ii) the amount to be paid on each occasion against the full or partial cost of goods or rights or consideration for services that the intermediation of individual credit purchases is for, and the timing and method of its payment;

三 商品の種類及びその性能若しくは品質又は権利若しくは役務の種類及びこれらの内容その他これらに類するものとして特定商取引に関する法律第六条第一項第一号又は第二十一条第一項第一号に規定する主務省令で定める事項のうち、購入者又は役務の提供を受ける者の判断に影響を及ぼすこととなる重要なもの

(iii) material information that may affect the judgment of the purchaser or service recipient involving the type, performance, or quality of the goods, or the type or details of the rights or services, and the other similar information specified by order of the competent ministry which is referred to in Article 6, paragraph (1), item (i) or Article 21, paragraph (1), item (i) of the Act on Specified Commercial Transactions;

四 商品の引渡時期若しくは権利の移転時期又は役務の提供時期

(iv) the timing for the delivery of the goods, the timing for the transfer of the rights, or the timing for the provision of the services;

五 個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みの撤回又は個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の解除に関する事項（第三十五条の三の十第一項から第三項まで、第五項から第七項まで及び第九項から第十四項までの規定に関する事項を含む。）

(v) matters about withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases, or about canceling the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases (including matters in respect of the provisions of Article 35-3-10, paragraphs (1) through (3), paragraphs (5) through (7), and paragraphs (9) through (14)); and

六 前各号に掲げるもののほか、当該個別信用購入あつせん関係受領契約又は当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供

契約に関する事項であつて、購入者又は役務の提供を受ける者の判断に影響を及ぼすこととなる重要なもの

(vi) important matters relevant to the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases which may affect the judgment of the purchaser or service recipient, beyond what is stated in the preceding items.

2 購入者又は役務の提供を受ける者が前項の規定により個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に係る個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示を取り消し、かつ、当該個別信用購入あつせん関係販売契約又は当該個別信用購入あつせん関係役務提供契約が取消しその他の事由により初めから無効である場合には、当該個別信用購入あつせん業者は、当該購入者又は当該役務の提供を受ける者に対し、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者に対して交付をした商品若しくは指定権利の代金又は役務の対価の全部又は一部に相当する金額の支払を請求することができない。

(2) If a purchaser or service recipient disaffirms a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases pursuant to the preceding paragraph, and the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases is voided ab initio due to its rescission or on other grounds, it is not permitted for the individual credit purchase intermediary to demand that the purchaser or service recipient pay an amount of money that corresponds to the full or partial cost of the goods or designated rights or consideration for services which the intermediary has delivered to the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases.

3 前項の場合において、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者は、個別信用購入あつせん業者に対し、当該交付を受けた商品若しくは指定権利の代金又は役務の対価の全部又は一部に相当する金額を返還しなければならない。

(3) In the case referred to in the preceding paragraph, the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases must return the amount of money that corresponds to the full or partial cost of goods or designated rights or consideration for services that it has been delivered to the



individual credit purchase intermediary.

4 第二項の場合において、購入者又は役務の提供を受ける者は、個別信用購入あつせん関係受領契約に関連して個別信用購入あつせん業者に対して金銭を支払っているときは、その返還を請求することができる。

(4) In the case referred to in paragraph (2), if the purchaser or service recipient has paid money to the individual credit purchase intermediary in relation to the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the purchaser or service recipient may demand to be reimbursed that money.

5 第一項の規定による個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示の取消しは、これをもって善意でかつ過失がない第三者に対抗することができない。

(5) The disaffirmation of a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases as under the provisions of paragraph (1) may not be asserted against a third party acting in good faith and without negligence.

6 第一項の規定は、同項に規定する個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示に対する民法（明治二十九年法律第八十九号）第九十六条の規定の適用を妨げるものと解してはならない。

(6) The provisions of paragraph (1) must not be construed to prevent the application of the provisions of Article 96 of the Civil Code (Act No. 89 of 1896) to a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases as prescribed in that paragraph.

7 第一項の規定による取消権は、追認をすることができる時から一年間行わないときは、時効によつて消滅する。当該個別信用購入あつせん関係受領契約の締結の時から五年を経過したときも、同様とする。

(7) The right to disaffirm under the provisions of paragraph (1) is extinguished by prescription if not exercised within a year from the time if it becomes possible to ratify the contract. The same applies if five years have passed since the conclusion of the contract providing the receipt of monies subject to the intermediation of individual credit purchases.

第三十五条の三の十四 購入者又は役務の提供を受ける者は、統括者、勧誘者若しくは一般連鎖販売業者が特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、次に掲げる事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は統括者若しくは勧誘者が当該契約の締結について勧誘をするに際し、第一号から第六号までに掲げる事項につき故意に事実を告げない行為をしたことにより当該事実が存在しないとの誤認をし、これらによつて当該契約の申込み又はその承諾の意

思表示をしたときは、これを取り消すことができる。

Article 35-3-14 (1) If the coordinator, solicitor, or general multilevel marketing distributor conveys false information with respect to one of the following facts while the purchaser or service recipient is being solicited to conclude a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a specified personal multilevel marketing contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, thereby leading the purchaser or service recipient to mistakenly believe that the information conveyed is true; or if the coordinator, solicitor, or general multilevel marketing distributor willfully fails to disclose a fact connected with a matter stated in one of items (i) through (vi) while the purchaser or service recipient is being solicited to conclude the contract, thereby leading the purchaser or service recipient to mistakenly believe that fact not to exist; and if it is with the mistaken belief that the purchaser or service recipient manifests the intention to offer the contract or to accept an offer for the contract, the purchaser or service recipient may disaffirm the intention so manifested:

一 購入者又は役務の提供を受ける者の支払総額

(i) the total amount payable by the purchaser or service recipient;

二 個別信用購入あつせんに係る各回ごとの商品若しくは権利の代金又は役務の対価の全部又は一部の支払分の額並びにその支払の時期及び方法

(ii) the amount to be paid on each occasion against the full or partial cost of goods or rights or consideration for services that the intermediation of individual credit purchases is for, and the timing and method of its payment;

三 商品の種類及びその性能若しくは品質又は施設を利用し若しくは役務の提供を受ける権利若しくは役務の種類及びこれらの内容その他これらに類するものとして特定商取引に関する法律第三十四条第一項第一号に規定する主務省令で定める事項のうち、購入者又は役務の提供を受ける者の判断に影響を及ぼすこととなる重要なもの

(iii) material information that may affect the judgment of the purchaser or service recipient involving the type, performance, or quality of the goods, the type and details of the right to use the facilities or receive the services, the type and details of the services, and the other similar information specified by order of the competent ministry which is referred to in Article 34, paragraph (1), item (i) of the Act on Specified Commercial Transactions;

四 当該連鎖販売取引に伴う特定負担に関する事項

(iv) matters of the specified burden involved in the multilevel marketing transaction;

五 個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みの撤回又は個別信用購入

あつせん関係受領契約若しくは個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の解除に関する事項（第三十五条の三の十一第一項から第五項まで、第七項から第九項まで及び第十一項から第十四項までの規定に関する事項を含む。）

(v) matters about withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases, and about cancelling the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases (including matters in respect of the provisions of paragraphs (1) through (5), paragraphs (7) through (9), and paragraphs (11) through (14) of Article 35-3-11);

六 特定利益に関する事項

(vi) matters of the specified profit; and

七 前各号に掲げるもののほか、当該個別信用購入あつせん関係受領契約又は当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供契約に関する事項であつて、購入者又は役務の提供を受ける者の判断に影響を及ぼすこととなる重要なもの

(vii) material information about the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases that may affect the judgment of the purchaser or service recipient, beyond what is stated in the preceding items.

2 前項の規定により特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示が取り消され、かつ、当該特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものの申込み又はその承諾の意思表示が特定商取引に関する法律第四十条の三第一項の規定により取り消された場合であつて、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が購入者又は役務の提供を受ける者に対し、当該連鎖販売業に係る商品若しくは権利の販売又は役務の提供を行つており、かつ、当該特定連鎖販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約を締結した個別信用購入あつせん業者が併せて当該商品若しくは当該権利の販売又は当該役務の提供に係る特定商品販売等契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約を締結している場合には、

購入者又は役務の提供を受ける者は、当該特定商品販売等契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の解除を行うことができる。

- (2) In the event that a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a specified personal multilevel marketing contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases is disaffirmed pursuant to the provisions of the preceding paragraph, or in the event that a manifested intention to offer, or to accept an offer for, a specified personal multilevel marketing contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of an individual credit purchases is disaffirmed pursuant to the provisions of Article 40-3, paragraph (1) of the Act on Specified Commercial Transactions, if the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases has sold goods or rights or provided services linked to that multilevel marketing to the purchaser or service recipient, and the individual credit purchase intermediary that concluded the contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with the specified personal multilevel marketing contract that constitutes the contract for sales involving the intermediation of individual credit purchases or the contract for services involving the intermediation of individual credit purchases has also concluded, with respect to the sale of those goods or rights or the provision of those services, a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a sales contract for specified goods, etc. that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, the purchaser or service recipient may cancel the contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with the sales contract for specified goods, etc. that constitutes the contract for sales involving the intermediation of the individual credit purchases or the contract for services involving the intermediation of the individual credit purchases.
- 3 前条第二項から第七項までの規定は、第一項の規定による個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示の取消しに準用する。
- (3) The provisions of paragraphs (2) through (7) of the preceding Article apply mutatis mutandis to the disaffirmation of a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the

intermediation of individual credit purchases under the provisions of paragraph (1).

第三十五条の三の十五 役務の提供を受ける者又は購入者は、個別信用購入あつせん関係役務提供事業者又は個別信用購入あつせん関係販売業者が特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、次に掲げる事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は第一号から第六号までに掲げる事項につき故意に事実を告げないことにより当該事実が存在しないとの誤認をし、これらによつて当該契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。

Article 35-3-15 (1) If the service provider affiliated with the intermediation of individual credit purchases or the seller affiliated with the intermediation of individual credit purchases conveys false information with respect to one of the following matters while the service recipient or purchaser is being solicited to conclude a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a specified continuous service contract that constitutes a contract for services involving the intermediation of individual credit purchases or a contract for sales involving the intermediation of individual credit purchases, thereby leading the service recipient or purchaser to mistakenly believe that the information conveyed is true; or if the service provider or seller willfully fails to disclose a fact connected with a matter stated in one of items (i) through (vi) while the service recipient or purchaser is being solicited to conclude the contract, thereby leading the service recipient or purchaser to mistakenly believe that fact not to exist; and if it is with the mistaken belief that the service recipient or purchaser manifests the intention to offer the contract or to accept an offer for the contract, the service recipient or purchaser may disaffirm the intention so manifested:

一 役務の提供を受ける者又は購入者の支払総額

(i) total amount payable by the service recipient or purchaser;

二 個別信用購入あつせんに係る各回ごとの役務の対価又は権利の代金の全部又は一部の支払分の額並びにその支払の時期及び方法

(ii) the amount to be paid on each occasion against the full or partial

consideration for services or cost of goods or rights that the intermediation of individual credit purchases is for, and the timing and method of its payment;

三 役務又は役務の提供を受ける権利の種類及びこれらの内容又は効果（権利の場合にあつては、当該権利に係る役務の効果）その他これらに類するものとして特定商取引に関する法律第四十四条第一項第一号に規定する主務省令で定める事項のうち、役務の提供を受ける者又は購入者の判断に影響を及ぼすこととなる重要なもの

(iii) material information that may affect the judgment of the service recipient or purchaser involving the type, details, or outcome of the services or right to receive services (for rights, this means the outcome of the services to which the right relate), and the other similar information specified by order of the competent ministry which is referred to in Article 44, paragraph (1), item (i) of the Act on Specified Commercial Transactions;

四 役務の提供又は権利の行使による役務の提供に際し当該役務の提供を受ける者又は当該権利の購入者が購入する必要がある商品がある場合には、その商品の種類及びその性能又は品質その他これらに類するものとして特定商取引に関する法律第四十四条第一項第二号に規定する主務省令で定める事項のうち、役務の提供を受ける者又は購入者の判断に影響を及ぼすこととなる重要なもの

(iv) if there are goods that the service recipient or purchaser of the rights is required to purchase when being provided those services or when exercising those rights, material information that may affect the judgment of the service recipient or the purchaser involving the type, performance, or quality of those goods or the other similar information specified by order of the competent ministry which is referred to in Article 44, paragraph (1), item (ii) of the Act on Specified Commercial Transactions;

五 役務の提供期間又は権利の行使により受けることができる役務の提供期間

(v) the service period or the period during which services are provided that the person can receive by exercising the relevant rights;

六 個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約の申込みの撤回又は個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係役務提供契約若しくは個別信用購入あつせん関係販売契約の解除に関する事項（第三十五条の三の十一第一項から第五項まで、第七項から第九項まで及び第十一項から第十四項までの規定に関する事項を含む。）

(vi) matters about withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for the sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases, and about cancelling the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for the sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases (including matters in respect of the provisions of paragraphs (1) through (5), paragraphs (7) through (9), and paragraphs (11) through (14) of Article 35-3-11); and

七 前各号に掲げるもののほか、当該個別信用購入あつせん関係受領契約又は当該個別信用購入あつせん関係役務提供契約若しくは当該個別信用購入あつせん関係販売契約に関する事項であつて、役務の提供を受ける者又は購入者の判断に影響を及ぼ

すこととなる重要なもの

(vii) material information about the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of the individual credit purchases that may affect the judgment of the service recipient or purchaser, beyond what is stated in the preceding items.

2 前項の規定により特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示が取り消された場合において、個別信用購入あつせん関係役務提供者又は個別信用購入あつせん関係販売業者が役務の提供を受ける者又は購入者に対し、関連商品の販売又はその代理若しくは媒介を行つており、かつ、当該関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものが特定商取引に関する法律第四十九条の二第三項において準用する同法第四十九条第五項の規定により解除された場合であつて、当該特定継続的役務提供等契約であつて個別信用購入あつせん関係役務提供契約又は個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約を締結した個別信用購入あつせん業者が併せて当該関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約を締結している場合には、役務の提供を受ける者又は購入者は、当該関連商品販売契約であつて個別信用購入あつせん関係販売契約に該当するものに係る個別信用購入あつせん関係受領契約の解除を行うことができる。

(2) In the event that a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a specified continuous service contract that constitutes a contract for services involving the intermediation of individual credit purchases or a contract for sales involving the intermediation of individual credit purchases, is disaffirmed pursuant to the provisions of the preceding paragraph, if the service provider affiliated with the intermediation of individual credit purchases or the seller affiliated with the intermediation of individual credit purchases has sold related goods or has acted as the agent or intermediary for their sale to a service recipient or a purchaser, and the case is such that the sales contract for related goods constituting the contract for sales involving the intermediation of individual credit purchases is cancelled pursuant to the provisions of Article 49, paragraph (5) of the Act on Specified Commercial Transactions as applied mutatis mutandis pursuant to Article 49-2, paragraph (3) of that Act and the individual credit purchase intermediary that concluded the contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with the specified continuous service contract that constitutes the contract for services involving the intermediation of individual credit purchases or the contract for sales

involving the intermediation of individual credit purchases, has also concluded a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a sales contract for related goods that constitutes a contract for sales involving the intermediation of individual credit purchases, the service recipient or the purchaser may cancel the contract providing the receipt of monies subject to the intermediation of individual credit purchases connected with the sales contract for related goods that constitutes the contract for the sales involving the intermediation of the individual credit purchases.

- 3 第三十五条の三の十三第二項から第七項までの規定は、第一項の規定による個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示の取消しに準用する。
- (3) The provisions of paragraphs (2) through (7) of Article 35-3-13 apply mutatis mutandis to the disaffirmation of a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases under the provisions of paragraph (1).

第三十五条の三の十六 購入者又は役務の提供を受ける者は、個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者が業務提供誘引販売個人契約であつて個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に該当するものに係る個別信用購入あつせん関係受領契約の締結について勧誘をするに際し、次に掲げる事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、又は第一号から第六号までに掲げる事項につき故意に事実を告げない行為をしたことにより当該事実が存在しないとの誤認をし、これらによつて当該契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。

Article 35-3-16 (1) If the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases conveys false information with respect to the following matters while the purchaser or service recipient is being solicited to conclude a contract providing the receipt of monies subject to the intermediation of individual credit purchases in connection with a personal business opportunity sales contract that constitutes a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, thereby leading the purchaser or service recipient to mistakenly believe that the information conveyed is true; or if the seller or service provider willfully fails to disclose a fact connected with a matter stated in one of items (i) through (vi) while the purchaser or service recipient is being solicited to conclude the contract, thereby leading the purchaser or service recipient to mistakenly believe that fact not to exist; and if it is with the mistaken belief that the



purchaser or service recipient manifests the intention to offer the contract or to accept an offer for the contract, the purchaser or service recipient may disaffirm the intention so manifested:

一 購入者又は役務の提供を受ける者の支払総額

(i) the total amount payable by the purchaser or service recipient;

二 個別信用購入あつせんに係る各回ごとの商品若しくは権利の代金又は役務の対価の全部又は一部の支払分の額並びにその支払の時期及び方法

(ii) the amount to be paid on each occasion against the full or partial cost of goods or rights or consideration for services that the intermediation of individual credit purchases is for, and the timing and method of its payment;

三 商品の種類及びその性能若しくは品質又は施設を利用し若しくは役務の提供を受ける権利若しくは役務の種類及びこれらの内容その他これらに類するものとして特定商取引に関する法律第五十二条第一項第一号に規定する主務省令で定める事項のうち、購入者又は役務の提供を受ける者の判断に影響を及ぼすこととなる重要なもの

(iii) material information that may affect the judgment of the purchaser or service recipient involving the type, performance, or quality of the goods, the type and details of the right to use the facilities or receive the services, the type and details of the services, and the other similar information specified by order of the competent ministry which is referred to in Article 52, paragraph (1), item (i) of the Act on Specified Commercial Transactions;

四 当該業務提供誘引販売取引に伴う特定商取引に関する法律第五十一条第一項に規定する特定負担に関する事項

(iv) matters of the specified burden involved in the business opportunity sales transaction, which are prescribed in Article 51, paragraph (1) of the Act on Specified Commercial Transactions;

五 個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の申込みの撤回又は個別信用購入あつせん関係受領契約若しくは個別信用購入あつせん関係販売契約若しくは個別信用購入あつせん関係役務提供契約の解除に関する事項（第三十五条の三の十一第一項から第五項まで、第七項から第九項まで及び第十一項から第十四項までの規定に関する事項を含む。）

(v) matters about withdrawing the offer for the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases, and about cancelling the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases (including matters in respect of the provisions of paragraphs (1)

through (5), paragraphs (7) through (9), and paragraphs (11) through (14) of Article 35-3-11);

六 その業務提供誘引販売業に係る特定商取引に関する法律第五十一条第一項に規定する業務提供利益に関する事項

(vi) matters of the business opportunity profit involved in the business opportunity sales prescribed in Article 51, paragraph (1) of the Act on Specified Commercial Transactions; and

七 前各号に掲げるもののほか、当該個別信用購入あつせん関係受領契約又は当該個別信用購入あつせん関係販売契約若しくは当該個別信用購入あつせん関係役務提供契約に関する事項であつて、購入者又は役務の提供を受ける者の判断に影響を及ぼすこととなる重要なもの

(vii) material information about the contract providing the receipt of monies subject to the intermediation of individual credit purchases, the contract for the sales involving the intermediation of individual credit purchases, or the contract for services involving the intermediation of individual credit purchases, which may affect the judgment of the purchaser or service recipient, beyond what is stated in the preceding items.

2 第三十五条の三の十三第二項から第七項までの規定は、前項の規定による個別信用購入あつせん関係受領契約の申込み又はその承諾の意思表示の取消しに準用する。

(2) The provisions of paragraphs (2) through (7) of Article 35-3-13 apply mutatis mutandis to the disaffirmation of a manifested intention to offer, or to accept an offer for, a contract providing the receipt of monies subject to the intermediation of individual credit purchases under the provisions of the preceding paragraph.

(契約の解除等の制限)

(Restriction on the Cancellation of a Contract)

第三十五条の三の十七 個別信用購入あつせん業者は、個別信用購入あつせん関係受領契約について第三十五条の三の八第三号に定める支払分の支払の義務が履行されない場合において、二十日以上相当な期間を定めてその支払を書面で催告し、その期間内にその義務が履行されないときでなければ、支払分の支払の遅滞を理由として、契約を解除し、又は支払時期の到来していない支払分の支払を請求することができない。

Article 35-3-17 (1) In the event of an unperformed obligation to pay the amount to be paid that is prescribed in Article 35-3-8, item (iii) pursuant to a contract providing the receipt of monies subject to the intermediation of individual credit purchases, the individual credit purchase intermediary may not cancel the contract, or demand the payment of amounts to be paid that are not yet due, on the grounds of a delay in the payment of an amount to be paid, unless it makes a written demand for this to be paid within a reasonable period of not less than twenty days, and the obligation is not performed within the period.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the provisions of the preceding paragraph are void.

(契約の解除等に伴う損害賠償等の額の制限)

**(Restriction on the Amount of Damages Accompanying the Cancellation of a Contract)**

第三十五条の三の十八 個別信用購入あつせん業者は、個別信用購入あつせん関係受領契約が解除された場合（第三十五条の三の十第一項本文、第三十五条の三の十一第一項、第二項若しくは第三項本文又は第三十五条の三の十二第一項本文の規定により解除された場合を除く。）には、損害賠償額の予定又は違約金の定めがあるときにおいても、当該契約に係る支払総額に相当する額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

**Article 35-3-18 (1)** In the event that a contract providing the receipt of monies subject to the intermediation of individual credit purchases is cancelled (unless the contract is cancelled pursuant to the provisions of the main clause of Article 35-3-10, paragraph (1); Article 35-3-11, paragraph (1), paragraph (2), or the main clause of paragraph (3); or the main clause of Article 35-3-12, paragraph (1)), even if the contract has provisions stating liquidated damages or the penalty for breach of contract, the individual credit purchase intermediary may not demand that the purchaser or service recipient pay an amount of money that exceeds the amount that corresponds to the total amount payable under the contract plus the amount of delay damages for this based on the applicable statutory interest rate.

2 個別信用購入あつせん業者は、前項の契約について第三十五条の三の八第三号の支払分の支払の義務が履行されない場合（契約が解除された場合を除く。）には、損害賠償額の予定又は違約金の定めがあるときにおいても、当該契約に係る支払総額に相当する額から既に支払われた同号の支払分の額を控除した額にこれに対する法定利率による遅延損害金の額を加算した金額を超える額の金銭の支払を購入者又は役務の提供を受ける者に対して請求することができない。

**(2)** In the event of an unperformed obligation to pay the amount to be paid that is referred to in Article 35-3-8, item (iii) pursuant to the contract referred to in the preceding paragraph (excluding if that contract is cancelled), even if the contract has provisions stating liquidated damages or the penalty for breach of contract, the individual credit purchase intermediary may not demand that the purchaser or service recipient pay money that exceeds the amount that corresponds to the total amount payable under the contract less the amount to be paid referred to in that item that has already been paid, plus the amount of delay damages for this based on the applicable statutory interest rate.

(個別信用購入あつせん業者に対する抗弁)

(Affirmative Defense Against an Individual Credit Purchase Intermediary)

第三十五条の三の十九 購入者又は役務の提供を受ける者は、個別信用購入あつせん関係販売契約又は個別信用購入あつせん関係役務提供契約に係る第三十五条の三の八第三号の支払分の支払の請求を受けたときは、当該契約に係る個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者に対して生じている事由をもつて、当該支払の請求をする個別信用購入あつせん業者に対抗することができる。

Article 35-3-19 (1) If a purchaser or service recipient receives a demand to pay the amount to be paid as referred to in Article 35-3-8, item (iii) pursuant to a contract for sales involving the intermediation of individual credit purchases or a contract for services involving the intermediation of individual credit purchases, the purchaser or service recipient may assert an affirmative defense against the individual credit purchase intermediary demanding the payment, based on grounds that have arisen against the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases under that contract.

2 前項の規定に反する特約であつて購入者又は役務の提供を受ける者に不利なものは、無効とする。

(2) Any special provisions of a contract that run counter to the provisions of the preceding paragraph and that are disadvantageous to the purchaser or service recipient are void.

3 第一項の規定による対抗をする購入者又は役務の提供を受ける者は、その対抗を受けた個別信用購入あつせん業者からその対抗に係る同項の事由の内容を記載した書面の提出を求められたときは、その書面を提出するよう努めなければならない。

(3) If a purchaser or service recipient that asserts an affirmative defense against an individual credit purchase intermediary under the provisions of paragraph (1), is requested by the individual credit purchase intermediary to submit a document stating the details of the grounds referred to in that paragraph in connection with that assertion, the purchaser or service recipient must endeavor to submit that document.

4 前三項の規定は、第一項の支払分の支払であつて政令で定める金額に満たない支払総額に係るものについては、適用しない。

(4) The provisions of the preceding three paragraphs do not apply to the payment of an amount to be paid as referred to in paragraph (1) that represents a payment toward the total amount payable which is less than the amount specified by Cabinet Order.

(業務の運営に関する措置)

(Measures Concerning Business Operations)

第三十五条の三の二十 個別信用購入あつせん業者は、購入者又は役務の提供を受ける者の利益の保護を図るため、経済産業省令・内閣府令で定めるところにより、その個別信用購入あつせんの業務に関して取得した購入者又は役務の提供を受ける者に関する

る情報の適正な取扱い、その個別信用購入あつせんの業務を第三者に委託する場合における当該業務の適確な遂行、その購入者又は役務の提供を受ける者の知識、経験、財産の状況及び個別信用購入あつせん関係受領契約を締結する目的に照らして適切な業務の実施並びにその購入者又は役務の提供を受ける者からの苦情の適切かつ迅速な処理のために必要な措置を講じなければならない。

**Article 35-3-20** An individual credit purchase intermediary, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, must take the necessary measures to properly handle information about purchasers and service recipients that it acquires in the course of its services in the intermediation of individual credit purchases, to ensure the proper performance of its services in the intermediation of individual credit purchases if it entrusts those services to a third party, to properly perform its services in light of the knowledge, experience, and financial condition of the purchaser or service recipient and the purpose for which the contract providing the receipt of monies subject to the intermediation of individual credit purchases is concluded, and to appropriately and promptly process complaints from purchasers and service recipients, in order to protect the interests of purchasers and service recipients.

(改善命令)

(Improvement Orders)

第三十五条の三の二十一 経済産業大臣は、個別信用購入あつせん業者が第三十五条の三の三第一項本文、第三項若しくは第四項、第三十五条の三の四本文、第三十五条の三の五、第三十五条の三の七本文、第三十五条の三の十第四項、第三十五条の三の十一第六項、前条、第三十五条の三の五十六から第三十五条の三の五十八まで又は第三十五条の三の五十九第一項の規定に違反していると認めるときは、その必要の限度において、当該個別信用購入あつせん業者に対し、個別信用購入あつせんに係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

**Article 35-3-21** (1) If the Minister of Economy, Trade and Industry finds an individual credit purchase intermediary to be in violation of the provisions of the main clause of paragraph (1) of Article 35-3-3; paragraph (3) or paragraph (4) of that Article; the main clause of Article 35-3-4; Article 35-3-5; the main clause of Article 35-3-7; Article 35-3-10, paragraph (4); Article 35-3-11, paragraph (6); the preceding Article; Articles 35-3-56 through 35-3-58; or Article 35-3-59, paragraph (1), the minister, within the scope that it is necessary, may order to the individual credit purchase intermediary to take the necessary measures to improve the business operations that are connected with the intermediation of individual credit purchases.

2 経済産業大臣は、個別信用購入あつせん業者が第三十五条の三の三第一項本文、第三項若しくは第四項、第三十五条の三の四本文、第三十五条の三の五、第三十五条の三の七本文又は前条の規定に違反している場合において、前項の規定による命令をし

ようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(2) If an individual credit purchase intermediary violates the provisions of the main clause of paragraph (1) of Article 35-3-3; paragraph (3) or paragraph (4) of that Article; the main clause of Article 35-3-4; Article 35-3-5; the main clause of Article 35-3-7; or the preceding Article, before the Minister of Economy, Trade and Industry seeks to issue an order under the provisions of the preceding paragraph, the minister must consult with the Prime Minister.

3 内閣総理大臣は、個別信用購入あつせん業者が第三十五条の三の三第一項本文、第三項若しくは第四項、第三十五条の三の四本文、第三十五条の三の五、第三十五条の三の七本文又は前条の規定に違反している場合において、購入者又は役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、第一項の規定による命令に関し、必要な意見を述べることができる。

(3) If an individual credit purchase intermediary violates the provisions of the main clause of paragraph (1) of Article 35-3-3; paragraph (3) or paragraph (4) of that Article; the main clause of Article 35-3-4; Article 35-3-5; the main clause of Article 35-3-7; or the preceding Article, and the Prime Minister finds it to be necessary to protect the interests of the purchasers or service recipients, the minister may state a necessary opinion concerning the order under paragraph (1) to the Minister of Economy, Trade and Industry.

(情報通信の技術を利用する方法)

(Means of Using Information and Communications Technology)

第三十五条の三の二十二 個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者又は個別信用購入あつせん業者は、第三十五条の三の八又は第三十五条の三の九第一項若しくは第三項の規定による書面の交付に代えて、政令で定めるところにより、当該購入者又は当該役務の提供を受ける者の承諾を得て、当該書面に記載すべき事項を電磁的方法により提供することができる。この場合において、当該個別信用購入あつせん関係販売業者若しくは当該個別信用購入あつせん関係役務提供事業者又は当該個別信用購入あつせん業者は、当該書面を交付したものとみなす。

Article 35-3-22 (1) With the consent of the purchaser or service recipient and pursuant to the provisions of Cabinet Order, in lieu of delivering a document under the provisions of Article 35-3-8, or Article 35-3-9, paragraph (1) or paragraph (3), the seller affiliated with the intermediation of individual credit purchases, the service provider affiliated with the intermediation of individual credit purchase, or the individual credit purchase intermediary may provide the purchaser or service recipient with the matters that are required to be stated in the document through electronic or magnetic means. In doing so, the seller affiliated with the intermediation of individual credit purchases, the service provider affiliated with the intermediation of individual credit purchases, or the individual credit purchase intermediary is deemed to have

delivered the relevant document.

2 前項前段に規定する方法（経済産業省令・内閣府令で定める方法を除く。）により第三十五条の三の九第一項又は第三項の規定による書面の交付に代えて行われた当該書面に記載すべき事項の提供は、購入者又は役務の提供を受ける者の使用に係る電子計算機に備えられたファイルへの記録がされた時に当該購入者又は当該役務の提供を受ける者に到達したものとみなす。

(2) If the matters that are required to be stated in a document are provided by the means provided for in the first sentence of the preceding paragraph (excluding a means specified by Order of the Ministry of Economy, Trade and Industry or Cabinet Office Order) in lieu of the document under the provisions of Article 35-3-9, paragraph (1) or paragraph (3) being delivered, the document is deemed to have reached the purchaser or service recipient when the matters are recorded in a file that is stored on a computer used by the purchaser or service recipient.

## 第二款 個別信用購入あつせん業者の登録等

### Subsection 2 Registration of Individual Credit Purchase Intermediaries

(個別信用購入あつせん業者の登録)

(Registration of Individual Credit Purchase Intermediaries)

第三十五条の三の二十三 個別信用購入あつせんは、経済産業省に備える個別信用購入あつせん業者登録簿に登録を受けた法人（以下「登録個別信用購入あつせん業者」という。）でなければ、業として営んではならない。ただし、第三十五条の三の六十第二項第四号の団体については、この限りでない。

Article 35-3-23 It is prohibited for any person other than a corporation registered in the individual credit purchase intermediary register maintained at the Ministry of Economy, Trade and Industry (referred to below as a "registered individual credit purchase intermediary") to engage in the intermediation of individual credit purchases in the course of trade; provided, however, that this does not apply to the organizations stated in Article 35-3-60, paragraph (2), item (iv).

(登録の申請)

(Application for Registration)

第三十五条の三の二十四 前条の登録を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

Article 35-3-24 (1) A person seeking to be registered as referred to in the preceding Article must submit an application to the Minister of Economy, Trade and Industry, stating the following matters:

一 名称

(i) its name;

二 本店その他の営業所の名称及び所在地

(ii) the names and locations of its principal office and business offices;

三 資産の合計額から負債の合計額を控除した額

(iii) the amount of total assets minus total liabilities; and

四 役員の氏名

(iv) the names of its officers.

2 前項の申請書には、定款、登記事項証明書その他経済産業省令で定める書類を添付しなければならない。ただし、経済産業省令で定める場合は、登記事項証明書の添付を省略することができる。

(2) The articles of incorporation, a certificate of registered information, and the documents specified by Order of the Ministry of Economy, Trade and Industry must accompany the application referred to in the preceding paragraph; provided, however, that the certificate of registered information may be omitted if so, specified by Order of the Ministry of Economy, Trade and Industry.

3 前項の場合において、定款が電磁的記録で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(3) In the case referred to in the preceding paragraph, if the articles of incorporation have been created in the form of an electronic or magnetic record, the electronic or magnetic record (limited to one as specified by Order of the Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

（登録及びその通知）

**(Registration and Notice)**

第三十五条の三の二十五 経済産業大臣は、前条第一項の規定による登録の申請があつたときは、次条第一項の規定により登録を拒否する場合を除くほか、前条第一項各号に掲げる事項及び登録年月日を個別信用購入あつせん業者登録簿に登録しなければならない。

Article 35-3-25 (1) Whenever there is an application for registration under paragraph (1) of the preceding Article, the Minister of Economy, Trade and Industry must register the matters stated in the items of paragraph (1) of the preceding Article and the date of registration in the individual credit purchase intermediary register, unless the minister refuses to effect a registration, pursuant to the provisions of paragraph (1) of the following Article.

2 経済産業大臣は、第三十五条の三の二十三の登録をしたときは、遅滞なく、その旨を当該登録の申請をした者に通知しなければならない。

(2) Once the Minister of Economy, Trade and Industry effects a registration as referred to in Article 35-3-23, the minister must notify the applicant for the registration of this without delay.



(登録の拒否)

**(Refusal to Effect a Registration)**

第三十五条の三の二十六 経済産業大臣は、第三十五条の三の二十四第一項の申請書を提出した者が次の各号のいずれかに該当するとき、又は当該申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

**Article 35-3-26 (1) If the person submitting an application as referred to in Article 35-3-24, paragraph (1) falls under one of the following items, or if the application or a document accompanying it contains a false statement concerning important matters or omits a statement of important fact, the Minister of Economy, Trade and Industry must refuse that registration:**

一 法人でない者

**(i) a person that is not a corporation;**

二 資産の合計額から負債の合計額を控除した額が個別信用購入あつせんに係る業務を適正に実施し、かつ、購入者又は役務の提供を受ける者を保護するため必要かつ適当であると認められる金額で政令で定めるものに満たない法人

**(ii) a corporation with total assets minus total liabilities of less than the amount that is found to be necessary and appropriate for the proper implementation of business involved in the intermediation of individual credit purchases and for protecting purchasers or service recipients, as specified by Cabinet Order;**

三 第三十五条の三の三十二第一項又は第二項の規定により登録を取り消され、その取消しの日から五年を経過しない法人

**(iii) a corporation whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 35-3-32, if five years have not yet passed since the date of the rescission;**

四 この法律又は貸金業法の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない法人

**(iv) a corporation that has been sentenced to a fine pursuant to the provisions of this Act or the Money Lending Business Act, if five years have not yet passed since the day on which it finished serving the sentence or ceased to be subject to its enforcement;**

五 役員のうち次のいずれかに該当する者のある法人

**(v) a corporation with an officer that falls under one of the following:**

イ 破産手続開始の決定を受けて復権を得ない者

**(a) a person that has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings;**

ロ 禁錮以上の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない者

**(b) a person that has been sentenced to imprisonment or a heavier**

punishment, if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

ハ この法律、貸金業法若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の二第七項の規定を除く。）に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯し、罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない者

(c) a person that has been sentenced to a fine for violating the provisions of this Act, the Money Lending Business Act, or the Act on Prevention of Unjust Acts by Organized Crime Group Members (excluding the provisions of Article 32-2, paragraph (7) of that Act) or for committing a crime stated in the Penal Code or in the Act on Punishment of Physical Violence and Others, if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

ニ 登録個別信用購入あつせん業者が第三十五条の三の三十二第一項又は第二項の規定により登録を取り消された場合において、その処分があつた日前三十日以内にその登録個別信用購入あつせん業者の役員であつた者で、その処分があつた日から五年を経過しないもの

(d) a person that, during the thirty days before the relevant disposition, was the officer of a registered individual credit purchase intermediary whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 35-3-32, if five years have not yet passed since the date of the disposition; or

ホ 暴力団員等

(e) a member of an organized crime group, etc.

六 暴力団員等がその事業活動を支配する法人

(vi) a corporation whose business activities are controlled by the member of an organized crime group, etc.;

七 暴力団員等とその業務に従事させ、又はその業務の補助者として使用するおそれのある法人

(vii) a corporation that is likely to allow the member of an organized crime group, etc. to engage in its business activities or to employ that person as an assistant in its business activities;

八 個別信用購入あつせんに係る業務に関し不正又は不誠実な行為をするおそれがあると認めるに足りる相当の理由がある法人として経済産業省令で定めるもの

(viii) a corporation specified by Order of the Ministry of Economy, Trade and Industry as one that there are sufficient grounds to find likely to engage in illegal or dishonest acts in respect of business connected with the intermediation of individual credit purchases; or

九 第三十五条の三の三第一項本文に規定する調査及び第三十五条の三の五第一項に規定する調査その他この法律に定める措置の円滑な実施を確保するために必要な体

制、購入者又は役務の提供を受ける者の苦情を適切かつ迅速に処理するために必要な体制その他の個別信用購入あつせんの公正かつ適確な実施を確保するために必要なものとして経済産業省令で定める体制が整備されていると認められない法人

(ix) a corporation that is found not to have in place the necessary system for ensuring the smooth implementation of investigations provided for in the main clause of Article 35-3-3, paragraph (1), investigations prescribed in Article 35-3-5, paragraph (1), and other measures prescribed in this Act, the necessary system for appropriately and promptly processing complaints from purchasers or service recipients, and other systems specified by Order of the Ministry of Economy, Trade and Industry as necessary for ensuring fair and proper implementation in the intermediation of individual credit purchases.

2 第十五条第二項及び第三項の規定は、第三十五条の三の二十四第一項の規定による登録の申請があつた場合に準用する。

(2) The provisions of Article 15, paragraphs (2) and (3) apply mutatis mutandis when an application for registration under Article 35-3-24, paragraph (1) is filed.

(登録の更新)

(Renewal of Registration)

第三十五条の三の二十七 第三十五条の三の二十三の登録は、三年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 35-3-27 (1) The registration referred to in Article 35-3-23 ceases to be valid upon expiration of a period of three years, unless renewed.

2 第十五条第二項及び第三項、第三十五条の三の二十四、第三十五条の三の二十五並びに前条第一項の規定は、前項の登録の更新に準用する。

(2) The provisions of Article 15, paragraphs (2) and (3); Article 35-3-24; Article 35-3-25; and paragraph (1) of the preceding Article apply mutatis mutandis to the renewal of the registration referred to in the preceding paragraph.

3 第一項の更新の申請があつた場合において、同項の期間（以下この条において「登録の有効期間」という。）の満了の日までにその申請に対する処分がされないときは、従前の登録は、登録の有効期間の満了後もその処分がされるまでの間は、なおその効力を有する。

(3) If an application is filed for the renewal referred to in paragraph (1), but no disposition is reached on the application by the last day of the period referred to in that paragraph (referred to below as the "valid period of registration" in this Article), the previous registration remains valid after the expiration of the valid period of registration until the disposition is reached.

4 前項の場合において、登録の更新がされたときは、その登録の有効期間は、従前の登録の有効期間の満了の日の翌日から起算するものとする。

(4) In the case referred to in the preceding paragraph, if a registration is renewed, the valid period of registration is calculated beginning from the day

following the last day of the prior valid period of registration.

5 第一項の登録の更新を受けようとする者は、実費を勘案して政令で定める額の手数料を納めなければならない。

(5) A person seeking the renewal of a registration as referred to in paragraph (1), must pay the fee specified by Cabinet Order in consideration of actual expenses.

(変更の届出)

(Notification of a Change)

第三十五条の三の二十八 登録個別信用購入あつせん業者は、第三十五条の三の二十四第一項第一号、第二号又は第四号に掲げる事項について変更があつたときは、遅滞なく、その変更に係る事項を記載した変更登録の申請書を経済産業大臣に提出しなければならない。

Article 35-3-28 (1) If there is any change in a matter stated in one of the items of Article 35-3-24, paragraph (1), items (i), (ii) or (iv), registered individual credit purchase intermediary must notify the Minister of Economy, Trade and Industry of this without delay.

2 経済産業大臣は、前項の規定による変更の届出を受理したときは、その届出があつた事項を個別信用購入あつせん業者登録簿に登録しなければならない。

(2) Upon receipt of the notification of a change pursuant to the provision of the preceding paragraph, the Minister of Economy, Trade and Industry must register the matters reported in the notification to the individual credit purchase intermediaries register.

3 第三十五条の三の二十四第二項及び第三項の規定は、第一項の規定による変更の届出をする場合に準用する。

(3) The provisions of Article 35-3-24, paragraphs (2) and (3) apply mutatis mutandis when the notification of a change under the provisions of paragraph (1) is filed.

(登録簿の閲覧)

(Inspection of the Register)

第三十五条の三の二十九 経済産業大臣は、個別信用購入あつせん業者登録簿を一般の閲覧に供しなければならない。

Article 35-3-29 The Minister of Economy, Trade and Industry must make the individual credit purchase intermediaries register available for public inspection.

(名義貸しの禁止)

(Prohibition on Name Lending)

第三十五条の三の三十 登録個別信用購入あつせん業者は、自己の名義をもつて、他人に個別信用購入あつせんを業として営ませてはならない。

Article 35-3-30 A registered individual credit purchase intermediary must not

allow any other person to conduct the intermediation of individual credit purchases in the course of trade under its name.

(改善命令)

(Improvement Orders)

第三十五条の三の三十一 経済産業大臣は、登録個別信用購入あつせん業者が第三十五条の三の二十六第一項第九号の規定に該当することとなつたと認めるときは、その必要の限度において、当該登録個別信用購入あつせん業者に対し、個別信用購入あつせんに係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 35-3-31 If the Minister of Economy, Trade and Industry finds a registered individual credit purchase intermediary to fall under the provisions of Article 35-3-26, paragraph (1), item (ix), the minister, within the scope that it is necessary, may order the registered individual credit purchase intermediary to take the necessary measures for improving the business operations that are connected with the intermediation of individual credit purchases.

(登録の取消し等)

(Rescission of Registration)

第三十五条の三の三十二 経済産業大臣は、登録個別信用購入あつせん業者が次の各号のいずれかに該当するとき、その登録を取り消さなければならない。

Article 35-3-32 (1) If a registered individual credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry must rescind its registration:

一 第三十五条の三の二十六第一項第四号から第八号までのいずれかに該当することとなつたとき。

(i) it comes to fall under the provisions of one of Article 35-3-26, paragraph (1), items (iv) through (viii);

二 不正の手段により第三十五条の三の二十三の登録（第三十五条の三の二十七第一項の登録の更新を含む。）を受けたとき。

(ii) it has been registered as referred to in Article 35-3-23 (including the renewal of a registration as referred to in Article 35-3-27, paragraph (1)) by wrongful means; or

三 第三十五条の三の三十の規定に違反したとき。

(iii) it violates an order provided for in Article 35-3-30.

2 経済産業大臣は、登録個別信用購入あつせん業者が次の各号のいずれかに該当するとき、その登録を取り消し、又は一年以内の期間を定めて、個別信用購入あつせんに係る業務の全部若しくは一部の停止を命ずることができる。

(2) If a registered individual credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry may rescind its registration, or may order the suspension of all or part of the business

operations connected with the intermediation of individual credit purchases during a fixed period of no longer than one year:

一 第三十五条の三の二十一第一項又は前条の規定による命令に違反したとき。

(i) it violates an order under the provisions of Article 35-3-21, paragraph (1) or the preceding Article;

二 第三十五条の三の二十六第一項第二号の規定に該当することとなつたとき。

(ii) it comes to fall under the provisions of Article 35-3-26, paragraph (1), item (ii); or

三 第三十五条の三の二十八第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(iii) it fails to file a notification under the provisions of Article 35-3-28, paragraph (1) or files a false notification.

3 経済産業大臣は、登録個別信用購入あつせん業者が前項第一号の命令（当該登録個別信用購入あつせん業者が第三十五条の三の三第一項本文、第三項若しくは第四項、第三十五条の三の四本文、第三十五条の三の五、第三十五条の三の七本文又は第三十五条の三の二十の規定に違反している場合におけるものに限る。次項及び第四十条第四項において同じ。）に違反した場合において、前項の規定による処分をしようとするときは、あらかじめ、内閣総理大臣に協議しなければならない。

(3) If a registered individual credit purchase intermediary violates the order referred to in item (i) of the preceding paragraph (limited to if the registered individual credit purchase intermediary violates the provisions of the main clause of paragraph (1) of Article 35-3-3; paragraph (3) or paragraph (4) of that Article; the main clause of Article 35-3-4; Article 35-3-5; the main clause of Article 35-3-7; or Article 35-3-20; the same applies in the following paragraph and Article 40, paragraph (4)), before the Minister of Economy, Trade and Industry seeks to reach a disposition under the preceding paragraph, the minister must consult with the Prime Minister.

4 内閣総理大臣は、登録個別信用購入あつせん業者が第二項第一号の命令に違反した場合において、購入者又は役務の提供を受ける者の利益を保護するため必要があると認めるときは、経済産業大臣に対し、同項の規定による処分に関し、必要な意見を述べることができる。

(4) If a registered individual credit purchase intermediary violates the order referred to in paragraph (2), item (i) and the Prime Minister finds it to be necessary to protect the interests of purchasers or service recipients, the minister may state a necessary opinion concerning the disposition under that paragraph to the Minister of Economy, Trade and Industry.

5 経済産業大臣は、第一項又は第二項の規定により登録を取り消したときは、遅滞なく、その理由を示して、その旨を当該登録個別信用購入あつせん業者であつた者に通知しなければならない。

(5) If the Minister of Economy, Trade and Industry rescinds a registration under paragraph (1) or paragraph (2), the minister must notify the person that was

formerly the relevant registered individual credit purchase intermediary of this, indicating the reasons for the disposition, without delay.

(登録の消除)

(Deletion of Registration)

第三十五条の三の三十三 経済産業大臣は、次の各号のいずれかに該当するときは、個別信用購入あつせん業者登録簿につき、その登録個別信用購入あつせん業者に関する登録を消除しなければならない。

Article 35-3-33 (1) If a registered individual credit purchase intermediary falls under one of the following items, the Minister of Economy, Trade and Industry must delete the registration of the registered individual credit purchase intermediary from the individual credit purchase intermediary register:

一 第三十五条の三の二十七第一項の規定により登録が効力を失ったとき。

(i) the registration loses validity pursuant to the provisions of Article 35-3-27, paragraph (1);

二 前条第一項又は第二項の規定により登録を取り消したとき。

(ii) the registration is rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article; or

三 第三十五条の三の三十五において準用する第二十六条第一項の規定による届出があつたときその他個別信用購入あつせんの営業を廃止したことが判明したとき。

(iii) a notification under the provisions of Article 26, paragraph (1) as applied mutatis mutandis pursuant to Article 35-3-35 is filed, or the intermediary is discovered to have discontinued operations in the intermediation of individual credit purchases.

2 前条第五項の規定は、前項第一号又は第三号の規定により登録を消除した場合に準用する。

(2) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis if a registration is deleted pursuant to the provisions of item (i) or item (iii) of the preceding paragraph.

(販売業者等の契約の解除)

(Cancellation of a Contract by the Seller)

第三十五条の三の三十四 登録個別信用購入あつせん業者が第三十五条の三の三十二第一項若しくは第二項の規定により登録を取り消され、又は前条第一項第一号若しくは第三号の規定により登録を消除されたときは、当該登録個別信用購入あつせん業者と個別信用購入あつせんに係る契約を締結した販売業者又は役務提供事業者は、将来に向かつてその契約を解除することができる。

Article 35-3-34 (1) If the registration of a registered individual credit purchase intermediary is rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 35-3-32, or is deleted pursuant to paragraph (1), item (i) or item (iii) of the preceding Article, a seller or service provider that has

concluded a contract for the intermediation of individual credit purchases with that registered individual credit purchase intermediary may effect a prospective cancellation of that contract.

2 前項の規定に反する特約は、無効とする。

(2) Any special provisions of a contract that run counter to the preceding paragraph are void.

(準用規定)

(Provisions Applied Mutatis Mutandis)

第三十五条の三の三十五 第二十四条、第二十六条第一項及び第二十八条の規定は、個別信用購入あつせんを業として営む場合に準用する。この場合において、第二十四条中「第二十条第一項の規定による命令をし、若しくは同条第二項の規定によりこれを取り消したとき、又は前条第一項若しくは第二項の規定により許可を取り消したとき」とあるのは「第三十五条の三の三十二第一項の規定により登録を取り消したとき、同条第二項の規定により登録を取り消し、若しくは個別信用購入あつせんに係る業務の全部若しくは一部の停止を命じたとき、又は第三十五条の三の三十三第一項第一号若しくは第三号の規定により登録を消除したとき」と、第二十八条中「第二十三条第一項若しくは第二項」とあるのは「第三十五条の三の三十二第一項若しくは第二項」と、「第二十五条の規定により許可が効力を失ったとき」とあるのは「第三十五条の三の三十三第一項第一号若しくは第三号の規定により登録を消除されたとき」と、「前払式割賦販売の契約」とあるのは「個別信用購入あつせん関係販売業者又は個別信用購入あつせん関係役務提供事業者を相手方とする個別信用購入あつせんに係る契約及び個別信用購入あつせん関係受領契約」と読み替えるものとする。

Article 35-3-35 The provisions of Article 24; Article 26, paragraph (1); and Article 28 apply mutatis mutandis when a person engages in the intermediation of individual credit purchases in the course of trade. In this case, the phrase "issues an order under the provisions of Article 20, paragraph (1) or rescinds such an order pursuant to the provisions of Article 20, paragraph (2), or if the minister rescinds a license pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article" in Article 24 is deemed to be replaced with "rescinds a registration pursuant to the provisions of Article 35-3-32, paragraph (1), issues an order rescinding a registration or suspending all or part of the business operations connected to the intermediation of individual credit purchases pursuant to the provisions of paragraph (2) of that Article, or deletes a registration pursuant to the provisions of Article 35-3-33, paragraph (1), item (i) or item (iii)"; the phrase "paragraph (1) or paragraph (2) of Article 23" in Article 28 is deemed to be replaced with "paragraph (1) or paragraph (2) of Article 35-3-32"; the term "loses validity pursuant to the provisions of Article 25" in that Article is deemed to be replaced with "its registration is deleted pursuant to the provisions of Article 35-3-33, paragraph (1), item (i) or item (iii)"; and the term



"contract for prepaid installment sales" in that Article is deemed to be replaced with "contract for the intermediation of individual credit purchases or a contract providing the receipt of monies subject to the intermediation of individual credit purchases that have the seller affiliated with the intermediation of individual credit purchases or the service provider affiliated with the intermediation of individual credit purchases as the other party".

### 第三節 指定信用情報機関

#### Section 3 Designated Credit Bureaus

##### 第一款 通則

##### Subsection 1 General Rules

(特定信用情報提供等業務を行う者の指定)

(Designation of a Person to Perform Specified Credit Information Services)

第三十五条の三の三十六 経済産業大臣は、次に掲げる要件を備える者を、その申請により、この節の定めるところにより特定信用情報提供等業務（特定信用情報の収集及び包括信用購入あつせん業者又は個別信用購入あつせん業者に対する特定信用情報の提供を行う業務をいう。以下同じ。）を行う者として、指定することができる。

Article 35-3-36 (1) On the application of a person that meets the following requirements, the Minister of Economy, Trade, and Industry may designate that person to perform specified credit information services pursuant to the provisions of this Section (meaning services constituting the collection and provision of specified credit information to comprehensive credit purchase intermediaries or individual credit purchase intermediaries; the same applies below):

一 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含み、外国の法令に準拠して設立された法人その他の外国の団体を除く。第四号ニにおいて同じ。）であること。

(i) it is a corporation (this includes an association or a foundation that is without legal personality but that has a representative or administrator, but it excludes a corporation incorporated under the law of a foreign state or any other foreign organization; the same applies in item (iv), (d));

二 第三十五条の三の五十四第一項の規定によりこの項の規定による指定を取り消され、その取消の日から五年を経過しない者でないこと。

(ii) it is not a person whose designation under the provisions of this paragraph has been rescinded pursuant to the provisions of Article 35-3-54, paragraph (1) and that is yet to have five years pass since the date of the rescission; and

三 この法律若しくは個人情報保護に関する法律（平成十五年法律第五十七号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなつた日から五年を経過しない者でないこと。

(iii) it is not a person that has been sentenced to a fine (including an equivalent punishment under a foreign law or regulation) for violating the provisions of this Article, the Act on the Protection of Personal Information (Act No. 57 of 2003) or an equivalent foreign law or regulation, and that is yet to have five years pass since it finished serving the sentence or ceased to be subject to its enforcement;

四 役員（業務を執行する社員（業務を執行する社員が法人であるときは、その職務を行うべき者を含む。）、取締役、執行役、会計参与（会計参与が法人であるときは、その職務を行うべき社員を含む。）、監査役、代表者若しくは管理人又はこれらに準ずる者をいう。以下この款及び第三款において同じ。）のうちに、次のいずれかに該当する者がいないこと。

(iv) it does not have an officer (this means a member that executes business (if a member that executes business is a corporation, this includes the person that performs its duties as a member), a director, executive officer, accounting advisor (if an accounting advisor is a corporation, this includes the member that performs its duties as an accounting advisor), auditor, representative, or administrator, or a person equivalent to any of these; the same applies below in this Subsection and Subsection 3) that falls under one of the following:

イ 心身の故障のため職務を適正に執行することができない者として経済産業省令で定める者

(a) a person specified by Order of the Ministry of Economy, Trade and Industry as being unable to cope with the execution of its duties due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これと同様に取  
り扱われている者

(b) a person that has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings, or a person that is treated in the same manner as that person under the laws and regulations of a foreign state;

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

(c) a person that has been sentenced to imprisonment or a heavier punishment (including equivalent punishment under a foreign law or regulation), if five years have not yet passed since the person finished serving the sentence or ceased to be subject to its enforcement;

ニ 第三十五条の三の五十四第一項の規定によりこの項の規定による指定を取り消された場合又はこの法律に相当する外国の法令の規定により当該外国において受けている当該指定に類する行政処分を取り消された場合において、その取消しの日前三十日以内にその法人の役員（外国の法令上これと同様に取  
り扱われている

者を含む。ホにおいて同じ。) であつた者でその取消の日から五年を経過しない者

(d) a person that, during the 30 days before the date of rescission, was the officer (including a person treated in the same manner under foreign laws and regulations; the same applies in (e)) of a corporation, in a case in which a designation under this paragraph has been rescinded pursuant to the provisions of Article 35-3-54, paragraph (1) or in which an administrative disposition which is similar to that designation and which the corporation has received in a foreign state pursuant to the provisions of a foreign law or regulation that is equivalent to this Act, has been rescinded, if five years have not yet passed since the date of the rescission;

ホ 第三十五条の三の五十四第一項の規定又はこの法律に相当する外国の法令の規定により解任を命ぜられた役員でその処分を受けた日から五年を経過しない者

(e) an officer whose dismissal has been ordered pursuant to the provisions of Article 35-3-54, paragraph (1) or of a foreign law or regulation that is equivalent to this Act, if five years have not yet passed since the date of that disposition; and

へ この法律若しくは個人情報保護に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(f) a person that has been sentenced to a fine (including an equivalent punishment under a foreign law or regulation) for violating the provisions of this Article, the Act on the Protection of Personal Information, or an equivalent foreign law or regulation, if five years have not yet passed since the person finished serving the sentence or ceased to be subject to its enforcement.

五 その取り扱う特定信用情報の規模として経済産業省令で定めるものが、特定信用情報提供等業務を適正かつ効率的に行うに足りるものとして経済産業省令で定める基準に適合するものであること。

(v) the scope specified by Order of the Ministry of Economy, Trade and Industry as the scope of specified credit information it handles conforms to the standards specified by Order of the Ministry of Economy, Trade and Industry as sufficient for allowing it to perform specified credit information services appropriately and efficiently;

六 特定信用情報提供等業務を遂行するために必要と認められる財産的基礎で経済産業省令で定めるものを有すると認められること。

(vi) it is found to have the financial basis that is found to be necessary to allow it to perform specified credit information services as specified by Order of the Ministry of Economy, Trade and Industry; and

七 その人的構成に照らして、特定信用情報提供等業務を適正かつ確実に遂行するこ

とができる知識及び経験を有し、かつ、十分な社会的信用を有すると認められること。

(vii) in light of its personnel structure, it is found to have sufficient knowledge and experience for performing specified credit information services appropriately and reliably, and to have sufficient social credibility.

2 経済産業大臣は、前項の規定による指定をしたときは、指定信用情報機関の商号又は名称及び主たる営業所又は事務所の所在地並びに当該指定をした日を官報で公示しなければならない。

(2) If the Minister of Economy, Trade and Industry makes a designation under the provisions of the preceding paragraph, the minister must issue public notice of the trade name or name of the designated credit bureau, the location of its principal business office or office, and the date of the designation in the Official Gazette.

(指定の申請)

(Application for Designation)

第三十五条の三の三十七 前条第一項の規定による指定を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

Article 35-3-37 (1) A person seeking the designation under the provisions of paragraph (1) of the preceding Article must submit an application to the Minister of Economy, Trade and Industry, stating the following matters:

一 商号又は名称

(i) its trade name or name;

二 主たる営業所又は事務所その他特定信用情報提供等業務を行う営業所又は事務所の名称及び所在地

(ii) the name and location of its principal business office or office or of the business office or office where it conducts specified credit information services;

三 役員の氏名又は商号若しくは名称

(iii) the names or trade names of its officers; and

四 特定信用情報提供等業務及び特定信用情報提供等業務に付随する業務以外の業務を行うときは、その業務の内容

(iv) if it does business other than in specified credit information services and business incidental to it, the content of that business.

2 前項の申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must accompany the application referred to in the preceding paragraph:

一 前条第一項第三号及び第四号に掲げる要件に該当することを誓約する書面

(i) a document pledging that the applicant falls under the requirements stated in paragraph (1), items (iii) and (iv) of the preceding Article;

二 定款及び法人の登記事項証明書（これらに準ずるものを含む。）

(ii) the articles of incorporation and the corporation's certificate of registered information (including documents equivalent to these);

三 業務規程

(iii) its operational rules;

四 財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書

(iv) an inventory of property, balance sheet, profit and loss statement, or income and expenditure statement, and business report; and

五 前各号に掲げるもののほか、経済産業省令で定める書類

(v) documents other than those stated in the preceding items, which are specified by Order of the Ministry of Economy, Trade and Industry.

3 前項の場合において、定款、財産目録、貸借対照表、損益計算書若しくは収支計算書又は事業報告書が電磁的記録で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(3) In the case referred to in the preceding paragraph, if the articles of incorporation, inventory of property, balance sheet, profit and loss statement, or income and expenditure statement, or business report has been created as an electronic or magnetic record, the electric or magnetic record (limited to one as specified by Order of the Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

(指定信用情報機関の役員の新職の制限)

(Restriction on the Concurrent Holding of Positions by the Officers of a Designated Credit Bureau)

第三十五条の三の三十八 指定信用情報機関の代表者及び常務に従事する役員は、経済産業大臣の認可を受けた場合を除くほか、包括信用購入あつせん業者又は個別信用購入あつせん業者その他の経済産業省令で定める法人の代表者となり、若しくは常務に従事し、又は貸金業法第二条第一項に規定する貸金業その他の経済産業省令で定める事業を営んではならない。

Article 35-3-38 Unless the representative of a designated credit bureau or an officer engaging in its day-to-day business operations obtains the authorization of the Minister of Economy, Trade and Industry to do so, it is prohibited for that representative or officer to become the representative of a comprehensive credit purchase intermediary, individual credit purchase intermediary, or other corporation specified by Order of the Ministry of Economy, Trade and Industry or to engage in its day-to-day business operations, and it is prohibited for that representative or officer to engage in the money lending business prescribed in Article 2, paragraph (1) of the Money Lending Business Act or any other businesses specified by Order of the Ministry of Economy, Trade and Industry.

(秘密保持義務)

(Duty of Confidentiality)

第三十五条の三の三十九 指定信用情報機関の役員若しくは職員又はこれらの職にあつた者は、特定信用情報提供等業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 35-3-39 It is prohibited for the officer or employee of a designated credit bureau or a person that has held one of these positions to divulge or misappropriate confidential information learned in connection with specified credit information services.

**第二款 業務**

**Subsection 2 Business**

(指定信用情報機関の業務)

(Services of a Designated Credit Bureau)

第三十五条の三の四十 指定信用情報機関は、この節の規定及び業務規程の定めるところにより、特定信用情報提供等業務を行うものとする。

Article 35-3-40 The designated credit bureau performs specified credit information services pursuant to the provisions of this Section and as specified by its operational rules.

(兼業の制限)

(Restriction on Concurrent Business)

第三十五条の三の四十一 指定信用情報機関は、特定信用情報提供等業務及び特定信用情報提供等業務に付随する業務のほか、他の業務を行うことができない。ただし、当該指定信用情報機関が割賦販売業者及びローン提携販売業者に対する信用情報（利用者（第二条第一項第二号に規定する利用者及び同条第三項第一号に規定する利用者をいう。）又は購入者若しくは役務の提供を受ける者の支払能力に関する情報をいう。第三十八条及び第三十九条において同じ。）の提供に係る業務その他特定信用情報提供等業務を適正かつ確実に行うにつき支障を生ずるおそれがないと認められる業務について、経済産業省令で定めるところにより、経済産業大臣の承認を受けたときは、この限りでない。

Article 35-3-41 (1) A designated credit bureau may not do business other than in specified credit information services and business incidental to it; provided, however, that this does not apply if the designated credit bureau obtains the approval of the Minister of Economy, Trade and Industry pursuant to the provisions of Order of the Minister of Economy, Trade and Industry for business that entails it providing credit information (meaning information concerning users' (meaning users as prescribed in Article 2, paragraph (1), item (ii) and users as prescribed in paragraph (3), item (i) of that Article), purchasers', or service recipients' ability to pay; the same applies in Article 38 and Article 39) to installment sellers or loan-affiliated installment sellers, or

for other business that is found to carry no risk of compromising its appropriate and reliable performance of specified credit information services.

2 指定信用情報機関は、前項ただし書の承認を受けた業務を廃止したときは、経済産業省令で定めるところにより、その旨を経済産業大臣に届け出なければならない。

(2) If the designated credit bureau discontinues business for which it has obtained the approval referred to in the proviso to the preceding paragraph, it must notify the Minister of Economy, Trade and Industry of this pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

3 第三十五条の三の三十七第一項の申請書に申請者が特定信用情報提供等業務及び特定信用情報提供等業務に付随する業務以外の業務を行う旨の記載がある場合において、当該申請者が第三十五条の三の三十六第一項の指定を受けたときは、当該業務を行うことにつき第一項ただし書の承認を受けたものとみなす。

(3) If the application referred to in Article 35-3-37, paragraph (1) states that the applicant engages in business other than specified credit information services and business incidental to it, and the applicant obtains the designation referred to in Article 35-3-36, paragraph (1), the applicant is deemed to have obtained the approval referred to in the proviso to paragraph (1) to perform that business.

(特定信用情報提供等業務の一部の委託)

(Entrusting a Person with a Part of Specified Credit Information Services)

第三十五条の三の四十二 指定信用情報機関は、経済産業省令で定めるところにより、特定信用情報提供等業務の一部を、経済産業大臣の承認を受けて、他の者に委託することができる。

Article 35-3-42 (1) A designated credit bureau may entrust another person with part of its specified credit information services pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry, with the approval of the Minister of Economy, Trade and Industry.

2 前項の規定による委託を受けた者は、当該委託を受けた特定信用情報提供等業務の一部を、当該委託をした指定信用情報機関の同意を得て、更に他の者に委託することができる。

(2) A person that has been entrusted as under the provisions of the preceding paragraph may further entrust another person with a part of the specified credit information services with which it has been entrusted, with the consent of the designated credit bureau that has entrusted it with those services.

(業務規程の認可)

(Approval of the Operational Rules)

第三十五条の三の四十三 指定信用情報機関は、特定信用情報提供等業務に係る次に掲げる事項に関する業務規程を定め、経済産業大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 35-3-43 (1) A designated credit bureau must establish operational rules in respect of the following matters relevant to its specified credit information services, and obtain the approval of the Minister of Economy, Trade and Industry for those. The same applies if it seeks to change these:

一 包括信用購入あつせん業者又は個別信用購入あつせん業者との特定信用情報の提供を内容とする契約（以下「特定信用情報提供契約」という。）の締結に関する事項

(i) matters relevant to the conclusion of contracts with comprehensive credit purchase intermediaries or individual credit purchase intermediaries, under which it will provide specified credit information (referred to below as a "specified credit information service contract");

二 特定信用情報の収集及び提供に関する事項

(ii) matters relevant to the collection and provision of specified credit information;

三 特定信用情報の漏えい、滅失又はき損の防止その他の特定信用情報の安全管理に関する事項

(iii) matters relevant to the prevention of the inappropriate disclosure, loss or damage of specified credit information and other matters relevant to the secure management of specified credit information;

四 特定信用情報の正確性の確保に関する事項

(iv) matters relevant to ensuring the accuracy of the specified credit information;

五 料金に関する事項

(v) matters of fees;

六 他の指定信用情報機関があるときは、当該他の指定信用情報機関に対する基礎特定信用情報（特定信用情報のうち、包括信用購入あつせん関係受領契約又は個別信用購入あつせん関係受領契約に係る第三十五条の三の五十六第一項各号に掲げる事項に係る情報をいう。以下同じ。）の提供に関する事項その他の当該他の指定信用情報機関との特定信用情報提供等業務の連携に関する事項（第三十五条の三の四十七第二項の規定により手数料を徴収する場合にあつては、当該手数料に関する事項を含む。）

(vi) if there are other designated credit bureaus, matters relevant to the provision of basic specified credit information (meaning specified credit information with respect to the matters stated in the items of Article 35-3-56, paragraph (1) in connection with contracts providing the receipt of monies subject to the intermediation of comprehensive credit purchases and contracts providing the receipt of monies subject to the intermediation of individual credit purchases; the same applies below) to those other designated credit bureaus, and matters relevant to the coordination of specified credit information services with those other designated credit bureaus (if fees are collected pursuant to the provisions of Article 35-3-47,



- paragraph (2), including the matters of those fees);
- 七 特定信用情報提供契約を締結した相手方である包括信用購入あつせん業者（以下「加入包括信用購入あつせん業者」という。）又は特定信用情報提供契約を締結した相手方である個別信用購入あつせん業者（以下「加入個別信用購入あつせん業者」という。）に対する監督に関する事項
- (vii) matters relevant to the supervision of comprehensive credit purchase intermediaries that are the other parties to specified credit information service contracts (referred to below as an "participating comprehensive credit purchase intermediary") or individual credit purchase intermediaries that are the other parties to specified credit information service contracts (referred to below as an "participating individual credit purchase intermediary");
- 八 特定信用情報提供等業務の一部を他の者に委託する場合におけるその委託した業務の適正かつ確実な遂行を確保するための措置に関する事項
- (viii) matters relevant to measures for ensuring the proper and reliable performance of entrusted services if it entrusts another person with part of the specified credit information services;
- 九 苦情の処理に関する事項
- (ix) matters relevant to the processing of complaints; and
- 十 前各号に掲げるもののほか、特定信用情報提供等業務の実施に必要な事項として経済産業省令で定める事項
- (x) matters specified by Order of the Ministry of Economy, Trade and Industry as necessary for executing specified credit information services, beyond what is stated in the preceding items.
- 2 前項第二号に掲げる事項に関する業務規程は、次に掲げる事項を内容とするものでなければならない。
- (2) The operational rules in respect of the matters stated in item (ii) of the preceding paragraph must have the following matters among their contents:
- 一 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者から利用者又は購入者若しくは役務の提供を受ける者に係る特定信用情報の提供を依頼された場合には、当該利用者又は購入者若しくは役務の提供を受ける者に係るすべての特定信用情報を提供すること。
- (i) that it provides all specified credit information on the relevant user, purchaser, or service recipient when a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary requests it to provide specified credit information on a user, purchaser, or service recipient; and
- 二 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者から、その保有する基礎特定信用情報について、購入者又は役務の提供を受ける者ごとに当該購入者又は当該役務の提供を受ける者に係るすべての基礎特定信用情報の提供を受けること。

(ii) that it receives all basic specified credit information on each purchaser or service recipient from a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary, which that intermediary has on the relevant purchaser or service recipient.

3 第一項第五号に掲げる事項に関する業務規程は、特定信用情報提供等業務に関する料金が能率的な業務運営の下における適正な原価に照らし公正妥当なものであることを内容とするものでなければならない。

(3) The operational rules in respect of the matters stated in paragraph (1), item (v) must have among their contents that the fees for specified credit information services be equitable and appropriate in light of the reasonable costs incurred in the efficient operation of business.

4 経済産業大臣は、第一項の認可をした業務規程が特定信用情報提供等業務の適正かつ確実な実施上不適当となつたと認めるときは、指定信用情報機関に対し、その業務規程を変更すべきことを命ずることができる。

(4) If operational rules that the Minister of Economy, Trade and Industry has approved as referred to in paragraph (1) are found to have become inappropriate in terms of the proper and reliable performance of specified credit information services, the minister may order the designated credit bureau to change those operational rules.

(差別的取扱いの禁止)

(Prohibition on Differential Treatment)

第三十五条の三の四十四 指定信用情報機関は、包括信用購入あつせん業者又は個別信用購入あつせん業者が特定信用情報提供契約の締結を希望する場合には、正当な理由なくこれを拒否してはならない。

Article 35-3-44 (1) When a comprehensive credit purchase intermediary or individual credit purchase intermediary wishes to conclude a specified credit information service contract, the designated credit bureau must not refuse that request without legitimate grounds for doing so.

2 指定信用情報機関は、特定の加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者に対し不当な差別的取扱いをしてはならない。

(2) The designated credit bureau must not subject any particular participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary to unfairly differential treatment.

(記録の保存)

(Archiving Records)

第三十五条の三の四十五 指定信用情報機関は、経済産業省令で定めるところにより、特定信用情報提供等業務に関する記録を作成し、これを保存しなければならない。

Article 35-3-45 The designated credit bureau must prepare and archive records of specified credit information services pursuant to the provisions of Order of

the Ministry of Economy, Trade and Industry.

(加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者に対する監督)  
(Supervision of Participating Comprehensive Credit Purchase Intermediaries  
and Participating Individual Credit Purchase Intermediaries)

第三十五条の三の四十六 指定信用情報機関は、加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者が指定信用情報機関から提供を受けた特定信用情報を第三十条の二第一項本文の規定による調査、第三十条の五の五第二項の調査、第三十五条の二の四第二項の調査又は第三十五条の三の三第一項本文の規定による調査その他の利用者又は購入者若しくは役務の提供を受ける者の支払能力に関する事項の調査（第三十五条の三の五十九第一項及び第五十条第二号において「支払能力調査」という。）以外の目的で使用しないよう加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者に対する必要かつ適切な監督を行わなければならない。

Article 35-3-46 A designated credit bureau must exercise the necessary and appropriate supervision over participating comprehensive credit purchase intermediaries and participating individual credit purchase intermediaries so that they do not use specified credit information provided to them by the designated credit bureau for purposes other than investigations under the provisions of the main clause of Article 30-2, paragraph (1); investigations under the provisions of Article 30-5-5, paragraph (2); investigations under the provisions of Article 35-2-4, paragraph (2); investigations under the provisions of the main clause of Article 35-3-3, paragraph (1); or other investigations into the matters of a user's, purchaser's, or service recipient's ability to pay (referred to as an "investigation into the ability to pay" in Article 35-3-59, paragraph (1) and Article 50, item (ii)).

(指定信用情報機関の情報提供)

(Information Services of a Designated Credit Bureau)

第三十五条の三の四十七 指定信用情報機関は、他の指定信用情報機関の加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者の依頼に基づき当該他の指定信用情報機関から基礎特定信用情報の提供の依頼を受けたときは、正当な理由がある場合その他経済産業省令で定める場合を除き、当該依頼に応じ、基礎特定信用情報を提供しなければならない。

Article 35-3-47 (1) If a first designated credit bureau is requested by a second designated credit bureau to provide basic specified credit information as per the request of the participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary of that second designated credit bureau, the first designated credit bureau must provide the basic specified credit information requested, unless it has legitimate grounds not to do so or unless it is a case as specified by Order of the Ministry of Economy, Trade and Industry.

2 指定信用情報機関は、前項の規定による基礎特定信用情報の提供に関し、手数料を徴収することができる。

(2) A designated credit bureau may collect fees for providing basic specified credit information as under the provisions of the preceding paragraph.

3 指定信用情報機関は、前項の規定により手数料を徴収する場合には、第一項の規定による基礎特定信用情報の提供に関する能率的な業務運営の下における適正な原価に照らし公正妥当な手数料を定めなければならない。

(3) If a designated credit bureau collects fees pursuant to the provisions of the preceding paragraph, it must set those fees at a level that is equitable and appropriate in light of the reasonable costs incurred in the efficient operation of business for providing the basic specified credit information as under the provisions of paragraph (1).

4 第三十五条の三の三十九及び第三十五条の三の四十五の規定は、第一項の規定による基礎特定信用情報の提供に係る業務について準用する。

(4) The provisions of Article 35-3-39 and Article 35-3-45 apply mutatis mutandis to business for providing basic specified credit information as under the provisions of paragraph (1).

(加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者の名簿の縦覧)  
(Public Inspection of the Register of Participating Comprehensive Credit Purchase Intermediaries and Participating Individual Credit Purchase Intermediaries)

第三十五条の三の四十八 指定信用情報機関は、加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者の名簿を公衆の縦覧に供しなければならない。

Article 35-3-48 A designated credit bureau must make the list of participating comprehensive credit purchase intermediaries and participating individual credit purchase intermediaries available for public inspection.

(名称の使用制限)

(Restrictions on the Use of Names)

第三十五条の三の四十九 指定信用情報機関でない者（貸金業法第四十一条の十三第一項の規定による指定を受けた者を除く。）は、その名称又は商号中に、指定信用情報機関と誤認されるおそれのある文字を用いてはならない。

Article 35-3-49 It is prohibited for a person that is not a designated credit bureau (unless it is a person that has obtained a designation under the provisions of Article 41-13, paragraph (1) of the Money Lending Business Act) to use a term in its name or trade name which could give rise to the misconception that it is a designated credit bureau.

### 第三款 監督

#### Subsection 3 Supervision

(変更の届出)

**(Notification of a Change)**

第三十五条の三の五十 指定信用情報機関は、第三十五条の三の三十七第一項第一号から第三号までのいずれかに掲げる事項に変更があつたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

**Article 35-3-50 (1) If a matter stated in one of items (i) through (iii) of Article 35-3-37, paragraph (1) changes, the designated credit bureau must file a notification of this with the Minister of Economy, Trade and Industry, without delay.**

2 経済産業大臣は、前項の規定により指定信用情報機関の商号若しくは名称又は主たる営業所若しくは事務所の所在地の変更の届出があつたときは、その旨を官報で公示しなければならない。

**(2) If a notification of a change to the trade name or name of a designated credit bureau or the location of its principal business office or office is filed pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry must issue public notice of that change in the Official Gazette.**

(業務及び財産に関する報告書の提出)

**(Submission of Reports on Business Activities and Assets)**

第三十五条の三の五十一 指定信用情報機関は、事業年度ごとに、当該事業年度に係る業務及び財産に関する報告書を作成し、経済産業大臣に提出しなければならない。

**Article 35-3-51 (1) Each business year, a designated credit bureau must prepare a report on its business activities and assets in the relevant business year and submit it to the Minister of Economy, Trade and Industry.**

2 前項の報告書に関する記載事項、提出期日その他必要な事項は、経済産業省令で定める。

**(2) The matters that are required to be stated in the report referred to in the preceding paragraph, the submission date, and other necessary matters are specified by Order of the Ministry of Economy, Trade and Industry.**

(改善命令)

**(Improvement Orders)**

第三十五条の三の五十二 経済産業大臣は、指定信用情報機関の特定信用情報提供等業務の運営に関し、特定信用情報提供等業務の適正かつ確実な遂行を確保するため必要があると認めるときは、その必要の限度において、当該指定信用情報機関に対し、財産の状況又はその業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

**Article 35-3-52 If the Minister of Economy, Trade and Industry finds, with respect to a designated credit bureau's operation of specified credit information services, that it is necessary to do so in order to ensure the proper and reliable**

performance of specified credit information services, the minister, within the scope of that necessity, may order the designated credit bureau to take the measures necessary for improving its financial condition and business operations.

(特定信用情報提供等業務の休廃止)

(Suspension and Discontinuation of Specified Credit Information Services)

第三十五条の三の五十三 指定信用情報機関は、特定信用情報提供等業務の全部又は一部の休止（次項に規定する理由によるものを除く。）をし、又は廃止をしようとするときは、経済産業大臣の認可を受けなければならない。

Article 35-3-53 (1) If a designated credit bureau seeks to suspend (excluding due to a reason prescribed in the following paragraph) or discontinue all or part of its specified credit information services, it must obtain the authorization of the Minister of Economy, Trade and Industry to do so.

2 指定信用情報機関が、天災その他のやむを得ない理由により特定信用情報提供等業務の全部又は一部を休止した場合には、直ちにその旨を、理由を付して経済産業大臣に届け出るとともに、加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者並びに他の指定信用情報機関に通知しなければならない。指定信用情報機関がその休止した当該特定信用情報提供等業務の全部又は一部を再開するときも、同様とする。

(2) If a designated credit bureau suspends all or part of its specified credit information services due to a natural disaster or for other reasons beyond its control, the designated credit bureau must immediately file a notification of this with the Minister of Economy, Trade and Industry, indicating the applicable reason, as well as notifying participating comprehensive credit purchase intermediaries, participating individual credit purchase intermediaries, and other designated credit bureaus. The same applies when a designated credit bureau recommences all or part of the specified credit information services so suspended.

3 前二項の規定により指定信用情報機関による特定信用情報提供等業務が休止している場合において、包括信用購入あつせん業者又は個別信用購入あつせん業者が指定信用情報機関の保有する特定信用情報の全部又は一部を使用することができないときは、第三十条の二第三項、第三十条の五の五第二項、第三十五条の二の四第二項又は第三十五条の三の三第三項の規定は、適用しない。

(3) If the specified credit information services of a designated credit bureau are suspended pursuant to the provisions of one of the preceding two paragraphs, and a comprehensive credit purchase intermediary or individual credit purchase intermediary is unable to use all or part of the specified credit information held by the designated credit bureau, the provisions of Article 30-2, paragraph (3), Article 30-5-5, paragraph (2), Article 35-2-4, paragraph (2) and Article 35-3-3, paragraph (3) do not apply.

(指定の取消し等)

**(Rescission of Designation)**

第三十五条の三の五十四 経済産業大臣は、指定信用情報機関が次の各号のいずれかに該当するときは、第三十五条の三の三十六第一項の規定による指定若しくは第三十五条の三の四十一第一項ただし書の承認を取り消し、六月以内の期間を定めて、特定信用情報提供等業務の全部若しくは一部の停止を命じ、又はその役員解任を命ずることができる。

Article 35-3-54 (1) If a designated credit bureau falls under one of the following items, the Minister of Economy, Trade and Industry may rescind the designation under the provisions of Article 35-3-36, paragraph (1) or the approval referred to in the proviso to Article 35-3-41, paragraph (1), order the suspension of all or part of its specified credit information services within a fixed period of no longer than six months, or order the dismissal of its officers:

一 第三十五条の三の三十六第一項第三号から第七号までに掲げる要件に該当しないこととなつたとき、又は指定を受けた時点において同項各号のいずれかに該当していなかつたことが判明したとき。

(i) it comes to no longer fall under the requirements stated in Article 35-3-36, paragraph (1), items (iii) through (vii), or it is discovered not to have fallen under one of the items of that paragraph at the time it was designated;

二 不正の手段により第三十五条の三の三十六第一項の規定による指定を受けたとき。

(ii) it has obtained the designation under Article 35-3-36, paragraph (1) by wrongful means; or

三 法令又は法令に基づく処分に違反したとき。

(iii) it violates a law or regulation or a disposition based on these .

2 経済産業大臣は、前項の規定により第三十五条の三の三十六第一項の規定による指定を取り消したときは、その旨を官報で公示しなければならない。

(2) If the Minister of Economy, Trade and Industry rescinds a designation under Article 35-3-36, paragraph (1) pursuant to the provisions of the preceding paragraph, the minister must issue public notice of this in the Official Gazette.

(特定信用情報提供等業務移転命令)

**(Order to Transfer Specified Credit Information Services)**

第三十五条の三の五十五 経済産業大臣は、指定信用情報機関が次の各号のいずれかに該当するときは、当該指定信用情報機関に対し、特定信用情報提供等業務の全部又は一部を他の指定信用情報機関に行わせることを命ずることができる。

Article 35-3-55 (1) If a designated credit bureau falls under one of the following items, the Minister of Economy, Trade and Industry may order the designated credit bureau to have another designated credit bureau perform all or part of the specified credit information services:

一 前条第一項の規定により第三十五条の三の三十六第一項の規定による指定を取り

消し、又は特定信用情報提供等業務の全部若しくは一部の停止を命ずるとき。

(i) the Minister of Economy, Trade and Industry rescinds its designation under Article 35-3-36, paragraph (1) pursuant to the provisions of paragraph (1) of the preceding Article, or orders the suspension of all or part of its specified credit information services;

二 第三十五条の三の五十三第一項の認可をするとき。

(ii) the Minister of Economy, Trade and Industry gives the authorization referred to in Article 35-3-53, paragraph (1);

三 弁済期にある債務の弁済が特定信用情報提供等業務の継続に著しい支障を来すこととなる事態又は破産手続開始の原因となる事実が生ずるおそれがあると認められるとき。

(iii) it is found to be likely for circumstances to occur in which the repayment of obligations within the repayment term substantially compromises the continuation of specified credit information services, or for a fact to occur that causes bankruptcy proceedings to commence; or

四 指定信用情報機関が天災その他の事由により特定信用情報提供等業務の全部又は一部を実施することが困難となつたとき。

(iv) it becomes difficult for the designated credit bureau to perform all or part of the specified credit information services due to a natural disaster or other circumstances.

2 経済産業大臣は、前項の規定による命令をしたときは、その旨を官報で公示しなければならない。

(2) If the Minister of Economy, Trade and Industry issues an order under the preceding paragraph, the minister must issue public notice of this in the Official Gazette.

**第四款 加入包括信用購入あつせん業者及び加入個別信用購入あつせん業者**  
**Subsection 4 Participating Comprehensive Credit Purchase**  
**Intermediaries and Participating Individual Credit Purchase**  
**Intermediaries**

(基礎特定信用情報の提供)

(Provision of Basic Specified Credit Information)

第三十五条の三の五十六 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、指定信用情報機関と特定信用情報提供契約を締結したときは、当該特定信用情報提供契約の締結前に締結した購入者又は役務の提供を受ける者を相手方とする包括信用購入あつせん関係受領契約又は個別信用購入あつせん関係受領契約で当該特定信用情報提供契約を締結した時点において支払時期の到来していない支払分又は弁済金（支払時期が到来しており、かつ、支払の義務が履行されていないものを含む。）があるものに係る次に掲げる事項を、当該指定信用情報機関に提供しなければならない。



Article 35-3-56 (1) When a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary concludes a specified credit information service contract with a designated credit bureau, it must provide the designated credit bureau with the following matters in respect of the contracts providing the receipt of monies subject to the intermediation of comprehensive credit purchases or contracts providing the receipt of monies subject to the intermediation of individual credit purchases with purchasers or service recipients as the other parties, which it has concluded before concluding the specified credit information service contract, and under which there is still an amount to be paid or payment money that is not yet due as of the time that the specified credit information service contract is concluded (including those which are due and which represent unperformed payment obligations):

一 当該購入者又は当該役務の提供を受ける者の氏名及び住所その他の当該購入者又は当該役務の提供を受ける者を識別することができる事項として経済産業省令で定めるもの

(i) the name and address of the purchaser or service recipient and other matters specified by Order of the Ministry of Economy, Trade and Industry as matters by which the purchaser or service recipient can be identified;

二 契約年月日

(ii) the date of the contract;

三 支払時期の到来していない又は支払の義務が履行されていない包括信用購入あつせん又は個別信用購入あつせんに係る債務の額

(iii) the amount of obligations connected with the intermediation of comprehensive credit purchases or the intermediation of individual credit purchases, which are not yet due or which represent unperformed payment obligations; and

四 前三号に掲げるもののほか、経済産業省令で定める事項

(iv) matters beyond what is stated in the preceding three items, which are specified by Order of the Ministry of Economy, Trade and Industry.

2 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、購入者又は役務の提供を受ける者を相手方とする包括信用購入あつせん関係受領契約又は個別信用購入あつせん関係受領契約を締結したときは、遅滞なく、当該契約に係る基礎特定信用情報を加入指定信用情報機関（特定信用情報提供契約を締結した指定信用情報機関をいう。以下同じ。）に提供しなければならない。

(2) Whenever a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary concludes a contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases or a contract providing the receipt of monies subject to the intermediation of individual credit purchases with a purchaser or service recipient as the other party, it must provide basic specified credit information

in respect of that contract to the designated credit bureau with which it is affiliated (meaning the designated credit bureau with which it has concluded a specified credit information service contract; the same applies below) without delay.

3 前二項の規定による基礎特定信用情報の提供をした加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、当該提供をした基礎特定信用情報に変更があったときは、遅滞なく、その変更内容を加入指定信用情報機関に提供しなければならない。

(3) If the basic specified credit information under the preceding two paragraphs which a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary has provided changes, the intermediary must provide the participating designated credit bureau with which it is affiliated with the details of that change, without delay.

(指定信用情報機関への特定信用情報の提供等に係る同意の取得等)

(Obtaining Consent to Provide Specified Credit Information to a Designated Credit Bureau)

第三十五条の三の五十七 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、加入指定信用情報機関に利用者又は購入者若しくは役務の提供を受ける者に係る特定信用情報の提供の依頼（当該利用者又は購入者若しくは役務の提供を受ける者に係る他の指定信用情報機関が保有する基礎特定信用情報の提供の依頼を含む。）をする場合には、経済産業省令で定める場合を除き、あらかじめ、当該利用者又は購入者若しくは役務の提供を受ける者から書面又は電磁的方法による同意を得なければならない。

Article 35-3-57 (1) Except in the cases specified by Order of the Ministry of Economy, Trade and Industry, before a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary requests a participating designated credit bureau with which it is affiliated to provide it with specified credit information about a user, purchaser, or service recipient (including a request to be provided with the basic specified credit information about the user, purchaser, or service recipient which another designated credit bureau holds), it must obtain the consent of the user, purchaser, or service recipient in writing or by electronic or magnetic means.

2 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、購入者又は役務の提供を受ける者を相手方とする包括信用購入あつせん関係受領契約又は個別信用購入あつせん関係受領契約を締結しようとする場合には、あらかじめ、次に掲げる同意を当該購入者又は当該役務の提供を受ける者から書面又は電磁的方法により得なければならない。

(2) Before seeking to conclude a contract providing the receipt of monies subject to the intermediation of comprehensive credit purchases or a contract providing the receipt of monies subject to the intermediation of individual

credit purchases with a purchaser or service recipient as the other party, a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary must obtain the consent stated in the following from the purchaser or service recipient, in writing or by electronic or magnetic means:

一 当該購入者又は当該役務の提供を受ける者に関する基礎特定信用情報を加入指定信用情報機関に提供する旨の同意

(i) consent for basic specified credit information about the purchaser or service recipient to be provided to the participating designated credit bureau with which the intermediary is affiliated;

二 前号の基礎特定信用情報を加入指定信用情報機関が当該加入指定信用情報機関の他の加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者に提供する旨の同意

(ii) consent for the designated credit bureau with which the intermediary is affiliated to provide the basic specified credit information referred to in the preceding item to its other participating comprehensive credit purchase intermediaries and participating individual credit purchase intermediaries; and

三 第一号の基礎特定信用情報を第三十五条の三の四十七第一項の規定による依頼に応じ、他の指定信用情報機関の加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者に提供する旨の同意

(iii) consent for the basic specified credit information referred to in item (i) to be provided to the participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary of another designated credit bureau, in response to a request under the provisions of Article 35-3-47, paragraph (1).

3 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、前二項の同意を得た場合には、経済産業省令で定めるところにより、当該同意に関する記録を作成し、保存しなければならない。

(3) Whenever a participating comprehensive credit purchase intermediary or participating individual credit purchase intermediary obtains the consent referred to in one of the preceding two paragraphs, it must prepare and archive records of that consent pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(加入指定信用情報機関の商号等の公表)

(Disclosure of the Trade Name of the Participating Designated Credit Bureau with Which the Intermediary Is Affiliated)

第三十五条の三の五十八 加入包括信用購入あつせん業者又は加入個別信用購入あつせん業者は、加入指定信用情報機関の商号又は名称を公表しなければならない。

Article 35-3-58 A participating comprehensive credit purchase intermediary or

participating individual credit purchase intermediary must disclose the trade name or name of the participating designated credit bureau with which it is affiliated.

(目的外使用等の禁止)

**(Prohibition on Use for Other Purposes)**

第三十五条の三の五十九 加入包括信用購入あつせん業者若しくは加入個別信用購入あつせん業者又はこれらの役員若しくは職員は、支払能力調査以外の目的のために加入指定信用情報機関に特定信用情報の提供の依頼（当該利用者又は購入者若しくは役務の提供を受ける者に係る他の指定信用情報機関が保有する基礎特定信用情報の提供の依頼を含む。）をし、又は加入指定信用情報機関から提供を受けた特定信用情報を支払能力調査以外の目的に使用し、若しくは第三者に提供してはならない。

Article 35-3-59 (1) It is prohibited for a participating comprehensive credit purchase intermediary, a participating individual credit purchase intermediary, or the officer or employee of either of these, to request the participating designated credit bureau with which it is affiliated to provide it with specified credit information for purposes other than an investigation into the ability to pay (this includes a request to provide it with the basic specified credit information on a user, purchaser, or service recipient, which another designated credit bureau holds), for that person to use specified credit information received from the participating designated credit bureau with which it is affiliated for purposes other than an investigation into the ability to pay, or for it provide the information to a third party.

2 加入包括信用購入あつせん業者若しくは加入個別信用購入あつせん業者又はこれらの役員若しくは職員は、加入指定信用情報機関から提供を受けた特定信用情報について、これらの者に該当しなくなつた後において、当該特定信用情報を使用し、又は第三者に提供してはならない。

(2) Once a person is no longer a participating comprehensive credit purchase intermediary, a participating individual credit purchase intermediary, or the officer or employee of either of these, it is prohibited for that person to use specified credit information received from a participating designated credit bureau with which it was affiliated, or to provide that information to a third party.

**第四節 適用除外**

**Section 4 Exclusion from Application**

第三十五条の三の六十 この章の規定は、次の包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供については、適用しない。

Article 35-3-60 (1) The provisions of this Chapter do not apply to the intermediation of comprehensive credit purchases, nor to a person selling or

providing something in a way that involves the intermediation of comprehensive credit purchases, as is referred to in the following:

一 商品若しくは指定権利を販売する契約又は役務を提供する契約（連鎖販売個人契約及び業務提供誘引販売個人契約に係るものを除く。）であつて、当該契約の申込みをした者が営業のために若しくは営業として締結するもの又は購入者若しくは役務の提供を受ける者が営業のために若しくは営業として締結するものに係る包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供

(i) the intermediation of comprehensive credit purchases or a person selling or providing something in a way that involves the intermediation of comprehensive credit purchases pursuant to a contract under which goods or designated rights are sold or a contract under which services are provided (excluding one that constitutes a personal multilevel marketing contract or a personal business opportunity sales contract), which the person offering the contract concludes for business purposes or as a part of its business or which the purchaser or service recipient concludes for business purposes or as a part of its business;

二 本邦外に在る者に対して行う包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供

(ii) the intermediation of comprehensive credit purchases or a person selling or providing something in a way that involves the intermediation of comprehensive credit purchases, to a person residing outside Japan;

三 国又は地方公共団体が行う包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供

(iii) the intermediation of comprehensive credit purchases by the national or local government or the national or local government selling or providing something in a way that involves the intermediation of comprehensive credit purchases;

四 次の団体がその直接又は間接の構成員に対して行う包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供（当該団体が構成員以外の者にその事業又は施設を利用させることができる場合には、これらの者に対して行う包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供を含む。）

(iv) the intermediation of comprehensive credit purchases by one of the following organizations, or one of the following organizations selling or providing something in a way that involves the intermediation of comprehensive credit purchases, to its direct or indirect member (if the organization is able to make its business or facility available to persons other than its members, this includes the intermediation of comprehensive credit purchases or one of the following organizations selling or providing something in a way that involves the intermediation of comprehensive credit

purchases, to a non-member):

イ 特別の法律に基づいて設立された組合並びにその連合会及び中央会

(a) a partnership incorporated based on a special law, or a federation or central association of the partnerships;

ロ 国家公務員法第百八条の二又は地方公務員法第五十二条の団体

(b) an organization as referred to in Article 108-2 of the National Public Service Act or Article 52 of the Local Public Service Act; or

ハ 労働組合

(c) a labor union.

五 事業者がその従業者に対して行う包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供

(v) the intermediation of comprehensive credit purchases by a business operator, or a business operator selling or providing something in a way that involves the intermediation of comprehensive credit purchases, to its employee; or

六 不動産を販売する契約に係る包括信用購入あつせん及び包括信用購入あつせんに係る販売又は提供の方法による販売又は提供

(vi) the intermediation of comprehensive credit purchases or a person selling or providing something in a way that involves the intermediation of comprehensive credit purchases, in connection with a sales contract for real property.

2 この章の規定は、次の個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供については、適用しない。

(2) The provisions in this Chapter do not apply to the intermediation of individual credit purchases, nor to a person selling or providing something in a way that involves the intermediation of individual credit purchases, as referred to in one of the following:

一 商品若しくは指定権利を販売する契約又は役務を提供する契約（連鎖販売個人契約及び業務提供誘引販売個人契約に係るものを除く。）であつて、当該契約の申込みをした者が営業のために若しくは営業として締結するもの又は購入者若しくは役務の提供を受ける者が営業のために若しくは営業として締結するものに係る個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供

(i) the intermediation of individual credit purchases or a person selling or providing something in a way that involves the intermediation of individual credit purchases pursuant to a contract under which goods or designated rights are sold or a contract under which services are provided (excluding a contract that constitutes a personal multilevel marketing contract or a personal business opportunity sales contract), which the person offering the contract concludes for business purposes or as a part of its business or which the purchaser or service recipient concludes for business purposes or as a

- part of its business;
- 二 本邦外に在る者に対して行う個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供
- (ii) the intermediation of individual credit purchases or a person selling or providing something in a way that involves the intermediation of individual credit purchases, to a person residing outside Japan;
- 三 国又は地方公共団体が行う個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供
- (iii) the intermediation of individual credit purchases by the national or local government, or the national or local government selling or providing something in a way that involves the intermediation of individual credit purchases;
- 四 次の団体がその直接又は間接の構成員に対して行う個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供（当該団体が構成員以外の者にその事業又は施設を利用させることができる場合には、これらの者に対して行う個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供を含む。）
- (iv) the intermediation of individual credit purchases by one of the following organizations, or one of the following organizations selling or providing something in a way that involves the intermediation of individual credit purchases, to its direct or indirect members (if the organization is able to make its business or facility available to persons other than its members, this includes the intermediation of individual credit purchases, or the organization selling or providing something in a way that involves the intermediation of individual credit purchases, for non-members):
- イ 特別の法律に基づいて設立された組合並びにその連合会及び中央会
- (a) a partnership incorporated based on a special law, or a federation or central association of the partnerships;
- ロ 国家公務員法第百八条の二又は地方公務員法第五十二条の団体
- (b) an organization as referred to in Article 108-2 of the National Public Service Act or Article 52 of the Local Public Service Act; or
- ハ 労働組合
- (c) a labor union.
- 五 事業者がその従業者に対して行う個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供
- (v) the intermediation of individual credit purchases by a business operator, or a business operator selling or providing something in a way that involves the intermediation of individual credit purchases, for its employee; or
- 六 不動産を販売する契約に係る個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供
- (vi) the intermediation of individual credit purchases or a person selling or

providing something in a way that involves the intermediation of individual credit purchases, in connection with a sales contract for real property.

3 第三十五条の三の五、第三十五条の三の七、第三十五条の三の九、第三十五条の三の十、第三十五条の三の十二及び第三十五条の三の十三の規定は、次の個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供については、適用しない。

(3) The provisions of Article 35-3-5, Article 35-3-7, Article 35-3-9, Article 35-3-10, Article 35-3-12, and Article 35-3-13 do not apply to the intermediation of individual credit purchases, nor to a person selling or providing something in a way that involves the intermediation of individual credit purchases, as referred to in the following:

一 特定商取引に関する法律第二十六条第一項第六号から第八号までの販売又は役務の提供で訪問販売又は電話勧誘販売に該当するものに係る個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供

(i) the intermediation of individual credit purchases in connection with a person making a sale or providing services as referred to in one of Article 26, paragraph (1), items (vi) through (viii) of the Act on Specified Commercial Transactions which arise from door-to-door sales or telemarketing sales, or a person selling or providing something in a way that involves the intermediation of individual credit purchases; and

二 特定商取引に関する法律第二十六条第五項各号の訪問販売及び同条第六項各号の電話勧誘販売に係る個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供

(ii) the intermediation of individual credit purchases arising from door-to-door sales stated in one of the items of Article 26, paragraph (5) of the Act on Specified Commercial Transactions or arising from telemarketing sales stated in the items of paragraph (6) of that Article, or a person selling or providing something in a way that involves the intermediation of individual credit purchases.

4 第三十五条の三の十の規定は、次の個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供については、適用しない。

(4) The provisions of Article 35-3-10 do not apply to the intermediation of individual credit purchases, nor to a person selling or providing something in a way that involves the intermediation of individual credit purchases, as referred to in one of the following:

一 特定商取引に関する法律第二十六条第二項に規定する役務の提供であつて訪問販売又は電話勧誘販売に該当するものが同項に規定する主務省令で定める場合に該当する場合における当該役務の提供に係る個別信用購入あつせん及び個別信用購入あつせんに係る提供の方法による提供

(i) the intermediation of individual credit purchases in connection with a person providing services as prescribed in the provisions of Article 26,



paragraph (2) of the Act on Specified Commercial Transactions, when this constitutes a door-to-door sale or telemarketing sale and falls under one of the cases specified by order of the competent ministry which is referred to in that paragraph, and a person providing services in a way that involves the intermediation of individual credit purchases;

二 特定商取引に関する法律第二十六条第三項各号に規定する販売又は役務の提供で訪問販売又は電話勧誘販売に該当するものに係る個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供

(ii) the intermediation of individual credit purchases in connection with a person making a sale or providing services as prescribed in one of the items of Article 26, paragraph (3) of the Act on Specified Commercial Transactions, when this constitutes a door-to-door sale or telemarketing sale, or a person selling or providing something in a way that involves the intermediation of individual credit purchases; or

三 訪問販売又は電話勧誘販売に該当する販売又は役務の提供が特定商取引に関する法律第二十六条第四項第一号又は第二号の場合に該当する場合における当該販売又は役務の提供に係る個別信用購入あつせん及び個別信用購入あつせんに係る販売又は提供の方法による販売又は提供

(iii) the intermediation of individual credit purchases in connection with a person making a sale or providing services when this constitutes a door-to-door sale or telemarketing sale and falls under one of the cases referred to in Article 26, paragraph (4), item (i) or item (ii) of the Act on Specified Commercial Transactions, or a person selling or providing something in a way that involves the intermediation of individual credit purchases.

### 第三章の二 前払式特定取引

#### Chapter III-2 Specified Prepaid Transactions

(前払式特定取引業の許可)

(License for Specified Prepaid Transaction Services)

第三十五条の三の六十一 前払式特定取引は、経済産業大臣の許可を受けた者でなければ、業として営んではならない。ただし、次の場合は、この限りでない。

Article 35-3-61 It is not permissible for a person to engage in specified prepaid transactions in the course of trade without being licensed by the Minister of Economy, Trade and Industry; provided, however, that this does not apply in the following cases:

一 商品又は指定役務の前払式特定取引の方法による年間の取引額が政令で定める金額に満たない場合

(i) the annual transaction value from specified prepaid transactions for goods or designated services is less than the amount specified by Cabinet Order;

二 指定役務が新たに定められた場合において、現に当該指定役務につき前払式特定

取引の方法による取引を業として営んでいる者が、その定められた日から六月間（その期間内に次条において準用する第十二条第一項の申請書を提出した場合には、その申請につき許可又は不許可の処分があるまでの間を含む。）当該指定役務につき取引をするとき。

(ii) the designated services are newly specified, and a person currently engaged in those designated services in the course of trade using specified prepaid transactions, deals in those designated services for six months from the date of their specification (if the application referred to in Article 12, paragraph (1) as applied mutatis mutandis pursuant to the following Article is submitted during that period, this includes the time up until the license sought under that application is granted or refused); or

三 前号の期間が経過した後において、その期間の末日までに締結した同号の指定役務についての前払式特定取引の契約に基づく取引を結了する目的の範囲内で営む場合

(iii) after the period stated in the preceding item passes, the only such dealings the person engages in are aimed at enabling the completion of transactions under the contracts for specified prepaid transactions for the designated services referred to in that item, which have been concluded by the last day of that period.

(準用規定)

(Provisions Applied Mutatis Mutandis)

第三十五条の三の六十二 第八条の規定は前払式特定取引に、第十二条及び第十五条から第二十九条までの規定は前払式特定取引を業として営む場合に準用する。この場合において、第八条第一号中「指定商品若しくは指定権利を販売する契約又は指定役務を提供する契約」とあるのは「商品又は指定役務についての前払式特定取引の契約」と、同条第六号中「割賦販売」とあるのは「前払式特定取引及び旅行業法（昭和二十七年法律第二百三十九号）その他の政令で定める法律の規定に基づき前受金の保全のための措置を講じている者が当該法律の規定に基づいて行う前払式特定取引」と、第十二条第一項第四号中「前払式割賦販売の方法により販売しようとする指定商品の種類」とあるのは「前払式特定取引の方法による取引をしようとする商品又は指定役務の種類又は範囲」と、同条第二項、第十五条第一項第五号並びに第十九条第二項及び第三項中「前払式割賦販売契約約款」とあるのは「前払式特定取引契約約款」と、第十五条第一項及び第三項並びに第二十三条第一項第四号中「第十一条」とあるのは「第三十五条の三の六十一」と、第十五条第一項第二号、第二十条第一項ただし書、第二十条の二第一項及び第四項並びに第二十三条第四項中「購入者」とあるのは「購入者又は指定役務の提供を受ける者」と、第十八条の三第一項及び第二項並びに第十八条の五第一項中「商品の代金」とあるのは「商品の代金又は指定役務の対価」と、第二十七条第一項中「商品の引渡し」とあるのは「商品の引渡し又は指定役務の提供」と読み替えるものとする。

Article 35-3-62 The provisions of Article 8 apply mutatis mutandis to specified

prepaid transactions and the provisions of Article 12 and Articles 15 through 29 apply mutatis mutandis when a person engages in specified prepaid transactions in the course of trade. In this case, the phrase "a contract under which designated goods or designated rights are sold, or a contract under which designated services are provided" in Article 8, item (i) is deemed to be replaced with "a contract for specified prepaid transactions involving goods or designated services"; the term "an installment sale" in item (vi) of that Article is deemed to be replaced with "a specified prepaid transaction carried out pursuant to the provisions of the Travel Agency Act (Act No. 239 of 1952) and other Acts specified by Cabinet Order, by a person that takes the preservative measure of receiving advance payments pursuant to the provisions of those Acts, or a specified prepaid transaction"; the phrase "the types of designated goods it seeks to sell through prepaid installment sales" in Article 12, paragraph (1), item (iv) is deemed to be replaced with "the types or scope of goods or designated services it seeks to deal in through specified prepaid transactions"; the phrase "general conditions of the contract for prepaid installment sales" in paragraph (2) of that Article; Article 15, paragraph (1), item (v); and Article 19, paragraphs (2) and (3) is deemed to be replaced with "general conditions of the contract for specified prepaid transactions"; the term "Article 11" in Article 15, paragraphs (1) and (3) and Article 23, paragraph (1), item (iv) is deemed to be replaced with "Article 35-3-61"; the term "purchasers" in Article 15, paragraph (1), item (ii); the proviso to Article 20, paragraph (1); Article 20-2, paragraphs (1) and (4); and Article 23, paragraph (4) is deemed to be replaced with "purchasers or recipients of designated services"; the phrase "the cost of the goods" in Article 18-3, paragraphs (1) and (2) and Article 18-5, paragraph (1) is deemed to be replaced with "the cost of the goods or the consideration for the designated services"; and the term "been delivered the goods" in Article 27, paragraph (1) is deemed to be replaced with "been delivered the goods or provided the designated services".

### 第三章の三 指定受託機関

#### Chapter III-3 Designated Entrusted Institutions

(指定)

(Designation)

第三十五条の四 第十八条の三第四項（前条において準用する場合を含む。）の指定（以下この章において「指定」という。）は、前受金保全措置としての供託委託契約に係る受託の事業（以下「受託事業」という。）を営もうとする者の申請により行う。

Article 35-4 (1) A designation as referred to in Article 18-3, paragraph (4) (including as applied mutatis mutandis pursuant to the preceding Article) (referred to below as a "designation" in this Chapter) is accorded at the

application of a person seeking to engage in the services with which it is entrusted under a contract on the entrustment of business deposits as a preservative measure for advances received (referred to below as "services under entrustment").

2 指定を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

(2) A person seeking designation must submit an application to the Minister of Economy, Trade and Industry stating the following matters:

一 商号

(i) its trade name;

二 本店その他の営業所の名称及び所在地

(ii) the names and locations of its principal business office and other business offices; and

三 資本金の額及び役員の名

(iii) its amount of stated capital and the names of its officers.

3 前項の申請書には、定款、業務方法書、事業計画書、前受業務保証金供託委託契約約款その他経済産業省令・内閣府令で定める書類を添付しなければならない。

(3) The articles of incorporation, a statement of business methods, the business plan, the general conditions of the contract on the entrustment of business deposits for prepaid services, and the documents specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order must accompany the application referred to in the preceding paragraph.

4 前項の場合において、定款が電磁的記録で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(4) In the case referred to in the preceding paragraph, if the articles of incorporation have been created in the form of an electronic or magnetic record, the electronic or magnetic record (limited to one as specified by Order of Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

(指定の基準)

(Designation Standards)

第三十五条の五 経済産業大臣は、指定を申請した者が次の各号のいずれかに該当すると認めるときは、その指定をしてはならない。

Article 35-5 If the Minister of Economy, Trade and Industry finds a person applying for designation to fall under one of the following items, the minister must not accord that person the designation:

一 資本金の額が五千万円以上の株式会社でない者

(i) a person that is not a stock company with a stated capital of at least 50,000,000 yen;

二 前号に掲げるもののほか、その行おうとする受託事業を健全に遂行するに足りる

- 財産的基礎を有しない者
- (ii) a person other than one stated in the preceding item, but which does not have a sufficient financial basis to soundly perform the services under entrustment which it seeks to perform;
- 三 定款の規定又は業務方法書若しくは事業計画書の内容が法令に違反し、又は事業の適正な運営を確保するのに十分でない者
- (iii) a person whose articles of incorporation, business method, or business plan is in violation of laws and regulations, or a person that is not capable of ensuring proper business operations;
- 四 前受業務保証金供託委託契約約款の内容が経済産業省令で定める基準に適合しない者
- (iv) a person with general conditions in its contract on the entrustment of business deposits for prepaid services which do not conform to the standards specified by Order of the Ministry of Economy, Trade and Industry;
- 五 第三十五条の十四第二項の規定により指定を取り消され、その取消の日から三年を経過しない者
- (v) a person whose designation has been rescinded pursuant to the provisions of Article 35-14, paragraph (2), if three years have not yet passed since the date of the rescission;
- 六 この法律の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から三年を経過しない者
- (vi) a person that has been sentenced to a fine pursuant to the provisions of this Act, if three years have not yet passed since the person finished serving the sentence or ceased to be subject to its enforcement; or
- 七 役員のうち次のいずれかに該当する者のある者
- (vii) a person with an officer that falls under one of the following:
- イ 心身の故障のため職務を適正に執行することができない者として経済産業省令で定める者
- (a) a person specified by Order of the Ministry of Economy, Trade and Industry as being unable to cope with the execution of their duties due to a mental or physical disorder;
- ロ 破産手続開始の決定を受けて復権を得ない者
- (b) a person that has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings;
- ハ 禁錮以上の刑に処せられ、又はこの法律の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から三年を経過しない者
- (c) a person that has been sentenced to imprisonment or a heavier punishment or a person that has been sentenced to a fine pursuant to the provisions of this Act, if three years have not yet passed since the person finished serving the sentence or ceased to be subject to its enforcement; or

ニ 指定を受けた者（以下「指定受託機関」という。）が第三十五条の十四第二項の規定により指定を取り消された場合において、その処分のあつた日前三十日以内にその指定受託機関の役員であつた者で、その処分のあつた日から三年を経過しないもの

(d) a person that, during the 30 days before the relevant disposition, was the officer of a person accorded a designation (referred to below as a "designated entrusted institution"), whose designation has been rescinded pursuant to the provisions of Article 35-14, paragraph (2), if three years have not yet passed since the date of the disposition.

(変更の届出)

(Notification of a Change)

第三十五条の六 指定受託機関は、第三十五条の四第二項各号の事項又は定款、業務方法書若しくは前受業務保証金供託委託契約約款に記載し、若しくは記録した事項について変更があつたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 35-6 If there is any change to a matter stated in one the items of Article 35-4, paragraph (2), a matter stated or recorded in the articles of incorporation, a business method, or the general conditions of a contract on the entrustment of business deposits for prepaid services, the designated entrusted institution must notify the Minister of Economy, Trade and Industry of this without delay.

(廃止の届出)

(Notification of Discontinuation)

第三十五条の七 指定受託機関は、受託事業を廃止したときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 35-7 (1) If a designated entrusted institution discontinues services under entrustment, it must notify the Minister of Economy, Trade and Industry of this without delay.

2 前項の規定による届出があつたときは、指定は、その効力を失う。

(2) If a notification under the provisions of the preceding paragraph is filed, the designation ceases to be valid.

(事業計画書等の提出)

(Submission of a Business Plan)

第三十五条の八 指定受託機関は、毎事業年度開始前に、その事業年度の事業計画書を作成し、経済産業大臣に提出しなければならない。

Article 35-8 (1) Before the commencement of each business year, a designated entrusted institution must prepare and submit a business plan for the relevant business year to the Minister of Economy, Trade and Industry.

2 指定受託機関は、事業計画書に記載した事項を変更したときは、遅滞なく、その旨

を経済産業大臣に届け出なければならない。

(2) If a designated entrusted institution changes a matter stated in the business plan, it must notify the Minister of Economy, Trade and Industry of this without delay.

3 指定受託機関は、毎事業年度経過後三月以内に、その事業年度の事業報告書を作成し、経済産業大臣に提出しなければならない。

(3) Within three months after the end of each business year, a designated entrusted institution must prepare and submit a business report for the relevant business year to the Minister of Economy, Trade and Industry.

(兼業の制限)

(Restriction on Concurrent Business)

第三十五条の九 指定受託機関は、受託事業以外の事業を営んではならない。ただし、受託事業以外の事業を営むことが受託事業の適正な運営に支障を及ぼすおそれがないと認められる場合で、経済産業大臣の承認を受けたときは、この限りでない。

Article 35-9 A designated entrusted institution must not engage in any business other than services under entrustment; provided, however, that this does not apply if its performance of business other than services under entrustment is found to carry no risk of compromising the appropriate performance of services under entrustment, and it obtains the approval of the Minister of Economy, Trade and Industry.

(責任準備金の計上)

(Recording of Liability Reserves)

第三十五条の十 指定受託機関は、事業年度末においてまだ経過していない供託委託契約があるときは、次の各号に掲げる金額のうちいずれか多い金額を、事業年度ごとに責任準備金として計上しなければならない。

Article 35-10 If there are unexpired contracts on the entrustment of business deposits at the end of a business year, the designated entrusted institution must record liability reserves for each business year in whichever is the highest of the amounts prescribed in the following items:

一 当該供託委託契約の契約期間のうちまだ経過していない期間に対応する委託手数料の総額に相当する金額

(i) the amount that corresponds to all commission for the remaining period of the contract terms of the contracts on the entrustment of business deposits;

or

二 当該事業年度において受領した委託手数料の総額から当該委託手数料に係る供託委託契約に基づいて供託した前受業務保証金（当該前受業務保証金の供託による委託者からの収入金を除く。）、当該委託手数料に係る供託委託契約のために積み立てるべき供託備金及び当該事業年度の事業費の合計額を控除した残額に相当する金額

(ii) the amount that corresponds to the balance of all commission received during the business year less the sum total of business deposits for prepaid services deposited pursuant to the contracts on the entrustment of business deposits which entail commission (excluding income from the entrusting party through the depositing of business deposits for prepaid services), deposit reserves that must be set aside due to contracts on the entrustment of business deposits which entail commission, and the projected total business costs for the business year.

(供託備金の積立て)

(Setting Aside of Deposit Reserves)

第三十五条の十一 指定受託機関は、決算期ごとに、次の各号の一に掲げる金額がある場合においては、供託備金として当該各号に掲げる金額を積み立てなければならない。

Article 35-11 In each accounting period in which there is an amount of money as stated in one of the following items, the designated entrusted institution must set aside the amount stated in that item as a deposit reserve:

一 供託委託契約に基づいて供託すべき前受業務保証金の額のうちに決算期までにその供託が終わらないものがある場合においては、その金額

(i) any amount of money out of a business deposit for prepaid services that is to be deposited based on a contract on the entrustment of business deposits, but which has not been deposited by the accounting period;

二 供託委託契約に基づいて供託する義務が生じたと認められる前受業務保証金の額がある場合においては、その供託すべきものと認められる金額

(ii) any amount of money it is found must be deposited, in a case in which a duty to make a business deposit for prepaid services is deemed to have arisen based on a contract on the entrustment of business deposits; or

三 現に前受業務保証金の額について訴訟が係属しているために供託していないものがある場合においては、その金額

(iii) any amount of money not yet deposited due to a pending lawsuit involving a business deposit for prepaid services.

(受託事業基金)

(Funds for Services Under Entrustment)

第三十五条の十二 指定受託機関は、定款の定めるところにより、受託事業基金を設けなければならない。

Article 35-12 (1) A designated entrusted institution must establish funds for services under entrustment pursuant to the provisions of the articles of incorporation.

2 指定受託機関は、責任準備金をもって前受業務保証金を供託することができない場合においては、当該前受業務保証金の供託に充てる場合に限り、受託事業基金を使用することができる。



(2) If liability reserves are not sufficient to enable a designated entrusted institution to make a business deposit for prepaid services, it may use funds for services under entrustment, but only if these are allocated to cover business deposits for prepaid services.

(改善命令)

**(Improvement Orders)**

第三十五条の十三 経済産業大臣は、指定受託機関が第三十五条の五第二号から第四号までの規定に該当することとなつたと認めるときは、当該指定受託機関に対し、財産の状況又はその事業の運営を改善するため必要な措置をとるべきことを命ずることができる。

Article 35-13 If the Minister of Economy, Trade and Industry finds that a designated entrusted institution falls under the provisions of one of Article 35-5, items (ii) through (iv), the minister may order the designated entrusted institution to take the necessary measures to improve its financial condition or business operations.

(指定の取消し等)

**(Rescission of Designation)**

第三十五条の十四 経済産業大臣は、指定受託機関が指定を受けた日から六月以内に受託事業を開始しないとき、又は引き続き六月以上受託事業を休止したときは、その指定を取り消すことができる。

Article 35-14 (1) If a designated entrusted institution fails to commence services under entrustment within six months from the day of its designation or suspends services under entrustment for six consecutive months or longer, the Minister of Economy, Trade and Industry may rescind its designation.

2 経済産業大臣は、指定受託機関が次の各号の一に該当するときは、その指定を取り消し、又は六月以内の期間を定めて受託事業の全部若しくは一部の停止を命ずることができる。

(2) If a designated entrusted institution falls under one of the following items, the Minister of Economy, Trade and Industry may rescind its designation or order the suspension of all or part of the services under entrustment during a fixed period of no longer than six months:

一 この法律の規定に違反したとき。

(i) it violates the provisions of this Act;

二 第三十五条の五第一号、第六号又は第七号の規定に該当することとなつたとき。

(ii) it comes to fall under the provisions of one of Article 35-5, item (i), (vi), or (vii);

三 前条の規定による命令に違反したとき。

(iii) it violates an order under the provisions of the preceding Article;

四 前号に掲げるもののほか、この法律の規定に基づく経済産業大臣の処分に違反し

たとき。

(iv) it violates a disposition of the Minister of Economy, Trade and Industry based on the provisions of this Act, beyond what is stated in the preceding item; or

五 不正の手段により指定を受けたとき。

(v) it has obtained the designation by wrongful means.

(経済産業省令への委任)

(Delegation to Order of the Ministry of Economy, Trade and Industry)

第三十五条の十五 この章に定めるもののほか、指定並びに指定受託機関の業務、財務及び会計に関し必要な事項は、経済産業省令で定める。

Article 35-15 Beyond what is specified in this Chapter, the necessary matters relevant to the designation and to the services, finances, and accounting of a designated entrusted institution, are specified by Order of the Ministry of Economy, Trade and Industry.

### 第三章の四 クレジットカード番号等の適切な管理等

#### Chapter III-4 Proper Management of Credit Card Numbers

##### 第一節 クレジットカード番号等の適切な管理

##### Section 1 Proper Management of Credit Card Numbers

(クレジットカード番号等の適切な管理)

(Proper Management of Credit Card Numbers)

第三十五条の十六 クレジットカード番号等取扱業者（次の各号のいずれかに該当する者をいう。以下同じ。）は、経済産業省令で定める基準に従い、その取り扱うクレジットカード番号等（包括信用購入あつせん業者又は二月払購入あつせんを業とする者（以下「クレジットカード等購入あつせん業者」という。）が、その業務上利用者に付与する第二条第三項第一号の番号、記号その他の符号をいう。以下同じ。）の漏えい、滅失又は毀損の防止その他のクレジットカード番号等の適切な管理のために必要な措置を講じなければならない。Article 35-16

Article 35-16 (1) A business that handles credit card numbers (which refers to a business that falls under any of the following items; the same applies below) must take the necessary measures, in accordance with the standards specified by Order of Ministry of Economy, Trade and Industry, to prevent the inappropriate disclosure, loss or damage in respect of a credit card number (meaning the number, symbol, or other code stated in Article 2, paragraph (3), item (i) that is issued to a user by a comprehensive credit purchase intermediary or a person that deals in the intermediation of two-month installment purchases (referred to below as a "credit card purchase intermediary") in the course of business; the same applies below) it handles, as well as other measures necessary for the proper management of credit card

numbers.

一 クレジットカード等購入あつせん業者

(i) credit card purchase intermediary;

二 包括信用購入あつせん又は二月払購入あつせん（以下この項及び第三十五条の十七の二において「クレジットカード等購入あつせん」という。）に係る販売の方法により商品若しくは権利を販売する販売業者（以下「クレジットカード等購入あつせん関係販売業者」という。）又はクレジットカード等購入あつせんに係る提供の方法により役務を提供する役務提供事業者（以下「クレジットカード等購入あつせん関係役務提供事業者」という。）

(ii) a seller who sells goods or rights in a way that involves the intermediation of comprehensive credit purchases or the intermediation of two-month installment purchases (referred to below as the "intermediation of credit card purchases" in this paragraph and Article 35-17-2) (that seller is referred to below as "seller affiliated with the intermediation of credit card purchase") or service provider who provides services in a way that involves the intermediation of credit card purchase (referred to below as "service provider affiliated with the intermediation of credit card purchase");

三 特定のクレジットカード等購入あつせん業者のために、自己の名をもつて特定のクレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者にクレジットカード等購入あつせんに係る購入の方法により購入された商品若しくは権利の代金又は受領される役務の対価に相当する額の交付（当該クレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者以外の者を通じた当該クレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者への交付を含む。次号において同じ。）をすることを業とする者（同号において「立替払取次業者」という。）

(iii) a person that is in the business of delivering, in its own name, an amount of money that corresponds to the cost of goods or rights purchased or the consideration for the services received, for the sake of a specific credit card purchase intermediary, when these are purchased or received in a way that involves the intermediation of credit card purchases, to a specific seller affiliated with the intermediation of credit card purchase or service provider affiliated with the intermediation of credit card purchase (this includes delivering such an amount to the seller affiliated with the intermediation of credit card purchase or the service provider affiliated with the intermediation of credit card purchase through a person other than that seller affiliated with the intermediation of credit card purchase or the service provider affiliated with the intermediation of credit card purchase; the same applies in the next item) (referred to as the "broker for third-party payments" in the same item);

四 特定の立替払取次業者のために、自己の名をもつて特定のクレジットカード等購

入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者  
にクレジットカード等購入あつせんに係る購入の方法により購入された商品若しく  
は権利の代金又は受領される役務の対価に相当する額の交付をすることを業とする  
者

(iv) a person that is in the business of delivering, in its own name, an amount  
of money that corresponds to the cost of goods or rights purchased or the  
consideration for the services received, for the sake of a specific broker for  
third-party payments, when these are purchased or received in a way that  
involves the intermediation of credit card purchase, to a specific seller  
affiliated with the intermediation of credit card purchase or service provider  
affiliated with the intermediation of credit card purchase;

五 利用者からクレジットカード番号等の提供を受けて、当該クレジットカード番号  
等を決済用情報（当該クレジットカード番号等以外の番号、記号その他の情報であ  
つて、当該利用者がそれを提示し又は通知して、特定の販売業者から商品若しくは  
権利を購入し、又は特定の役務提供事業者から役務の提供を受けることができるも  
のをいう。以下この項において同じ。）と結び付け、当該決済用情報を当該利用者  
に提供することを業とする者

(v) a person that is in the business of receiving credit card numbers, etc. from  
users, associating those credit card numbers with information for settlement  
(which consists of numbers other than those credit card numbers, symbols  
and other information which the users present or indicate so that they can  
purchase goods or rights from a specific seller or receive services from a  
specific service provider; the same applies below in this paragraph), and  
providing that information for settlement to the users;

六 前号に掲げる者から委託（二以上の段階にわたる委託を含む。）を受け、クレジ  
ットカード番号等をその結び付けられた決済用情報により特定することができる状  
態で管理することを業とする者

(vi) a person that is in the business of being entrusted by a person stated in the  
preceding item (including two-step and above entrustment) and managing  
credit card numbers, etc. in a condition in which the numbers can be  
identified using information for settlement that is associated with them; or

七 第三号から前号までに掲げる者のほか、大量のクレジットカード番号等を取り扱  
う者として経済産業省令で定める者

(vii) beyond the persons stated in item (iii) through the preceding item, a  
person specified by Order of Ministry of Economy, Trade and Industry as a  
handler of a massive amount of credit card numbers, etc.

2 前項の「二月払購入あつせん」とは、カード等を利用者に交付し又は付与し、当該  
利用者がそのカード等を提示し若しくは通知して、又はそれと引換えに特定の販売業  
者から商品若しくは権利を購入し、又は特定の役務提供事業者から役務の提供を受け  
るときは、当該販売業者又は当該役務提供事業者が当該商品若しくは当該権利の代金  
又は当該役務の対価に相当する額の交付（当該販売業者又は当該役務提供事業者以外

の者を通じた当該販売業者又は当該役務提供事業者への交付を含む。)をするとともに、当該利用者から当該代金又は当該対価に相当する額を、当該利用者が当該販売業者から商品若しくは権利を購入する契約を締結し、又は当該役務提供事業者から役務の提供を受ける契約を締結した時から二月を超えない範囲内においてあらかじめ定められた時期までに受領することをいう。

(2) The term "intermediation of two-month installment purchases" in the preceding paragraph means issuing or granting a card, etc. to a user and then delivering an amount of money that corresponds to the cost of goods or rights or the consideration for services to the seller or service provider (this includes delivering such an amount to the seller or service provider through a person other than that seller or service provider) and receiving an amount of money that corresponds to that cost or consideration from the user by a pre-determined period of within two months from the time the user concludes the contract under which the user purchases the goods or rights from the seller or receives the services from the service provider, when the user presents, indicates, or trades in that card, etc. to purchase goods or rights from a specific seller or to receive services from a specific service provider.

3 クレジットカード番号等取扱業者は、クレジットカード番号等取扱受託業者（当該クレジットカード番号等取扱業者からクレジットカード番号等の取扱いの全部若しくは一部の委託を受けた第三者又は当該第三者から委託（二以上の段階にわたる委託を含む。）を受けた者をいう。以下同じ。）の取り扱うクレジットカード番号等の適切な管理が図られるよう、経済産業省令で定める基準に従い、クレジットカード番号等取扱受託業者に対する必要な指導その他の措置を講じなければならない。

(3) A business that handles credit card numbers, in accordance with the standards specified by Order of the Ministry of Economy, Trade and Industry, must provide the necessary instructions to an entrusted business that handles credit card numbers (which means a third party who is entrusted by the relevant business that handles credit card numbers to handle all or part of credit card numbers, or a person that is entrusted by the third party (including two-step and above entrustment; the same applies below)) and take other measures to ensure the proper management of credit card numbers handled by an entrusted business that handles credit card numbers:

(改善命令)

(Improvement Orders)

第三十五条の十七 経済産業大臣は、クレジットカード番号等取扱業者（前条第一項第二号に該当するものを除く。以下この条において同じ。）が講ずる前条第一項又は第三項に規定する措置がそれぞれ同条第一項又は第三項に規定する基準に適合していないと認めるときは、その必要の限度において、当該クレジットカード番号等取扱業者に対し、当該措置に係る業務の方法の変更その他必要な措置をとるべきことを命ずることができる。

Article 35-17 If the Minister of Economy, Trade and Industry finds that the measures taken by a business that handles credit card numbers (excluding a person which falls under paragraph (1), item (ii) of the preceding Article; the same applies below in this Article) as prescribed in paragraph (1) or paragraph (3) of the preceding Article do not conform to the standards prescribed in paragraph (1) or paragraph (3) of that Article, the minister, within the scope that it is necessary, may order the business that handles credit card numbers to change the business method connected with those measures or to take any other necessary measures.

## 第二節 クレジットカード番号等取扱契約

### Section 2 Contract for Handling Credit Card Numbers

(クレジットカード番号等取扱契約締結事業者の登録)

(Registration of a Business That Has a Contract for Handling Credit Card Numbers)

第三十五条の十七の二 次の各号のいずれかに該当する者は、経済産業省に備えるクレジットカード番号等取扱契約締結事業者登録簿に登録を受けなければならない。

Article 35-17-2 A person that falls under any of the following items must be registered in the business that has a contract for handling credit card numbers register maintained at the Ministry of Economy, Trade and Industry.

一 クレジットカード等購入あつせんに係る販売又は提供の方法により商品若しくは権利を販売し、又は役務を提供しようとする販売業者又は役務提供事業者に対して、自ら利用者に付与するクレジットカード番号等を取り扱うことを認める契約を当該販売業者又は当該役務提供事業者との間で締結することを業とするクレジットカード等購入あつせん業者

(i) a credit card purchase intermediary who is in the business of making a contract with a seller or service provider who seeks to sell goods or rights or to provide services in a way that involves intermediation of a credit card purchase that authorizes the handling of credit card numbers issued to a user by that seller or service provider;

二 特定のクレジットカード等購入あつせん業者のために、クレジットカード等購入あつせんに係る販売又は提供の方法により商品若しくは権利を販売し、又は役務を提供しようとする販売業者又は役務提供事業者に対して、当該クレジットカード等購入あつせん業者が利用者に付与するクレジットカード番号等を取り扱うことを認める契約を当該販売業者又は当該役務提供事業者との間で締結することを業とする者

(ii) a person that is in the business of making a contract, for a specific credit card purchase intermediary, with a seller or service provider who seeks to sell goods or rights or to provide services in a way that involves the intermediation of a credit card purchase that authorizes the handling of

credit card numbers issued to a user by that credit card purchase intermediary.

(登録の申請)

(Application for Registration)

第三十五条の十七の三 前条の登録を受けようとする者は、次の事項を記載した申請書を経済産業大臣に提出しなければならない。

Article 35-17-3 (1) A person seeking to be registered as referred to in the preceding Article must submit an application to the Minister of Economy, Trade and Industry, stating the following matters:

一 名称

(i) its name;

二 本店その他の営業所（外国法人にあつては、本店及び国内における主たる営業所その他の営業所）の名称及び所在地

(ii) the names and locations of its principal office and business offices (its principal office in its country and its business office located in Japan if it is established under a foreign law);

三 役員の氏名

(iii) the names of its officers.

2 前項の申請書には、定款、登記事項証明書その他経済産業省令で定める書類を添付しなければならない。ただし、経済産業省令で定める場合は、登記事項証明書の添付を省略することができる。

(2) The articles of incorporation, a certificate of registered information, and the documents specified by Order of the Ministry of Economy, Trade and Industry must accompany the application referred to in the preceding paragraph; provided, however, that the certificate of registered information may be omitted if so, specified by Order of the Ministry of Economy, Trade and Industry.

3 前項の場合において、定款が電磁的記録で作られているときは、書面に代えて電磁的記録（経済産業省令で定めるものに限る。）を添付することができる。

(3) In the case referred to in the preceding paragraph, if the articles of incorporation have been created in the form of an electronic or magnetic record, the electronic or magnetic record (limited to one as specified by Order of the Ministry of Economy, Trade and Industry) may accompany the application in lieu of a paper document.

(登録及びその通知)

(Registration and Notice)

第三十五条の十七の四 経済産業大臣は、前条第一項の規定による登録の申請があつたときは、次条第一項の規定により登録を拒否する場合を除くほか、前条第一項各号に掲げる事項及び登録年月日をクレジットカード番号等取扱契約締結事業者登録簿に登

録しなければならない。

Article 35-17-4 (1) Upon receipt of an application for registration pursuant to paragraph (1) of the preceding Article, the Minister of Economy, Trade and Industry must register the matters stated in each item of paragraph (1) of the preceding Article and the date of registration to the business that has a contract for handling credit card numbers register, except where a registration is refused pursuant to the provisions of paragraph (1) of the next Article.

2 経済産業大臣は、第三十五条の十七の二の登録をしたときは、遅滞なく、その旨を当該登録の申請をした者に通知しなければならない。

(2) Once the Minister of Economy, Trade and Industry effects a registration pursuant to Article 35-17-2, the minister must notify the applicant for the registration of this without delay.

(登録の拒否)

(Refusal to Effect a Registration)

第三十五条の十七の五 経済産業大臣は、第三十五条の十七の三第一項の申請書を提出した者が次の各号のいずれかに該当するとき、又は当該申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 35-17-5 (1) If the person submitting an application as referred to in Article 35-17-3, paragraph (1) falls under one of the following items, or if the application or a document accompanying it contains false statement concerning important matters, or omits a statement of important fact, the Minister of Economy, Trade and Industry must refuse that registration.

一 法人でない者

(i) a person that is not a corporation;

二 外国法人である場合には、国内に営業所を有しない者

(ii) if it is established under a foreign law, one that has no business office in Japan;

三 第三十五条の十七の十一第一項又は第二項の規定により登録を取り消され、その取消の日から五年を経過しない法人

(iii) a corporation whose registration has been rescinded pursuant to the provisions of Article 35-17-11, paragraph (1) or paragraph (2), and five years have not yet passed since the date of rescission;

四 この法律の規定により罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない法人

(iv) a corporation that has been sentenced to a fine pursuant to the provisions of this law, and five years have not yet passed since the day on which it finished serving the sentence or ceased to be subject to its enforcement;

五 役員のうち次のいずれかに該当する者のある法人

(v) a corporation with an officer that falls under any one of the following:



- イ 破産手続開始の決定を受けて復権を得ない者
- (a) a person that has not had rights restored after having the order for commencement of bankruptcy proceedings;
- ロ 禁錮以上の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者
- (b) a person that has been sentenced to imprisonment or a heavier punishment, and five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;
- ハ この法律若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第三十二条の三第七項及び第三十二条の十一第一項の規定を除く。）に違反し、又は刑法若しくは暴力行為等処罰に関する法律の罪を犯し、罰金の刑に処せられ、その刑の執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者
- (c) a person that has been sentenced to a fine for violating the provisions of this law or the Act to Prevent Illegal Activities by Members of Organized Crime Groups (excluding the provisions of Article 32-3, paragraph (7) and Article 32-11, paragraph (1) of that Act) or for committing a crime stated in the Penal Code in the Act on the Punishment of Violent Acts, if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;
- ニ クレジットカード番号等取扱契約締結事業者（第三十五条の十七の二の登録を受けた者をいう。以下同じ。）が第三十五条の十七の十一第一項又は第二項の規定により登録を取り消された場合において、その処分のあつた日前三十日以内にそのクレジットカード番号等取扱契約締結事業者の役員であつた者で、その処分のあつた日から五年を経過しないもの
- (d) a person that was, during the thirty days before the relevant disposition, the officer of a business that has a contract for handling credit card numbers (the one who is registered pursuant to Article 35-17-2; the same applies below), whose registration has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of Article 35-17-11, and five years have not yet passed since the date of that disposition; or
- ホ 暴力団員等
- (e) a member of an organized crime group, etc.;
- 六 暴力団員等がその事業活動を支配する法人
- (vi) a corporation whose business activities are controlled by the member of an organized crime group, etc.;
- 七 暴力団員等とその業務に従事させ、又はその業務の補助者として使用するおそれのある法人
- (vii) a corporation that is likely to allow the member of an organized crime group, etc. to engage in its business activities or to employ that person as an

assistant in its business activities;

八 クレジットカード番号等取扱契約（第三十五条の十七の二各号に規定する契約をいう。以下同じ。）の締結に係る業務及び第三十五条の十七の八第一項又は第三項の規定による調査の適確な実施を確保するために必要なものとして経済産業省令で定める体制が整備されていると認められない法人

(viii) a corporation that is found not to have in place the system specified by Order of the Ministry of Economy, Trade and Industry as necessary for ensuring the proper implementation of the business involving making of a contract (meaning the contract provided for in each paragraph of Article 35-17-2; the same applies below) and the investigations provided for in Article 35-17-8, paragraphs (1) or (3).

2 第十五条第三項の規定は、第三十五条の十七の三第一項の規定による登録の申請があつた場合に準用する。

(2) The provisions of Article 15, paragraph (3) apply mutatis mutandis when an application for registration under the provisions of Article 35-17-3, paragraph (1) is filed.

(変更の届出)

(Notification of a Change)

第三十五条の十七の六 クレジットカード番号等取扱契約締結事業者は、第三十五条の十七の三第一項各号に掲げる事項について変更があつたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

Article 35-17-6 (1) If a matter stated in one of the items of Article 35-17-3, paragraph (1) changes, the business that has a contract for handling credit card numbers must notify the Minister of Economy, Trade and Industry of this without delay.

2 経済産業大臣は、前項の規定による変更の届出を受理したときは、その届出があつた事項をクレジットカード番号等取扱契約締結事業者登録簿に登録しなければならない。

(2) Upon receipt of the notification prescribed in the preceding paragraph, the Minister of Economy, Trade and Industry must register the matters reported in the notification to the business that has a contract for handling credit card numbers register.

3 第三十五条の十七の三第二項及び第三項の規定は、第一項の規定による変更の届出をする場合に準用する。

(3) The provisions of Article 35-17-3, paragraphs (2) and (3) apply mutatis mutandis when the notification of a change under the provisions of paragraph (1) is filed.

(登録簿の閲覧)

(Inspection of the Register)

第三十五条の十七の七 経済産業大臣は、クレジットカード番号等取扱契約締結事業者登録簿を一般の閲覧に供しなければならない。

Article 35-17-7 The Minister of Economy, Trade and Industry must make the business that has a contract for handling credit card numbers register available for public inspection.

(クレジットカード番号等取扱契約締結事業者の調査等)

(Investigation of a Business That has a Contract for Handling Credit Card Numbers)

第三十五条の十七の八 クレジットカード番号等取扱契約締結事業者は、クレジットカード番号等取扱契約を締結しようとする場合には、その契約の締結に先立つて、経済産業省令で定めるところにより、販売業者又は役務提供事業者によるクレジットカード番号等の適切な管理及び利用者によるクレジットカード番号等の不正な利用の防止を図るため、クレジットカード番号等取扱契約を締結しようとする販売業者又は役務提供事業者に関し、クレジットカード番号等の適切な管理又は利用者によるクレジットカード番号等の不正な利用の防止（以下「クレジットカード番号等の適切な管理等」という。）に支障を及ぼすおそれの有無に関する事項であつて経済産業省令で定める事項を調査しなければならない。

Article 35-17-8 (1) When a business that has a contract for handling credit card numbers intends to make a contract for handling credit card numbers must, preparatory to making the contract, in accordance with the provisions of the Order of the Ministry of Economy, Trade and Industry, and for the purpose of proper management of credit card numbers by seller or service provider and prevention of illegal use of credit card numbers by users, investigate the matters prescribed by Order of the Ministry of Economy, Trade and Industry, concerning the likelihood of risk of harm to proper management of credit card numbers or in prevention of illegal use of credit card numbers by users (referred to below as "proper management of credit card numbers") with respect to seller or service provider intending to conclude a contract.

2 クレジットカード番号等取扱契約締結事業者は、前項の規定による調査その他の方法により知つた事項からみて、販売業者又は役務提供事業者が講じようとする第三十五条の十六第一項若しくは第三項又は第三十五条の十七の十五に規定する措置がそれぞれ第三十五条の十六第一項若しくは第三項又は第三十五条の十七の十五に規定する基準に適合せず、又は適合しないおそれがあると認めるときは、クレジットカード番号等取扱契約を締結してはならない。

(2) When a business that has a contract for handling credit card numbers finds that, based on the matters learned from the investigation prescribed in the preceding paragraph and other means, the measures provided in Section 35-16, paragraphs (1) or (3) or 35-17-15 that a seller or service provider intends to take do not conform to, or are likely not to conform to, the standards specified in Section 35-16, paragraphs (1) or (3) or 35-17-15 respectively, it must not

conclude the contract for handling credit card numbers.

3 クレジットカード番号等取扱契約締結事業者は、そのクレジットカード番号等取扱契約を締結したクレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者について、定期的に、又は必要に応じて、経済産業省令で定めるところにより、第一項に規定する事項を調査しなければならない。

(3) A business that has a contract for handling credit card numbers must investigate the matters prescribed in paragraph (1) about a seller affiliated with the intermediation of credit card purchases or service provider affiliated with the intermediation of credit card purchases that concluded the contract for handling credit card numbers periodically, or as necessary, in accordance with the provisions of Order of the Ministry of Economy, Trade and Industry,

4 クレジットカード番号等取扱契約締結事業者は、前項の規定による調査その他の方法により知つた事項からみて、クレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者が講ずる第三十五条の十六第一項若しくは第三項又は第三十五条の十七の十五に規定する措置がそれぞれ第三十五条の十六第一項若しくは第三項又は第三十五条の十七の十五に規定する基準に適合せず、又は適合しないおそれがあると認めるときは、クレジットカード番号等取扱契約の解除その他の経済産業省令で定める必要な措置を講じなければならない。

(4) When a business that has a contract for handling credit card numbers finds that, based on the matters learned from the investigation prescribed in the preceding paragraph and other means, the measures provided in Section 35-16, paragraphs (1) or (3) or 35-17-15 that a seller affiliated with the intermediation of credit card purchases or service provider affiliated with the intermediation of credit card purchases take do not conform to, or are likely not to conform to, the standards specified in Section 35-16, paragraphs (1) or (3) or 35-17-15 respectively, it must cancel the contract for handling credit card numbers or take other necessary measures prescribed by the provisions of the Order of Ministry of Economy, Trade and Industry.

5 クレジットカード番号等取扱契約締結事業者は、経済産業省令で定めるところにより、第一項及び第三項の規定による調査に関する記録を作成し、これを保存しなければならない。

(5) A business that has a contract for handling credit card numbers must prepare and archive the record concerning the investigation prescribed by paragraphs (1) and (3) pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(業務の運営に関する措置)

(Measures Concerning Business Operations)

第三十五条の十七の九 クレジットカード番号等取扱契約締結事業者は、経済産業省令で定めるところにより、そのクレジットカード番号等取扱契約の締結に係る業務に関して取得したクレジットカード番号等に関する情報の適切な管理のために必要な措置

を講じなければならない。

**Article 35-17-9** A business that has a contract for handling credit card numbers must take necessary measures for proper management of the information regarding credit card numbers obtained in connection with the business operations that relates to making a contract for handling credit card numbers, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(改善命令)

(Improvement Orders)

第三十五条の十七の十 経済産業大臣は、クレジットカード番号等取扱契約締結事業者が第三十五条の十七の五第一項第八号の規定に該当することとなつたと認めるとき、又は前二条の規定に違反していると認めるときは、その必要の限度において、当該クレジットカード番号等取扱契約締結事業者に対し、クレジットカード番号等取扱契約の締結に係る業務の運営を改善するため必要な措置をとるべきことを命ずることができる。

**Article 35-17-10** When the Minister of Economy, Trade and Industry finds that a business that has a contract for handling credit card numbers falls under the provisions of Article 35-17-5, paragraph (1), item (viii), or when it finds that the party violates the provisions of preceding two Articles, it may order the business that has a contract for handling credit card numbers, within the scope that it is necessary, to take necessary measures to improve the operations of the business related to making a contract for handling credit card numbers.

(登録の取消し)

(Rescission of Registration)

第三十五条の十七の十一 経済産業大臣は、クレジットカード番号等取扱契約締結事業者が次の各号のいずれかに該当するときは、その登録を取り消さなければならない。

**Article 35-17-11** (1) When a business that has a contract for handling credit card numbers falls under any of the following items, the Minister of Economy, Trade and Industry must rescind its registration,

一 第三十五条の十七の五第一項第二号又は第四号から第七号までのいずれかに該当することとなつたとき。

(i) when it falls under any of item (ii) or from item (iv) through item (vii) of paragraph (1) of Article 35-17-5;

二 不正の手段により第三十五条の十七の二の登録を受けたとき。

(ii) when it is registered under Article 35-17-2 by wrongful means.

2 経済産業大臣は、クレジットカード番号等取扱契約締結事業者が次の各号のいずれかに該当するときは、その登録を取り消すことができる。

(2) When a business that has a contract for handling credit card numbers falls under any of the following items, the Minister of Economy, Trade and Industry

may rescind its registration,

一 前条の規定による命令に違反したとき。

(i) when it violates the order provided in the preceding paragraph;

二 第三十五条の十七の六第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(ii) when it fails to file a notification under the provision of Article 35-17-6, paragraph (1), or when it files a false notification.

3 経済産業大臣は、前二項の規定により登録を取り消したときは、遅滞なく、その理由を示して、その旨を当該クレジットカード番号等取扱契約締結事業者であつた者に通知しなければならない。

(3) When the Minister of Economy, Trade and Industry rescinds registration pursuant to the provisions of the preceding two paragraphs, it must so notify the party that used to be a business that has a contract for handling credit card numbers of this by indicating the reason without delay.

(登録の消除)

(Deletion of Registration)

第三十五条の十七の十二 経済産業大臣は、次の各号のいずれかに該当するときは、クレジットカード番号等取扱契約締結事業者登録簿につき、そのクレジットカード番号等取扱契約締結事業者に関する登録を消除しなければならない。

Article 35-17-12 (1) When any of the following items applies, the Minister of Economy, Trade and Industry must delete the registration of a business that has a contract for handling credit card numbers with respect to a business that has a contract for handling credit card numbers register,

一 前条第一項又は第二項の規定により登録を取り消したとき。

(i) when the registration is rescinded pursuant to the provisions of paragraphs (1) or (2) of the preceding Article;

二 第三十五条の十七の十四の規定による届出があつたときその他クレジットカード番号等取扱契約の締結に係る業務を廃止したことが判明したとき。

(ii) when a notification to the provisions of Article 35-17-14 is filed, or when it is discovered that the business that has a contract for handling credit card numbers has been discontinued.

2 前条第三項の規定は、前項第二号の規定により登録を消除した場合に準用する。

(2) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis when a registration is deleted under the provisions of item (ii) of the preceding paragraph.

(処分の公示)

(Public Notice of a Disposition)

第三十五条の十七の十三 経済産業大臣は、第三十五条の十七の十一第一項若しくは第二項の規定により登録を取り消したとき、又は前条第一項第二号の規定により登録を

消除したときは、経済産業省令で定めるところにより、その旨を公示しなければならない。

**Article 35-17-13** When the Minister of Economy, Trade and Industry has rescinded a registration pursuant to the provisions of Article 35-17-11, paragraphs (1) or (2), or when it has deleted a registration pursuant to the provisions of item (ii) of paragraph (1) of the preceding Article, it must issue a public notice of this pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(廃止の届出)

(Notification of Discontinuation)

第三十五条の十七の十四 クレジットカード番号等取扱契約締結事業者は、クレジットカード番号等取扱契約の締結に係る業務を廃止したときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

**Article 35-17-14** When a business that has a contract for handling credit card numbers has discontinued its operations regarding the contract for handling credit card numbers, it must notify the Minister of Economy, Trade and Industry of this without delay.

(クレジットカード番号等の不正な利用の防止)

(Prevention of Illegal Use of Credit Card Numbers)

第三十五条の十七の十五 クレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者は、経済産業省令で定める基準に従い、利用者によるクレジットカード番号等の不正な利用を防止するために必要な措置を講じなければならない。

**Article 35-17-15** A seller affiliated with the intermediation of credit card purchase or service provider affiliated with the intermediation of credit card purchase must take necessary measures for prevention of illegal use of credit cards by users, in accordance with the standards set by the Ministry of Economy, Trade and Industry.

### 第三章の五 認定割賦販売協会

#### Chapter III-5 Certified Installment Sales Association

(認定割賦販売協会の認定及び業務)

(Certification and Services of a Certified Installment Sales Association)

第三十五条の十八 経済産業大臣は、政令で定めるところにより、割賦販売業者、ローン提携販売業者、包括信用購入あつせん業者、個別信用購入あつせん業者、クレジットカード等購入あつせん業者（包括信用購入あつせん業者を除く。）、第三十五条の十六第一項第三号から第七号までに掲げる者又はクレジットカード番号等取扱契約締結事業者（以下この章において「割賦販売業者等」と総称する。）が設立した一般社

団法人であつて、次に掲げる要件に該当すると認められるものを、その申請により、次項に規定する業務（以下「認定業務」という。）を行う者として認定することができる。

Article 35-18 (1) At the application of a general incorporated association that installment sellers, loan-affiliated installment sellers, comprehensive credit purchase intermediaries, individual credit purchase intermediaries, credit card purchase intermediaries (excluding comprehensive credit purchase intermediaries), persons listed in Article 35-16, paragraph (1), items (iii) through (vii), or businesses that have contracts for handling credit card numbers (collectively referred to below as "installment sellers, etc." in this Chapter) have incorporated and that is found to fall under the following requirements, the Minister of Economy, Trade and Industry may certify that general incorporated association as a person that performs the services prescribed in the following paragraph (referred to below as "certified services"), pursuant to the provisions of Cabinet Order:

一 割賦販売、ローン提携販売、包括信用購入あつせん又は個別信用購入あつせんに係る取引（以下この章において「割賦販売等に係る取引」という。）の健全な発達及び利用者（第二条第一項第二号に規定する利用者及び同条第三項第一号に規定する利用者をいう。）又は購入者若しくは役務の提供を受ける者（以下この章において「利用者等」という。）の利益の保護に資することを目的とすること。

(i) a general incorporated association whose purpose is contributing to the sound development of dealings in installment sales, loan-affiliated installment sales, the intermediation of comprehensive credit purchases, or the intermediation of individual credit purchases (referred to below as "dealings in installment sales, etc." in this Chapter) and contributing to protecting the interests of users (meaning users as prescribed in Article 2, paragraph (1), item (ii) and users as prescribed in paragraph (3), item (i) of that Article), purchasers, or service recipients (referred to below as "users, etc." in this Chapter);

二 割賦販売業者等を社員とする旨の定款の定めがあること。

(ii) a general incorporated association with a provision in its articles of incorporation indicating that installment sellers, etc. are its members;

三 次項に規定する業務を適正かつ確実にを行うに必要な業務の実施の方法を定めているものであること。

(iii) a general incorporated association that provides the means of implementing the necessary services to allow the services prescribed in the following paragraph to be performed properly and reliably; and

四 次項に規定する業務を適正かつ確実にを行うに足りる知識及び能力並びに財産的基礎を有するものであること。

(iv) a general incorporated association that has the sufficient knowledge, ability, and financial basis to perform the services prescribed in the following



paragraph properly and reliably.

2 前項の規定により認定された一般社団法人（以下「認定割賦販売協会」という。）は、次に掲げる業務を行うものとする。

(2) A general incorporated association that is certified pursuant to the provisions of the preceding paragraph (referred to below as a "certified installment sales association") is to perform the following services:

一 割賦販売等に係る取引の公正の確保及びクレジットカード番号等の適切な管理等を図るために必要な規則の制定

(i) enactment of the necessary rules for ensuring fair dealings in installment sales, etc. and for achieving the proper management of credit card numbers;

二 会員のこの法律の規定若しくはこの法律に基づく命令若しくはこれらに基づく処分又は前号の規則の遵守の状況の調査

(ii) investigation of members' compliance with the provisions of this Act, orders that are based on this Act, dispositions that are based on this Act or on such an order, and the rules referred to in the preceding item;

三 会員にこの法律の規定若しくはこの法律に基づく命令又は第一号の規則を遵守させるための会員に対する指導又は勧告その他の業務

(iii) instructions and recommendations to members and other services for promoting member compliance with the provisions of this Act, orders based on this Act, or the rules referred to in item (i);

四 利用者等の利益を保護するために必要な情報の収集、整理及び提供

(iv) the collection, updating, and provision of information that is necessary for protecting the interests of users, etc.;

五 会員の行う業務に関する利用者等からの苦情の処理

(v) the processing of complaints from users, etc. concerning the services that the members perform;

六 利用者等に対する広報その他認定割賦販売協会の目的を達成するため必要な業務

(vi) public relations aimed at users, etc. and other services that are necessary in order for the purpose of the certified installment sales association to be achieved; and

七 前各号に掲げるもののほか、クレジットカード番号等の適切な管理等に資する業務

(vii) the services that contribute to the proper management of credit card numbers, beyond what is stated in the preceding items.

（社員名簿の縦覧等）

(Public Inspection of the List of Members)

第三十五条の十九 認定割賦販売協会は、社員名簿を公衆の縦覧に供しなければならない。

Article 35-19 (1) A certified installment sales association must make the list of its members available for public inspection.

2 認定割賦販売協会でない者は、その名称又は商号中に、認定割賦販売協会と誤認されるおそれのある文字を用いてはならない。

(2) It is prohibited for a person that is not a certified installment sales association to use a term in its name or trade name which could give rise to the misconception that it is a certified installment sales association.

3 認定割賦販売協会に加入していない者は、その名称又は商号中に、認定割賦販売協会会員と誤認されるおそれのある文字を用いてはならない。

(3) It is prohibited for a person that has not joined a certified installment sales association to use a term in its name or trade name which could give rise to the misconception that it is the member of a certified installment sales association.

(認定割賦販売協会への報告)

(Reporting to Certified Installment Sales Associations)

第三十五条の二十 会員である包括信用購入あつせん業者又は個別信用購入あつせん業者は、包括信用購入あつせん関係販売業者若しくは包括信用購入あつせん関係役務提供事業者（会員である包括信用購入あつせん業者又は会員である包括信用購入あつせん業者のために包括信用購入あつせん関係立替払取次ぎを行う包括信用購入あつせん関係立替払取次業者と包括信用購入あつせん又は包括信用購入あつせん関係立替払取次ぎに係る契約を締結した者に限る。以下この条において「包括信用購入あつせん関係販売業者等」という。）又は個別信用購入あつせん関係販売業者若しくは個別信用購入あつせん関係役務提供事業者（会員である個別信用購入あつせん業者と個別信用購入あつせんに係る契約を締結した者に限る。以下この条において「個別信用購入あつせん関係販売業者等」という。）が行った利用者等の保護に欠ける行為に関する情報その他利用者等の利益を保護するために必要な包括信用購入あつせん関係販売業者等又は個別信用購入あつせん関係販売業者等に係る情報として経済産業省令で定めるものを取得したときは、これを認定割賦販売協会に報告しなければならない。

Article 35-20 (1) If a comprehensive credit purchase intermediary or individual credit purchase intermediary, each of whom is a member has obtained information concerning conduct compromising to the protection of a user, etc., which a seller affiliated with the intermediation of comprehensive credit purchases or service provider affiliated with the intermediation of comprehensive credit purchases (limited to a person that has concluded a contract involving the intermediation of comprehensive credit purchases or brokerage of third-party payments in the intermediation of comprehensive credit purchases with a comprehensive credit purchase intermediary that is a member or with a broker for third-party payments in the intermediation of comprehensive credit purchases that engages in the brokerage of third-party payments in the intermediation of comprehensive credit purchases for a comprehensive credit purchase intermediary that is a member; referred to below as "seller, etc. affiliated with the intermediation of comprehensive credit purchases" in this Article) or a seller affiliated with the intermediation of

individual credit purchases or service provider affiliated with the intermediation of individual credit purchases (limited to a person that has concluded a contract for the intermediation of individual credit purchases with an individual credit purchase intermediary that is a member; referred to below as a "seller, etc. affiliated with the intermediation of individual credit purchases" in this Article) engages in, or any information specified by Order of the Ministry of Economy, Trade and Industry as information about a seller, etc. affiliated with the intermediation of comprehensive credit purchases or a seller, etc. affiliated with the intermediation of individual credit purchases which is necessary to report in order to protect the interests of its users, etc., the member must report this to the certified installment sales association.

2 会員であるクレジットカード番号等取扱契約締結事業者は、そのクレジットカード番号等取扱契約を締結したクレジットカード等購入あつせん関係販売業者又はクレジットカード等購入あつせん関係役務提供事業者が行ったクレジットカード番号等の適切な管理等に支障を及ぼす行為に関する情報その他クレジットカード番号等の適切な管理等のために必要な情報として経済産業省令で定めるものを取得したときは、これを認定割賦販売協会に報告しなければならない。

(2) If a business that has a contract for handling credit card numbers who is a member has obtained information concerning conduct compromising to the proper management of credit card numbers that a seller affiliated with the intermediation of credit card purchase or service provider affiliated with the intermediation of credit card purchase has engaged in, or other information specified by the Order of the Ministry of Economy, Trade and Industry as necessary for the proper management of credit card numbers, it must report this to the certified installment sales association.

(認定割賦販売協会による情報提供)

(Information Services by a Certified Installment Sales Association)

第三十五条の二十一 認定割賦販売協会は、その保有する前条に規定する情報について会員である包括信用購入あつせん業者、個別信用購入あつせん業者又はクレジットカード番号等取扱契約締結事業者から提供の請求があつたときは、正当な理由がある場合を除き、当該情報を提供しなければならない。

Article 35-21 If a certified installment sales association is requested by a comprehensive credit purchase intermediary, individual credit purchase intermediary, or a business that has a contract for handling credit card numbers, each of whom is a member to provide information in its possession which is provided for in the preceding Article, it must provide the information, unless it has legitimate grounds not to do so.

(役職員の秘密保持義務等)

(Duty of Confidentiality of the Officers and Employees)

第三十五条の二十二 認定割賦販売協会の役員若しくは職員又はこれらの職にあつた者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 35-22 (1) It is prohibited for the officer or employee of a certified installment sales association or a person that has held one of these positions to divulge or misappropriate confidential information learned in the course of duty.

2 認定割賦販売協会の役員若しくは職員又はこれらの職にあつた者は、その職務に関して知り得た秘密を、認定業務の用に供する目的以外に利用してはならない。

(2) It is prohibited for the officer or employee of a certified installment sales association or a person that has held one of these positions to use confidential information learned in the course of duty for a purpose other than use in the certified services for which that information is provided.

(定款の必要的記載事項)

(Matters Required to Be Included in the Articles of Incorporation)

第三十五条の二十三 一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第十一条第一項各号に掲げる事項及び第三十五条の十八第一項第二号に規定する定款の定めのほか、認定割賦販売協会は、その定款において、この法律の規定若しくはこの法律に基づく命令若しくはこれらに基づく処分又は同条第二項第一号の規則に違反した社員に対し、定款で定める社員の権利の停止若しくは制限を命じ、又は除名する旨を定めなければならない。

Article 35-23 In addition to matters stated in the items of Article 11, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) and the provisions of the articles of incorporation which are prescribed in Article 35-18, paragraph (1), item (ii), a certified installment sales association must provide in its articles of incorporation that if a member violates the provisions of this Act, an order that is based on this Act, a disposition that is based on this Act or on such an order, or the rules referred to in paragraph (2), item (i) of that Article, it will order the suspension or restriction of its rights as a member as provided in the articles of incorporation, or expel it from the certified installment sales association.

(改善命令等)

(Improvement Orders)

第三十五条の二十四 経済産業大臣は、認定業務の運営に関し改善が必要であると認めるときは、この法律の規定の施行に必要な限度において、認定割賦販売協会に対し、その改善に必要な措置をとるべきことを命ずることができる。

Article 35-24 (1) If the Minister of Economy, Trade and Industry finds that an improvement is needed in connection with the operation of certified services, the minister may order a certified installment sales association to take the

necessary measures to improve this, inasmuch as this is necessary for the enforcement of this Act.

2 経済産業大臣は、認定割賦販売協会の業務の運営がこの法律の規定若しくはこの法律に基づく命令又はこれらに基づく処分に違反していると認めるときは、その認定を取り消すことができる。

(2) If the Minister of Economy, Trade and Industry finds a certified installment sales association's business operations to be in violation of the provisions of this Act, an order that is based on this Act, or a disposition that is based on this Act or on such an order, the minister may rescind its certification.

#### 第四章 雑則

#### Chapter IV Miscellaneous Provisions

(消費経済審議会及び消費者委員会への諮問)

(Advisory Consultations with the Consumer Economic Affairs Council and the Consumer Commission)

第三十六条 主務大臣は、第七条、第十一条第一号、第十五条第一項第二号（第三十五条の三の六十二において準用する場合を含む。）、第三十三条の二第一項第三号、第三十五条の三の二十六第一項第二号、第三十五条の三の六十一第一号若しくは第四十条第十項（密接関係者の定めに係るものに限る。）に規定する政令の制定若しくは改廃の立案をし、又は第九条の割合若しくは期間を定めようとするときは、消費経済審議会に諮問しなければならない。

Article 36 (1) Before proposing the enactment, amendment or repeal of Cabinet Order as prescribed in Article 7; Article 11, item (i); Article 15, paragraph (1), item (ii) (including as applied mutatis mutandis pursuant to Article 35-3-62); Article 33-2, paragraph (1) item (ii); Article 35-3-26, paragraph (1), item (ii); Article 35-3-61, item (i); or Article 40, paragraph (10) (limited to those related to the provisions of closely related persons); or to specify the percentage or term referred to in Article 9, the competent minister must seek an advisory consultation with the Consumer Economic Affairs Council.

2 主務大臣は、第二条第五項若しくは第六項、第三十条の四第四項、第三十条の五第二項又は第三十五条の三の十九第四項に規定する政令の制定又は改廃の立案をしようとするときは、政令で定めるところにより、消費経済審議会及び消費者委員会に諮問しなければならない。

(2) Before proposing the enactment, amendment or repeal of Cabinet Order as prescribed in paragraph (5) or paragraph (6) of Article 2; Article 30-4, paragraph (4); Article 30-5, paragraph (2); or Article 35-3-19, paragraph (4), the competent minister must seek an advisory consultation with the Consumer Economic Affairs Council and the Consumer Commission, pursuant to the provisions of Cabinet Order.

(カード等の譲受け等の禁止)

**(Prohibition on Accepting the Assignment of a Card)**

第三十七条 何人も、業として、カード等（第二条第一項第二号のカードその他の物及び同条第三項第一号のカードその他の物をいう。以下この条及び第五十一条の三において同じ。）を譲り受け、又は資金の融通に関してカード等の提供を受けてはならない。

**Article 37** It is prohibited for any person, in the course of trade, to accept the assignment of a card, etc. (meaning a card or other object as referred to in Article 2, paragraph (1), item (ii) or a card or other object as referred to in paragraph (3), item (i) of that Article; the same applies below in this Article and Article 51-3), or to acquire a card, etc. in connection with the lending of funds.

(支払能力を超える購入等の防止)

**(Prevention of Purchases Beyond the Ability to Pay)**

第三十八条 割賦販売業者及びローン提携販売業者は、共同して設立した信用情報機関（信用情報の収集並びに割賦販売業者及びローン提携販売業者に対する信用情報の提供を業とする者をいう。以下同じ。）を利用すること等により得た正確な信用情報に基づき、それにより利用者又は購入者若しくは役務の提供を受ける者が支払うこととなる賦払金等が当該利用者又は購入者若しくは役務の提供を受ける者の支払能力を超えると認められる割賦販売又はローン提携販売を行わないよう努めなければならない。

**Article 38** Installment sellers and loan-affiliated installment sellers must endeavor, based on correct credit information obtained using a jointly incorporated credit bureau (meaning a person that collects credit information and provides it to installment sellers and loan-affiliated installment sellers in the course of trade; the same applies below) and by other means, not to make installment sales or loan-affiliated installment sales that give rise to installment payments, etc. payable by the user, purchaser, or service recipient which are found to exceed that user's, purchaser's, or service recipient's ability to pay.

(信用情報の適正な使用等)

**(Proper Use of Credit Information)**

第三十九条 割賦販売業者、ローン提携販売業者、包括信用購入あつせん業者若しくは個別信用購入あつせん業者又はこれらの役員若しくは職員は、利用者（第二条第一項第二号に規定する利用者及び同条第三項第一号に規定する利用者をいう。以下この条において同じ。）又は購入者若しくは役務の提供を受ける者の支払能力に関する事項の調査以外の目的のために信用情報機関に信用情報の提供の依頼をし、又は信用情報機関から提供を受けた信用情報を支払能力に関する事項の調査以外の目的に使用し、若しくは第三者に提供してはならない。

**Article 39** (1) It is prohibited for an installment seller, loan-affiliated

installment seller, comprehensive credit purchase intermediary, individual credit purchase intermediary, or the officer or employee of any of these to request a credit bureau to provide it with credit information for purposes other than an investigation into a user's (meaning a user as prescribed in Article 2, paragraph (1), item (ii) or a user as prescribed in paragraph (3), item (i) of that Article; the same applies below in this Article), purchaser's, or service recipient's ability to pay, for it to use the credit information it receives from a credit bureau for purposes other than investigating the matters of such a person's ability to pay; or for it to provide that information to a third party.

2 信用情報機関は、信用情報を利用者又は購入者若しくは役務の提供を受ける者の支払能力に関する事項の調査以外の目的のために使用してはならない。

(2) It is prohibited for a credit bureau to use credit information for purposes other than an investigation into the matters of a user's, purchaser's, or service recipient's ability to pay.

3 信用情報機関は、正確な信用情報を割賦販売業者、ローン提携販売業者、包括信用購入あつせん業者及び個別信用購入あつせん業者に提供するよう努めなければならない。

(3) A credit bureau must endeavor to provide accurate credit information to installment sellers, loan-affiliated installment sellers, comprehensive credit purchase intermediaries, and individual credit purchase intermediaries.

(登録等に関する意見聴取)

(Hearing of Opinions Concerning Registration)

第三十九条の二 経済産業大臣は、第三十三条第一項の登録をしようとするときは第三十三条の二第一項第七号ホ、第八号又は第九号に該当する事由、第三十三条の三第二項の登録をしようとするときは第三十三条の二第一項第七号ホに該当する事由、第三十五条の二の十第一項の登録をしようとするときは第三十五条の二の十一第一項第六号ホ、第七号又は第八号に該当する事由、第三十五条の二の十三第二項の登録をしようとするときは第三十五条の二の十一第一項第六号ホに該当する事由、第三十五条の三の二十五第一項（第三十五条の三の二十七第二項において準用する場合を含む。）の登録をしようとするときは第三十五条の三の二十六第一項第五号ホ、第六号又は第七号に該当する事由、第三十五条の三の二十八第二項において準用する第三十五条の三の二十五第一項の登録をしようとするときは第三十五条の三の二十六第一項第五号ホに該当する事由、第三十五条の十七の四第一項の登録をしようとするときは第三十五条の十七の五第一項第五号ホ、第六号又は第七号に該当する事由、第三十五条の十七の六第二項の登録をしようとするときは第三十五条の十七の五第一項第五号ホに該当する事由の有無について、警察庁長官の意見を聴くものとする。

Article 39-2 (1) Before seeking to effect the registration referred to in Article 33, paragraph (1), the Minister of Economy, Trade and Industry must hear the opinion of the Director-General of the National Police Agency as to the existence of circumstances that fall under Article 33-2, paragraph (1) item (vii),

(e), item (viii) or item (ix); before seeking to effect the registration referred to in Article 33-3, paragraph (2), the minister must hear the opinion of the director-general as to the existence of circumstances that fall under Article 33-2, paragraph (1), item (vii), (e); before seeking to effect the registration referred to in Article 35-2-10, paragraph (1), the minister must hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-2-11, paragraph (1), item (vi), (e), item (vii) or item (viii); before seeking to effect the registration referred to in Article 35-2-13, paragraph (2), the minister must hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-2-11, paragraph (1), item (vi), (e); before seeking to effect the registration referred to in Article 35-3-25, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-27, paragraph (2)), the minister must hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-3-26, paragraph (1), item (v), (e), item (vi) or item (vii); before seeking to effect the registration referred to in Article 35-3-25, paragraph (1) as applied mutatis mutandis pursuant to Article 35-3-28, paragraph (2), the minister must hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-3-26, paragraph (1), item (v), (e); before seeking to effect the registration referred to in Article 35-17-4, paragraph (1), the minister must hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-17-5, paragraph (1), item (v), (e), item (vi) or item (vii); and before seeking to effect the registration referred to in Article 35-17-6, paragraph (2), the minister must hear the opinion of the director-general as to the existence of the circumstance that fall under Article 35-17-5, paragraph (1), item (v), (e).

2 経済産業大臣は、第三十四条の二第一項の規定による登録の取消しをするときは第三十三条の二第一項第七号ホ、第八号又は第九号に該当する事由、第三十五条の二の十四第一項の規定による登録の取消しをするときは第三十五条の二の十一第一項第六号ホ、第七号又は第八号に該当する事由、第三十五条の三の三十二第一項の規定による登録の取消しをするときは第三十五条の三の二十六第一項第五号ホ、第六号又は第七号に該当する事由、第三十五条の十七の十一第一項の規定による登録の取消しをするときは第三十五条の十七の五第一項第五号ホ、第六号又は第七号に該当する事由の有無について、警察庁長官の意見を聴くことができる。

(2) Before rescinding a registration under Article 34-2, paragraph (1), the Minister of Economy, Trade and Industry may hear the opinion of the Director-General of the National Police Agency as to the existence of circumstances that fall under Article 33-2, paragraph (1), item (vii), (e), item (viii) or item (ix); before rescinding a registration under Article 35-2-14, paragraph (1), the minister may hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-2-11, paragraph (1), item (vi), (e), item



(vii) or item (viii); before rescinding a registration under Article 35-3-32, paragraph (1), the minister may hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-3-26, paragraph (1), item (v), (e), item (vi) or item (vii); and before rescinding a registration under Article 35-17-11, paragraph (1), the minister may hear the opinion of the director-general as to the existence of circumstances that fall under Article 35-17-5, paragraph (1), item (v) (e), item (vi) or item (vii).

(経済産業大臣への意見)

(Opinions for the Minister of Economy, Trade and Industry)

第三十九条の三 警察庁長官は、登録包括信用購入あつせん業者、登録少額包括信用購入あつせん業者、登録個別信用購入あつせん業者又はクレジットカード番号等取扱契約締結事業者について、第三十三条の二第一項第七号ホ、第八号若しくは第九号、第三十五条の二の十一第一項第六号ホ、第七号若しくは第八号、第三十五条の三の二十六第一項第五号ホ、第六号若しくは第七号又は第三十五条の十七の五第一項第五項ホ、第六号若しくは第七号に該当する事由があると疑うに足りる相当な理由があるため、経済産業大臣が当該登録包括信用購入あつせん業者、当該登録少額包括信用購入あつせん業者、当該登録個別信用購入あつせん業者又は当該クレジットカード番号等取扱契約締結事業者に対して適当な措置をとることが必要であると認める場合には、経済産業大臣に対し、その旨の意見を述べることができる。

Article 39-3 If there are reasonable grounds to suspect that a registered comprehensive credit purchase intermediary, registered comprehensive small amount credit purchase intermediary, registered individual credit purchase intermediary, or a business that has a contract for handling credit card numbers falls under Article 33-2, paragraph (1), item (vii), (e), item (viii) or item (ix), Article 35-2-11, paragraph (1), item (vi), (e), item (vii) or item (viii), Article 35-3-26, paragraph (1) item (v), (e), item (vi) or item (vii), or Article 35-17-5, paragraph (1), item (v) (e), item (vi) or item (vii) due to which the Director-General of the National Police Agency finds it to be necessary for the Minister of Economy, Trade and Industry to take appropriate measures with respect to the registered comprehensive credit purchase intermediary, the registered comprehensive small amount credit purchase intermediary, the registered individual credit purchase intermediary, or the business that has a contract for handling credit card numbers, the director-general may state an opinion indicating this to the minister.

(関係行政機関への照会等)

(Inquiries with the Relevant Administrative Organs)

第三十九条の四 経済産業大臣は、第三十九条の二に規定するもののほか、この法律の規定に基づく事務に関し、関係行政機関又は関係地方公共団体に対し、照会し、又は協力を求めることができる。

Article 39-4 In addition to what is provided for in Article 39-2, the Minister of Economy, Trade and Industry may file an inquiry with or require cooperation from the relevant administrative organs and relevant local governments in connection with administrative affairs based on the provisions of this Act.

(報告の徴収)

(Collection of Reports)

第四十条 主務大臣は、この法律の施行に必要な限度において、政令で定めるところにより、第二条第一項第一号に規定する割賦販売を業とする者に対し、その業務に関し報告をさせることができる。

Article 40 (1) To the extent necessary for the enforcement of this Act, the competent minister may have a person that is in the business of installment sales as prescribed in Article 2, paragraph (1), item (i) file a business report, pursuant to the provisions of Cabinet Order.

2 内閣総理大臣は、第二十条の二第四項又は第二十三条第四項の規定により意見を述べるため必要があると認めるときは、その必要な限度において、政令で定めるところにより、その前払式割賦販売に係る業務の運営が第二十条の二第一項第三号に該当する許可割賦販売業者又は第二十三条第二項第四号の命令に違反した許可割賦販売業者に対し、その業務に関し報告をさせることができる。

(2) If the Prime Minister finds it to be necessary for stating an opinion pursuant to the provisions of Article 20-2, paragraph (4) or Article 23, paragraph (4), the minister, within the scope that it is necessary, may have a licensed installment seller whose business operations that are connected with prepaid installment sales fall under Article 20-2, paragraph (1), item (iii) or a licensed installment seller that has violated an order under Article 23, paragraph (2), item (iv) file a business report, pursuant to the provisions of Cabinet Order.

3 経済産業大臣は、この法律の施行に必要な限度において、政令で定めるところにより、包括信用購入あつせん業者又は個別信用購入あつせん業者に対し、その業務に関し報告又は帳簿、書類その他の物件の提出を命ずることができる。

(3) To the extent necessary for the enforcement of this Act, the Minister of Economy, Trade and Industry may order a comprehensive credit purchase intermediary or individual credit purchase intermediary to submit a business report, its books and documents, and other articles, pursuant to the provisions of Cabinet Order.

4 内閣総理大臣は、第三十条の五の三第三項、第三十条の六第三項、第三十四条の二第四項、第三十五条の二の八第三項若しくは第三十五条の二の十四第四項又は第三十五条の三の二十一第三項若しくは第三十五条の三の三十二第四項の規定により意見を述べるため必要があると認めるときは、その必要な限度において、政令で定めるところにより、第三十条の二第一項本文、第三項若しくは第四項、第三十条の二の二本文、第三十条の五の二、第三十条の五の五第一項本文、第二項若しくは第三項、第三十条の五の六本文、第三十五条の二の四第一項本文、第二項若しくは第三項若しくは第三

十五條の二の五本文の規定に違反し若しくは第三十四條の二第二項第一号若しくは第三十五條の二の十四第二項第一号の命令に違反した包括信用購入あつせん業者又は第三十五條の三の三第一項本文、第三項若しくは第四項、第三十五條の三の四本文、第三十五條の三の五、第三十五條の三の七本文若しくは第三十五條の三の二十の規定に違反し若しくは第三十五條の三の三十二第二項第一号の命令に違反した個別信用購入あつせん業者に対し、その業務に関し報告又は帳簿、書類その他の物件の提出を命ずることができる。

(4) If the Prime Minister finds it to be necessary for stating an opinion pursuant to the provisions of Article 30-5-3, paragraph (3); Article 30-6, paragraph (3); Article 34-2, paragraph (4); Article 35-2-8, paragraph (3); Article 35-2-14, paragraph (4); Article 35-3-21, paragraph (3); or Article 35-3-32, paragraph (4); the minister, within the scope that it is necessary, may order a comprehensive credit purchase intermediary that has violated the provisions of the main clause of Article 30-2, paragraph (1); paragraph (3) or paragraph (4) of that Article; the main clause of Article 30-2-2; Article 30-5-2; the main clause of Article 30-5-5, paragraph (1); paragraph (2) or paragraph (3) of that Article; the main clause of Article 30-5-6; the main clause of Article 35-2-4, paragraph (1); paragraph (2) or paragraph (3) of that Article; or the main clause of Article 35-2-5 or an order under Article 34-2, paragraph (2), item (i); or Article 35-2-14, paragraph (2), item (i); or an individual credit purchase intermediary that has violated the provisions of the main clause of Article 35-3-3, paragraph (1); paragraph (3) or paragraph (4) of that Article; the main clause of Article 35-3-4; Article 35-3-5; the main clause of Article 35-3-7; or Article 35-3-20; or an order under Article 35-3-32, paragraph (2), item (i), to submit a business report, its books and documents, and other articles, pursuant to the provisions of Cabinet Order.

5 経済産業大臣は、この法律の施行に必要な限度において、政令で定めるところにより第三十五條の三の六十一の許可を受けた者又は指定受託機関に対し、その業務に関し報告をさせることができる。

(5) To the extent necessary for the enforcement of this Act, the Minister of Economy, Trade and Industry may have a person that has obtained the license referred to in Article 35-3-61 or a designated entrusted institution file a business report, pursuant to the provisions of Cabinet Order.

6 内閣総理大臣は、第三十五條の三の六十二において準用する第二十条の二第四項又は第二十三条第四項の規定により意見を述べるため必要があると認めるときは、その必要な限度において、政令で定めるところにより、その前払式特定取引に係る業務の運営が第三十五條の三の六十二において準用する第二十条の二第一項第三号に該当する第三十五條の三の六十一の許可を受けた者又は第三十五條の三の六十二において準用する第二十三条第二項第四号の命令（当該第三十五條の三の六十一の許可を受けた者の前払式特定取引に係る業務の運営が第三十五條の三の六十二において準用する第二十条の二第一項第三号に該当する場合におけるものに限る。）に違反した第三十五

条の三の六十一の許可を受けた者に対し、その業務に関し報告をさせることができる。

(6) If the Prime Minister finds it to be necessary for stating an opinion pursuant to the provisions of Article 20-2, paragraph (4) or Article 23, paragraph (4) as applied mutatis mutandis pursuant to Article 35-3-62, the minister, within the scope that it is necessary, may have a person that has obtained the license referred to in Article 35-3-61 and whose business operations that are connected with specified prepaid transactions fall under the provisions of Article 20-2, paragraph (1), item (iii) as applied mutatis mutandis pursuant to Article 35-3-62; or a person that has obtained the license referred to in Article 35-3-61 and that has violated an order under Article 23, paragraph (2), item (iv) as applied mutatis mutandis pursuant to Article 35-3-62 (limited to a case in which the business operations that are connected with specified prepaid transactions of the person that has obtained the license referred to in Article 35-3-61, fall under Article 20-2, paragraph (1), item (iii) as applied mutatis mutandis pursuant to Article 35-3-62) file a business report, pursuant to the provisions of Cabinet Order.

7 経済産業大臣は、この法律の施行に必要な限度において、政令で定めるところにより、クレジットカード番号等取扱業者（包括信用購入あつせん業者を除く。次条第三項において同じ。）又はクレジットカード番号等取扱受託業者に対し、クレジットカード番号等の適切な管理等の状況に関し報告をさせることができる。

(7) To the extent necessary for the enforcement of this Act, the Minister of Economy, Trade and Industry may have a business that handles credit card numbers (excluding a comprehensive credit purchase intermediary; the same applies in paragraph (3) of the next Article) or an entrusted business that handles credit card numbers files a status report on the proper management of credit card numbers, pursuant to the provisions of Cabinet Order.

8 経済産業大臣は、この法律の施行に必要な限度において、政令で定めるところにより、クレジットカード番号等取扱契約締結事業者に対し、その業務に関し報告又は帳簿、書類その他の物件の提出を命ずることができる。

(8) To the extent necessary for the enforcement of this Act, the Minister of Economy, Trade and Industry may order a business that has a contract for handling credit card numbers to file a business report, or to submit its books, documents or other articles, relating to its operations, pursuant to the provisions of Cabinet Order.

9 経済産業大臣は、この法律の施行のため特に必要があると認めるときは、その必要な限度において、政令で定めるところにより、包括信用購入あつせん業者から包括信用購入あつせんに係る業務の委託を受けた者に対し、その委託を受けた包括信用購入あつせんに係る業務に関し報告をさせることができる。

(9) If the Minister of Economy, Trade and Industry finds it to be particularly necessary in order to enforce this Act, the minister, within the scope that it is necessary, may have a person that has been entrusted by a comprehensive

credit purchase intermediary with services linked to the intermediation of comprehensive credit purchases file a report on the services linked to the intermediation of comprehensive credit purchases with which it has been entrusted, pursuant to the provisions of Cabinet Order.

10 経済産業大臣は、この法律の施行のため特に必要があると認めるときは、その必要な限度において、政令で定めるところにより、個別信用購入あつせん関係販売業者、個別信用購入あつせん関係役務提供事業者その他の個別信用購入あつせん業者と密接な関係を有する者として政令で定める者（次条第五項において「密接関係者」という。）に対し、当該個別信用購入あつせん業者の第三十五条の三の五及び第三十五条の三の七本文の規定の遵守の状況に関し参考となるべき報告又は帳簿、書類その他の資料の提出を命ずることができる。

(10) If the Minister of Economy, Trade and Industry finds it to be particularly necessary in order to enforce this Act, the minister, within the scope that it is necessary, may order a seller affiliated with the intermediation of individual credit purchases, a service provider affiliated with the intermediation of individual credit purchases, or any another person specified by Cabinet Order as being closely affiliated with an individual credit purchase intermediary (referred to below as a "closely related person" in paragraph (5) of the following Article) to submit reports, books and documents, papers, and other materials that should serve as a reference concerning the individual credit purchase intermediary's compliance with the provisions of Article 35-3-5 and the main clause of Article 35-3-7, pursuant to the provisions of Cabinet Order.

11 経済産業大臣は、特定信用情報提供等業務の適正な運営を確保するため必要があると認めるときは、指定信用情報機関に対し、その業務又は財産に関し報告又は帳簿、書類その他の物件の提出を命ずることができる。

(11) If the Minister of Economy, Trade and Industry finds it to be necessary for ensuring the proper management of specified credit information services, the minister may order a designated credit bureau to submit reports, books and documents, papers, and other articles with respect to its business activities or assets.

12 経済産業大臣は、特定信用情報提供等業務の適正な運営を確保するため特に必要があると認めるときは、その必要な限度において、加入包括信用購入あつせん業者、加入個別信用購入あつせん業者その他の指定信用情報機関を利用する者又は第三十五条の三の四十二各項の規定による委託を受けた者に対し、当該指定信用情報機関の業務又は財産に関し参考となるべき報告をさせることができる。

(12) If the Minister of Economy, Trade and Industry finds it to be particularly necessary for ensuring the proper management of specified credit information services, the minister, within the scope that it is necessary, may have a participating comprehensive credit purchase intermediary, participating individual credit purchase intermediary, or any other person that uses a designated credit bureau, or a person that has been entrusted as under the

paragraphs of Article 35-3-42, file a report that should serve as a reference concerning the business activities or assets of the designated credit bureau.

1 3 経済産業大臣は、認定業務の適正な運営を確保するため必要があると認めるときは、認定割賦販売協会に対し、その業務又は財産に関し報告をさせることができる。

(13) If the Minister of Economy, Trade and Industry finds it to be necessary for ensuring the proper management of certified services, the minister may have a certified installment sales association file a report on its business or assets.

1 4 内閣総理大臣は、第二項若しくは第六項の規定による報告の徴収をしようとするとき又は第四項の規定による報告若しくは帳簿、書類その他の物件の提出を命じようとするときは、あらかじめ、経済産業大臣に協議しなければならない。

(14) Before seeking to collect a report under paragraph (2) or paragraph (6), or to order the submission of reports, books and documents, papers, or other articles under paragraph (4), the Prime Minister must consult with the Minister of Economy, Trade and Industry.

(立入検査)

(On-Site Inspections)

第四十一条 経済産業大臣は、この法律の施行に必要な限度において、その職員に、許可割賦販売業者、包括信用購入あつせん業者、個別信用購入あつせん業者、指定信用情報機関、第三十五条の三の六十一の許可を受けた者、指定受託機関、クレジットカード番号等取扱契約締結事業者又は認定割賦販売協会の営業所又は事務所に立ち入り、帳簿、書類その他の物件の検査をさせることができる。

Article 41 (1) To the extent necessary for the enforcement of this Act, the Minister of Economy, Trade and Industry may have the relevant officials enter the business office or other office of a licensed installment seller, comprehensive credit purchase intermediary, individual credit purchase intermediary, designated credit bureau, person that has obtained the license referred to in Article 35-3-61, designated entrusted institution, a business that has a contract for handling credit card numbers, or certified installment sales association, and inspect its books and documents and other articles.

2 内閣総理大臣は、前条第二項、第四項又は第六項に規定する場合において利用者又は購入者若しくは役務の提供を受ける者若しくは指定役務の提供を受ける者の利益を保護するため特に必要があると認めるときは、その必要な限度において、その職員に、許可割賦販売業者、包括信用購入あつせん業者、個別信用購入あつせん業者又は第三十五条の三の六十一の許可を受けた者の営業所又は事務所に立ち入り、帳簿、書類その他の物件の検査をさせることができる。

(2) In a case as prescribed in paragraph (2), paragraph (4), or paragraph (6) of the preceding Article, if the Prime Minister finds it to be particularly necessary in order to protect the interests of users, purchasers, service recipients, or recipients of designated services, the minister, within the scope that it is necessary, may have the relevant officials enter the business office or office of a

licensed installment seller, comprehensive credit purchase intermediary, individual credit purchase intermediary, or person that has obtained the license referred to in Article 35-3-61, and inspect its books and documents and other articles.

3 経済産業大臣は、この法律の施行に必要な限度において、その職員に、クレジットカード番号等取扱業者又はクレジットカード番号等取扱受託業者の営業所又は事務所に立ち入り、帳簿、書類その他の物件の検査（クレジットカード番号等の適切な管理等の状況に係るものに限る。）をさせることができる。

(3) To the extent necessary for the enforcement of this Act, the Minister of Economy, Trade and Industry may have the relevant officials enter the business office or office of a business that handles credit card numbers or an entrusted business that handles credit card numbers and inspect its books and documents and other articles (but may only have the relevant officials inspect these in connection with the extent of the proper management of credit card numbers).

4 経済産業大臣は、この法律の施行のため特に必要があると認めるときは、その必要な限度において、その職員に、包括信用購入あつせん業者から包括信用購入あつせんに係る業務の委託を受けた者の営業所又は事務所に立ち入り、帳簿、書類その他の物件の検査（その委託を受けた包括信用購入あつせんに係る業務に係るものに限る。）をさせることができる。

(4) If the Minister of Economy, Trade and Industry finds it to be particularly necessary in order to enforce this Act, the minister, within the scope that it is necessary, may have the relevant officials enter the business office or office of a person that has been entrusted by a comprehensive credit purchase intermediary with services linked to the intermediation of comprehensive credit purchases and inspect its books and documents and other articles (but may only have the relevant officials inspect these in connection with the services linked to the intermediation of comprehensive credit purchases with which the person has been entrusted).

5 経済産業大臣は、この法律の施行のため特に必要があると認めるときは、その必要な限度において、その職員に、密接関係者の営業所又は事務所に立ち入り、帳簿、書類その他の物件の検査（個別信用購入あつせん業者の第三十五条の三の五及び第三十五条の三の七本文の規定の遵守の状況に係るものに限る。）をさせることができる。

(5) If the Minister of Economy, Trade and Industry finds it to be particularly necessary in order to enforce this Act, the minister, within the scope that it is necessary, may have the relevant officials enter the business office or office of a closely related person and inspect its books and documents and other articles (but may only have the relevant officials inspect these in connection with the extent of an individual credit purchase intermediary's compliance with the provisions of Article 35-3-5 and the main clause of Article 35-3-7).

6 経済産業大臣は、特定信用情報提供等業務の適正な運営を確保するため特に必要が

あると認めるときは、その必要な限度において、その職員に、加入包括信用購入あつせん業者、加入個別信用購入あつせん業者その他の指定信用情報機関を利用する者又は第三十五条の三の四十二各項の規定による委託を受けた者の営業所又は事務所に立ち入り、帳簿、書類その他の物件の検査（当該指定信用情報機関の業務又は財産に係るものに限る。）をさせることができる。

(6) If the Minister of Economy, Trade and Industry finds it to be particularly necessary in order to ensure the proper management of specified credit information services, the minister, within the scope that it is necessary, may have the relevant officials enter the business office or office of a participating comprehensive credit purchase intermediary, participating individual credit purchase intermediary, or any other person that uses a designated credit bureau, or of a person that has been entrusted as under the paragraphs of Article 35-3-42, and inspect its books and documents and other articles (but may only have the relevant officials inspect these in connection with the business activities or assets of the designated credit bureau).

7 前各項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(7) An official that conducts an on-site inspection pursuant to the provisions of the preceding paragraphs must carry identification and present it to the relevant parties.

8 第一項から第六項までの規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(8) The authority to conduct an on-site inspection under the provisions of paragraphs (1) through (6) must not be construed as being accorded for the purpose of a criminal investigation.

9 内閣総理大臣は、第二項の規定による立入検査をしようとするときは、あらかじめ、経済産業大臣に協議しなければならない。

(9) Before seeking to conduct an on-site inspection under paragraph (2), the Prime Minister must consult with the Minister of Economy, Trade and Industry.

（内閣総理大臣への資料提供等）

**(Providing Materials to the Prime Minister)**

第四十一条の二 内閣総理大臣は、利用者又は購入者若しくは役務の提供を受ける者若しくは指定役務の提供を受ける者の利益の保護を図るため必要があると認めるときは、経済産業大臣に対し、資料の提供、説明その他必要な協力を求めることができる。

Article 41-2 If the Prime Minister finds it to be necessary in order to protect the interests of users, purchasers, service recipients, or recipients of designated services, the minister may request the Minister of Economy, Trade and Industry to provide materials or explanations or to otherwise provide the necessary cooperation.



(意見の聴取)

**(Hearing of Opinions)**

第四十二条 第三十三条の二第一項、第三十五条の二の十一第一項（第三十五条の二の十二第二項において準用する場合を含む。）、第三十五条の三の二十六第一項（第三十五条の三の二十七第二項において準用する場合を含む。）又は第三十五条の十七の五第一項の規定による処分をしようとするときは、当該処分に係る者に対し、相当な期間において予告をした上、公開による意見の聴取を行わなければならない。

Article 42 (1) Before the relevant person seeks to reach a disposition under Article 33-2, paragraph (1), Article 35-2-11, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-2-12, paragraph (2)), Article 35-3-26, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-27, paragraph (2)), or Article 35-17-5, paragraph (1), a public hearing of opinions must be held, with the person that could become subject to the disposition having been notified of this a reasonable amount of time in advance.

2 前項の予告においては、期日、場所及び事案の内容を示さなければならない。

(2) The date, place, and content of the situation under review must be indicated in the advance notice referred to in the preceding paragraph.

3 第一項の意見の聴取に際しては、当該処分に係る者及び利害関係人に対し、当該事案について証拠を提示し、意見を述べる機会を与えなければならない。

(3) At the time of a hearing of opinions as referred to in paragraph (1), the person that could become subject to the disposition and other interested parties must be accorded the opportunity to present evidence and state an opinion with respect to the situation under review.

(聴聞の特例)

**(Special Provisions on Hearings)**

第四十三条 経済産業大臣は、第二十条第一項（第三十五条の三の六十二において準用する場合を含む。）、第二十三条第二項（第三十五条の三の六十二において準用する場合を含む。）、第三十四条の二第二項、第三十五条の二の十四第二項、第三十五条の三の三十二第二項、第三十五条の三の五十四第一項又は第三十五条の十四第二項の規定による命令をしようとするときは、行政手続法（平成五年法律第八十八号）第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

Article 43 (1) Notwithstanding the applicable category of proceeding for hearing statements of opinion under Article 13, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993), if the Minister of Economy, Trade and Industry seeks to issue an order under the provisions of Article 20, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-62); Article 23, paragraph (2) (including as applied mutatis mutandis pursuant to Article 35-3-62); Article 34-2, paragraph (2); Article 35-2-14, paragraph (2); Article 35-

3-32, paragraph (2); Article 35-3-54, paragraph (1); or Article 35-14, paragraph (2), the minister must conduct the proceedings as a hearing.

2 第二十条第一項（第三十五条の三の六十二において準用する場合を含む。）、第二十三条第一項若しくは第二項（第三十五条の三の六十二において準用する場合を含む。）、第三十四条の二第一項若しくは第二項、第三十五条の二の十四第一項若しくは第二項、第三十五条の三の三十二第一項若しくは第二項、第三十五条の三の五十四第一項、第三十五条の十四、第三十五条の十七の十一第一項若しくは第二項又は第三十五条の二十四第二項の規定による処分に係る聴聞の期日における審理は、公開により行わなければならない。

(2) Proceedings on the date of the hearing on a disposition under Article 20, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-62); Article 23, paragraph (1) or paragraph (2) (including as applied mutatis mutandis pursuant to Article 35-3-62); Article 34-2, paragraph (1) or paragraph (2); Article 35-2-14, paragraph (1) or paragraph (2); Article 35-3-32, paragraph (1) or paragraph (2); Article 35-3-54, paragraph (1); Article 35-14; Article 35-17-11, paragraph (1) or paragraph (2), or Article 35-24, paragraph (2) must be open to the public.

（不服申立ての手續における意見の聴取）

(Hearing of Opinions in Appeal Proceedings)

第四十四条 この法律又はこの法律に基づく命令の規定による処分についての審査請求又は異議申立てに対する裁決又は決定は、その処分に係る者に対し、相当な期間において予告をした上、公開による意見の聴取を行つた後にしなければならない。

Article 44 (1) The judicial decision or ruling on a request for administrative review or objection in respect of a disposition under the provisions of this Act or an order based on this Act must be reached after a public hearing of opinions has been held, with the person that could become subject to the disposition having been notified of this a reasonable amount of time in advance.

2 第四十二条第二項及び第三項の規定は、前項の意見の聴取に準用する。

(2) The provisions of paragraphs (2) and (3) of Article 42 apply mutatis mutandis to the hearing of opinions referred to in the preceding paragraph.

（経過措置）

(Transitional Measures)

第四十五条 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 45 When an order is enacted, amended or repealed based on the provisions of this Act, transitional measures (including transitional measures for penal provisions) may be provided for therein, within the scope determined to be reasonably necessary in conjunction with its enactment, amendment or

repeal.

(主務大臣)

(The Competent Minister)

第四十六条 この法律において主務大臣は、次のとおりとする。

Article 46 In this Act, the competent ministers are as follows:

一 商品に係る事項については、経済産業大臣及び当該商品の流通を所掌する大臣

(i) in matters that concern goods, the Minister of Economy, Trade and Industry and the minister with jurisdiction over the physical distribution of those goods;

二 指定権利に係る事項については、経済産業大臣及び当該権利に係る施設又は役務の提供を行う事業を所管する大臣

(ii) in matters that concern designated rights, the Minister of Economy, Trade and Industry and the minister with jurisdiction over the facility to which those rights relate or the business of providing the services to which those rights relate;

三 役務に係る事項については、経済産業大臣及び当該役務の提供を行う事業を所管する大臣

(iii) in matters that concern services, the Minister of Economy, Trade and Industry and the minister with jurisdiction over the business of providing those services;

四 第三十六条第一項の規定による消費経済審議会への諮問に関する事項については、経済産業大臣及び当該商品の流通を所掌する大臣、当該権利に係る施設若しくは役務の提供を行う事業を所管する大臣又は当該役務の提供を行う事業を所管する大臣

(iv) in matters that concern advisory consultations with the Consumer Economic Affairs Council under Article 36, paragraph (1), the Minister of Economy, Trade and Industry and the minister with jurisdiction over the physical distribution of the relevant goods, the minister with jurisdiction over the facility to which the relevant rights relate or over the business of providing the services to which the rights relate, or the minister with jurisdiction over the business of providing the relevant services; and

五 第三十六条第二項の規定による消費経済審議会及び消費者委員会への諮問に関する事項については、経済産業大臣、内閣総理大臣及び当該商品の流通を所掌する大臣、当該権利に係る施設若しくは役務の提供を行う事業を所管する大臣又は当該役務の提供を行う事業を所管する大臣

(v) in matters that concern advisory consultations with the Consumer Economic Affairs Council and the Consumer Commission under Article 36, paragraph (2), the Minister of Economy, Trade and Industry, the Prime Minister, and the minister with jurisdiction over the physical distribution of the relevant goods, the minister with jurisdiction over the facility to which the relevant rights relate or over the business of providing the services to

which the rights relate, or the minister with jurisdiction over the business of providing the relevant services.

(都道府県が処理する事務)

(Administrative Functions Handled by Prefectural Governments)

第四十七条 この法律に規定する主務大臣又は経済産業大臣の権限に属する事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。

Article 47 Part of the administrative functions prescribed in this Act which are under the authority of the competent minister or the Minister of Economy, Trade and Industry may be undertaken by a prefectural governor, pursuant to the provisions of Cabinet Order.

(権限の委任)

(Delegation of Authority)

第四十八条 この法律により主務大臣又は経済産業大臣の権限に属する事項は、政令で定めるところにより、地方支分部局の長に行わせることができる。

Article 48 (1) The competent minister or the Minister of Economy, Trade and Industry may have the head of a local branch office undertake a matter that comes under the purview of the authority accorded to the minister pursuant to this Act, pursuant to the provisions of Cabinet Order.

2 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を消費者庁長官に委任する。

(2) The Prime Minister delegates authority accorded to it pursuant to this Act (excluding the authority specified by Cabinet Order) to the Director-General of the Consumer Affairs Agency.

## 第五章 罰則

### Chapter V Penal Provisions

第四十九条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 49 In a case that falls under any of the following items, the violating person is subject to punishment by imprisonment for not more than three years, a fine of not more than 3,000,000 yen, or both:

一 第十一条の規定に違反して前払式割賦販売を業として営んだとき。

(i) the person violates the provisions of Article 11 in engaging in prepaid installment sales in the course of trade;

二 第三十一条の規定に違反して包括信用購入あつせんを業として営んだとき。

(ii) the person violates the provisions of Article 31 in engaging in the intermediation of comprehensive credit purchases in the course of trade;

三 第三十五条の三の二十三の規定に違反して個別信用購入あつせんを業として営ん

だとき。

(iii) the person violates the provisions of Article 35-3-23 in engaging in the intermediation of individual credit purchases in the course of trade;

四 第三十五条の三の三十の規定に違反したとき。

(iv) the person violates the provisions of Article 35-3-30;

五 第三十五条の三の六十一の規定に違反して前払式特定取引を業として営んだとき。

(v) the person violates the provisions of Article 35-3-61 in having dealings in specified prepaid transactions in the course of trade; or

六 第三十五条の十七の二の規定に違反してクレジットカード番号等取扱契約の締結を業として行つたとき。

(vi) the person violates the provisions of Article 35-17-2 in engaging in making a contract for handling credit card numbers in the course of trade.

第四十九条の二 クレジットカード番号等取扱業者若しくはクレジットカード番号等取扱受託業者又はこれらの役員若しくは職員若しくはこれらの職にあつた者が、その業務に関して知り得たクレジットカード番号等を自己若しくは第三者の不正な利益を図る目的で、提供し、又は盗用したときは、三年以下の懲役又は五十万円以下の罰金に処する。

Article 49-2 (1) If a business that handles credit card numbers or an entrusted business that handles credit card numbers, or the officer or employee of any of these or a person that has held one of these positions, provides another party with, or misappropriates, a credit card number learned in the course of business in order to wrongfully obtain a personal benefit or to benefit a third party, such a person is subject to punishment by imprisonment for not more than three years or by a fine of not more than 500,000 yen.

2 人を欺いてクレジットカード番号等を提供させた者も、前項と同様とする。クレジットカード番号等を次の各号のいずれかに掲げる方法で取得した者も、同様とする。

(2) The provisions of the preceding paragraph also apply to a first person that cons a second person into providing the first person with a credit card number.

The same applies to a person that acquires another person's credit card number in a way that is stated in one of the following items:

一 クレジットカード番号等が記載され、又は記録された人の管理に係る書面又は記録媒体の記載又は記録について、その承諾を得ずにその複製を作成すること。

(i) by copying an entry in a document or a record on a recording medium that is meant for the records of the person whose credit card number is stated or recorded in it, without obtaining that person's consent; or

二 不正アクセス行為（不正アクセス行為の禁止等に関する法律（平成十一年法律第二百二十八号）第三条に規定する不正アクセス行為をいう。）を行うこと。

(ii) through unauthorized access (meaning unauthorized access as prescribed in Article 3 of the Act on Prohibition of Unauthorized Computer Access (Act No. 128 of 1999)).

3 正当な理由がないのに、有償で、クレジットカード番号等を提供し、又はその提供を受けた者も、第一項と同様とする。正当な理由がないのに、有償で提供する目的で、クレジットカード番号等を保管した者も、同様とする。

(3) The provisions of paragraph (1) apply to a person that provides someone with another person's credit card number or receives another person's credit card number, for remuneration, without legitimate grounds. The same applies to a person that keeps another person's credit card number for the purpose of providing it to someone for remuneration, without legitimate grounds.

4 前三項の規定は、刑法その他の罰則の適用を妨げない。

(4) The provisions of the preceding three paragraphs do not preclude the application of the Penal Code or any other penal provisions.

第五十条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。情を知つて、第二号又は第三号の違反行為をした者から特定信用情報の提供を受けた者も、同様とする。

Article 50 In a case that falls under any of the following items, the violating person is subject to punishment by imprisonment for not more than two years, a fine of not more than 3,000,000 yen, or both. The same applies to a person that knowingly receives specified credit information from a person committing the violation referred to in item (ii) or item (iii):

一 第三十五条の三の三十九（第三十五条の三の四十七第四項において準用する場合を含む。）の規定に違反して秘密を漏らし、又は盗用したとき。

(i) the person divulges or misappropriates confidential information, in violation of the provisions of Article 35-3-39 (including as applied mutatis mutandis pursuant to Article 35-3-47, paragraph (4));

二 第三十五条の三の五十九第一項の規定に違反して支払能力調査以外の目的のために加入指定信用情報機関に特定信用情報の提供を依頼し、又は加入指定信用情報機関から提供を受けた特定信用情報を支払能力調査以外の目的に使用し、若しくは第三者に提供したとき。

(ii) the person requests the participating designated credit bureau with which it is affiliated to provide it with specified information for purposes other than an investigation into the ability to pay; that uses specified credit information it receives from the participating designated credit bureau with which it is affiliated for purposes other than an investigation into the ability to pay; or that provides the information to a third party, in violation of the provisions of Article 35-3-59, paragraph (1); or

三 第三十五条の三の五十九第二項の規定に違反して加入指定信用情報機関から提供を受けた特定信用情報を使用し、又は第三者に提供したとき。

(iii) the person violates the provisions of Article 35-3-59, paragraph (2) in using the specified credit information provided by the participating designated

credit bureau with which it is affiliated or by providing that information to a third party.

第五十一条 次の各号のいずれかに該当する場合には、当該違反行為をした許可割賦販売業者、登録包括信用購入あつせん業者、登録少額包括信用購入あつせん業者、登録個別信用購入あつせん業者又は第三十五条の三の六十一の許可を受けた者の代表者、代理人、使用人その他の従業者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 51 In a case that falls under any of the following items, the violating representative, agent, employee, or other worker of a licensed installment seller, registered comprehensive credit purchase intermediary, registered comprehensive small amount credit purchase intermediary, registered individual credit purchase intermediary, or person that has obtained the license referred to in Article 35-3-61, is subject to punishment by imprisonment for not more than two years, a fine of not more than 3,000,000 yen, or both:

一 第二十条第一項（第三十五条の三の六十二において準用する場合を含む。）の規定による命令に違反したとき。

(i) the person violates an order under the provisions of Article 20, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-62);

二 第二十三条第二項（第三十五条の三の六十二において準用する場合を含む。）の規定による命令に違反したとき。

(ii) the person violates an order under the provisions of Article 23, paragraph (2) (including as applied mutatis mutandis pursuant to Article 35-3-62);

三 第三十四条の二第二項の規定による命令に違反したとき。

(iii) the person violates an order under the provisions of Article 34-2, paragraph (2);

四 第三十五条の二の十四第二項の規定による命令に違反したとき。

(iv) the person violates an order under the provisions of Article 35-2-14, paragraph (2); or

五 第三十五条の三の三十二第二項の規定による命令に違反したとき。

(v) the person violates an order under the provisions of Article 35-3-32, paragraph (2).

第五十一条の二 第三十五条の十四第二項の規定による命令に違反した指定受託機関の代表者、代理人、使用人その他の従業者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 51-2 The representative, agent, employee, or other worker of a designated entrusted institution that violates an order under the provisions of Article 35-14, paragraph (2) is subject to punishment by imprisonment for not more than one year, a fine of not more than 1,000,000 yen, or both.

第五十一条の三 第三十七条の規定に違反して、業として、カード等を譲り受け、又は資金の融通に関してカード等の提供を受けた場合には、当該違反行為をした者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 51-3 If a person accepts the assignment of a card, etc. or that acquires a card, etc. in connection with the lending of funds in the course of trade, in violation of the provisions of Article 37, that violating person is subject to punishment by imprisonment for not more than one year or by a fine of not more than 1,000,000 yen.

第五十一条の四 第三十五条の二十二の規定に違反した場合には、当該違反行為をした者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 51-4 If a person violates the provisions of Article 35-22, that violating person is subject to punishment by imprisonment for not more than one year or by a fine of not more than 500,000 yen.

第五十一条の五 次の各号のいずれかに該当する場合には、当該違反行為をした登録包括信用購入あつせん業者、登録少額包括信用購入あつせん業者、登録個別信用購入あつせん業者、指定信用情報機関、指定受託機関、クレジットカード番号等取扱契約締結事業者又は認定割賦販売協会の代表者、管理人、代理人、使用人その他の従業者は、百万円以下の罰金に処する。

Article 51-5 In a case that falls under any of the following items, the violating representative, administrator, agent, employee, or other worker of a Registered comprehensive credit purchase intermediary, registered comprehensive small amount credit purchase intermediary, registered individual credit purchase intermediary, designated credit bureau, designated entrusted institution, a business that has a contract for handling credit card numbers or certified installment sales association, is subject to punishment by a fine of not more than 1,000,000 yen:

一 第三十四条（第三十五条の三において準用する場合を含む。）の規定による命令に違反したとき。

(i) the person violates an order under the provisions of Article 34 (including as applied *mutatis mutandis* pursuant to Article 35-3);

二 第三十五条の三の三十一の規定による命令に違反したとき。

(ii) the person violates an order under the provisions of Article 35-3-31;

三 第三十五条の三の五十二の規定による命令に違反したとき。

(iii) the person violates an order under the provisions of Article 35-3-52;

四 第三十五条の十三の規定による命令に違反したとき。

(iv) the person violates an order under the provisions of Article 35-13;

五 第三十五条の十七の十の規定による命令に違反したとき。

(v) the person violates an order under the provisions of Article 35-17-10; or

六 第三十五条の二十四第一項の規定による命令に違反したとき。



(vi) the person violates an order under the provisions of Article 35-24, paragraph (1).

第五十一条の六 次の各号のいずれかに該当する場合には、当該違反行為をした者は、百万円以下の罰金に処する。

Article 51-6 In a case that falls under any of the following items, the violating person is subject to punishment by a fine of not more than 1,000,000 yen:

一 第三十条の五の三第一項の規定による命令に違反したとき。

(i) the person violates an order under the provisions of Article 30-5-3, paragraph (1);

二 第三十条の六第一項の規定による命令に違反したとき。

(ii) the person violates an order under the provisions of Article 30-6, paragraph (1);

三 第三十五条の二の八第一項の規定による命令に違反したとき。

(iii) the person violates an order under the provisions of Article 35-2-8, paragraph (1);

四 第三十五条の三の二十一第一項の規定による命令に違反したとき。

(iv) the person violates an order under the provisions of Article 35-3-21, paragraph (1); or

五 第三十五条の十七の規定による命令に違反したとき。

(v) the person violates an order under the provisions of Article 35-17.

第五十二条 次の各号のいずれかに該当する場合には、当該違反行為をした許可割賦販売業者、供託委託契約の受託者、指定信用情報機関、第三十五条の三の六十一の許可を受けた者又は指定受託機関の代表者、管理人、代理人、使用人その他の従業者は、五十万円以下の罰金に処する。

Article 52 In a case that falls under one of the following items, the violating representative, administrator, agent, employee, or other worker of a licensed installment seller, entrusted party under a contract on the entrustment of business deposits, designated credit bureau, person that has obtained the license referred to in Article 35-3-61, or designated entrusted institution, is subject to punishment by a fine of not more than 500,000 yen:

一 第十六条第三項（第十八条第二項（第三十五条の三の六十二において準用する場合を含む。）又は第三十五条の三の六十二において準用する場合を含む。）の規定に違反して前払式割賦販売又は前払式特定取引の営業を開始したとき。

(i) the person violates the provisions of Article 16, paragraph (3) (including as applied mutatis mutandis pursuant to Article 18, paragraph (2) (including as applied mutatis mutandis pursuant to Article 35-3-62), or Article 35-3-62) in commencing operations in prepaid installment sales or specified prepaid transactions;

二 第十八条の三第一項（第三十五条の三の六十二において準用する場合を含む。）

- の規定に違反して新たに前払式割賦販売又は前払式特定取引の契約を締結したとき。
- (ii) the person violates the provisions of Article 18-3, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-62) in newly concluding a contract for prepaid installment sales or for specified prepaid transactions;
- 三 第十九条の二（第三十五条の三の六十二において準用する場合を含む。）の規定に違反して帳簿を備えず、第十九条の二（第三十五条の三の六十二において準用する場合を含む。）に規定する事項の記載をせず、若しくは虚偽の記載をし、又は帳簿を保存しなかつたとき。
- (iii) the person fails to keep books, fails to enter a matter prescribed in of Article 19-2 (including as applied mutatis mutandis pursuant to Article 35-3-62), makes a false entry, or fails to archive its books, in violation of the provisions of Article 19-2 (including as applied mutatis mutandis pursuant to Article 35-3-62);
- 四 第二十条の三第四項（第三十五条の三の六十二において準用する場合を含む。）の規定に違反して前受業務保証金を供託しなかつたとき。
- (iv) the person fails to make a business deposit for prepaid services, in violation of the provisions of Article 20-3, paragraph (4) (including as applied mutatis mutandis pursuant to Article 35-3-62);
- 五 第三十五条の三の四十一第一項本文の規定に違反して、他の業務を行つたとき。
- (v) the person does other business, in violation of the provisions of the main clause of Article 35-3-41, paragraph (1);
- 六 第三十五条の三の四十三第一項の規定に違反して業務規程を定めず、若しくは経済産業大臣の認可を受けず、又は経済産業大臣の認可を受けずに業務規程の変更をしたとき。
- (vi) the person fails to establish operational rules, does not obtain the approval of the Minister of Economy, Trade and Industry, or changes the operational rules without obtaining the approval of the Minister of Economy, Trade and Industry, in violation of the provisions of Article 35-3-43, paragraph (1);
- 七 第三十五条の三の四十五（第三十五条の三の四十七第四項において準用する場合を含む。）の規定による記録の作成若しくは保存をせず、又は虚偽の記録を作成したとき。
- (vii) the person fails to prepare or archive records pursuant to the provisions of Article 35-3-45 (including as applied mutatis mutandis pursuant to Article 35-3-47, paragraph (4)), or prepares a false record;
- 八 第三十五条の三の五十一第一項の規定による業務及び財産に関する報告書を提出せず、又は虚偽の記載をした業務及び財産に関する報告書を提出したとき。
- (viii) the person fails to submit a report on its business activities or assets as under Article 35-3-51, paragraph (1), or submits a report on its business activities or assets which contains a false statement;
- 九 第三十五条の三の五十三第一項の規定に違反したとき。

- (ix) the person violates the provisions of Article 35-3-53, paragraph (1);  
十 第三十五条の八第一項の事業計画書若しくは同条第三項の事業報告書を提出せず、又は虚偽の記載をした事業計画書若しくは事業報告書を提出したとき。
- (x) the person fails to submit the business plan referred to in Article 35-8, paragraph (1) or the business report referred to in paragraph (3) of that Article, or submits a false business plan or a business report that contains a false statement; or  
十一 第三十五条の九の規定に違反して受託事業以外の事業を営んだとき。
- (xi) the person violates the provisions of Article 35-9 in engaging in business other than services under entrustment.

第五十三条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、五十万円以下の罰金に処する。

Article 53 In a case that falls under any of the following items, the violating person is subject to punishment by a fine of not more than 500,000 yen:

- 一 第三条第一項又は第三十五条の三の二第一項の規定に違反して示さなかつたとき。  
(i) the person violates the provisions of Article 3, paragraph (1) or Article 35-3-2, paragraph (1) in failing to make an indication;
- 二 第三条第四項、第二十九条の二第三項、第三十条第四項又は第三十五条の三の二第二項の規定に違反して表示しなかつたとき。  
(ii) the person violates the provisions of Article 3, paragraph (4); Article 29-2, paragraph (3); Article 30, paragraph (4); or Article 35-3-2, paragraph (2) in failing to make an indication;
- 三 第三条第二項若しくは第三項、第四条、第二十九条の二第一項若しくは第二項、第二十九条の三、第三十条第三項、第三十条の二の三第四項若しくは第六項、第三十五条の三の八又は第三十五条の三の九第一項若しくは第三項の規定に違反して書面を交付しなかつたとき。  
(iii) the person fails to deliver a document, in violation of the provisions of Article 3, paragraph (2) or paragraph (3); Article 4; Article 29-2, paragraph (1) or paragraph (2); Article 29-3; Article 30, paragraph (3); Article 30-2-3, paragraph (4) or paragraph (6); Article 35-3-8; or Article 35-3-9, paragraph (1) or paragraph (3);
- 四 第三十条第一項若しくは第二項又は第三十条の二の三第一項から第三項まで若しくは第五項の規定に違反して情報を提供しなかつたとき。  
(iv) the person fails to provide information in violation of Article 30, paragraph (1) or paragraph (2); or Article 30-2-3, paragraph (1) through paragraph (3) or paragraph (5);
- 五 第三十条の二第四項、第三十五条の三の三第四項、第三十五条の三の五第二項又は第三十五条の十七の八第五項の規定に違反して調査に関する記録を作成せず、若しくは虚偽の記録を作成し、又はこれを保存しなかつたとき。  
(v) the person fails to prepare the record of an investigation, prepares a false

record, or fails to archive a record, in violation of the provisions of Article 30-2, paragraph (4); Article 35-3-3, paragraph (4); Article 35-3-5, paragraph (2), or Article 35-17-8, paragraph (5);

六 第三十条の五の五第三項又は第三十五条の二の四第三項の規定に違反して算定に関する記録を作成せず、若しくは虚偽の記録を作成し、又はこれを保存しなかつたとき。

(vi) the person fails to prepare the record of calculation, prepares a false record, or fails to archive a record, in violation of the provisions of Article 30-5-5, paragraph (3); or Article 35-2-4, paragraph (3);

七 第四十条第一項、第二項、第五項から第七項まで、第九項、第十二項若しくは第十三項の規定による報告をせず、又は虚偽の報告をしたとき。

(vii) the person fails to make a report under the provisions of Article 40, paragraph (1), paragraph (2), paragraphs (5) through (7), paragraph (9), paragraph (12), or paragraph (13), or makes a false report;

八 第四十条第三項、第四項、第八項又は第十一項の規定による報告をせず、若しくは虚偽の報告をし、又はこれらの規定による物件を提出せず、若しくは虚偽の物件を提出したとき。

(viii) the person fails to make a report under the provisions of Article 40, paragraph (3), paragraph (4), paragraph (8) or paragraph (11), makes a false report, fails to submit an article under those provisions, or submits a false article;

九 第四十条第十項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による資料を提出せず、若しくは虚偽の資料を提出したとき。

(ix) the person fails to make a report under the provisions of Article 40, paragraph (10), that makes a false report, fails to submit a material under the provisions of that paragraph, or submits a false material; or

十 第四十一条第一項から第六項までの規定による検査を拒み、妨げ、又は忌避したとき。

(x) the person refuses, obstructs, or evades an inspection under the provisions of Article 41, paragraph (1) through (6).

第五十三条の二 次の各号のいずれかに該当する場合には、当該違反行為をした許可割賦販売業者、登録包括信用購入あつせん業者、登録少額包括信用購入あつせん業者、登録個別信用購入あつせん業者、指定信用情報機関、第三十五条の三の六十一の許可を受けた者、指定受託機関又はクレジットカード番号等取扱契約締結事業者の代表者、管理人、代理人、使用人その他の従業者は、三十万円以下の罰金に処する。

Article 53-2 In a case that falls under one of the following items, the violating representative, administrator, agent, employee, or other worker of a licensed installment seller, registered comprehensive credit purchase intermediary, registered comprehensive small amount credit purchase intermediary, registered individual credit purchase intermediary, designated credit bureau,

person that has obtained the license referred to in Article 35-3-61, designated entrusted institution or a business that has a contract for handling credit card numbers, is subject to punishment by a fine of not more than 300,000 yen:

一 第十九条第一項若しくは第二項（第三十五条の三の六十二において準用する場合を含む。）、第三十三条の三第一項、第三十五条の二の十三第一項、第三十五条の三の二十八第一項、第三十五条の三の五十第一項、第三十五条の六、第三十五条の七第一項、第三十五条の八第二項又は第三十五条の十七の六第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(i) the person fails to file a notification under the provisions of Article 19, paragraph (1) or paragraph (2) (including as applied mutatis mutandis pursuant to Article 35-3-62); Article 33-3, paragraph (1); Article 35-2-13, paragraph (1); Article 35-3-28, paragraph (1); Article 35-3-50, paragraph (1); Article 35-6; Article 35-7, paragraph (1); Article 35-8, paragraph (2) or Article 35-17-6, paragraph (1), or files a false notification; or

二 第三十五条の三の五十三第二項の規定による届出をせず、若しくは虚偽の届出をし、又は同項の規定による通知をせず、若しくは虚偽の報告をしたとき。

(ii) the person fails to file a notification under the provisions of Article 35-3-53, paragraph (2), files a false notification, fails to notify as under the same provisions, or makes a false report.

第五十三条の三 第三十五条の十九第三項の規定に違反して、その名称又は商号中に認定割賦販売協会会員であると誤認されるおそれのある文字を用いた場合には、当該違反行為をした者は、三十万円以下の罰金に処する。

Article 53-3 If a person uses a term in its name or trade name which could give rise to the misconception that it is the member of a certified installment sales association, in violation of the provisions of Article 35-19, paragraph (3), the person who has committed the relevant violation is subject to punishment by a fine of not more than 300,000 yen.

第五十四条 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し第四十九条又は第五十条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の罰金刑を科する。

Article 54 (1) If the representative or administrator of a corporation (including an association or a foundation that is without legal personality but that has a representative or administrator; the same applies below in this paragraph), or the agent, employee, or other worker of corporation or individual commits one of the violations referred to in Article 49 or Article 50 through the preceding Article in connection with the business of that corporation or individual, in addition to the offender being subject to punishment, the corporation or

individual is subject to punishment by the fine prescribed in the respective Article.

2 人格のない社団又は財団について前項の規定の適用がある場合には、その代表者又は管理人が、その訴訟行為につきその人格のない社団又は財団を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) If the provisions of the preceding paragraph apply to an association or foundation without legal personality, its representative or its administrator represents the association or foundation without legal personality in procedural acts and the provisions of laws on criminal proceedings when a corporation stands as the accused or the suspect apply mutatis mutandis.

第五十五条 次の各号のいずれかに該当する者は、三十万円以下の過料に処する。

Article 55 A person that falls under any of the following items is subject to punishment by a non-criminal fine of not more than 300,000 yen:

一 第十八条の六第二項（第三十五条の三の六十二において準用する場合を含む。）の規定による届出をせず、又は虚偽の届出をした者

(i) a person that fails to file a notification under the provisions of Article 18-6, paragraph (2) (including as applied mutatis mutandis pursuant to Article 35-3-62) or files a false notification;

二 第二十条の二第一項（第三十五条の三の六十二において準用する場合を含む。）の規定による命令に違反した者

(ii) a person that violates an order provided for in Article 20-2, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-62); or

三 第二十六条第一項（第三十五条の三の三十五又は第三十五条の三の六十二において準用する場合を含む。）、第三十五条（第三十五条の三において準用する場合を含む。）又は第三十五条の十七の十四の規定による届出をせず、又は虚偽の届出をした者

(iii) a person that fails to file a notification under the provisions of Article 26, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3-35, or Article 35-3-62); Article 35 (including as applied mutatis mutandis pursuant to Article 35-3); or Article 35-17-14, or files a false notification.

第五十五条の二 次の各号のいずれかに該当する場合には、その行為をした指定信用情報機関の取締役、執行役、会計参与若しくはその職務を行うべき社員、監査役、理事、監事、代表者、管理人、業務を執行する社員若しくは清算人又は認定割賦販売協会の役員（仮理事を含む。）若しくは代表者であつた者は、三十万円以下の過料に処する。

Article 55-2 In a case that falls under one of the following items, the violating director, executive officer, accounting advisor, or member that performs the duties of the same, or the violating auditor, board director, inspector, representative, administrator, member that executes business, or liquidator of

a designated credit bureau, or the violating person that was formerly the officer (including a provisional board director) or representative of a certified installment sales association, is subject to punishment by a fine of not more than 300,000 yen:

一 第三十五条の三の三十八の規定に違反して、経済産業大臣の認可を受けずに、法人の代表者となり、若しくは常務に従事し、又は事業を営んだとき。

(i) the person violates the provisions of Article 35-3-38 in becoming the representative of a corporation, engaging in day-to-day business operations, or engaging in business without obtaining the approval of the Minister of Economy, Trade and Industry; or

二 第三十五条の三の四十八又は第三十五条の十九第一項の規定に違反したとき。

(ii) the person violates the provisions of Article 35-3-48 or Article 35-19, paragraph (1).

第五十五条の三 第三十五条の三の四十九又は第三十五条の十九第二項の規定に違反した者は、十万円以下の過料に処する。

Article 55-3 A person that violates the provisions of Article 35-3-49 or Article 35-19, paragraph (2) is subject to punishment by a non-criminal fine of not more than 100,000 yen.