金融サービス仲介業者等に関する内閣府令
Cabinet Office Order on Financial Service Intermediaries, etc.

（令和三年六月二日内閣府令第三十五号）
(Cabinet Office Order No. 35 of June 2, 2021)

金融サービスの提供に関する法律（平成十二年法律第百一号）及び金融サービスの提供に関する法律施行令（平成十二年政令第四百八十四号）の規定に基づき、並びに同法及び同令を実施するため、金融サービス仲介業者等に関する内閣府令を次のように定める。

Pursuant to the Act on the Provision of Financial Services (Act No. 101 of 2000) and the Order for Enforcement of the Act on the Provision of Financial Services (Cabinet Order No. 484 of 2000), and for the purpose of enforcing the Act and the Order, the Cabinet Office Order on Financial Service Intermediaries, etc. is herebyestablished as follows.

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第一章　総則
Chapter I General Provisions

（定義）
(Definitions)

第一条　この府令において「預金等」、「保険契約」、「有価証券」、「市場デリバティブ取引」、「外国市場デリバティブ取引」、「金融サービス仲介業」、「預金等媒介業務」、「保険媒介業務」、「有価証券等仲介業務」、「貸金業貸付媒介業務」、「金融サービス仲介業者」、「認定金融サービス仲介業協会」、「金融サービス仲介業務」、「指定紛争解決機関」、「苦情処理手続」、「紛争解決手続」、「紛争解決等業務」、「紛争解決等業務の種別」又は「手続実施基本契約」とは、それぞれ金融サービスの提供及び利用環境の整備等に関する法律（平成十二年法律第百一号。以下「法」という。）第二条又は第十一条に規定する預金等、保険契約、有価証券、市場デリバティブ取引、外国市場デリバティブ取引、金融サービス仲介業、預金等媒介業務、保険媒介業務、有価証券等仲介業務、貸金業貸付媒介業務、金融サービス仲介業者、認定金融サービス仲介業協会、金融サービス仲介業務、指定紛争解決機関、苦情処理手続、紛争解決手続、紛争解決等業務、紛争解決等業務の種別又は手続実施基本

契約をいう。

Article 1 The terms "deposits, etc.," "insurance policy," "securities," "market derivatives transactions," "foreign-market derivatives transactions," "financial service intermediary business," "deposit, etc. intermediary business operations," "insurance intermediary business operations," "securities, etc. intermediary business operations," "loan intermediary business operations," "financial service intermediary," "certified financial service intermediary business association," "financial service intermediary business operations," "designated dispute resolution organization," "complaint processing procedures," "dispute resolution procedures," "dispute resolution services," "categories of dispute resolution services," and "basic contract for implementation of dispute resolution procedures," as used in this Cabinet Office Order, mean the deposits, etc.; insurance policy; securities; market derivatives transactions; foreign-market derivatives transactions; financial service intermediary business; deposit, etc. intermediary business operations; insurance intermediary business operations; securities, etc. intermediary business operations; loan intermediary business operations; financial service intermediary; certified financial service intermediary business association; financial service intermediary business operations; designated dispute resolution organization; complaint processing procedures; dispute resolution procedures; dispute resolution services; categories of dispute resolution services; and basic contract for implementation of dispute resolution procedures prescribed in Article 2 or Article 11 of the Act on the Provision of Financial Services and the Development of the Accessible Environment (Act No. 101 of 2000; referred to below as the "Act"), respectively.

（電磁的方法）

(Electronic or Magnetic Means)

第二条　この府令において「電磁的方法」とは、次に掲げる方法をいう。

Article 2 (1) The term "electronic or magnetic means" as used in this Cabinet Office Order means the methods stated in the following items:

一　電子情報処理組織を使用する方法のうち次に掲げるもの

(i) the following methods of using an electronic data processing system:

イ　金融サービス仲介業者（情報の提供を行う金融サービス仲介業者との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該情報を提供する相手方（以下この条及び次条において「顧客」という。）又は当該金融サービス仲介業者の用に供する者を含む。以下この項において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。イ及びロにおいて同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において

「記載事項」という。）を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（この項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出を受ける場合にあっては、金融サービス仲介業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(a) by transmitting the information to be stated in the document (referred to below as the "information" in this Article) via a telecommunications line connecting with a computer, used by a financial service intermediary (including a party which, under a contract with a financial service intermediary providing information, stores a file in a computer it controls, and makes the file accessible to its recipient (referred to below as a "customer" in this Article and the following Article) or to the financial service intermediary; the same applies below in this paragraph) and a computer used by a customer, etc. (meaning a customer, as well as a party which, under a contract with the customer, stores customer files (meaning files solely intended for the use by customers; the same applies below in this Article) in a computer it manages; the same applies in (a) and (b)), and to record the information in the customer file stored in the computer used by the customer, etc. (when the customer, etc. gives consent to the provision of information by the method prescribed in this paragraph or where a customer, etc. notifies their intention to refuse to receive the information by those means, the method by which the consent or notice is recorded in a file stored on the computer used by the financial service intermediary);

ロ　金融サービス仲介業者の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法（この項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出を受ける場合にあっては、金融サービス仲介業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(b) a method of making information, which is recorded in a file stored on a computer used by a financial service intermediary, available for inspection by a customer via a telecommunications line, and recording that information in the customer's file stored on a computer used by the customer, etc. (in cases where the customer, etc. consents to the provision of information by the method prescribed in this paragraph, or where the customer, etc. notifies their intention to refuse such provision, by recording that consent or notice in a file stored on a computer used by the financial service intermediary);

ハ　金融サービス仲介業者の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(c) a method of making the information recorded in a customer's file stored

on a computer used by a financial service intermediary available for the customer's inspection via a telecommunications line;

ニ　閲覧ファイル（金融サービス仲介業者の使用に係る電子計算機に備えられたファイルであって、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。次項において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a method of making the information recorded in a viewing file (a file stored on a computer used by a financial service intermediary that records information in a manner allowing simultaneous inspection by multiple customers; the same applies in the following paragraph) available for inspection by customers via a telecommunications line; and

二　電磁的記録媒体（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって電子計算機による情報処理の用に供されるものに係る記録媒体をいう。以下同じ。）をもって調製するファイルに記載事項を記録したものを交付する方法

(ii) a method of delivering a file containing information, prepared using an electronic or magnetic recording medium (meaning a record used in computer data processing that is created in electronic, magnetic, or any other form not perceivable by human senses alone; the same applies below).

２　前項各号に掲げる方法は、次に掲げる基準に適合するものでなければならない。

(2) The method stated in the items of the preceding paragraph must conform to the following criteria:

一　顧客が顧客ファイル又は閲覧ファイルへの記録を出力することにより書面を作成できるものであること。

(i) the method enables a customer to prepare a document by printing out information recorded in the customer file or inspection file;

二　前項第一号イ、ハ又はニに掲げる方法（顧客の使用に係る電子計算機に備えられた顧客ファイルに記載事項を記録する方法を除く。）にあっては、記載事項を顧客ファイル又は閲覧ファイルに記録する旨又は記録した旨を顧客に対し通知するものであること。ただし、顧客が当該記載事項を閲覧していたことを確認したときはこの限りでない。

(ii) in the case of the method stated in item (i), (a), (c) or (d) of the preceding paragraph (excluding the method of recording the information into the customer file provided, stored on a computer used by a customer), the customer will be notified to the effect that the information will be or will have been recorded on a customer file or inspection file; provided, however, that this does not apply if it has been confirmed the customer has inspected that information;

三　前項第一号ハ又はニに掲げる方法にあっては、記載事項に掲げられた取引を最後に行った日（次条第一項第二号に掲げる規定又は同項第三号に掲げる規定（第六十二条第一項第十一号（同条第三項において準用する場合を含む。以下この号におい

て同じ。）に限る。）による書面の交付にあっては保険契約の保険期間の終了の日、次条第一項第三号に掲げる規定（第六十二条第一項第十一号を除く。）による書面の交付にあっては保険契約を締結した日とする。）以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（金融サービスの提供及び利用環境の整備等に関する法律施行令（平成十二年政令第四百八十四号。以下「令」という。）第三十三条第一項又は次条第二項の規定による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) in the case of the method stated in item (i), (c) or (d) of the preceding paragraph, the following particulars cannot be deleted or altered for a period of five years after the date on which the transaction referred to in the information was finally conducted (in the case of the delivery of a document under the provisions stated in Article 3, paragraph (1), item (ii), or the provisions stated in item (iii) of that paragraph (limited to Article 62, paragraph (1), item (xi) (including as applied mutatis mutandis pursuant to paragraph (3) of that Article; the same applies below in this item)), meaning the day of expiration of an insurance period under an insurance policy; or, in the case of the delivery of a document under Article 3, paragraph (1), item (iii) (excluding Article 62, paragraph (1), item (xi)), the day of conclusion of an insurance policy) (if any complaint related to the information has been raised within the period before the expiration date of that period, for the period until either the expiration date of such period or the day when the complaint was settled, whichever comes later); provided, however, that the information may be deleted if the information that has been made available for inspection is delivered in writing, if that information is provided by the method stated in item (i), (a) or (b) of the preceding paragraph or in item (ii) of the preceding paragraph with the customer's consent (meaning consent given by the method specified in Article 33, paragraph (1) of the Order for Enforcement of the Act on the Development of the Environment for the Provision and Use of Financial Services (Cabinet Order No.484, 2000; referred to below as the "Order") or Article 3, paragraph (2) of this Act), or if the customer has instructed that the information should be deleted;

イ　前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項

(a) in the case of the method stated in item (i), (c) of the preceding paragraph, the information recorded in the inspection file;

ロ　前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項

(b) in the case of the method stated in item (i), (d) of the preceding paragraph, the information recorded in the inspection file;

四　前項第一号ニに掲げる方法にあっては、次に掲げる基準に適合するものであること。

(iv) in the case of the method stated in item (i), (d) of the preceding paragraph, that it conforms to the following requirements:

イ　顧客が閲覧ファイルを閲覧するために必要な情報を顧客ファイルに記録するものであること。

(a) the information necessary for a customer's inspection of the inspection file is recorded in the customer file; and

ロ　前号に規定する期間を経過するまでの間において、イの規定により顧客が閲覧ファイルを閲覧するために必要な情報を記録した顧客ファイルと当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた顧客が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) until the period prescribed in the preceding item has passed, the customer file, recording the information necessary for the customer's inspection of the inspection file pursuant to the provisions of (a), and the inspection file must be kept accessible via a telecommunications line; provided, however, that this does not apply if the customer, who has been given access to the file, has notified that access to the file is unnecessary.

（電磁的方法による情報の提供）

(Provision of Information by Electronic or Magnetic Means)

第三条　金融サービス仲介業者（第二号又は第三号に掲げる規定による書面の交付にあっては、当該金融サービス仲介業者の役員（法第十三条第一項第二号に規定する役員をいう。第十三条第二号を除き、以下同じ。）又は使用人（法第三十条において準用する保険業法（平成七年法律第百五号。次章において「準用保険業法」という。）第二百九十四条第一項に規定する役員又は使用人に限る。）を含む。以下この条において同じ。）は、次に掲げる規定による書面の交付に代えて、次項に定めるところにより、顧客の承諾を得て、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、当該金融サービス仲介業者は、当該書面を交付したものとみなす。

Article 3 (1) A financial service intermediary (in the case of the delivery of a document under item (ii) or (iii), including officers (meaning the officer prescribed in Article 13 paragraph (1), item (ii) of the Act; the same applies below, except for Article 13, item (ii)) or employees of the financial service intermediary (limited to those prescribed in Article 294, paragraph (1) of the Insurance Business Act (Act No. 105 of 1995), as applied mutatis mutandis pursuant to Article 30 of the Act (referred to as the "Insurance Business Act as applied mutatis mutandis" in the following Chapter)); the same applies below in this Article) may provide the particulars to be stated in a document by electronic or magnetic means, in lieu of delivering a document under the

provisions stated below, with the customer's consent and as provided for in the following paragraph. In this case, the financial service intermediary is deemed to have delivered the document:

一　第四十九条第一項第四号

(i) Article 49, paragraph (1), item (iv);

二　第五十六条第一項第一号、第五号、第六号及び第八号から第十号まで

(ii) Article 56, paragraph (1), items (i), (v), and (vi), as well as items (viii) through (x);

三　第六十二条第一項第六号、第八号、第九号及び第十一号（同条第三項において準用する場合を含む。）

(iii) Article 62, paragraph (1), items (vi), (viii), and (ix), as well as item (xi) (including as applied mutatis mutandis pursuant to paragraph (3) of that Article);

四　第九十条第一項第一号及び第三号ロ

(iv) Article 90, paragraph (1), item (i) and item (iii), (b);

五　第九十一条第一項第一号及び第四号ロ

(v) Article 91, paragraph (1), item (i) and item (iv), (b);

六　第百六条第一項第三号ロ

(vi) Article 106, paragraph (1), item (iii), (b); and

七　第百七条第一項第四号ロ及び第五号ロ

(vii) Article 107, paragraph (1), item (iv), (b) and item (v), (b).

2　金融サービス仲介業者は、前項の規定により書面に記載すべき事項を電磁的方法により提供しようとするときは、あらかじめ、当該顧客に対し、その用いる次に掲げる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

(2) If a financial service intermediary intends to provide the particulars to be stated in a document pursuant to the provisions of the preceding paragraph by electronic or magnetic means, it must, in advance, present to the customer the types and details of the following electronic or magnetic means it uses and obtain consent in writing or by electronic or magnetic means:

一　前条第一項各号に掲げる方法のうち金融サービス仲介業者が使用するもの

(i) the method to be used by the financial service intermediary, from among those specified in the items of paragraph (1) of the preceding Article; and

二　ファイルへの記録の方式

(ii) the format for recording information in files.

3　前項の規定による承諾を得た金融サービス仲介業者は、当該顧客から書面又は電磁的方法により電磁的方法による提供を受けない旨の申出があったときは、当該顧客に対し、書面に記載すべき事項の提供を電磁的方法によってしてはならない。ただし、当該顧客が再び同項の規定による承諾をした場合は、この限りでない。

(3) If a customer has provided notice in writing or by electronic or magnetic means, informing that the customer will not receive information by electronic

or magnetic means, a financial service intermediary that has obtained consent under the preceding paragraph must not provide the customer with the information to be stated in a document by electronic or magnetic means; provided, however, that this does not apply in cases where the customer has again provided consent under that paragraph.

第二章　金融サービス仲介業者
Chapter II Financial Service Intermediaries
第一節　通則
Section 1 General Rules

（国民の日常生活において利用される取引に係る特定預金等契約等）
(Contract for Specified Deposits, etc. Relating to Transactions in the Daily Lives of the People)

第四条　令第十七条第一項第一号に規定する内閣府令で定めるものは、第四十八条第二号に掲げる預金等（同条第一号又は第三号に掲げるものに該当するものを除く。以下この項及び次節第五款において「外貨預金等」という。）のうち、その引出し、送金又は支払が当該外貨預金等の表示通貨で行うことができるものの受入れを内容とする契約とする。

Article 4 (1) The contract specified by Cabinet Office Order, as prescribed in Article 17, paragraph (1), item (i) of the Order, is a contract for accepting a deposit, etc., as stated in Article 48, item (ii) (excluding any deposit stated in item (i) or (iii) of that Article; referred to below as a "foreign currency deposit, etc." in this paragraph and Subsection 5 of the following Section), which may be withdrawn, remitted, or paid in its denominated currency.

２　令第十七条第二項第一号に規定する内閣府令で定めるものは、当座貸越しを内容とする契約とする。

(2) The contract specified by Cabinet Office Order, as prescribed in Article 17, paragraph (2), item (i) of the Order, is an overdraft contract.

（顧客に対し高度に専門的な説明を必要とする保険契約）
(Insurance Policies Requiring Highly Specialized Explanations for Customers)

第五条　令第十八条第五号に規定する内閣府令で定めるものは、被保険者に対する行事の実施等に付随して引き受けられる保険に係る保険契約（当該行事の実施等に起因する損害等を対象とするものその他の当該行事の実施等と関連性を有するものに限る。）とする。

Article 5 (1) The insurance policy specified by Cabinet Office Order, as prescribed in Article 18, item (v) of the Order, is an insurance policy concerning an insurance underwritten in connection with the implementation of an event, etc. with respect to an insured person (limited to an insurance policy covering damages, etc. arising from the implementation of an event, etc.

or otherwise relevant to the implementation of such an event, etc.).

２　令第十八条第六号に規定する内閣府令で定める保険契約は、次に掲げる保険契約とする。

(2) The insurance policies specified by Cabinet Office Order, as prescribed in Article 18, item (vi) of the Order, are as follows:

一　既に締結している保険契約（以下この号並びに第五十六条第一項第三号ニ及び第三項第二号において「既契約」という。）を消滅させると同時に、既契約の責任準備金、返戻金の額その他の被保険者のために積み立てられている額を、新たに締結する保険契約（以下この号において「新契約」という。）の責任準備金又は保険料に充当することによって成立する保険契約（既契約と新契約の被保険者が同一人を含む場合に限る。）

(i) an insurance policy that is established by terminating an insurance policy already concluded (referred to below as the "existing policy" in this item and in Article 56, paragraph (1), item (iii), (d), and paragraph (3), item (ii)) and allocating the policy reserve, refunds, or any other amounts reserved for the insured under the existing policy to the policy reserve or insurance premiums for a new insurance policy (referred to below as the "new policy" in this item) (limited to cases where the insured under both the existing policy and the new policy are the same person);

二　基礎率変更権（予定発生率（保険契約締結時の保険料計算の基礎となる保険事故発生率をいう。以下この号において同じ。）について、実際の保険事故発生率が保険契約締結時の予測と相違し又は今後明らかに相違することが予測されるため、予定発生率を変更して保険料又は保険金の額の変更を行う権利をいう。）に関する条項を普通保険約款に記載する第三分野保険（保険業法第三条第四項第二号又は第五項第二号に掲げる保険をいう。以下この号において同じ。）の保険契約（保険期間が一年以下の保険契約（当該保険契約の更新時において保険料率の変更をしないことを約した保険契約を除く。）及び傷害保険契約（第三分野保険のうち次に掲げる事由に関するものに係る保険契約をいう。）その他これに準ずる給付を行う保険契約を除く。）

(ii) an insurance policy of a third-sector insurance (meaning the insurance stated in Article 3, paragraph (4), item (ii) or paragraph (5), item (ii) of the Insurance Business Act; the same applies below in this item) that contains in its general policy conditions a provision concerning the right to modify the base rate (meaning the right to make any modification to the amount of insurance premiums or the amount of insurance proceeds by changing an assumed incidence rate (meaning the incidence rate of insured events that served as the basis for the calculation of insurance premiums at the time of the conclusion of the insurance policy; the same applies below in this item), due to the reason that the actual incidence rate of insured events deviates, or is likely to deviate, from the estimated incidence rate at the time of conclusion of the insurance policy) (excluding an insurance policy whose

insurance period is one year or shorter (excluding an insurance policy with a special agreement not to revise the insurance premium rate upon the renewal); and excluding an injury insurance policy (meaning a third-sector insurance policy relating to the events stated below) and any other insurance policy providing similar benefits);

イ　傷害を受けたことを原因とする人の状態

(a) the condition of the human body resulting from an injury inflicted on a person;

ロ　傷害を受けたことを直接の原因とする人の死亡（余命が一定の期間以内であると医師により診断された身体の状態及び重度の障害に該当する状態を含む。）

(b) an individual's death directly caused by an injury (including a physical condition where a medical doctor has diagnosed the insured with limited time to live, as well as a condition where the insured suffers severe disabilities);

ハ　イに定めるものに関し、治療（治療に類する行為として次に掲げるものを含む。）を受けたこと。

(c) the person has received treatment (including the following activities, which are considered similar to treatment) concerning the items specified in (a);

（１）　保健師助産師看護師法（昭和二十三年法律第二百三号）第三条に規定する助産師が行う助産

1. midwifery performed by a midwife as prescribed in Article 3 of the Act on Public Health Nurses, Midwives, and Nurses (Act No. 203 of 1948);

（２）　柔道整復師法（昭和四十五年法律第十九号）第二条第一項に規定する柔道整復師が行う施術

2. therapy performed by a judo therapist as prescribed in Article 2, paragraph (1) of the Judo Therapists Act (Act No. 19 of 1970); and

（３）　あん摩マツサージ指圧師、はり師、きゆう師等に関する法律（昭和二十二年法律第二百十七号）に基づくあん摩マッサージ指圧師、はり師又はきゅう師が行う施術（医師の指示に従って行うものに限る。）

3. therapy performed by a massage and finger pressure therapist, acupuncture therapist, or moxibustion therapist as prescribed in the Act on Practitioners of Massage, Finger Pressure, Acupuncture and Moxacauterization, etc. (Act No. 217 of 1947) (limited to therapies performed in accordance with instructions from a medical doctor).

３　令第十八条第七号イに規定する内閣府令で定めるものは、第五十六条第一項第三号ロに掲げる保険契約とする。

(3) The insurance policy specified by Cabinet Office Order, as prescribed in Article 18, item (vii), (a) of the Order, is the insurance policy stated in Article 56, paragraph (1), item (iii), (b).

（顧客に対し高度に専門的な説明を必要とする有価証券の売買等）

(Purchase and Sale of Securities Requiring Highly Specialized Explanations for Customers)

第六条　令第十九条第一項第一号イ（２）又はホ（２）に規定する内閣府令で定める要件は、次に掲げる要件の全てに該当することとする。

Article 6 (1) The requirements specified by Cabinet Office Order, as prescribed in Article 19, paragraph (1), item (i), (a), 2. or (e), 2. of the Order, are those that satisfy all of the following conditions:

一　償還期限及び償還金額（確定金額に限る。）の定めがあり、かつ、償還時に額面金額の全部又は一部の償還がされない条件が付されていないこと。

(i) the redemption date and redemption payment (limited to a fixed amount) are specified, with no conditions attached that would prevent all or part of the face value from being redeemed at the time of redemption;

二　元本の償還及び利息の支払が、払込みをする通貨と同じ通貨で行われない条件が付されていないこと。

(ii) no conditions are attached that indicate the redemption of principal and payment of interest will be made in a currency different from that used for the initial payment;

三　指標（金利、通貨の価格、金融商品市場（金融商品取引法（昭和二十三年法律第二十五号）第二条第十四項に規定する金融商品市場をいう。次節において同じ。）における相場その他の指標をいう。次号において同じ。）に係る変動により期限前償還をする条件が付されていないこと。

(iii) no conditions are attached that indicate payment before maturity is to be made based on the fluctuation of an indicator (meaning an interest rate, the value of a currency, a quotation on the financial instruments exchange market (meaning the financial instruments exchange market prescribed in Article 2, paragraph (14) of the Financial Instruments and Exchange Act (Act No. 25 of 1948); the same applies in the following Section), or other indicators; the same applies in the following item);

四　指標（金利及び金利に基づいて算出される数値を除く。）に係る変動により利息の額が変動する条件が付されていないこと。

(iv) no conditions are attached that indicate that the amount of interest fluctuates based on changes in an indicator (excluding interest rates and numerical values calculated based on interest rates);

五　元利金の支払について劣後的内容を有する特約が付されていないこと。

(v) no special provisions exist stating subordinated conditions for the payment of principal and interest; and

六　金融庁長官の指定する有価証券でないこと。

(vi) the securities are not designated by the Commissioner of the Financial Services Agency.

２　令第十九条第一項第一号ロ、ハ（１）（ｉｉ）、ニ（１）（ｉｉ）、ヘ（１）又は

チに規定する内閣府令で定めるものは、有価証券が上場されている同号ロに規定する金融商品取引所等の定める規則に基づき、当該金融商品取引所等への上場を廃止することが決定された銘柄又は上場を廃止するおそれがある銘柄として指定されている有価証券とする。

(2) The items specified by Cabinet Office Order, as prescribed in Article 19, paragraph (1), item (i), (b), (c), 1.ii., (d), 1.ii., (f), 1. or (h) of the Order, are securities for which delisting from the financial instruments exchange, etc. has been decided, or which have been designated—in accordance with the rules established by the financial instruments exchange, etc. stated in item (b) of that paragraph—as securities that may be subject to delisting, where those securities are listed.

3　令第十九条第一項第一号ハ（２）に規定する内閣府令で定める取引は、次に掲げる取引とする。

(3) The transactions specified by Cabinet Office Order, as prescribed in Article 19, paragraph (1), item (i), (c), 2. of the Order, are as follows:

一　第四十九条第二項第一号に規定する商品デリバティブ取引

(i) the commodity derivatives transaction prescribed in Article 49, paragraph (2), item (i);

二　第四十九条第二項第二号に掲げる取引

(ii) the transaction stated in Article 49, paragraph (2), item (ii);

三　第四十九条第二項第三号に掲げる取引

(iii) the transaction stated in Article 49, paragraph (2), item (iii);

四　選択権付債券売買（当事者の一方が受渡日を指定できる権利を有する債券売買であって、一定の期間内に当該権利が行使されない場合には、当該売買の契約が解除される取引をいう。第五項第五号において同じ。）

(iv) bond trading with options (meaning bond trading in which one of the parties is entitled to designate the delivery date, and the contract for bond trading with options will be canceled if that party does not exercise that right within a specified period; the same applies in paragraph (5), item (v));

五　先物外国為替取引

(v) a foreign exchange futurestransaction; and

六　前各号に掲げる取引に類似する取引

(vi) a transaction similar to those stated in the preceding items.

4　令第十九条第一項第一号ハ（２）、ニ（２）又はヘ（２）に規定する内閣府令で定める目的は、次に掲げる目的とする。

(4) The purposes specified by Cabinet Office Order, as prescribed in Article 19, paragraph (1), item (i), (c), 2., (d), 2. or (f), 2. of the Order, are as follows:

一　当該有価証券が投資の対象とする資産を保有した場合と同様の損益を実現する目的

(i) to achieve gains and losses equivalent to those that would arise from holding the investment assets underlying the securities;

二　当該有価証券の資産又は負債に係る価格変動及び金利変動により生じるリスク（為替相場の変動、市場金利の変動、経済事情の変化その他の要因による利益又は損失の増加又は減少の生じるおそれをいう。次号において同じ。）を減じる目的

(ii) to reduce the risk from price and interest rate fluctuations relating to the underlying assets or liabilities of the securities (meaning the risk of increases or decreases in profits or losses due to fluctuations in exchange rates, changes in market interest rates, changes in the economic situation, or any other factors; the same applies in the following item); and

三　先物外国為替取引により、当該有価証券の資産又は負債について為替相場の変動により生じるリスクを減じる目的

(iii) to reduce the risk arising from fluctuations in exchange rates concerning the assets or liabilities of the securities through foreign exchange futures transactions.

5　令第十九条第一項第二号に規定する内閣府令で定める取引は、次に掲げる取引とする。

(5) The transactions specified by Cabinet Office Order, as prescribed in Article 19, paragraph (1), item (ii) of the Order, are as follows:

一　金融商品取引法第百六十一条の二に規定する取引及びその保証金に関する内閣府令（昭和二十八年大蔵省令第七十五号）第一条第二項に規定する発行日取引

(i) when-issued transactions prescribed in Cabinet Office Order on Transactions Prescribed in Article 161-2 of the Financial Instruments and Exchange Act and Security Deposits for the Transactions (Ministry of Finance Order No. 75 of 1953);

二　空売り（有価証券を有しないで又は有価証券を借り入れて（その有している有価証券（借り入れているものを除く。）の売付け後遅滞なく当該有価証券を提供できることが明らかでない場合を含む。）その売付けをすることをいう。）

(ii) short selling (meaning the sale of securities without holding them or by borrowing them (including cases where it is uncertain whether the securities held by the seller (excluding borrowed securities) can be provided without delay after the sale of those securities));

三　債券等（金融商品取引法第二条第一項第一号から第三号まで又は第五号に掲げる有価証券及び同項第十七号に掲げる有価証券（同項第一号から第三号まで又は第五号に掲げる有価証券の性質を有するものに限る。）をいう。次号において同じ。）の買戻条件付売買（買戻価格があらかじめ定められているもの又は約定時において買戻日が定められていないものであって、買戻日を定めることにより買戻価格を定めることができるものをいう。）

(iii) the purchase and sale of bonds, etc. (meaning the securities stated in Article 2, paragraph (1), items (i) through (iii) or item (v) of the Financial Instruments and Exchange Act, as well as the securities stated in item (xvii) of that paragraph (limited to those having the characteristics of the securities stated in items (i) through (iii) and item (v) of that paragraph); the

same applies in the following item) on the condition of repurchase (meaning a purchase and sale in which the repurchase price is fixed in advance, or where the repurchase date is not determined at the time of concluding the contract and the repurchase price may be determined by subsequently setting the repurchase date);

四　債券等の売戻条件付売買（売戻価格があらかじめ定められているもの又は約定時において売戻日が定められていないものであって、売戻日を定めることにより売戻価格を定めることができるものをいう。）

(iv) the purchase and sale of bonds, etc. on the condition of resale (meaning a purchase and sale in which the resale price is fixed in advance, or where the resale date is not determined at the time of concluding the contract and the resale price may be determined by subsequently setting the resale date); and

五　選択権付債券売買

(v) trading of bonds with options.

（登録の申請）

(Application for Registration)

第七条　法第十二条の登録を受けようとする者は、別紙様式第一号により作成した法第十三条第一項の登録申請書に、同条第二項の規定により当該登録申請書に添付すべき書類を添付して、金融庁長官（令第四十七条第一項及び第四項並びに第四十八条第一項及び第四項の規定により財務局長又は福岡財務支局長に金融庁長官の権限が委任されている場合にあっては、当該財務局長又は福岡財務支局長。以下「金融庁長官等」という。）に提出しなければならない。

Article 7　A person seeking registration under Article 12 of the Act must submit a written registration application under Article 13, paragraph (1) of the Act, prepared in accordance with Appended Form 1, together with the documents required to be attached pursuant to paragraph (2) of that Article, to the Commissioner of the Financial Services Agency (if the authority of the Commissioner is entrusted to the director-general of a local finance bureau or the Fukuoka Local Finance Branch Bureau, pursuant to the provisions of Article 47, paragraphs (1) and (4), and Article 48, paragraphs (1) and (4), the application must be submitted to the director-general of the relevant local finance bureau or the Fukuoka Local Finance Branch Bureau; referred to below as the "Commissioner, etc.")

（貸金業貸付媒介業務を行う場合の登録申請書に記載する連絡先等）

(Contact Information Stated in the Written Registration Application Form When Conducting Loan Intermediary Business Operations)

第八条　法第十三条第一項第五号に規定する内閣府令で定めるものは、次に掲げる連絡先等とする。

Article 8　(1) The contact information specified by Cabinet Office Order, as

prescribed in Article 13, paragraph (1), item (v) of the Act, is as follows:

一　電話番号（場所を特定するもの並びに当該場所を特定するものに係る着信課金サービス及び統一番号サービスに係るものに限る。）

(i) telephone numbers (limited to those specifying a location, as well as those related to incoming call billing services and integrated number services for a specified location);

二　ホームページアドレス（使用する自動公衆送信装置（著作権法（昭和四十五年法律第四十八号）第二条第一項第九号の五イに規定する自動公衆送信装置をいう。）のうちその用に供する部分をインターネットにおいて識別するための文字、番号、記号その他の符号又はこれらの結合であって、情報の提供を受ける者がその使用に係る電子計算機に入力することによって当該情報の内容を閲覧することができるものをいう。第百二十九条第一項及び第五項第二号において同じ。）

(ii) homepage address (meaning characters, numbers, marks or any other codes, or a combination of them, which identify a part of the automatic public transmission server (meaning the automatic public transmission server prescribed in Article 2, paragraph (1), item (ix)-5, (a) of the Copyright Act (Act No. 48 of 1970)) used for that purpose on the internet, and which allow the recipient of the information to inspect the details of that information by inputting it into the computer used by that person; the same applies in Article 129, paragraph (1) and paragraph (5), item (ii)); and

三　電子メールアドレス（特定電子メールの送信の適正化等に関する法律（平成十四年法律第二十六号）第二条第三号に規定する電子メールアドレスをいう。第百二十九条第一項及び第五項第三号並びに第百三十七条第二項において同じ。）

(iii) email address (meaning the electronic mail address prescribed in Article 2, item (iii) of the Act on Regulation of Transmission of Specified Electronic Mail (Act No. 26 of 2002); the same applies in Article 129, paragraph (1), paragraph (5), item (iii), as well as Article 137, paragraph (2)).

２　前項第二号又は第三号に掲げるものを法第十三条第一項第五号に掲げる事項として同項の登録申請書に記載する場合には、前項第一号に掲げるもののいずれかを併せて記載しなければならない。

(2) When any particular stated in item (ii) or (iii) of the preceding paragraph is stated in the written application for registration referred to in that paragraph, any particular stated in item (i) of the preceding paragraph must also be stated in that application.

（情報通信の技術を利用する方法）

(Method of Using Information and Communications Technology)

第九条　法第十三条第一項第六号に規定する内閣府令で定めるものは、金融サービス仲介業者が、顧客から当該金融サービス仲介業者の提供するソフトウェアを使用する方法により当該顧客が締結しようとする金融サービス契約（顧客が金融サービス仲介行為（金融サービス仲介業務に関して行う法第十一条第二項各号に掲げる媒介、同条第

三項に規定する媒介、同条第四項各号に掲げる行為及び同条第五項に規定する媒介をいう。次節において同じ。）により締結する契約（金融サービス仲介業者と締結するものを除く。）をいう。以下この条、第三十三条及び第三十四条第一号において同じ。）に関する顧客の注文の内容の伝達を受け、次に掲げる者（以下この条及び同節第一款において「相手方金融機関」という。）が定める方式（金融サービス仲介業者が金融サービス仲介業務に用いるソフトウェアと相手方金融機関が金融サービス契約の締結に用いるソフトウェアとの間の通信に係る方式に限る。）に従い、当該注文の内容を当該相手方金融機関に伝達する方法とする。

Article 9 The method specified by Cabinet Office Order, as prescribed in Article 13, paragraph (1), item (vi) of the Act, is a method by which a financial service intermediary receives from a customer the details of the customer's order concerning a financial service contract (meaning a contract concluded by the customer through an act of financial service intermediation (meaning the intermediation stated in the items of Article 11, paragraph (2) of the Act, the intermediation prescribed in paragraph (3) of that Article, the acts stated in the items of paragraph (4) of that Article, and the intermediation prescribed in paragraph (5) of that Article, all provided in connection with financial service intermediary business operations; the same applies in the following Section), such contract being concluded by the customer using software provided by the financial service intermediary (excluding a contract concluded with a financial service intermediary; the same applies below in this Article, Article 33, and Article 34, item (i))). The method also involves transmitting the order details to the person stated below (referred to below as the "counterpart financial institution" in this Article and in Subsection 1 of the following Section), in accordance with a method specified by the counterparty financial institution (limited to a method involving communication between the software used by the financial service intermediary for its business operations and the software used by the counterparty financial institution for the concluding the financial service contract).

一　法第十一条第二項第一号イからヨまでに掲げる者

(i) the person stated in Article 11, paragraph (2), item (i), (a) through (o) of the Act;

二　法第十一条第三項各号に掲げる者

(ii) the person stated in the items of Article 11, paragraph (3) of the Act;

三　法第十一条第四項第一号イ又はロに掲げる者

(iii) the person stated in Article 11, paragraph (4), item (i), (a) or (b) of the Act; and

四　貸金業者（貸金業法（昭和五十八年法律第三十二号）第二条第二項に規定する貸金業者をいう。第十三条第二号ワにおいて同じ。）

(iv) a money lender (meaning the money lender prescribed in Article 2, paragraph (2) of the Money Lending Business Act (Act No. 32 of 1983; the

same applies in Article 13, item (ii), (m))).

（登録申請書の記載事項）

(Particulars to Be Stated in the Written Application for Registration)

第十条　法第十三条第一項第八号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 10 The particulars specified by Cabinet Office Order, as prescribed in Article 13 paragraph (1), item (viii) of the Order, are as follows:

一　登録申請者（法第十三条第一項に規定する登録申請者をいう。以下この条から第十二条まで及び第十六条第一項第一号イにおいて同じ。）が個人である場合にあっては、他の法人の常務に従事しているときは、当該他の法人の商号又は名称、主たる営業所又は事務所の所在地及び事業の種類

(i) when the registration applicant (meaning the registration applicant prescribed in Article 13, paragraph (1) of the Act; the same applies below in Article 10 through 12 and Article 16, paragraph (1), item (i), (a)) is an individual, and if the registration applicant is engaged in the regular business of any other corporation, the corporation's trade name or name, the location of its principal place of business or office, as well as the type of business;

二　登録申請者が法人である場合にあっては、その役員が他の法人の常務に従事し、又は事業を行っているときは、当該役員の氏名又は名称並びに当該他の法人の商号若しくは名称、主たる営業所若しくは事務所の所在地及び事業の種類又は行っている事業の種類

(ii) when the registration applicant is a corporation, and if its officer engages in the ordinary business or conducts business of any other corporation, the name of the officer, the corporation's trade name or name, the location of its principal place of business or office, as well as the type of ordinary business or business conducted by that corporation; and

三　加入する認定金融サービス仲介業協会の名称

(iii) the name of the certified financial service intermediary business association to which the corporation belongs.

（業務の内容及び方法）

(Business Content and Methods)

第十一条　法第十三条第二項第三号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 11 The business content and methods specified by Cabinet Office Order, as prescribed in Article 13, paragraph (2), item (iii) of the Act, are as follows:

一　業務の内容及び方法

(i) business content and methods; and

二　登録申請者が法人であるときは、業務分掌の方法

(ii) the method of allocation of business operations, if the applicant is a corporation.

（登録申請書の添付書類）

(Documents to Be Attached to a Written Application for Registration)

第十二条　法第十三条第二項第八号に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 12 The documents specified by Cabinet Office Order, as prescribed in Article 13, paragraph (2), item (viii) of the Act, are as follows:

一　登録申請者が個人であるときは、次に掲げる書類

(i) the following documents, if the registration applicant is an individual:

イ　登録申請者の履歴書

(a) the resume of the registration applicant;

ロ　登録申請者の住民票の抄本又はこれに代わる書面

(b) an extract of the resident record of the registration applicant, or any other document serving in lieu of the resident record;

ハ　登録申請者の旧氏（住民基本台帳法施行令（昭和四十二年政令第二百九十二号）第三十条の十三に規定する旧氏をいう。以下同じ。）及び名を当該登録申請者の氏名に併せて別紙様式第一号により作成した登録申請書に記載した場合において、ロに掲げる書面が当該登録申請者の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(c) if the former surname and given name (meaning the former surname prescribed in Article 30-13 of the Order for Enforcement of the Act for Basic Register of Residents (Cabinet Order No. 292 of 1967); the same applies below) of the registration applicant are stated together with their current name in a written application for registration, prepared in accordance with Appended Form 1, and if the document stated in (b) does not certify the former surname and given name of the registration applicant, a document certifying those names;

ニ　登録申請者が金融サービス仲介業に関し成年者と同一の行為能力を有しない未成年者である場合にあっては、その法定代理人の住民票の抄本又はこれに代わる書面（当該法定代理人が法人である場合にあっては、当該法定代理人の登記事項証明書又はこれに代わる書面）

(d) when the registration applicant is a minor who does not have the same legal capacity to act as an adult with respect to a financial service intermediary business, an extract of the resident record of the minor's legal representative, or any other document serving in lieu of that resident record (if the legal representative is a corporation, a certificate of registered information or any other document serving in lieu of that certificate);

ホ　登録申請者が法第十五条第三号イ（同条第二号ロに係る部分に限る。）に該当

しない旨の官公署の証明書又はこれに代わる書面

(e) a certificate issued by a public agency, or a document serving in lieu of such certificate, stating that the registration applicant does not fall under Article 15, item (iii), (a) of the Act (limited to the portion concerning item (ii), (b) of that Article);

二　登録申請者が法人であるときは、次に掲げる書類

(ii) the following documents, if the registration applicant is a corporation:

イ　その役員（役員が法人である場合にあっては、その職務を行うべき者を含む。ロにおいて同じ。）の履歴書（役員が法人である場合にあっては、当該役員の沿革を記載した書面）

(a) the resumes of officers (if an officer is a corporation, including the individual who is to perform the duties; the same applies in (b)) (if an officer is a corporation, a document stating the officer's career background);

ロ　その役員の住民票の抄本（役員が法人である場合にあっては、当該役員の登記事項証明書）又はこれに代わる書面

(b) an extract of the resident record of an officer (or, if the officer is a corporation, a certificate of registered information for the officer), or any other document serving in lieu of the extract or certificate;

ハ　その役員の旧氏及び名を当該役員の氏名に併せて別紙様式第一号により作成した登録申請書に記載した場合において、ロに掲げる書面が当該役員の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(c) if the former surname and the given name of the officer are stated together with their current name in a written application for registration, prepared in accordance with Appended Form 1, and if the document stated in (b) does not certify the former surname and given name of the officer, a document certifying those names;

ニ　その役員が法第十五条第二号ロに該当しない旨の官公署の証明書又はこれに代わる書面

(d) a certificate issued by a public agency stating that the officer does not fall under Article 15, item (ii), (b) of the Act, or any other document in lieu of such certificate;

三　登録申請者が金融サービス仲介業務を適確に遂行するに足りる能力を有することを明らかにする書面

(iii) a document stating that the registration applicant has sufficient capacity to properly perform financial service intermediary business operations;

四　兼業業務（金融サービス仲介業務及び金融サービス仲介業務に付随する業務以外の業務をいう。第十六条第一項において同じ。）を行う場合にあっては、その内容を記載した書面

(iv) a document describing the details, where the registration applicant conducts any concurrent business (meaning a business other than financial

service intermediary business operations and a business incidental to such operations; the same applies in Article 16, paragraph (1));

五　金融サービス仲介業務の運営に関する社内規則等（社内規則その他これに準ずるものをいう。第三十五条において同じ。）

(v) internal rules, etc. (meaning internal rules and any other rules of a similar nature; the same applies in Article 35) concerning the management of financial service intermediary business operations;

六　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項を記載した書面

(vi) a document describing the particulars stated in either (a) or (b) below, in accordance with the categories of cases listed in each item, respectively:

イ　法第二十八条第一項各号に掲げる場合の区分に応じた指定紛争解決機関（指定預金等媒介紛争解決機関（同項第一号イに規定する指定預金等媒介紛争解決機関をいう。次節において同じ。）、指定保険媒介紛争解決機関（同項第二号イに規定する指定保険媒介紛争解決機関をいう。同節において同じ。）、指定有価証券等仲介紛争解決機関（同項第三号イに規定する指定有価証券等仲介紛争解決機関をいう。同節において同じ。）及び指定貸金業貸付媒介紛争解決機関（同項第四号イに規定する指定貸金業貸付媒介紛争解決機関をいう。同節において同じ。）をいう。ロにおいて同じ。）が存在する場合　預金等媒介業務、保険媒介業務、有価証券等仲介業務又は貸金業貸付媒介業務に係る手続実施基本契約を締結する措置を講じようとする当該手続実施基本契約の相手方である指定紛争解決機関の名称又は商号

(a) when a designated dispute resolution organization, according to the categories of the cases as stated in the items of Article 28, paragraph (1) of the Act, respectively, is designated (a "designated dispute resolution organization" means a designated dispute resolution organization for deposit, etc. brokerage (meaning the designated dispute resolution organization for deposit, etc. brokerageprescribed in item (i), (a) of that paragraph; the same applies in the following Section), a designated dispute resolution organization for insurance intermediary services (meaning the designated dispute resolution organization for insurance intermediary services prescribed in item (ii), (a) of that paragraph; the same applies in the following Section), a designated dispute resolution organization for securities intermediary services (meaning the designated dispute resolution organization for securities intermediary services prescribed in item (iii), (a) of that paragraph; the same applies in the following Section), and a designated dispute resolution organization for money lending business and loan brokerageservices (meaning the designated dispute resolution organization for money lending business and loan brokerage services prescribed in item (iv), (a) of that paragraph; the same applies in the following Section); the same applies in (b)): the name or trade name of

the designated dispute resolution organization, which is a counterparty to a basic contract for the implementation of dispute resolution procedures for which measures to conclude a basic contract for the implementation of dispute resolution procedures regarding deposit, etc. intermediary business operations, insurance intermediary business operations, securities, etc. intermediary business operations or loan intermediary business operations;

ロ　法第二十八条第一項各号に掲げる場合の区分に応じた指定紛争解決機関が存在しない場合　預金等媒介業務、保険媒介業務、有価証券等仲介業務又は貸金業貸付媒介業務に関する苦情処理措置（同項第一号ロに規定する苦情処理措置をいう。次節において同じ。）及び紛争解決措置（同項第一号ロに規定する紛争解決措置をいう。同節において同じ。）の内容

(b) when there is no designated dispute resolution organization, according to the categories of the cases as stated in the items of Article 28, paragraph (1) of the Act, respectively: the content of complaint processing measures (meaning the complaint processing measuresprescribed in item (i), (b); the same applies in the following Section) and dispute resolution measures (meaning the dispute resolution measures prescribed in item (i), (b) of that paragraph; the same applies in the following Section) regarding deposit, etc. intermediary business operations, insurance intermediary business operations, securities, etc. intermediary business operations or loan intermediary business operations;

七　貸金業貸付媒介業務を行う場合において、令第二十三条に規定する使用人（以下この号並びに第十九条第二項及び第三項第四号において「重要な使用人」という。）があるときは、次に掲げる書類

(vii) the following documents, in the case of conducting loan intermediary business operations, if the registration applicant has an employee prescribed in Article 23 of the Order (referred to as an "important employee" in this item, Article 19, paragraph (2), and Article 19, paragraph (3), item (iv)):

イ　別紙様式第二号により作成した重要な使用人の氏名及び生年月日等を記載した書面

(a) a document prepared in accordance with Appended Form 2, describing the names, dates of birth, etc. of important employees;

ロ　重要な使用人の履歴書及び住民票の抄本又はこれに代わる書面

(b) a resume of an important employee and an extract of the resident record, or any other documents serving in lieu of the resume and the extract;

ハ　重要な使用人の旧氏及び名を当該重要な使用人の氏名に併せて別紙様式第二号により作成した書面に記載した場合において、ロに掲げる書面が当該重要な使用人の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(c) if the former surname and given name of an important employee are stated together with their current name in a document, prepared in

accordance with Appended Form 2, and if the document stated in (b) does not certify the former surname and given name of that important employee, a document certifying those names;

ニ　重要な使用人が法第十五条第二号ロに該当しない旨の官公署の証明書又はこれに代わる書面

(d) a certificate issued by a public agency stating that an important employee does not fall under Article 15, item (ii), (b) of the Act, or any other document serving in lieu of such certificate; and

八　電子金融サービス仲介業務（法第十三条第一項第六号に規定する電子金融サービス仲介業務をいう。以下この号及び第十八条第二項において同じ。）を行う場合にあっては、その行う電子金融サービス仲介業務の内容及び当該業務を遂行する体制を記載した書類

(viii) when conducting electronic financial service intermediary business operations (meaning the electronic financial service intermediary business operations prescribed in Article 13 paragraph (1), item (vi) of the Act; the same applies below in this item and Article 18, paragraph (2)), a document describing the particulars of the electronic financial service intermediary business operations and the organizational structure for carrying out those operations.

（不正な行為等をするおそれがあると認められる者）

(A Person Who Is Deemed to Be at Risk of Committing a Wrongful Act)

第十三条　法第十五条第一号カに規定する内閣府令で定める者は、次のいずれかに該当する者とする。

Article 13　The person specified by Cabinet Office Order, as prescribed in Article 15, item (i), (n) of the Order, is any of the following persons:

一　次のいずれかに該当する者

(i) a person who falls under any of the following:

イ　法第三十八条第一項の規定による法第十二条の登録の取消しの処分に係る行政手続法（平成五年法律第八十八号）第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に法第十六条第三項第三号に該当する旨の同項の規定による届出をした者（当該通知があった日前に金融サービス仲介業を廃止し、分割により金融サービス仲介業に係る事業の全部の承継をさせ、又は金融サービス仲介業に係る事業の全部の譲渡をすることについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(a) a person who has made a notification under Article 16, paragraph (3), item (iii) of the Act, stating that they fall under that item, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act (Act No. 88 of 1993) was made regarding a

disposition to revoke the registration prescribed in Article 12 of the Act, under Article 38, paragraph (1) of the Act, to the da on which that disposition is made or a decision not to make the disposition is made (excluding a person who, before the date of the notification, made a decision (if the person is a corporation, meaning a decision by the organ responsible for making decisions on the execution of its operations) to discontinue their financial service intermediary business, to have the whole of their business relating to a financial service intermediary business succeeded to through a company split, or to transfer the whole of that business), and for whom five years have not passed since the date of the notification;

ロ　金融商品取引法第五十二条第一項、第五十三条第三項又は第五十七条の六第三項の規定による同法第二十九条の登録の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第五十条の二第一項第二号、第六号又は第七号に該当する旨の同項の規定による届出をした者（当該通知があった日前に金融商品取引業（同法第二条第八項に規定する金融商品取引業をいう。以下同じ。）を廃止し、分割により金融商品取引業に係る事業の全部の承継をさせ、又は金融商品取引業に係る事業の全部の譲渡をすることについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(b) a person who has made a notification under Article 50-2, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the person falls under item (ii), (vi), or (vii) of that paragraph, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding a disposition to revoke the registration prescribed in Article 29 of the Financial Instruments and Exchange Act under Article 52, paragraph (1), Article 53, paragraph (3), or Article 57-6, paragraph (3) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person who, before the date of the notification, made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) to discontinue their financial instruments business (meaning the financial instruments business as prescribed in Article 2, paragraph (8) of that Act; the same applies below), to have the whole of their business relating to the financial instruments business succeeded to through a company split, or to transfer the whole of that business relating to a financial instruments business), and for whom five years have not yet passed since the date of the notification;

ハ　金融商品取引法第六十条の八第一項の規定による同法第六十条第一項の許可の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処

分をする日又は処分をしないことの決定をする日までの間に取引所取引業務（同項に規定する取引所取引業務をいう。ハ及び次号ニにおいて同じ。）を廃止したことにより金融商品取引法第六十条の七に規定する場合に該当する旨の同条の規定による届出をした場合における当該届出に係る取引所取引許可業者（同法第六十条の四第一項に規定する取引所取引許可業者をいう。同号ニにおいて同じ。）（当該通知があった日前に取引所取引業務を廃止することについての決定（当該取引所取引許可業者の業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(c) when, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding the revocation of the permission referred to in Article 60, paragraph (1) of the Financial Instruments and Exchange Act under Article 60-8, paragraph (1) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition, a notification has been made under Article 60-7 of that Act to the effect that the person falls under the case prescribed in that Article as a result of discontinuing its on-exchange transaction services (meaning the on-exchange transaction services prescribed in Article 60, paragraph (1) of that Act; the same applies in (c) and item (ii), (d)), as an authorized firm for on-exchange transactions (meaning the authorized firm for on-exchange transactions prescribed in Article 60-4, paragraph (1) of that Act; the same applies below in item (ii), (d)) concerning that notification (excluding a person who, before the date of the notification, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of the authorized firm for on-exchange transactions) about discontinuing its on-exchange transaction services), and for whom five years have not passed since the date of the notification;

ニ　金融商品取引法第六十条の十四第二項において準用する同法第六十条の八第一項の規定による同法第六十条の十四第一項の許可の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に電子店頭デリバティブ取引等業務（同項に規定する電子店頭デリバティブ取引等業務をいう。ニ及び次号ホにおいて同じ。）を廃止したことにより金融商品取引法第六十条の十四第二項において準用する同法第六十条の七に規定する場合に該当する旨の同条の規定による届出をした場合における当該届出に係る電子店頭デリバティブ取引等許可業者（同項に規定する電子店頭デリバティブ取引等許可業者をいう。同号ホにおいて同じ。）（当該通知があった日前に電子店頭デリバティブ取引等業務を廃止することについての決定（当該電子店頭デリバティブ取引等許可業者の業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(d) when, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding the

revocation of the permission referred to in Article 60-14, paragraph (1) of the Financial Instruments and Exchange Act under Article 60-8, paragraph (1) of that Act as applied mutatis mutandis pursuant to Article 60-14, paragraph (2) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition, a notification has been made under Article 60-7 of that Act, as applied mutatis mutandis pursuant to Article 60-14, paragraph (2) of that Act to the effect that the person falls under the case prescribed in that Article as a result of discontinuing its business of conducting electronic over-the-counter derivatives transactions, etc. (meaning the business of conducting electronic over-the-counter derivatives transactions, etc. prescribed in Article 60-14, paragraph (1) of that Act; the same applies in (d) and item (ii), (e)), as a business operator authorized to conduct electronic over-the-counter derivatives transactions, etc. (meaning the business operator authorized to conduct electronic over-the-counter derivatives transactions, etc. prescribed in that paragraph; the same applies below in item (ii), (e)) concerning that notification (excluding a person who, before the date of the notification, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of the business operator authorized to conduct electronic over-the-counter derivatives transactions, etc.) about discontinuing its business of conducting electronic over-the-counter derivatives transactions, etc.), and for whom five years have not passed since the date of the notification;

ホ　金融商品取引法第六十三条の五第三項の規定による適格機関投資家等特例業務（同法第六十三条第二項に規定する適格機関投資家等特例業務をいう。以下この条において同じ。）の廃止の処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第六十三条の二第一項の規定により特例業務届出者（同法第六十三条第二項の規定による届出をした者をいう。ホ及び次号へにおいて同じ。）の地位を承継した旨の同法第六十三条の二第二項の規定による届出又は同条第三項第二号に該当する旨の同項の規定による届出をした者（同条第一項の規定により特例業務届出者の地位を承継した旨の同条第二項の規定による届出をした場合にあっては、当該届出に係る特例業務届出者であった者とし、当該通知があった日前に適格機関投資家等特例業務に係る事業の全部の譲渡をし、分割により適格機関投資家等特例業務に係る事業の全部の承継をさせ、又は適格機関投資家等特例業務を廃止することについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(e) a person who has made a notification pursuant to Article 63-2, paragraph (2) of the Financial Instruments and Exchange Act to the effect that they have succeeded to the position of a notifier of specially permitted services

(meaning a person who has made a notification under Article 63, paragraph (2) of that Act; the same applies below in (e) and item (ii), (f)) pursuant to the provisions of Article 63-2, paragraph (1) of that Act, or who has made a notification under Article 63-2, paragraph (3) of that Act to the effect that a person falls under item (ii) of that paragraph, within the period from the day on which a notification was made under Article 15 of the Administrative Procedure Act regarding a disposition to discontinue specially permitted services for qualified institutional investors, etc. (meaning the specially permitted services for qualified institutional investors, etc. prescribed in Article 63, paragraph (2) of that Act; the same applies below in this Article) under Article 63-5, paragraph (3) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (in cases where a notification has been made under Article 63-2, paragraph (2) of that Act to the effect that they have succeeded to the position of a notifier of specially permitted services pursuant to the provisions of paragraph (1) of that Article, the person is deemed to have been the notifier of specially permitted services concerning that notification, excluding a person who, before the date of the notification, made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) about transferring the whole of its business relating to specially permitted services for qualified institutional investors, etc., having the whole of such business succeeded to through a company split, or discontinuing its specially permitted services for qualified institutional investors, etc.), and for whom five years have not passed since the date of the notification;

ヘ　金融商品取引法第六十三条の三第二項において準用する同法第六十三条の五第三項の規定による適格機関投資家等特例業務の廃止の処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第五十条の二第一項第六号若しくは第七号に該当する旨の同項の規定による届出又は同法第六十三条の三第二項において準用する同法第六十三条の二第三項第二号に該当する旨の同項の規定による届出をした者（当該通知があった日前に分割により適格機関投資家等特例業務に係る事業の全部の承継をさせ、適格機関投資家等特例業務に係る事業の全部の譲渡をし、又は適格機関投資家等特例業務を廃止することについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(f) a person who has made a notification under Article 50-2, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the person falls under item (vi) or (vii) of that paragraph, or a notification under Article 63-2, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 63-3, paragraph (2) of that Act to the effect that the

person falls under item Article 63-2, paragraph (3), item (ii) of that Act, within the period from the day on which a notification was made under Article 15 of the Administrative Procedure Act regarding a disposition to discontinue specially permitted services for qualified institutional investors, etc. under Article 63-5, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 63-3, paragraph (2) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person who, before the date of the notification, made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) about having the whole of its business relating to specially permitted services for qualified institutional investors, etc. succeeded to through a company split, transferring the whole of its business relating to such services, or discontinuing its specially permitted services for qualified institutional investors, etc.), and for whom five years have not passed since the date of the notification;

ト　金融商品取引法第六十三条の十三第三項の規定による海外投資家等特例業務（同法第六十三条の八第一項に規定する海外投資家等特例業務をいう。以下この条において同じ。）の廃止の処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第六十三条の十第一項の規定により海外投資家等特例業務届出者（同法第六十三条の九第一項の規定による届出をした者をいう。ト及び次号チにおいて同じ。）の地位を承継した旨の同法第六十三条の十第二項の規定による届出又は同条第三項第二号に該当する旨の同項の規定による届出をした者（同条第一項の規定により海外投資家等特例業務届出者の地位を承継した旨の同条第二項の規定による届出をした場合にあっては、当該届出に係る海外８投資家等特例業務届出者であった者とし、当該通知があった日前に海外投資家等特例業務に係る事業の全部の譲渡をし、分割により海外投資家等特例業務に係る事業の全部の承継をさせ、又は海外投資家等特例業務を廃止することについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(g) a person who has made a notification pursuant to Article 63-10, paragraph (2) of the Financial Instruments and Exchange Act to the effect that they have succeeded to the position of notifier of specially permitted services for foreign investors, etc. (meaning a person who has made a notification under Article 63-9, paragraph (1) of that Act; the same applies in (g) and item (ii), (h)) pursuant to the provisions of Article 63-10, paragraph (1) of that Act, or a notification under Article 63-10, paragraph (3) of that Act to the effect that they fall under item (ii) of that paragraph, within the period from the day on which a notification was made under Article 15 of the Administrative Procedure Act regarding a disposition to

discontinue specially permitted services for foreign investors, etc. (meaning the specially permitted services for foreign investors, etc. prescribed in Article 63-8, paragraph (1) of that Act; the same applies below in this Article) under Article 63-13, paragraph (3) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (in the case where a notification under Article 63-10, paragraph (2) of that Act was made to the effect that they succeeded to the position of notifier of specially permitted services for foreign investors, etc. pursuant to the provisions of paragraph (1) of that Article, the person is deemed to have been the notifier of specially permitted services for foreign investors, etc. concerning that notification, and excluding a person who, before the date of the notification, made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) about transferring the whole of its business relating to specially permitted services for foreign investors, etc., having the whole of its business relating to such services succeeded to through a company split, or discontinuing its specially permitted services for foreign investors, etc.), and for whom five years have not passed since the date of the notification;

チ　金融商品取引法第六十三条の十一第二項において準用する同法第六十三条の十三第三項の規定による海外投資家等特例業務の廃止の処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第五十条の二第一項第六号若しくは第七号に該当する旨の同項の規定による届出又は同法第六十三条の十一第二項において準用する同法第六十三条の十第三項第二号に該当する旨の同項の規定による届出をした者（当該通知があった日前に分割により海外投資家等特例業務に係る事業の全部の承継をさせ、海外投資家等特例業務に係る事業の全部の譲渡をし、又は海外投資家等特例業務を廃止することについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(h) a person who has made a notification under Article 50-2, paragraph (1) of the Financial Instruments and Exchange Act to the effect that they fall under item (vi) or (vii) of that paragraph, or a notification under Article 63-10, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 63-10, paragraph (2) of that Act to the effect that they fall under Article 63-10, paragraph (3), item (ii) of that Act, within the period from the day on which a notification was made under Article 15 of the Administrative Procedure Act regarding a disposition to discontinue specially permitted services for foreign investors, etc. under Article 63-13, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 63-11, paragraph (2) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person

who, before the date of the notification, made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) about having the whole of its business relating to specially permitted services for foreign investors, etc. succeeded to through a company split, transferring the whole of its business relating to such services, or discontinuing its specially permitted services for foreign investors, etc.), and for whom five years have not passed since the date of the notification;

リ　金融商品取引法第六十六条の二十第一項の規定による同法第六十六条の登録の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第六十六条の十九第一項第一号に該当する旨の同項の規定による届出をした者（当該通知があった日前に金融商品仲介業（同法第二条第十一項に規定する金融商品仲介業をいう。リ、次号ヌ並びに第四十二条第一号及び第二号において同じ。）を廃止し、分割により金融商品仲介業に係る事業の全部の承継をさせ、又は金融商品仲介業に係る事業の全部の譲渡をすることについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(i) a person who has made a notification under Article 66-19, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the person falls under item (i) of that paragraph, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding a disposition to revoke the registration prescribed in Article 66 of that Act under Article 66-20, paragraph (1) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person who, before the date of the notification, made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) about discontinuing their financial instruments intermediary service (meaning the financial instruments intermediary service prescribed in Article 2, paragraph (11) of that Act; the same applies in (i), item (ii), (j), as well as Article 42, items (i) and (ii)), having the whole of their business relating to a financial instruments intermediary service succeeded through a company split, or transferring the whole of such business), and for whom five years have not passed since the date of the notification;

ヌ　金融商品取引法第六十六条の四十二第一項の規定による同法第六十六条の二十七の登録の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第六十六条の四十第一項第一号に該当する旨の同項の規定による届出をした者（当該通知があった日前に信用格付業（同法第二条第三十五項に規定する信用格付業をいう。ヌ及び次号ル並びに第百九条第二項第三号において同じ。）を

廃止し、分割により信用格付業に係る事業の全部の承継をさせ、又は信用格付業に係る事業の全部の譲渡をすることについての決定（当該者の業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(j) a person who has made a notification under Article 66-40, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the person falls under item (i) of that paragraph, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding a disposition to revoke the registration prescribed in Article 66-27 of the Financial Instruments and Exchange Act under Article 66-42, paragraph (1) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person who, before the date of the notification, made a decision (meaning a decision by the organ responsible for making decisions on the execution of its operations) about discontinuing their credit rating service (meaning the credit rating service prescribed in Article 2, paragraph (35) of that Act; the same applies in (j), item (ii), (k), as well as Article 109, paragraph (2), item (iii)), having the whole of their business relating to a credit rating service succeeded to through a company split, or transferring the whole of such business), and for whom five years have not passed since the date of the notification;

ル　金融商品取引法第六十六条の六十三第一項の規定による同法第六十六条の五十の登録の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に金融商品取引法第六十六条の六十一第一項第二号、第六号又は第七号に該当する旨の同項の規定による届出をした者（当該通知があった日前に高速取引行為（同法第二条第四十一項に規定する高速取引行為をいう。次号ヲにおいて同じ。）に係る業務を廃止し、分割により当該業務に係る事業の全部の承継をさせ、又は当該業務に係る事業の全部の譲渡をすることについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(k) a person who has made a notification under Article 66-61, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the person falls under item (ii), (vi), or (vii) of that paragraph, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding a disposition to revoke the registration prescribed in Article 66-50 of that Act under Article 66-63, paragraph (1) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person who, before the date of the notification made, a decision (if the person is a corporation, a decision by the organ responsible for making decisions on

the execution of its operations) about discontinuing their high-speed trading (meaning the high-speed trading prescribed in Article 2, paragraph (41) of that Act; the same applies in item (ii), (l)), having the whole of their business relating to high-speed trading succeeded through a company split, or transferring the whole of such business), and for whom five years have not passed since the date of the notification;

ヲ　貸金業法第二十四条の六の四第一項又は第二十四条の六の五第一項の規定による同法第三条第一項の登録の取消しの処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に貸金業法第十条第一項第五号に該当する旨の同項の規定による届出をした者（当該通知があった日前に貸金業（同法第二条第一項に規定する貸金業をいう。次号ワにおいて同じ。）を廃止することについての決定（当該者が法人である場合にあっては、その業務執行を決定する機関の決定をいう。）をしていた者を除く。）で、当該届出の日から五年を経過しないもの

(l) a person who has made a notification under Article 10, paragraph (1) of the Money Lending Business Act to the effect that the person falls under item (v) of that paragraph, within the period from the day on which a notification under Article 15 of the Administrative Procedure Act was made regarding a disposition to revoke the registration prescribed in Article 3, paragraph (1) of that Act under Article 24-6-4, paragraph (1) or Article 24-6-5, paragraph (1) of that Act, to the day on which the disposition is made or a decision is made not to make the disposition (excluding a person who, before the date of the notification made a decision (if the person is a corporation, a decision by the organ responsible for making decisions on the execution of its operations) about discontinuing their money lending business (meaning the money lending business prescribed in Article 2, paragraph (1) of that Act; the same applies in item (ii), (m))), and for whom five years have not passed since the date of the notification;

二　次のいずれかに該当する者

(ii) a person who falls under any of the following:

イ　前号イの期間内に法第十六条第三項第三号又は第五号から第七号までのいずれかに該当する旨の同項の規定による届出をした法人（同項第五号から第七号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る金融サービス仲介業者であった法人とし、前号イの通知があった日前に金融サービス仲介業を廃止し、分割により金融サービス仲介業に係る事業の全部の承継をさせ、金融サービス仲介業に係る事業の全部の譲渡をし、合併（金融サービス仲介業者が合併により消滅する場合の当該合併に限る。）をし、又は解散をすることについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員（法第十五条第一号ソに規定する役員をいう。以下この号において同じ。）であった者で、当該届出の日から五年を経過し

ないもの

(a) a person who was an officer (meaning the officer prescribed in Article 15, paragraph (i), (r) of the Act; the same applies below in this item) of a corporation that has made a notification under Article 16, paragraph (3) of the Act to the effect that the corporation falls under item (iii) or items (v) through (vii) of that paragraph, within the period referred to in (a) of the preceding item (when having made a notification under that paragraph to the effect that the corporation falls under any of items (v) through (vii) of that paragraph, the corporation is deemed to have been the financial service intermediary concerning that notification, excluding a person who, before the day on which the notification under (a) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of the corporation) about discontinuing their financial service intermediary business, having the whole of their business relating to a financial service intermediary business succeeded to through a company split, transferring the whole of its business relating to a financial service intermediary business, effecting a merger (limited to a merger in which the financial service intermediary ceases to exist as a result), or dissolving), and for whom five years have not passed since the date of the notification;

ロ　法第三十八条第三項の規定による役員の解任を命ずる処分に係る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に退任した当該命令により解任されるべきとされた者（退任について相当の理由がある者を除く。）で、当該退任の日から五年を経過しない者

(b) a person who resigned within the period from the day on which the notification under Article 15 of the Administrative Procedure Act relating to the disposition ordering the dismissal of an officer under Article 38, paragraph (3) of the Act has been made, to the day on which the disposition is made or a decision is made not to make the disposition, and who was subject to an order for dismissal (excluding a person with reasonable grounds for the resignation), and for whom five years have not yet passed since the date of their resignation;

ハ　前号ロの期間内に金融商品取引法第五十条の二第一項第二号から第七号までのいずれかに該当する旨の同項の規定による届出をした法人（同項第三号から第五号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る金融商品取引業者（同法第二条第九項に規定する金融商品取引業者をいう。ハ及び次節第五款において同じ。）であった法人とし、前号ロの通知があった日前に金融商品取引業を廃止し、合併（金融商品取引業者が合併により消滅する場合の当該合併に限る。）をし、解散をし、分割により金融商品取引業に係る事業の全部の承継をさせ、又は金融商品取引業に係る事業の全部の譲渡を

することについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(c) a person who was an officer of a corporation that has made a notification under Article 50-2, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the corporation falls under any of items (ii) through (vii) of that paragraph, within the period referred to in (b) of the preceding item (when having made a notification under that paragraph to the effect that the corporation falls under any of items (iii) through (v) of that paragraph, the corporation is deemed to have been the financial instruments business operator (meaning the financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act; the same applies in (c) and Subsection 5 of the following Section) concerning that notification, excluding a person who had made a decision, before the day on which the notification under (b) of the preceding item was made (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about discontinuing its financial instruments business, effecting a merger (limited to a merger when the financial instruments business operator is dissolved as a result of the merger), dissolving, having the whole of its business relating to financial instruments business succeeded to through a company split, or transferring the whole of such business), and for whom five years have not passed since the date of the notification;

ニ　前号ハの期間内に金融商品取引法第六十条の七に規定する場合に該当する旨の同条の規定による届出をした場合における当該届出に係る取引所取引許可業者（同号ハの通知があった日前に解散をし、又は取引所取引業務を廃止することについての決定（当該取引所取引許可業者の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(d) when a notification has been made under Article 60-7 of the Financial Instruments and Exchange Act, within the period stated in (c) of the preceding item, to the effect that the person falling under the case prescribed in that Article, a person who was an officer of the authorized firm for on-exchange transactions concerning that notification (excluding a person who made the decision (meaning a decision by the organ responsible for making decisions on the execution of operations of the authorized firm for on-exchange transactions), before the day on which the notification under (c) of that item was made about dissolving or discontinuing its on-exchange transaction services), and for whom five years have not passed since the date of the notification;

ホ　前号ニの期間内に金融商品取引法第六十条の十四第二項において準用する同法

第六十条の七に規定する場合に該当する旨の同条の規定による届出をした場合における当該届出に係る電子店頭デリバティブ取引等許可業者（同号ニの通知があった日前に解散をし、又は電子店頭デリバティブ取引等業務を廃止することについての決定（当該電子店頭デリバティブ取引等許可業者の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(e) when, within the period stated in (d) of the preceding item, a notification has been made under Article 60-7 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 60-14, paragraph (2) of that Act to the effect that the person falls under the case prescribed in that Article, a person who was an officer of the business operator authorized to conduct electronic over-the-counter derivatives transactions, etc. concerning that notification (excluding a person who, before the day on which the notification under (d) of that item was made, made the decision (meaning a decision by the organ responsible for making decisions on the execution of operations of the business operator authorized to conduct electronic over-the-counter derivatives transactions, etc.) about dissolving or discontinuing its business of conducting electronic over-the-counter derivatives transactions, etc.), and for whom five years have not passed since the date of the notification;

へ　前号ホの期間内に金融商品取引法第六十三条の二第一項の規定により特例業務届出者の地位を承継した旨の同条第二項の規定による届出、同条第三項第二号に該当する旨の同項の規定による届出又は同条第四項に規定するときに該当する旨の同項の規定による届出をした法人（同条第一項の規定により特例業務届出者の地位を承継した旨の同条第二項の規定による届出又は同条第四項に規定するときに該当する旨の同項の規定による届出をした場合にあっては、これらの届出に係る特例業務届出者であった法人とし、前号ホの通知があった日前に適格機関投資家等特例業務に係る事業の全部の譲渡をし、合併（特例業務届出者が合併により消滅する場合の当該合併に限る。）をし、分割により適格機関投資家等特例業務に係る事業の全部の承継をさせ、適格機関投資家等特例業務を廃止し、又は解散をすることについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(f) a person who was an officer of a corporation that made a notification pursuant to Article 63-2, paragraph (2) of the Financial Instruments and Exchange Act to the effect that the corporation succeeded to the position of a notifier of specially permitted services pursuant to the provisions of paragraph (1) of that Article, a notification under paragraph (3) of that Article to the effect that the corporation falls under item (ii) of that paragraph, or a notification under paragraph (4) of that Article to the effect that the corporation falls under the case referred to in that

paragraph, within the period referred to in (e) of the preceding item (in the case of having made a notification under paragraph (2) of that Article to the effect that the corporation has succeeded to the position of a notifier of specially permitted services pursuant to the provisions of paragraph (1) of that Article, or a notification under paragraph (4) of that Article to the effect that the corporation falls under the case referred to in that paragraph, the corporation is deemed to have been the notifier of specially permitted services concerning that notification, excluding a person who, before the day on which the notice under (e) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about transferring the whole of its business relating to specially permitted services for qualified institutional investors, etc., effecting a merger (limited to a merger in which the notifier of specially permitted services ceases to exist as a result), having the whole of its business relating to specially permitted services for qualified institutional investors, etc. succeeded to through a company split, discontinuing its specially permitted services for qualified institutional investors, etc., or dissolving), and for whom five years have not passed since the date of that notification;

ト　前号への期間内に金融商品取引法第五十条の二第一項第三号から第七号までのいずれかに該当する旨の同項の規定による届出又は同法第六十三条の三第二項において準用する同法第六十三条の二第三項第二号に該当する旨の同項の規定による届出をした法人（同法第五十条の二第一項第三号から第五号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る同法第六十三条の三第一項の規定による届出をした者であった法人とし、前号への通知があった日前に合併（同項の規定による届出をした者が合併により消滅する場合の当該合併に限る。）をし、解散をし、分割により適格機関投資家等特例業務に係る事業の全部の承継をさせ、適格機関投資家等特例業務に係る事業の全部の譲渡をし、又は適格機関投資家等特例業務を廃止することについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(g) a person who was an officer of a corporation that made a notification under Article 50-2, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the corporation falls under any of items (iii) through (vii) of that paragraph or a notification under Article 63-2, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 63-3, paragraph (2) of that Act to the effect that the corporation falls under Article 63-2, paragraph (3), item (ii) of that Act (in the case of having made a notification under Article 50-2, paragraph (1) of that Act to the effect that the corporation falls under any of items (iii) through (v) of that paragraph, the corporation is deemed to have been the notifier under

Article 63-3, paragraph (1) of that Act concerning that notification, excluding a person who, before the day on which the notice under (f) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about effecting a merger (limited to a merger in which the notifier under that paragraph ceases to exist as a result), dissolving, having the whole of its business relating to specially permitted services for qualified institutional investors, etc. succeeded to through a company split, transferring the whole of its business relating to specially permitted services for qualified institutional investors, etc., or discontinuing its specially permitted services for qualified institutional investors, etc.), and for whom five years have not passed since the date of the notification;

チ　前号トの期間内に金融商品取引法第六十三条の十第一項の規定により海外投資家等特例業務届出者の地位を承継した旨の同条第二項の規定による届出、同条第三項第二号に該当する旨の同項の規定による届出又は同条第四項に規定するときに該当する旨の同項の規定による届出をした法人（同条第一項の規定により海外投資家等特例業務届出者の地位を承継した旨の同条第二項の規定による届出又は同条第四項に規定するときに該当する旨の同項の規定による届出をした場合にあっては、これらの届出に係る海外投資家等特例業務届出者であった法人とし、前号トの通知があった日前に海外投資家等特例業務に係る事業の全部の譲渡をし、合併（海外投資家等特例業務届出者が合併により消滅する場合の当該合併に限る。）をし、分割により海外投資家等特例業務に係る事業の全部の承継をさせ、海外投資家等特例業務を廃止し、又は解散をすることについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(h) a person who was an officer of a corporation that made a notification under Article 63-10, paragraph (2) of the Financial Instruments and Exchange Act to the effect that the corporation has succeeded to the position of a notifier of specially permitted services for foreign investors, etc. pursuant to the provisions of paragraph (1) of that Article, a notification under paragraph (3) of that Article to the effect that the corporation falls under item (ii) of that paragraph or a notification under paragraph (4) of that Article to the effect that the corporation falls under the case referred to in that paragraph, within the period referred to in (g) of the preceding item (in the case of having made a notification under paragraph (2) of that Article to the effect that the corporation has succeeded to the position of a notifier of specially permitted services for foreign investors, etc. pursuant to the provisions of paragraph (1) of that Article, or a notification under paragraph (4) of that Article to the effect that the corporation falls under the case referred to in that paragraph, the corporation is deemed to have been the notifier of specially permitted

services for foreign investors, etc. concerning that notification, excluding a person who, before the day on which the notification under (g) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about transferring the whole of its business relating to specially permitted services for foreign investors, etc., effecting a merger (limited to a merger in which the notifier of specially permitted services for foreign investors, etc. ceases to exist as a result), having the whole of its business relating to specially permitted services for foreign investors, etc. succeeded to through a company split, or discontinuing its specially permitted services for foreign investors, etc., or dissolving), and for whom five years have not passed since the date of the notification;

リ　前号チの期間内に金融商品取引法第五十条の二第一項第三号から第七号までのいずれかに該当する旨の同項の規定による届出又は同法第六十三条の十一第二項において準用する同法第六十三条の十第三項第二号に該当する旨の同項の規定による届出をした法人（同法第五十条の二第一項第三号から第五号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る同法第六十三条の十一第一項の規定による届出をした者であった法人とし、前号チの通知があった日前に合併（同項の規定による届出をした者が合併により消滅する場合の当該合併に限る。）をし、解散をし、分割により海外投資家等特例業務に係る事業の全部の承継をさせ、海外投資家等特例業務に係る事業の全部の譲渡をし、又は海外投資家等特例業務を廃止することについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(i) a person who was an officer of a corporation that made a notification under Article 50-2, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the corporation falls under any of items (iii) through (vii) of that paragraph, or a notification under Article 63-10, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 63-11, paragraph (2) of that Act to the effect that the corporation falls under Article 63-10, paragraph (3), item (ii) of that Act, within the period referred to in (h) of the preceding item (in the case of having made a notification under Article 50-2, paragraph (1) of that Act to the effect that the corporation falls under any of items (iii) through (v) of that paragraph, the corporation is deemed to have been the notifier under Article 63-11, paragraph (1) of that Act concerning that notification, excluding a person who, before the day on which the notification under (h) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about effecting a merger (limited to a merger in which the notifier under that paragraph ceases to exist as a result), dissolving,

having the whole of its business relating to specially permitted services for foreign investors, etc. succeeded to through a company split, transferring the whole of its business relating to specially permitted services for foreign investors, etc., or discontinuing its specially permitted services for foreign investors, etc.), and for whom five years have not passed since the date of the notification;

ヌ　前号リの期間内に金融商品取引法第六十六条の十九第一項第一号又は第三号から第五号までのいずれかに該当する旨の同項の規定による届出をした法人（同項第三号から第五号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る金融商品仲介業者（同法第二条第十二項に規定する金融商品仲介業者をいう。ヌ及び次節第五款において同じ。）であった法人とし、前号リの通知があった日前に金融商品仲介業を廃止し、分割により金融商品仲介業に係る事業の全部の承継をさせ、金融商品仲介業に係る事業の全部の譲渡をし、合併（金融商品仲介業者が合併により消滅する場合の当該合併に限る。）をし、又は解散をすることについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(j) a person who was an officer of a corporation that made a notification under Article 66-19, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the corporation falls under any of item (i), or items (iii) through (v) of that paragraph, within the period referred to in (i) of the preceding item in the case of having made a notification under that paragraph to the effect that the corporation falls under any of items (iii) through (v) of that paragraph, the corporation is deemed to have been the financial instruments intermediary service provider (meaning a financial instruments intermediary service provider prescribed in Article 2, paragraph (12) of that Act; the same applies in (j) and Subsection 5 of the following Section) concerning that notification, excluding a person who, before the day on which the notice under (i) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about discontinuing its financial instruments intermediary service, having the whole of its business relating to a financial instruments intermediary service succeeded to through a company split, transferring the whole of its business relating to a financial instruments intermediary service, effecting a merger (limited to a merger in which the financial instruments intermediary service provider ceases to exist as a result), or dissolving), and for whom five years have not passed since the date of that notification;

ル　前号ヌの期間内に金融商品取引法第六十六条の四十第一項各号のいずれかに該当する旨の同項の規定による届出をした法人（同項第二号から第四号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係

る信用格付業者（同法第二条第三十六項に規定する信用格付業者をいう。ル並びに第百九条第二項第二号及び第四号において同じ。）であった法人とし、前号ヌの通知があった日前に信用格付業を廃止し、分割により信用格付業に係る事業の全部の承継をさせ、信用格付業に係る事業の全部の譲渡をし、合併（信用格付業者が合併により消滅する場合の当該合併に限る。）をし、又は解散をすることについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(k) a person who was an officer of a corporation that made a notification under Article 66-40, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the corporation falls under any of items of that paragraph, within the period referred to in (j) of the preceding item (in the case of having made a notification under that paragraph to the effect that the corporation falls under any of items (ii) through (iv) of that paragraph, the corporation is deemed to have been a credit rating agency (meaning the credit rating agency prescribed in Article 2, paragraph (36) of that Act; the same applies in (k) and Article 109, paragraph (2), items (ii) and (iv)) concerning that notification, excluding a person who, before the day on which the notification under (j) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of the corporation) about discontinuing its credit rating services, having the whole of its business relating to credit rating services succeeded to through a company split, transferring the whole of its business relating to credit rating services, effecting a merger (limited to a merger in which the credit rating agency ceases to exist as a result), or dissolving), and for whom five years have not passed since the date of the notification;

ヲ　前号ルの期間内に金融商品取引法第六十六条の六十一第一項第二号から第七号までのいずれかに該当する旨の同項の規定による届出をした法人（同項第三号から第五号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る高速取引行為者（同法第二条第四十二項に規定する高速取引行為者をいう。ヲにおいて同じ。）であった法人とし、前号ルの通知があった日前に高速取引行為に係る業務を廃止し、合併（高速取引行為者が合併により消滅する場合の当該合併に限る。）をし、解散をし、分割により当該業務に係る事業の全部の承継をさせ、又は当該業務に係る事業の全部の譲渡をすることについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(l) a person who was an officer of a corporation that made a notification under Article 66-61, paragraph (1) of the Financial Instruments and Exchange Act to the effect that the corporation falls under any of items (ii) through (vii) of that paragraph, within the period referred to in (k) of the preceding item (in the case of having made a notification under that

paragraph to the effect that the corporation falls under any of items (iii) through (v) of that paragraph, the corporation deemed to have been a high-speed trader (meaning the high-speed trader prescribed in Article 2, paragraph (42) of the Financial Instruments and Exchange Act; the same applies in (l)) concerning that notification, excluding a person who, before the day on which the notification under (k) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about discontinuing its high-speed trading, effecting a merger (limited to a merger in which the high-speed trader ceases to exist as a result), dissolving, having the whole of its business relating to high-speed trading succeeded to through a company split, or transferring the whole of its business relating to high-speed trading), and for whom five years have not passed since the date of the notification;

ワ　前号ヲの期間内に貸金業法第十条第一項第二号から第五号までのいずれかに該当する旨の同項の規定による届出をした法人（同項第二号から第四号までのいずれかに該当する旨の同項の規定による届出をした場合にあっては、当該届出に係る貸金業者であった法人とし、前号ヲの通知があった日前に合併（貸金業者が合併により消滅する場合の当該合併に限り、人格のない社団又は財団である場合にあっては、合併に相当する行為）をし、解散（人格のない社団又は財団である場合にあっては、解散に相当する行為）をし、又は貸金業を廃止することについての決定（当該法人の業務執行を決定する機関の決定をいう。）をしていた者を除く。）の役員であった者で、当該届出の日から五年を経過しないもの

(m) a person who was an officer of a corporation that made a notification under Article 10, paragraph (1) of the Money Lending Business Act to the effect that the corporation falls under any of items (ii) through (v) of that paragraph, within the period referred to in (l) of the preceding item (in the case of having made a notification under that paragraph to the effect that the corporation falls under any of items (ii) through (iv) of that paragraph, the corporation is deemed to have been the money lender concerning that notification, excluding a person who, before the day on which the notification under (l) of the preceding item was made, made a decision (meaning a decision by the organ responsible for making decisions on the execution of operations of that corporation) about effecting a merger (limited to a merger in which the money lender ceases to exist as a result, and in the case of an association or foundation without legal personality, an act equivalent to a merger), dissolving (in the case of an association or foundation without legal personality, an act equivalent to a dissolution), or discontinuing its money lending business), and for whom five years have not passed since the date of the notification; and

カ　貸金業法第二十四条の六の四第二項の規定による役員の解任を命ずる処分に係

る行政手続法第十五条の規定による通知があった日から当該処分をする日又は処分をしないことの決定をする日までの間に退任した当該命令により解任されるべきとされた者（退任について相当の理由がある者を除く。）で、当該退任の日から五年を経過しない者

(n) a person who resigned within the period from the day on which the notification under Article 15 of the Administrative Procedure Act, relating to the disposition ordering the dismissal of an officer under Article 24-6-4, paragraph (2) of the Money Lending Business Act, was made to the day on which the disposition is made or a decision is made not to make the disposition, and who was subject to an order for dismissal (excluding a person who had reasonable grounds for the resignation), and for whom five years have not passed since the date of their resignation.

（取締役等と同等以上の支配力を有する者）

(Persons with Control Equivalent to or Greater than That of Directors)

第十四条　法第十五条第一号ソ（法第十六条第二項において準用する場合を含む。）に規定する内閣府令で定める者は、次に掲げる者とする。

Article 14 (1) The person specified by Cabinet Office Order, as prescribed in Article 15, item (i), (r) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act), is as follows:

一　当該法人の総株主等の議決権（令第三十条第一項第四号に規定する総株主等の議決権をいう。以下同じ。）の百分の二十五を超える議決権に係る株式又は出資（次号及び次項並びに第四十五条において「株式等」という。）を自己又は他人（仮設人を含む。同号において同じ。）の名義をもって所有している個人

(i) an individual who holds shares or equity (referred to as "shares, etc." in the following item, the following paragraph, and Article 45) representing voting rights exceeding 25 percent of the voting rights held by all shareholders, etc. (meaning the voting rights of all shareholders, etc. prescribed in Article 30, paragraph (1), item (iv) of the Order; the same applies below) of the corporation, either in the person's own name or another person's name (including a fictitious name; the same applies below in item (ii));

二　当該法人の親会社（会社法（平成十七年法律第八十六号）第二条第四号に規定する親会社をいう。）の総株主等の議決権の百分の五十を超える議決権に係る株式等を自己又は他人の名義をもって所有している個人

(ii) an intermediary who holds shares, either in their own name or in the name of another person, representing voting rights exceeding 50 percent of the total voting rights of all shareholders, etc. of the parent company (meaning the parent company as defined in Article 2, item (iv) of the Companies Act (Act No. 86 of 2005)) of the corporation;

三　当該法人の業務を執行する社員又はこれに準ずる者が法人である場合におけるその職務を行うべき者

(iii) an employee of the corporation who performs its business, or an equivalent person, if that person is a corporation responsible for performing the duties of the corporation; and

四　当該法人の役員又は前三号に掲げる者が未成年者である場合におけるその法定代理人（法定代理人が法人である場合にあっては、その役員を含む。）

(iv) when an officer of the corporation or any person stated in the preceding three items is a minor, their legal representative (if the legal representative is a corporation, including its officers).

2　前項第一号又は第二号の場合において、これらの規定に掲げる者が保有する議決権には、社債、株式等の振替に関する法律（平成十三年法律第七十五号）第百四十七条第一項又は第百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者（金融商品取引法第二条第五項に規定する発行者をいう。次節において同じ。）に対抗することができない株式等に係る議決権を含むものとする。

(2) In the case referred to in item (i) or (ii) of the preceding paragraph, the voting rights held by the person stated in these provisions include voting rights relating to shares, etc. which cannot be duly asserted against the issuer (meaning the issuer prescribed in Article 2, paragraph (5) of the Financial Instruments and Exchange Act; the same applies in the following Section), pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001) (including when these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part concerning item (ii)) of that Act).

（心身の故障により金融サービス仲介業を適正に行うことができない者）

(Persons Unable to Properly Perform Financial Service Intermediary Business Due to Mental or Physical Disorders)

第十五条　法第十五条第二号イに規定する内閣府令で定める者は、精神の機能の障害により金融サービス仲介業に係る業務を適正に行うに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 15　A person specified by Cabinet Office Order, as prescribed in Article 15, item (ii), (a) of the Act, is a person who, due to a mental disorder, is unable to adequately carry out the cognition, decision making, and communication necessary to properly perform business related to financial service intermediary business operations.

（預金等媒介業務を適正かつ確実に行うことについて支障を及ぼすおそれがある場合）

(Cases at Risk of Causing Adverse Impact on Proper and Accurate Implementation of Deposit, etc. Intermediary Business Operations)

第十六条　法第十五条第四号（法第十六条第二項において準用する場合を含む。）に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 16 (1) The cases specified by Cabinet Office Order, as prescribed in Article 15, item (iv) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act), are as follows:

一　主たる兼業業務の内容が資金の貸付け、手形の割引、債務の保証又は手形の引受けその他の信用の供与を行う業務以外であるときは、次のいずれかに該当する場合

(i) when the content of a person's main concurrent business is not the lending of funds, discounting of negotiable instruments, guaranteeing obligations, accepting negotiable instruments, or any other business involving the granting of credit, that concurrent business falls under any of the following cases:

イ　預金等媒介業務の内容が、事業の用に供するための資金の貸付け又は手形の割引を内容とする契約の締結の媒介（相手方金融機関（法第二十九条において準用する銀行法（昭和五十六年法律第五十九号。以下この章において「準用銀行法」という。）第五十二条の四十五第四号に規定する相手方金融機関をいう。以下この項、次節第二款並びに第百三十九条第一項第二号及び第五号において同じ。）が受け入れたその顧客の預金等又は国債を担保として行う契約に係るもの及び規格化された貸付商品（資金需要者に関する財務情報の機械的処理のみにより、貸付けの可否及び貸付条件が設定されることがあらかじめ決められている貸付商品をいう。次号ロ（２）において同じ。）（貸付けの金額が千万円を上限とするものに限る。）であってその契約の締結に係る審査に関与しないものを除く。）であることその他の兼業業務における顧客との間の取引関係に照らして、相手方金融機関と金融サービス仲介業者の利益が相反する取引が行われる可能性があると認められるものであること（登録申請者が保険会社（保険業法第二条第二項に規定する保険会社をいう。第四十一条第二号及び第六十二条第一項第三号において同じ。）その他金融庁長官が定める者である場合を除く。）。

(a) the content of the deposit, etc. intermediary business operations involves intermediation for the conclusion of contracts for the lending of funds to be used for business purposes or the discounting of negotiable instruments (excluding services related to a contract secured by deposits, etc. or national government bonds that the counterparty financial institution (meaning the counterparty financial institution prescribed in Article 52-45, item (iv) of the Banking Act (Act No. 59 of 1981), as applied mutatis mutandis pursuant to Article 29 of the Act (referred to below as the "Banking Act as applied mutatis mutandis" in this Chapter); the same applies below in this paragraph, Subsection 2 of the following Section, and Article 139, paragraph (1), items (ii) and (v)) has received from a customer, and excluding a service that does not involve examination regarding the

conclusion of a contract for standardized loan products (meaning loan products for which the availability and conditions of the loan are determined solely by the mechanical processing of financial data concerning the consumers seeking funds; the same applies in item (ii), (b), 2.) (limited to products whose loan amount does not exceed ten million yen)), it is deemed that there is a possibility of a transaction being conducted with a customer in the course of concurrent business where the interests of the counterparty financial institution and the financial service intermediary are in conflict (excluding cases where the registration applicant is an insurance company (meaning the insurance company as defined in Article 2, paragraph (2) of the Insurance Business Act; the same applies in Article 41, item (ii) and Article 62, paragraph (1), item (iii)) or other person specified by the Commissioner of the Financial Services Agency);

ロ　兼業業務による取引上の優越的地位を不当に利用して、預金等媒介業務に係る顧客の保護に欠ける行為が行われるおそれがあると認められること。

(b) it is found that there is a risk of conduct that may result in insufficient protection of customers in connection with deposit, etc. intermediary business operations, due to thewrongful improper use unfair exploitation of a superior position in a transaction based on concurrent business;

ハ　その他預金等媒介業務の内容に照らして兼業業務を行うことが顧客の保護に欠け、又は相手方金融機関の業務の健全かつ適切な遂行に支障を及ぼす行為が行われるおそれがあると認められること。

(c) in light of the content of deposit, etc. intermediary business operations, it is found that carrying out concurrent business may result in insufficient protection of customers or in actions that hinder the sound and appropriate payment of services by the counterparty financial institution;

二　主たる兼業業務の内容が資金の貸付け、手形の割引、債務の保証又は手形の引受けその他の信用の供与を行う業務であるときは、前号ロ又はハに該当する場合並びに金融サービス仲介業務として行う法第十一条第二項第二号に掲げる行為の内容及び方法が次のいずれにも該当しない場合（その業務について相手方金融機関と金融サービス仲介業者の利益が相反する取引が行われる可能性がないと認められる場合にあっては、前号イからハまでのいずれかに該当する場合）

(ii) if the content of its main concurrent business involves the lending of funds, discounting of negotiable instruments, guaranteeing obligations, accepting negotiable instruments, or any other business involving the granting of credit, a case that falls under (b) or (c) of the preceding item, or a case where the particulars and methods of an act stated in Article 11, paragraph (2), item (ii) of the Act, as provided for financial service intermediary business operations, do not fall under any of the following (when it is found that there is no possibility of transactions that could result in a conflict of interest

between the counterparty financial institution and the financial service intermediary in the course of business, and the cases that fall under any of (a) through (c) of the preceding item):

イ　相手方金融機関が受け入れたその顧客の預金等又は国債を担保として行う契約に係るものであること。

(a) the act relates to a contract secured by the deposits, etc. or Japanese government bonds of a customer of the counterparty financial institution, which have been deposited with that institution;

ロ　事業の用に供するための資金の貸付け又は手形の割引以外を内容とする契約の締結の媒介であって、次のいずれにも該当すること（イに該当する場合を除く。）。

(b) the act relates to intermediation in the conclusion of a contract, other than a contract for the lending of funds for business purposes or the discounting of negotiable instruments, which falls under any of the following (excluding cases falling under (a)):

（１）　貸付資金で購入する物品又は物件を担保として行う貸付契約に係るものであること。

1. the act relates to a loan agreement secured by the goods or property to be purchased with the loan funds;

（２）　規格化された貸付商品であってその契約の締結に係る審査に関与するものでないこと。

2. the act relates to a contract for standardized loan products that does not involve a screening process for its conclusion; and

（３）　兼業業務として信用の供与を行っている顧客に対し、預金等媒介業務に係る資金の貸付け又は手形の割引を内容とする契約の締結の媒介を行うときは、あらかじめ顧客の書面又は情報通信の技術を利用する方法による同意を得て、相手方金融機関に対し、兼業業務における信用の供与の残高その他の相手方金融機関が契約の締結の判断に影響を及ぼすこととなる重要な事項を告げることとしていること。

3. when acting as an intermediary for the conclusion of a contract for the lending of funds or the discounting of negotiable instruments relating to deposit, etc. intermediary business operations, the registration applicant is required to inform the counterparty financial institution of any outstanding credit granted to the customer in the course of concurrent business, as well as any other important particulars relating to the concurrent business that may affect the counterparty financial institution's judgment on the conclusion of the contract, after obtaining prior consent from the customer in writing or via information and communications technology.

２　前項第二号ロ（３）の「情報通信の技術を利用する方法」とは、次に掲げる方法をいう。

(2) "Methods using information and communication technology" as referred to in paragraph (1), item (ii), (b), 3. of this Article are the methods stated in the following items:

一　電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) either of the methods of using an electronic data processing system as stated in item (a) or (b) below:

イ　送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a method of transmitting information via a telecommunications line connected between a computer used by the sender and a computer used by the recipient, and recording the information in a file stored on a computer used by the recipient;

ロ　送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報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に当該情報を記録する方法

(b) a method of making the details of information—which is recorded in a file stored on a computer used by the sender—available for inspection by the recipient of the information via a telecommunications line, and recording that information in a file stored on a computer used by the recipient; or

二　電磁的記録媒体をもって調製するファイルに情報を記録したものを交付する方法

(ii) a method of delivering a file that contains information prepared using an electronic or magnetic recording medium.

3　前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(3) The methods stated in the items of the preceding paragraph must enable the recipient to produce a document by printing the information contained in the file.

（重要な使用人の範囲）

(Scope of Important Employees)

第十七条　令第二十三条に規定する内閣府令で定めるものは、次に掲げる者とする。

Article 17 The person specified by Cabinet Office Order, as prescribed in Article 23 of the Order, is as follows:

一　支配人、本店長、支店長、営業所長、事務所長その他いかなる名称を有する者であるかを問わず、貸金業貸付媒介業務を行う営業所又は事務所の業務を統括する者

(i) a person who supervises the place of business or office engaged in loan intermediary business operations, regardless of whether that person holds the title of manager, head office manager, branch manager, business office manager, office manager, or any other title;

二　主たる営業所又は事務所においては、部長、次長、課長その他いかなる名称を有する者であるかを問わず、それらと同等以上の職にあるものであって、貸金業貸付媒介業務について、一切の裁判外の行為をなす権限を有する者

(ii) a person who holds a position of equal or higher rank at the principal place of business or office, regardless of whether the person is a general manager, deputy general manager, section manager, or any other similartitle, and who has the authority to take all extrajudicial actions relating to the loan intermediary business operations; and

三　貸金業貸付媒介業務に従事する使用人の数が五十人以上の従たる営業所又は事務所（主たる営業所又は事務所以外の営業所又は事務所をいう。）においては、支店次長、副支店長、副所長その他いかなる名称を有する者であるかを問わず、当該営業所又は事務所の業務を統括する者の権限を代行し得る地位にある者

(iii) a person who is eligible to serve as an active supervisor at a secondary place of business or office (meaning a place of business or office other than a principal place of business or office) where 50 or more employees are engaged in loan intermediary business operations, regardless of whether that person holds the title of branch deputy general manager, deputy branch manager, assistant office manager, or any other similar title.

（変更登録の申請）

(Application for Change of Registration)

第十八条　法第十六条第一項の変更登録を受けようとする金融サービス仲介業者は、別紙様式第一号により作成した変更登録申請書を金融庁長官等に提出しなければならない。

Article 18 (1) A financial service intermediary seeking a change of registration as referred to in Article 16, paragraph (1) of the Act must submit a written application for the change of registration, prepared in accordance with Appended Form 1, to the Commissioner of the Financial Services Agency, etc.

２　前項の変更登録申請書には、変更の内容及び理由を記載した書面並びに次に掲げる書類であって新たに行う業務の種別（法第十三条第一項第四号に規定する業務の種別をいう。第三十四条第一号並びに第四十七条第一項第五号及び第二項第四号において同じ。）に係るもの（新たに電子金融サービス仲介業務を行う場合は、電子金融サービス仲介業務に係るものを含む。）を添付しなければならない。

(2) The written application for change of registration, as stated in the preceding paragraph, must be accompanied by a document describing the particulars and reasons for the change, as well as the documents stated in the following items, which relate to the type of new business (meaning the type of business prescribed in Article 13 paragraph (1), item (iv) of the Act; the same applies in Article 34, item (i), Article 47 paragraph (1), item (v) and Article 47, paragraph (2), item (iv)) (when newly conducting electronic financial service intermediary business operations, including those relating to electronic financial service

intermediary business operations).

一　第十一条各号に掲げるものを記載した書類

(i) a document describing the matters stated in the items of Article 11;

二　第十二条各号に掲げる書類

(ii) the documents stated in the items of Article 12;

三　変更登録により預金等媒介業務を行う場合にあっては、法第十六条第二項において準用する法第十五条第四号に該当しないことを誓約する書面

(iii) in the case of conducting deposit, etc. intermediary business operations through a change of registration, a document in which the registration applicant pledges that they do not fall under Article 15, item (iv) of the Act, as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act;

四　変更登録により保険媒介業務を行う場合にあっては、法第十六条第二項において準用する法第十五条第五号イ、ロ、ハ（（２）を除く。）、ニ（同号ハ（２）に係る部分を除く。）又はホ（同号ハ（２）に係る部分を除く。）のいずれにも該当しないことを誓約する書面

(iv) when conducting insurance intermediary business operations through a change of registration, a document in which the registration applicant pledges that they do not fall under any of the provisions of Article 15, item (v), (a), (b), (c) (excluding 2.), (d) (excluding the part relating to (c), 2. of that item) or (e) (excluding the part relating to (c), 2. of that item) of the Act, as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act;

五　変更登録により有価証券等仲介業務を行う場合にあっては、法第十六条第二項において準用する法第十五条第六号に該当しないことを誓約する書面

(v) when conducting securities, etc. intermediary business operations through a change of registration, a document in which the registration applicant pledges that they do not fall under Article 15, item (vi) of the Act, as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act; and

六　変更登録により貸金業貸付媒介業務を行う場合にあっては、法第十六条第二項において準用する法第十五条第七号に該当しないことを誓約する書面

(vi) in the case of conducting loan intermediary business operations through a change of registration, a document in which the registration applicant pledges that they do not fall under Article 15, item (vii) of the Act, as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act.

（変更等の届出）

(Notification Concerning Change)

第十九条　法第十六条第三項（第一号に係る部分に限る。）の規定により届出を行う金融サービス仲介業者は、変更の内容、変更年月日及び変更の理由を記載した届出書に、別紙様式第一号により作成した変更後の内容を記載した書面及び次の各号に掲げる場合の区分に応じ、当該各号に定める書類を添付して、金融庁長官等に提出しなければならない。

Article 19 (1) A financial service intermediary that files a notification pursuant to the provisions of Article 16, paragraph (3) of the Act (limited to the part relating to item (i)) must submit to the Commissioner of the Financial Services Agency, etc., a notification form stating the content, date, and reason for the change, together with a document describing the content of the change, prepared in accordance with Appended Form 1, and, depending on the category of the case listed in the following items, the documents specified in the respective items.

一　法第十三条第一項第一号に掲げる事項について変更があった場合　次に掲げる書類

(i) in the event of any change to the particulars stated in Article 13, paragraph (1), item (i) of the Act: the following documents

イ　当該変更に係る事項を記載した登記事項証明書（個人である場合にあっては、住民票の抄本）又はこれに代わる書面

(a) a certificate of registered information (or, in the case of an individual, an extract of the resident record) containing the particulars relating to the change, or any other document serving in lieu of the certificate or extract that indicates the same particulars;

ロ　旧氏及び名を氏名に併せて別紙様式第一号により作成した変更後の内容を記載した書面に記載した場合において、イに掲げる書面が当該旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(b) if the former surname and given name are stated together with their current name in a document describing the amended particulars, prepared in accordance with Appended Form 1, and if the document stated in (a) does not certify the former surname and given name, a document certifying those names;

二　法第十三条第一項第二号に掲げる事項について変更があった場合　次に掲げる書類

(ii) in the event of any change to the particulars stated in Article 13, paragraph (1), item (ii) of the Act: the following documents

イ　当該変更に係る事項を記載した登記事項証明書又はこれに代わる書面

(a) a certificate of registered information containing the particulars relating to the change, or any other document serving in lieu of that certificate;

ロ　新たに役員となった者に係る次に掲げる書類

(b) the following documents relating to a person who assumed the position of officer:

（１）　当該役員（当該役員が法人である場合にあっては、その職務を行うべき者を含む。（２）において同じ。）の履歴書（当該役員が法人である場合にあっては、当該役員の沿革を記載した書面）

1. a resume of the officer (if the officer is a corporation, including any person who is to perform their duties; the same applies in 2.) (or, if the

officer is a corporation, a document stating the officer's career background);

（２）　当該役員の住民票の抄本（当該役員が法人である場合にあっては、当該役員の登記事項証明書）又はこれに代わる書面

2. an extract of the resident record of the officer (or, if the officer is a corporation, a certificate of registered information for the officer), or any other document serving in lieu of the extract or certificate;

（３）　当該役員の旧氏及び名を当該役員の氏名に併せて別紙様式第一号により作成した変更後の内容を記載した書面に記載した場合において、（２）に掲げる書面が当該役員の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

3. if the former surname and given name of the officer are stated together with their current name in a document describing the amended particulars, prepared in accordance with Appended Form 1, and if the document stated in 2. does not certify the former surname and given name of that officer, a document certifying those names;

（４）　当該役員が法第十五条第二号イ及びハからヘまでのいずれにも該当しないことを誓約する書面

4. a document in which the registration applicant pledges that the officer does not fall under any of the categories in Article 15, items (ii), (a) and (c) through (f) of the Act;

（５）　当該役員が法第十五条第二号ロに該当しない旨の官公署の証明書又はこれに代わる書面

5. a certificate issued by a public agency stating that the officer does not fall under Article 15, item (ii), (b) of the Act, or any other document serving in lieu of the certificate; and

三　法第十三条第一項第七号に掲げる事項について変更があった場合　新たに行う事業の内容を記載した書面

(iii) in the event of any change to the particulars stated in Article 13, paragraph (1), item (vii) of the Act: a document describing the particulars of the new business.

２　法第十六条第三項（第一号を除く。）の規定により届出を行う者は、次の表の上欄に掲げる区分により、同表中欄に定める事項を記載した届出書及び同表下欄に定める添付書類を、金融庁長官等に提出しなければならない。

(2) A person who files a notification pursuant to the provisions of Article 16, paragraph (3) of the Act (excluding item (i)) must submit to the Commissioner, etc. a written notification containing the particulars specified in the middle column of the following table, along with the attachments specified in the right hand column, according to the categories listed in the left-hand column of that table.

届出事項 Particulars to be notified	記載事項 Particulars to be stated	添付書類 Documents to be attached
法第十六条第三項第二号に該当する場合 In the case falling under Article 16, paragraph (3), item (ii) of the Act	変更の内容、変更年月日及び変更の理由 The content, date, and reason for the change	第十一条各号に掲げるもの（内容に変更のあるものに限る。）を記載した書面 A document describing the matters stated in the items of Article 11 (limited to those matters whose content has changed)
法第十六条第三項第三号に該当する場合（金融サービス仲介業を廃止したときに限る。） In the case falling under Article 16, paragraph (3), item (vi) of the Act (limited to cases where a financial service intermediary business is discontinued)	廃止の年月日及び理由 The date and reasons for discontinuing the business	一　最近の日計表 (i) the most recent daily cash count sheet
		二　顧客に対する債権債務の清算の方法を記載した書面 (ii) a document describing the method for settling claims and obligations relating to customers
法第十六条第三項第三号に該当する場合（分割により金融サービス仲介業に係る事業の全部の承継をさせたときに限る。） In the case falling under Article 16, paragraph (3), item (iii) of the Act (limited to cases where an entire business relating to the financial service intermediary business has been succeeded to through a company split)	一　承継先の商号又は名称 (i) the trade name or name of the successor	一　新設分割計画又は吸収分割契約の内容及び分割の手続を記載した書面 (i) a document describing the contents of an incorporation-type company split plan or an absorption-type company split agreement, as well as the procedures for the company split
	二　分割の年月日及び理由 (ii) the date and reasons for the split	二　顧客に対する債権債務の承継先への引継方法を記載した書面 (ii) a document describing the method for transferring claims and obligations relating to customers to the successor

法第十六条第三項第三号に該当する場合（金融サービス仲介業に係る事業の全部の譲渡をしたときに限る。） In the case falling under Article 16, item (iii) of the Act (limited to cases where an entire business relating to the financial service intermediary business has been transferred)	一　譲渡先の商号、名称又は氏名 (i) the trade name or name of the transferee	一　事業譲渡契約の内容を記載した書面 (i) a document describing the contents of the business transfer contract
	二　譲渡の年月日及び理由 (ii) the date and reasons for the transfer	二　顧客に対する債権債務の譲渡先への引継方法を記載した書面 (ii) a document describing the method for transferring claims and obligations relating to customers to the transferee
法第十六条第三項第四号に該当する場合 In the case falling under Article 16, paragraph (3), item (iv) of the Act	その旨及び死亡の年月日 A statement confirming this and the date of death	
法第十六条第三項第五号に該当する場合 In the case falling under Article 16, paragraph (3), item (v) of the Act	一　合併の相手方の商号又は名称 (i) the trade name or name of the counterparty to the merger	一　合併契約の内容及び合併の手続を記載した書面 (i) a document describing the contents of the merger agreement and the procedures for the merger
	二　合併の年月日及び理由 (ii) the date and reasons for the merger	二　顧客に対する債権債務の合併後存続する法人への承継方法を記載した書面 (ii) a document describing the method for transferring claims and obligations relating to customers to the corporation that survives the merger
	三　合併の方法 (iii) the method of the merger	

法第十六条第三項第六号に該当する場合 In the case falling under Article 16, paragraph (3), item (vi) of the Act	一　破産手続開始の申立てを行った年月日 (i) the date of the filing of the petition for the commencement of bankruptcy proceedings	一　破産手続開始の決定の裁判書の写し又は破産手続開始の決定の内容を記載した書面 (i) a copy of the written judgment of the decision on the commencement of bankruptcy proceedings, or a document describing the particulars of the decision on the commencement of bankruptcy proceedings
	二　破産手続開始の決定を受けた年月日 (ii) the date on which an order was served to initiate bankruptcy proceedings	二　顧客に対する債権債務の清算の方法を記載した書面 (ii) a document describing the method for settling claims and obligations relating to customers
法第十六条第三項第七号に該当する場合 In the case falling under Article 16, paragraph (3), item (vii) of the Act	解散の年月日及び理由 The date and reasons for the dissolution	顧客に対する債権債務の清算の方法を記載した書面 a document describing the method for settling claims and obligations relating to customers
法第十六条第三項第八号に該当する場合 In the case falling under Article 16, paragraph (3), item (viii) of the Act	法第十六条第三項第八号イからニまでに定める者となった旨 The fact that the person has come to fall under Article 16, paragraph (3), item (viii), (a) through (d) of the Act	法第十六条第三項第八号イからニまでに定める者のいずれかに該当することを証する書面 a document certifying that the person falls under any of the persons specified in Article 16, paragraph (3), item (viii), (a) through (d) of the Act
次項第一号に規定する場合に該当する場合 In the case falling under item (i) of the following paragraph	変更の内容、変更年月日及び変更の理由 The content, date, and reason for the change	変更後の定款（これに準ずるものを含む。） amended articles of incorporation (including documents equivalent to those articles);

次項第二号又は第三号に規定する場合に該当する場合 In the case falling under item (ii) or (iii) of the following paragraph	次項第二号に規定する事故等の内容、発生年月日その他参考となるべき事項 The content and date of the incident, etc., prescribed in item (ii) of the following paragraph, and any other information that should serve as a reference	
次項第四号に規定する場合に該当する場合 In the case falling under item (iv) of the following paragraph	変更年月日 The date of the change	一　別紙様式第二号により作成した新たに重要な使用人となった者の氏名及び生年月日等を記載した書面 (i) a document prepared in accordance with Appended Form 2, describing the name, date of birth, etc. of the new important employee;
		二　新たに重要な使用人となった者の履歴書及び住民票の抄本又はこれに代わる書面 (ii) a resume of the newly appointed important employee and an extract of the resident record, or any other document in lieu of that record;

		三　新たに重要な使用人となった者の旧氏及び名を当該新たに重要な使用人となった者の氏名に併せて別紙様式第二号により作成した書面に記載した場合において、前号に掲げる書面が当該新たに重要な使用人となった者の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面 (iii) if the former surname and given name of the new important employee are stated together with their current name in a document prepared in accordance with Appended Form 2, and the document stated in the preceding item does not certify the former surname and given name, a document certifying the former surname and given name; and
		四　新たに重要な使用人となった者が法第十五条第二号イ及びハからへまでのいずれにも該当しないことを誓約する書面 (iv) a document in which the newly appointed important employee pledges that they do not fall under any of the categories in Article 15, item (ii), (a) and (c) through (f) of the Act.

3　法第十六条第三項第九号に規定する内閣府令で定める場合は、次の各号に掲げる場合とし、同項第九号に規定する内閣府令で定める者は、当該各号に定める者とする。

(3) The cases specified by Cabinet Office Order, as prescribed in Article 16, paragraph (3), item (ix) of the Act, are the cases as stated in the following items; and the person specified by Cabinet Office Order, as prescribed in that item, are the persons listed in those items:

一　金融サービス仲介業者が定款（これに準ずるものを含む。）を変更した場合　当

該金融サービス仲介業者

(i) if a financial service intermediary amended its articles of incorporation (including documents similar to them): the financial service intermediary;

二　金融サービス仲介業者の役員（役員が法人である場合にあっては、その職務を行うべき者を含む。）又は使用人に次に掲げる行為（以下この号において「事故等」という。）があったことを知った場合（事故等が第百十二条第一号から第四号までに掲げる行為であって、過失による場合を除く。次号において同じ。）　当該金融サービス仲介業者

(ii) if a person becomes aware that an officer (including, if the officer is a corporation, a person who is to perform its duties) or employee of the financial service intermediary has committed any of the acts stated below (referred to below as an "incident, etc." in this item) (excluding any incident, etc. constituting an act stated in Article 112, items (i) through (iv), if caused by negligence; the same applies in the following item): the financial service intermediary;

イ　金融サービス仲介業に関し法令等（法令、法令に基づく行政官庁の処分、定款その他の規則をいう。）に反する行為

(a) an act in violation of laws and regulations, etc. (meaning laws and regulations, dispositions of government agencies based on such laws and regulations, as well as articles of incorporation and other rules) in relation to a financial service intermediary business;

ロ　金融サービス仲介業の適正かつ確実な遂行に支障を来す行為又はそのおそれがある行為であってイに掲げる行為に準ずるもの

(b) an act which hinders or may hinder the proper and accurate execution of financial service intermediary business, and that is equivalent to the act stated in (a);

三　前号の事故等の詳細が判明した場合　当該金融サービス仲介業者

(iii) if the details of the incident, etc. referred to in the preceding items become known: the financial service intermediary;

四　貸金業貸付媒介業務を行う場合において、重要な使用人に変更があった場合　当該金融サービス仲介業者

(iv) when conducting loan intermediary business operations, if there is any change in an important employee: the financial service intermediary.

（銀行等が金融サービス仲介業者として保険媒介業務を行うことのできる場合）

(Cases Where a Bank, etc. Is Permitted to Act as a Financial Service Intermediary and to Conduct Insurance Intermediary Business Operations)

第二十条　法第十七条第一項に規定する内閣府令で定める場合は、金融サービス仲介業者（保険媒介業務を行う者に限る。以下この条において同じ。）である同項に規定する銀行その他政令で定める者（以下この条及び第六十二条第一項において「銀行等」という。）又はその役員若しくは使用人が、第一号又は第三号に掲げる保険契約の締

結の媒介を行う場合にあっては次項各号に掲げる要件に、第二号又は第四号から第七号までに掲げる保険契約の締結の媒介を行う場合にあっては同項各号及び第三項各号に掲げる要件にそれぞれ該当する場合とする。

Article 20 (1) The cases specified by Cabinet Office Order, as prescribed in Article 17, paragraph (1) of the Act, are those in which a bank prescribed in that paragraph that is also a financial service intermediary (limited to one conducting insurance intermediary business operations; the same applies below in this Article) and any other person specified by Cabinet Order (referred to below as a "bank, etc." in this Article and Article 62, paragraph (1)) or their officers or employees, provide intermediary services for the conclusion of the insurance policies stated in item (i) or (iii), and the requirements stated in the items of the following paragraph are met; or, when acting as an intermediary in the conclusion of an insurance policy stated in item (ii) or items (iv) to (vii), the requirements stated in each item of that paragraph and in each item of paragraph (3), respectively, are met:

一　保険業法施行規則（平成八年大蔵省令第五号）第二百十二条第一項第一号、第二号、第四号及び第五号に掲げる保険契約（同項第四号イに掲げるものを除く。）

(i) the insurance policies stated in Article 212, paragraph (1), items (i), (ii), (iv), and (v) of the Regulation for Enforcement of the Insurance Business Act (Ministry of Finance Order No. 5 of 1996) (excluding the insurance policy stated in item (iv), (a) of that paragraph);

二　保険業法施行規則第二百十二条第一項第六号に掲げる保険契約

(ii) the insurance policies stated in Article 212, paragraph (1), item (vi) of the Regulation for Enforcement of the Insurance Business Act;

三　保険業法施行規則第二百十二条の二第一項第二号から第四号まで及び第五号の三に掲げる保険契約

(iii) the insurance policies stated in Article 212-2, paragraph (1), items (ii) through (iv) and item (v)-3 of the Regulation for Enforcement of the Insurance Business Act;

四　保険業法施行規則第二百十二条の二第一項第六号に掲げる保険契約

(iv) the insurance policies stated in Article 212-2, paragraph (1), item (vi) of the Regulation for Enforcement of the Insurance Business Act;

五　保険業法施行規則第二百十二条の二第一項第八号に掲げる保険契約

(v) the insurance policies stated in Article 212-2, paragraph (1), item (viii) of the Regulation for Enforcement of the Insurance Business Act;

六　保険業法施行規則第二百十二条の四第一項第五号に掲げる保険契約

(vi) the insurance policies stated in Article 212-4, paragraph (1), item (v) of the Regulation for Enforcement of the Insurance Business Act; and

七　保険業法施行規則第二百十二条の四第一項第六号に掲げる保険契約

(vii) the insurance policies stated in Article 212-4, paragraph (1), item (vi) of the Regulation for Enforcement of the Insurance Business Act.

２　金融サービス仲介業者である銀行等又はその役員若しくは使用人が前項各号に掲げる保険契約の締結の媒介を行うときは、当該銀行等は、次に掲げる要件を満たさなければならない。

(2) When a bank, etc. that is a financial service intermediary or its officers or employees provide intermediary services for the conclusion of the insurance policies referred to in the items of the preceding paragraph, the bank, etc. must satisfy the following requirements:

一　銀行等が、顧客に関する情報の利用について、次に掲げる措置を講じていること。

(i) the bank, etc. has taken the following measures concerning the use of information about its customers:

イ　その業務（保険媒介業務に係るものを除く。）において取り扱う顧客に関する非公開金融情報（その役員又は使用人が職務上知り得た顧客の預金等、為替取引又は資金の借入れに関する情報その他の顧客の金融取引又は資産に関する公表されていない情報（第三十七条に規定する情報及び第三十八条に規定する特別の非公開情報を除く。）をいう。第五十五条第七号イ及び第六十二条第一項第十五号イにおいて同じ。）が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく保険媒介業務に係る業務（顧客が次項第一号に規定する銀行等保険媒介制限先に該当するかどうかを確認する業務を除く。）に利用されないことを確保するための措置

(a) measures to ensure that undisclosed financial information (meaning information concerning customers' deposits, exchange transactions, borrowing of funds, or other undisclosed information concerning customers' financial transactions or assets that may come to the knowledge of any of the officer or employee in the course of their duties (excluding the information prescribed in Article 37 and undisclosed special information prescribed in Article 38); the same applies in Article 55, item (vii), (a) and Article 62, paragraph (1), item (xv), (a)) on its customers handled in the course of its businesses (excluding the business related to insurance intermediary business operations) is not to be used for any business concerning insurance intermediary business operations (excluding the business of confirming whether the customer falls under the category of parties for whom insurance intermediary services by a bank, etc. are restricted, as prescribed in item (i) of the following paragraph), without obtaining prior consent from the customer in writing or by other appropriate means;

ロ　その保険媒介業務に係る業務において取り扱う顧客に関する非公開保険情報（その役員又は使用人が職務上知り得た顧客の生活、身体又は財産その他の事項に関する公表されていない情報で保険媒介業務のために必要なもの（第三十七条に規定する情報及び第三十八条に規定する特別の非公開情報を除く。）をいう。第六十二条第一項第十五号ロにおいて同じ。）が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく資金の貸付けその他の保険媒介業務に係

る業務以外の業務に利用されないことを確保するための措置

(b) measures to ensure that undisclosed insurance information (meaning information concerning customers' lives, physical conditions, properties or other undisclosed information necessary for conducting insurance intermediary business operations, which may come to the knowledge of any of the officers or employees in the course of their duties (excluding information prescribed in Article 37 and special undisclosed information prescribed in Article 38); the same applies in Article 62, paragraph (1), item (xv), (b)) on its customers handled in the course of its insurance intermediary business operations is not to be used for any business other than insurance intermediary business operations, such as the lending of funds, without obtaining prior consent from the customers in writing or by any other appropriate means;

二　銀行等が、保険媒介業務の公正を確保するため、顧客に対する保険契約の内容に関する情報の提供その他の事項に関する指針を定め、公表し、その実施のために必要な措置を講じていること。

(ii) the bank, etc. has established and publicized guidelines concerning the provision of information to customers on the content of insurance policies and other particulars, and has taken necessary measures to implement those guidelines, for the purpose of ensuring fairness in insurance intermediary business operations; and

三　銀行等が、保険媒介業務に係る法令等（法令、法令に基づく行政官庁の処分、当該銀行等の内部規則その他これらに準ずるものをいう。以下この号において同じ。）の遵守を確保する業務に係る責任者を保険媒介業務を行う営業所又は事務所（他の法令等の遵守を確保する業務が複数の営業所又は事務所を一つの単位（保険媒介業務を行う営業所又は事務所を含むものに限る。）として行われている場合にあっては、当該単位）ごとに、当該責任者を指揮し保険媒介業務に係る法令等の遵守を確保する業務を統括管理する統括責任者を主たる営業所又は事務所に、それぞれ配置していること。

(iii) the bank, etc. has assigned a responsible person to each of its places of business or offices that carry out the business concerning insurance intermediary business operations, to ensure compliance with laws and regulations, etc. (collectively meaning laws and regulations, dispositions of administrative agencies issued under those laws and regulations, internal rules of the bank, etc., or any other rules equivalent to those previously stated; the same applies below in this item) applicable to insurance intermediary business operations (or, if the task of ensuring compliance with any other laws and regulations is carried out by integrating two or more places of business or offices into a single unit (limited to a unit composed of places of business or offices engaged in insurance intermediary business operations), a responsible person is assigned to that unit); and that the bank,

etc. has assigned to its head office or principal office a chief supervisor who provides instruction to the responsible person and oversees the business to ensure compliance with the laws and regulations, etc. applicable to insurance intermediary business operations.

3　金融サービス仲介業者である銀行等又はその役員若しくは使用人が第一項第二号又は第四号から第七号までに掲げる保険契約の締結の媒介を行うときは、当該銀行等は、次に掲げる要件を満たさなければならない。

(3) When a bank, etc. that is a financial service intermediary or its officers or employees provide intermediary services for the conclusion of the insurance policies referred to in paragraph (1), item (ii) or items (iv) through (vii), the bank, etc. must satisfy the following requirements:

一　銀行等が、次に掲げる者（当該銀行等が、第五項に規定する定めをした協同組織金融機関（信用金庫、労働金庫、信用協同組合及び農業協同組合等（第二十九条第八号に規定する農業協同組合、同条第十号に規定する漁業協同組合及び同条第十二号に規定する水産加工業協同組合をいう。以下この号において同じ。）をいう。同項並びに第六十二条第一項第十号及び第十四号において同じ。）である場合にあっては、当該協同組織金融機関の会員又は組合員（会員又は組合員である法人の代表者を含み、当該協同組織金融機関が農業協同組合等である場合にあっては、組合員と同一の世帯に属する者を含む。第五項並びに同条第一項第十号及び第十四号において同じ。）である者を除く。次号及び第六項第二号並びに同条第一項第九号及び第十三号において「銀行等保険媒介制限先」という。）を保険契約者又は被保険者とする保険契約（第一項第二号及び第四号から第七号までに掲げるものに限り、既に締結されている保険契約（その締結の媒介を当該銀行等又はその役員若しくは使用人が手数料その他の報酬を得て行ったものに限る。）の更新又は更改（保険金額その他の給付の内容の拡充（当該保険契約の目的物の価値の増加その他これに類する事情に基づくものを除く。）又は保険期間の延長を含むものを除く。）に係るものを除く。）の締結の媒介を手数料その他の報酬を得て行わないことを確保するための措置を講じていること。

(i) if a bank, etc. is a cooperative financial institution designated pursuant to the provisions of paragraph (5) (meaning a credit union, labor bank, credit cooperative, and agricultural cooperative, etc. (meaning an agricultural cooperative as defined in Article 29, paragraph (8), a fishery cooperative as defined in Article 29, paragraph (1), item (x), of that paragraph, and a fishery processing cooperative as defined in Article 29, paragraph (1), item (xii); the same applies below in this item), and if the bank, etc. has implemented measures to ensure that it refrains from providing intermediary services for the conclusion of an insurance policy (limited to the insurance policies stated in paragraph (1), item (ii) and items (iv) through (vii); excluding contracts for renewal or novation (except for novation that enhances insurance benefits, such as increasing the amount of insurance proceeds (excluding increases due to appreciation of the insured object or

similar factors) or extending the insurance period) of insurance policies already in effect (limited to those for which the bank, etc. or its officers or employees prescribed intermediary services for the conclusion, and measures to ensure it is not carried out in exchange for fees or any other remunerations)), in which the policyholder or the insured is any of the following parties (if the bank, etc. falls under the category of a cooperative financial institution (collectively meaning a shinkin bank, labor bank, credit cooperatives, and agricultural cooperatives, etc. (meaning the agricultural cooperatives prescribed in Article 29, item (viii) of the Order, and fishery cooperatives prescribed in item (x) of that Article, and the fishery processing cooperatives prescribed in item (xii) of that Article; the same applies below in this item); the same applies below in paragraph (5), and Article 62, paragraph (1), items (x) and (xiv)) which has prescribed the particulars prescribed in paragraph (5), the parties which are members or partners of the cooperative financial institution (including the representative of the corporation which is a member or partner, and, if the cooperative financial institution is an agricultural cooperative, etc., including the person who lives together with their partner; the same applies below in paragraph (5) and Article 62, paragraph (1), items (x) and (xiv)) are excluded; referred to below as "parties for whom insurance intermediary services by a bank, etc. are restricted" in the following item, paragraph (6), item (ii) and Article 62, paragraph (1), items (ix) and (xiii)), and measures are to be in place to ensure that the intermediary services are not provided in exchange for fees or any other remuneration:

イ　当該銀行等が法人（国、地方公共団体及び銀行法施行令（昭和五十七年政令第四十号）第四条第十三項各号に掲げるものその他の金融庁長官が定めるものを除く。ハ及び次項において同じ。）又はその代表者に対し当該法人の事業に必要な資金の貸付け又は手形の割引を行っている場合における当該法人及びその代表者

(a) a corporation (excluding the state, local governments, those specified in the items of Article 4, paragraph (13) of the Order for Enforcement of the Banking Act (Cabinet Order No. 40 of 1982), and those designated by the Commissioner of the Financial Services Agency; the same applies in (c) and the following paragraph), or its representative, when the bank, etc. provides the corporation or its representative with loans of funds required for its business or provides funds through the discounting of negotiable instruments;

ロ　当該銀行等が事業を行う個人に対し当該事業に必要な資金の貸付け又は手形の割引を行っている場合における当該個人

(b) an individual engaged in business, when the bank, etc. provides that individual with funds required for the individual's business or provides funds through the discounting of negotiable instruments;

ハ　当該銀行等が小規模事業者（常時使用する従業員の数が五十人（当該銀行等が特例地域金融機関である場合にあっては、二十人）以下の事業者（法人その他の団体及び事業として又は事業のために契約の当事者となる場合における個人をいう。）をいう。）である個人又は法人若しくはその代表者に対し、当該小規模事業者の事業に必要な資金の貸付け又は手形の割引を行っている場合における当該小規模事業者が常時使用する従業員及び当該法人の役員（代表者を除く。）

(c) full-time employees or officers (excluding a representative) of a small enterprise (meaning an entrepreneur (meaning a corporation, any other organization, and an individual person who becomes a party to a contract in the course of or for business) hiring fifty full-time employees or fewer (or twenty full-time employees or fewer, if the bank, etc. falls under the category of an exceptional local financial institution)), when the bank, etc. provides the individual person or corporation that is a small enterprise or its representative with the lending of funds or the discounting of negotiable instruments required for the business of the small enterprise;

二　銀行等が、顧客が銀行等保険媒介制限先に該当するかどうかを確認する業務を適確に遂行するための措置及び保険媒介業務に係る業務が当該銀行等のその他の業務の健全かつ適切な運営に支障を及ぼさないようにするための措置を講じていること。

(ii) the bank, etc. has implemented measures to accurately confirm whether the customer falls under a party for whom insurance intermediary services by a bank, etc. are restricted, and to ensure that its insurance intermediary business operations do not interfere with the sound and appropriate conduct of the other business of the bank, etc.; and

三　銀行等が、その使用人のうち事業に必要な資金の貸付け又は手形の割引に関して顧客と応接する業務を行う者が、保険媒介業務（第一項第二号及び第四号から第七号までに掲げる保険契約に係るものに限る。）を行わないことを確保するための措置を講じていること。ただし、当該銀行等が特例地域金融機関である場合にあっては、当該措置に代わるものとして金融庁長官が定める措置を講じていることをもって足りる。

(iii) the bank, etc. has implemented measures to ensure that its employees who contact customers regarding monetary loans required for their business or discounting of negotiable instruments refrain from conducting insurance intermediary business operations (limited to insurance intermediary business operations for the insurance policies referred to in paragraph (1), item (ii), and items (iv) through (vii)); provided, however, that when the bank, etc. is an exceptional local financial institution, it will be sufficient for the bank, etc. to have implemented the measures specified by the Commissioner of the Financial Services Agency as a substitute for the previously stated measures.

4　前項の「特例地域金融機関」とは、その営業地域が特定の都道府県に限られているものとして金融庁長官が定める金融機関であって、当該金融機関又はその役員若しく

は使用人が、当該金融機関が事業を行う個人又は法人（当該金融機関が同項第三号本文に規定する措置を講じている場合にあっては、常時使用する従業員の数が五十人を超える事業を行う個人又は法人を除く。）若しくはその代表者に対し当該事業に必要な資金の貸付け又は手形の割引を行っている場合における当該個人若しくは法人が常時使用する従業員又は当該法人の役員（代表者を除く。）を保険契約者として第一項第二号、第五号又は第七号に掲げる保険契約（これに相当する内容の保険特約を含む。次項において同じ。）の締結の媒介を行う場合において、次の各号に掲げる保険については、それぞれ当該各号に掲げる保険の区分に応じ、当該金融機関又はその役員若しくは使用人が締結の媒介を行った保険契約によって支払われるべき保険金その他の給付金の額の当該保険契約者一人当たりの合計が、当該各号に定める金額を超えないこととする旨の定めを第二項第二号に規定する指針に記載しているものをいう。

(4) The term "exceptional regional financial institution" as used in the preceding paragraph means a financial institution designated by the Commissioner of the Financial Services Agency as one whose area of business is limited to a specific prefecture, and in which that financial institution or its officers or employees has provided the lending of funds or the discounting of negotiable instruments necessary for that business to an individual or corporation with which the financial institution conducts business (excluding an individual or corporation with more than 50 full-time employees, in cases where the financial institution has taken the measures prescribed in the main text of item (iii) of that paragraph), or to its representative. In such a case, if the financial institution etc. or its directors or employees acts as an intermediary for the conclusion of the insurance policies stated in paragraph (1), item (ii), (v), or (vii) (including insurance riders with equivalent content; the same applies in the following paragraph), and if the insurance policy listed in the following items is involved, this means a provision under which, for the category of insurance listed in each item, the sum of the insurance proceeds and other benefits to be paid under the insurance policies for which the financial institution or its directors or employees have acted as intermediary for each policyholder does not exceed the amount prescribed in each of those items in the guidelines prescribed in paragraph (2), item (ii):

一　人の生存又は死亡（余命が一定の期間以内であると医師により診断された身体の状態及び重度の障害に該当する状態を含む。以下この号において同じ。）に関し、一定額の保険金を支払うことを約し、保険料を収受する保険（傷害を受けたことを直接の原因とする人の死亡のみに係るものを除く。）　千万円

(i) insurance that promises to pay a specified amount of insurance benefits and receives premiums in relation to the survival or death of a person (including a physical condition diagnosed by a doctor as one in which the person's life expectancy is within a specified period, and a condition corresponding to a severe disability; the same applies below in this paragraph) (excluding insurance that relates solely to death directly caused by injury): 10 million

yen;

二　次に掲げる事由に関し、一定額の保険金を支払うこと又はこれらによって生ずることのある当該人の損害を填補することを約し、保険料を収受する保険のうち金融庁長官が定めるもの　金融庁長官が定める金額

(ii) insurance in which the insurer promises to pay a specified amount of insurance proceeds for the following incidents, or to compensate for damage suffered by a person that may arise from the following events, and under which the insurer receives insurance premiums in an amount specified by the Commissioner of the Financial Services Agency:

イ　人が疾病にかかったこと。

(a) a person contracts diseases;

ロ　疾病にかかったことを原因とする人の状態（重度の障害に該当する状態を除く。）

(b) a person's condition resulting from disease (excluding conditions that constitute a serious disability);

ハ　保険業法施行規則第四条各号に掲げる事由

(c) reasons stated in the items of Article 4 of the Regulation for Enforcement of the Insurance Business Act; and

ニ　イからハまでに掲げる事由に関し、治療（治療に類する行為として第五条第二項第二号ハ（１）から（３）までに掲げるものを含む。）を受けたこと。

(d) receiving treatment (including activities specified in Article 5, paragraph (2), item (ii), (c), 1. through 3., which are considered similar to treatment) in connection with the reasons stated in (a) through (c).

5　金融サービス仲介業者である協同組織金融機関は、当該協同組織金融機関又はその役員若しくは使用人が、第三項第一号イからハまでに掲げる者に該当する当該協同組織金融機関の会員又は組合員を保険契約者として第一項第二号、第五号又は第七号に掲げる保険契約の締結の媒介を行う場合において、前項各号に掲げる保険については、それぞれ当該各号に掲げる保険の区分に応じ、当該協同組織金融機関又はその役員若しくは使用人が締結の媒介を行った保険契約によって支払われるべき保険金その他の給付金の額の当該保険契約者一人当たりの合計が、当該各号に定める金額を超えないこととする旨の定めを第二項第二号に規定する指針に記載しなければならない。

(5) A cooperative financial institution that is a financial service intermediary must provide in its guidelines prescribed in paragraph (2), item (ii), that when the cooperative financial institution provides intermediary services for the conclusion of an insurance policy stated in paragraph (1), item (ii), (v), or (vii), in which the policyholder is its member or partner who falls under any of the persons specified in paragraph (3), item (i), (a) through (c), the total amount of insurance proceeds or any other benefits payable to a single policyholder under an insurance policy for which the cooperative financial institution or its officers or employees have provided intermediary services is not to exceed the respective amounts stated in the items of the preceding paragraph.

6　金融サービス仲介業者である銀行等又はその役員若しくは使用人が第一項第一号又は第三号に掲げる保険契約の締結の媒介を行う場合において、次に掲げる場合は、当該保険契約に付される保険特約は、当該保険契約の内容と関連性が高く、かつ、当該保険特約に係る保険料及び保険金額が当該保険契約に係る保険料及び保険金額と比して妥当なものでなければならない。

(6) When a bank, etc. that is a financial service intermediary or its officers or employees provides intermediary services for the conclusion of insurance policies as specified in paragraph (1), item (i) or (iii), and any of the following conditions apply, the insurance rider to be added to the insurance policy must be closely related to the terms and conditions of the insurance policy, and the insurance premiums and insurance amount related to the insurance rider must be reasonable in comparison to the insurance premiums and insurance amount under the insurance policy:

一　当該銀行等が第三項各号に掲げる要件を満たしていない場合

(i) if the bank, etc. fails to satisfy the requirements stated in the items of paragraph (3); and

二　当該保険契約の保険契約者又は被保険者が銀行等保険媒介制限先である場合（前号の場合を除く。）

(ii) where the policyholder or the insured under the insurance policy is a party for whom insurance intermediary services by the bank, etc. are restricted (excluding the case described in the preceding item).

（電子決済等代行業を行う場合の財産的基礎）

(Financial Basis for Conducting Electronic Payment Services)

第二十一条　法第十八条第一項第一号イに規定する内閣府令で定める基準は、純資産額（第二十四条第一号イに規定する貸借対照表若しくはこれに代わる書面又は同条第二号に規定する財産に関する調書に計上された資産の合計額から負債の合計額を控除した額をいう。）が負の値でないこととする。

Article 21　The standard specified by Cabinet Office Order, as prescribed in Article 18, paragraph (1), item (i), (a) of the Act, is that the amount of net assets (meaning the amount calculated by deducting the total amount of liabilities from the total amount of assets recorded on the balance sheet prescribed in Article 24, item (i), (a) or in documents prepared in lieu of such balance sheet, or in the written statement of assets prescribed in item (ii) of that Article) is to be a non-negative value.

（電子決済等代行業の届出書の記載事項）

(Particulars to Be Stated in the Written Notification Concerning Electronic Payment Services)

第二十二条　金融サービス仲介業者が法第十八条第三項の規定による届出をする場合における銀行法施行規則（昭和五十七年大蔵省令第十号）第三十四条の六十四の二の規

定の適用については、同条第一項中「次に掲げる事項とする。ただし、第四号に掲げる事項については、登録申請者（同項に規定する登録申請者をいう。以下この条及び第三十四条の六十四の四において同じ。）が法第二条第二十一項第一号に掲げる行為（第一条の三の三に定める行為を除く。）を行う場合に限る」とあるのは「第一号から第三号までに掲げる事項とする」と、同項第一号中「電子決済等代行業者の利用者」とあるのは「電子決済等代行業に係る顧客」と、「登録申請者」とあるのは「金融サービスの提供及び利用環境の整備等に関する法律第十八条第三項の規定により届出を行う金融サービス仲介業者（次項において「届出者」という。）」と、同条第二項中「登録申請者」とあるのは「届出者」と、「登録申請書（法第五十二条の六十一の三第一項の登録申請書をいう。第三十四条の六十四の四において同じ。）」とあるのは「届出書」とする。

Article 22 Regarding the application of the provisions of Article 34-64-2 of the Regulation for Enforcement of the Banking Act (Ministry of Finance Order No. 10 of 1982), when a financial service intermediary files a notification under Article 18, paragraph (3) of the Act, the phrase "the following particulars; provided, however, that the particulars stated in item (iv) are required to be included only if the registration applicant (meaning the registration applicant prescribed in that paragraph; the same applies below in this Article and Article 34-64-4) performs the acts stated in Article 2, paragraph (21), item (i) of the Act (excluding the acts specified in Article 1-3-3)" in paragraph (1) of that Article is deemed to be replaced with "the particulars stated in items (i) through (iii)". In addition, the terms "users of the electronic payment service provider" and "registration applicant" in item (i) of that paragraph are deemed to be replaced with "customers of the electronic payment service provider" and "a financial service intermediary that files a notification under Article 18, paragraph (3) of the Act on the Provision of Financial Services and the Improvement of the Environment for Use (referred to as a "notifier" in the following paragraph)". Furthermore, the phrases "registration applicant" and "written application for registration (meaning the written application for registration prescribed in Article 52-61-3, paragraph (1) of the Act; the same applies in Article 34-64-4)" in paragraph (2) of that Article are deemed to be replaced with "notifier" and "written notice", respectively.

（電子決済等代行業に係る業務の内容及び方法）

(Details and Methods of Operation Related to Electronic Payment Services)

第二十三条　法第十八条第四項第二号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 23 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 18, paragraph (4), item (ii) of the Act, are as follows:

一　電子決済等代行業（銀行法第二条第二十一項に規定する電子決済等代行業をいう。以下この条において同じ。）に係る行為のうち、同項各号に掲げる行為（銀行法施

行規則第一条の三の三に定める行為を除く。）のいずれを行うかの別（同項各号に掲げる行為（同令第一条の三の三に定める行為を除く。）のいずれも行う場合は、その旨）

(i) among the acts relating to electronic payment services (meaning the electronic payment services prescribed in Article 2, paragraph (21) of the Banking Act; the same applies below in this Article) that constitute the acts listed in the items of that paragraph (excluding those specified in Article 1-3-3 of the Regulation for Enforcement of the Banking Act), those performed by the electronic payment service provider (if the provider performs all such acts, a statement confirming this);

二　取り扱う電子決済等代行業に係る業務の概要

(ii) an outline of the services related to the electronic payment services to be provided; and

三　電子決済等代行業の実施体制

(iii) the system for providing electronic payment services.

2　前項第三号に規定する実施体制には、次に掲げる事項を含むものとする。

(2) The system for providing the electronic payment services prescribed in item (iii) of the preceding paragraph is to include the following particulars:

一　電子決済等代行業に関して取得した顧客に関する情報の適正な取扱い及び安全管理のための体制

(i) the system for ensuring the appropriate handling and secure management of customer information acquired by the electronic payment service provider in connection with electronic payment services;

二　電子決済等代行業の業務（銀行法第二条第二十一項第二号に掲げる行為のみを行おうとする場合には、電子決済等代行業に関して取得した顧客に関する情報の適正な取扱い及び安全管理に係る業務に限る。）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のための体制

(ii) the system for ensuring the appropriate execution of the business of electronic payment services (limited to services related to the proper handling and secure management of customer information obtained in connection with electronic settlement services, etc., in cases where only the acts stated in Article 2, Paragraph (21), Item (2) of the Banking Act are performed), if the electronic payment service provider entrusts the business to a third party; and

三　電子決済等代行業を管理する責任者の氏名及び役職名

(iii) the name and job title of the person responsible for the management of electronic payment services.

（電子決済等代行業を行う場合の届出書のその他の添付書類）

(Other Documents to Be Attached to a Notification for Engaging in Electronic Payment Services)

第二十四条　法第十八条第四項第三号に規定する内閣府令で定める書類は、次に掲げる書類とする。ただし、銀行（銀行法第二条第一項に規定する銀行をいう。以下この章において同じ。）又は第二十九条第二号から第十五号までに掲げる者が法第十八条第三項の規定により届出を行う金融サービス仲介業者（以下この条において「届出者」という。）である場合は、この限りでない。

Article 24 The documents specified by Cabinet Office Order, as prescribed in Article 18, paragraph (4), item (iii) of the Act, are as follows; provided, however, that this does not apply to a case where the financial service intermediary making the notification pursuant to Article 18, paragraph (3) of the Act (referred to below as the "notifier" in this Article) is a bank (meaning a bank as prescribed in Article 2, paragraph (1) of the Banking Act; the same applies below in this Chapter) or a person stated in Article 29, items (ii) through (xv):

一　届出者が法人である場合にあっては、次に掲げる書類

(i) if the notifier is a corporation, the following documents:

イ　法第十八条第三項の規定による届出の日（以下この条において「届出日」という。）の属する事業年度の前事業年度の貸借対照表（関連する注記を含む。イにおいて同じ。）又はこれに代わる書面。ただし、届出日の属する事業年度に設立された法人にあっては、その設立時における貸借対照表又はこれに代わる書面

(a) a balance sheet for the business year preceding the business year in which the date of notification under Article 18, paragraph (3) of the Act (referred to below as the "date of notification" in this Article) falls (including related notes; the same applies in (a)), or any other document serving in lieu of that balance sheet; provided, however, that in the case of a corporation incorporated in the business year in which the date of notification falls, a balance sheet as of the time of incorporation, or any other document serving in lieu of that balance sheet;

ロ　届出者が会社法第二条第十一号に規定する会計監査人設置会社である場合にあっては、届出日の属する事業年度の前事業年度の同法第三百九十六条第一項に規定する会計監査報告の内容を記載した書面

(b) where the notifier is a company with financial auditor as prescribed in Article 2, item (xi) of the Companies Act, a document describing the details of the financial audit report prescribed in Article 396, paragraph (1) of that Act for the business year preceding the business year in which the date of notification falls; and

二　届出者が個人である場合にあっては、届出日の属する事業年度の前事業年度の別紙様式第三号により作成した財産に関する調書

(ii) where the notifier is an individual, a written statement of property prepared in accordance with Appended Form 3 for the business year preceding the business year in which the date of notification falls.

第二節　業務

Section 2 Business

第一款　通則

Subsection 1 General Rules

（掲示すべき標識の様式等）

(Forms of Signs to Be Posted)

第二十五条　法第二十条第一項に規定する内閣府令で定める様式は、別紙様式第四号に定める様式とする。

Article 25 (1) The form specified by Cabinet Office Order, as prescribed in Article 20, paragraph (1) of the Act, is the form specified in Appended Form 4.

２　法第二十条第二項に規定する内閣府令で定める方法は、インターネットを利用する方法とする。

(2) The method specified by Cabinet Office Order, as prescribed in Article 20, paragraph (2) of the Act, is the use of the Internet.

３　法第二十条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

(3) The particulars specified by Cabinet Office Order, as prescribed in Article 20, paragraph (2) of the Act, are as follows:

一　法第十四条第一項第二号の登録番号

(i) the registration number as referred to in Article 14 paragraph (1), item (ii) of the Act; and

二　加入している認定金融サービス仲介業協会の名称（認定金融サービス仲介業協会に加入していない場合にあっては、その旨）

(ii) the name of the certified financial service intermediary business association to which the person belongs (or, if the person does not belong to any certified financial service intermediary business association, a statement confirming this).

（保証金の供託に係る届出等）

(Notification Concerning the Depositing of a Security Deposit)

第二十六条　金融サービス仲介業者は、次のいずれかに該当する場合は、その旨を金融庁長官等に届け出るものとする。

Article 26 (1) If any of the following applies to a financial service intermediary, the intermediary is to notify the Commissioner, etc. accordingly:

一　金融サービス仲介業者が法第二十二条第一項、第四項若しくは第八項若しくは第二十三条第二項又は金融サービス仲介業者保証金規則（令和三年／内閣府／法務省／令第四号）第十三条第六項若しくは第十四条第一項の規定により保証金を供託した場合

(i) when a financial service intermediary has deposited a security deposit pursuant to the provisions of Article 22, paragraph (1), (4), or (8), or Article 23, paragraph (2) of the Act, or Article 13, paragraph (6), or Article 14, paragraph (1) of the Regulation on Security Deposits by Financial Service

Intermediaries (Cabinet Office and Ministry of Justice Order No. 4 of 2021);

二　法第二十二条第三項の契約（以下この款において「保証委託契約」という。）を金融サービス仲介業者と締結した者（次号及び次条において「保証委託契約の相手方」という。）が法第二十二条第四項の規定により保証金を供託した場合

(ii) when a person who has concluded a contract under Article 22, paragraph (3) of the Act (referred to below as "guarantee entrustment contract" in this Subsection) with a financial service intermediary (the person is referred to below as the "counterparty to a guarantee entrustment contract" in the following item and the following Article) has completed depositing a security deposit pursuant to the provisions of Article 22, paragraph (4) of the Act;

三　金融サービス仲介業者又は保証委託契約の相手方が法第二十二条第十項又は金融サービス仲介業者保証金規則第十三条第七項から第九項まで若しくは第十四条の規定により保証金の全部又は一部を取り戻した場合

(iii) when a person, a financial service intermediary, or a counterparty to a guarantee entrustment contract has recovered all or part of the security deposit pursuant to the provisions of Article 22, paragraph (10) of the Act, or Article 13, paragraphs (7) through (9), or Article 14 of the Regulation on Security Deposits of Financial Service Intermediaries;

四　金融サービス仲介業者が保証委託契約を締結し、又は令第二十七条第二号の規定による承認を受けて保証委託契約を解除し、若しくはその内容を変更した場合

(iv) when a financial service intermediary has concluded a guarantee entrustment contract, has canceled the contract with the approval stated under Article 27, item (ii) of the Order, or has amended any of its terms and conditions; or

五　金融サービス仲介業者が金融サービス仲介業者賠償責任保険契約（法第二十三条第一項に規定する金融サービス仲介業者賠償責任保険契約をいう。以下この款において同じ。）を締結し、又は令第二十九条第一項第四号の規定による承認を受けて金融サービス仲介業者賠償責任保険契約を解除し、若しくはその内容を変更した場合

(v) when a financial service intermediary has concluded a financial service intermediary liability insurance policy (meaning the financial service intermediary liability insurance policy prescribed in Article 23, paragraph (1) of the Act; the same applies below in this Subsection), or has canceled the policy or amended its terms and conditions with the approval stated under Article 29, paragraph (1), item (iv) of the Order.

２　前項の場合にあっては、金融サービス仲介業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める書面を金融庁長官等に提出するものとする。

(2) In the case stated in the preceding paragraph, a financial service intermediary is to submit to the Commissioner, etc. the documents specified in the following items, in accordance with the category of the case stated in each item:

一　前項第一号に掲げる場合　当該供託に係る供託書正本及び保証金等内訳書
(i) in the case of item (i) of the preceding paragraph: the original copy of the deposit certificate and a breakdown of the security deposit, etc.;
二　前項第二号又は第三号に掲げる場合　保証金等内訳書
(ii) in the case of item (ii) or (iii) of the preceding paragraph: a breakdown of the security deposit, etc.; and
三　前項第四号又は第五号に掲げる場合　その事実を証する書面及び保証金等内訳書
(iii) in the case of item (iv) or (v) of the preceding paragraph: a document certifying the fact, and a breakdown of the security deposit, etc.

3　前項各号に規定する保証金等内訳書は、別紙様式第五号により作成するものとする。
(3) A breakdown of the security deposit, etc. prescribed in the items of the preceding paragraph is to be prepared in accordance with Appended Form 5.

4　金融庁長官等は、第二項第一号の供託書正本を受理したときは、保管証書を当該金融サービス仲介業者に交付しなければならない。
(4) When the Commissioner, etc. receives the original copy of the deposit certificate as referred to in paragraph (2), item (i), the Commissioner, etc. must issue a custody certificate to the financial service intermediary.

第二十七条　保証委託契約の相手方は、法第二十二条第四項の規定により保証金を供託する場合においては、当該保証委託契約を締結した金融サービス仲介業者の主たる営業所又は事務所の最寄りの供託所（国内に営業所又は事務所を有しない者にあっては、東京法務局）に供託するものとする。
Article 27 (1) When a counterparty to a guarantee entrustment contract makes a security deposit pursuant to the provisions of Article 22, paragraph (4) of the Act, the deposit is to be made with the official depository nearest to the principal place of business or office of the financial service intermediary with which the guarantee entrustment contract is concluded (if the counterparty does not have a place of business or office in Japan, the deposit is to be made with the Tokyo Legal Affairs Bureau).

2　保証委託契約の相手方は、前項の供託をしたときは、当該供託に係る供託書正本を金融庁長官等に提出するものとする。
(2) When a counterparty to a guarantee entrustment contract makes the deposit under the preceding paragraph, the party is to submit the original copy of the deposit certificate to the Commissioner of the Financial Services Agency, etc.

3　金融庁長官等は、前項の供託書正本を受理したときは、保管証書を当該保証委託契約の相手方に交付しなければならない。
(3) When the Commissioner of the Financial Services Agency, etc. receives the original copy of the deposit certificate as provided in the preceding paragraph, the Commissioner, etc. must issue a custody certificate to the counterparty to guarantee entrustment contract.

第二十八条　金融サービス仲介業者は、令第二十七条第二号の規定による承認を受けようとするときは、当該承認に係る保証委託契約を解除しようとする日又はその内容を変更しようとする日の一月前までに、申請書に理由書その他の参考となるべき事項を記載した書類を添付して金融庁長官等に提出するものとする。

Article 28 (1) When a financial service intermediary intends to obtain approval under Article 27, item (ii) of the Order, it must submit an application to the Commissioner of the Financial Services Agency, etc. along with a document stating the reasons for the application and other relevant particulars. This must be done no later than one month before the date on which the intermediary intends to cancel the guarantee entrustment contract for which approval is sought, or amend its terms and conditions.

２　金融庁長官等は、前項の規定による承認の申請があったときは、当該承認の申請をした金融サービス仲介業者が保証委託契約を解除し、又はその内容を変更することが顧客等（法第二十二条第二項に規定する顧客等をいう。第三十二条第四項において同じ。）の保護に欠けるおそれのないものであるかどうかを審査するものとする。

(2) When an application for approval under the preceding paragraph has been filed, the Commissioner, etc. is to examine whether the cancellation of the guarantee entrustment contract or any change to its contents by the financial service intermediary that applied for the approval would pose a risk of undermining the protection of customers, etc. (meaning the customers, etc. defined in Article 22, paragraph (2) of the Act; the same applies in Article 32, paragraph (4)).

（保証金の全部又は一部に代わる契約の相手方）

(Counterparties to Contracts Substituting for All or Part of a Security Deposit)

第二十九条　令第二十七条に規定する内閣府令で定める金融機関は、次に掲げる金融機関とする。

Article 29 The financial institutions specified by Cabinet Office Order, as prescribed in Article 27 of the Order, are as follows:

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

(i) the Long Term Credit Bank prescribed in Article 2 of the Long Term Credit Bank Act (Act No. 187 of 1952);

二　信用金庫

(ii) a shinkin bank;

三　信用金庫連合会

(iii) a federation of shinkin banks;

四　労働金庫

(iv) a labor bank;

五　労働金庫連合会

(v) the Rokinren Bank;

六　信用協同組合

(vi) credit cooperatives;

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

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

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

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

九　農業協同組合法第十条第一項第三号の事業を行う農業協同組合連合会

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

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

(x) fishery cooperatives engaged in the business referred to in Article 11, paragraph (1), item (iv) of the Fishery Cooperatives Act (Act No 242 of 1948);

十一　水産業協同組合法第八十七条第一項第四号の事業を行う漁業協同組合連合会

(xi) a federation of fishery cooperatives engaged in the business referred to in Article 87, paragraph (1), item (iv) of the Fishery Cooperatives Act;

十二　水産業協同組合法第九十三条第一項第二号の事業を行う水産加工業協同組合

(xii) fishery processing cooperatives engaged in the business referred to in Article 93, paragraph (1), item (ii) of the Fishery Cooperatives Act;

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

(xiii) a federation of fishery processing cooperatives engaged in the business referred to in Article 97, paragraph (1), item (ii) of the Fishery Cooperatives Act;

十四　農林中央金庫

(xiv) the Norinchukin Bank; and

十五　株式会社商工組合中央金庫

(xv) the Shoko Chukin Bank, Limited.

（保証金の追加供託の起算日）

(Date of Commencement of Additional Security Deposit)

第三十条　法第二十二条第八項に規定する内閣府令で定める日は、保証金の額が不足した理由につき、次の各号に掲げる場合の区分に応じ、当該各号に定める日とする。

Article 30　The day specified by Cabinet Office Order, as prescribed in Article 22, paragraph (8) of the Act, is the day determined in accordance with the category

of case stated in each of the following items, according to the reason the insufficiency of the security deposit amount:

一　金融サービス仲介業者が令第二十七条第二号の承認（次号において「承認」という。）を受けて保証委託契約の内容を変更したことにより、法第二十二条第十項に規定する供託した保証金の額（保証委託契約において供託されることとなっている金額を含む。）が令第二十六条に定める額に不足した場合　当該保証委託契約の内容を変更した日

(i) if a financial service intermediary has received approval under Article 27, item (ii) of the Order to amend any of the terms and conditions of a guarantee entrustment contract (referred to as "approval" in the following item), and as a result the amount of the deposit prescribed in Article 22, paragraph (10) of the Act (including the amount required to be deposited under the guarantee entrustment contract) falls short of the amount specified in Article 26 of the Order: the date on which the guarantee entrustment contract was amended;

二　金融サービス仲介業者が承認を受けて保証委託契約を解除した場合　当該保証委託契約を解除した日

(ii) if the financial service intermediary has canceled the guarantee entrustment contract with the approval: the date of cancellation of the guarantee entrustment contract;

三　令第二十八条の権利の実行の手続が行われた場合　金融サービス仲介業者が金融サービス仲介業者保証金規則第十一条第二項の支払委託書の写しの送付を受けた日（金融庁長官等が金融サービス仲介業者の営業所又は事務所を確知できないときは、金融庁長官等が別に指定する日）

(iii) in cases where the procedures for the exercise of rights referred to in Article 28 of the Order have been carried out: the day on which the financial service intermediary received a copy of the payment entrustment document under Article 11, paragraph (2) of the Regulation on Deposits of Financial Service Intermediaries (or, if the Commissioner of the Financial Services Agency, etc. is unable to confirm the location of either the place of business or the office of the financial service intermediary, the date separately designated by the Commissioner of the Financial Services Agency etc.); or

四　令第二十八条の権利の実行の手続を行うため金融庁長官等が供託されている有価証券（社債、株式等の振替に関する法律第二百七十八条第一項に規定する振替債を含む。）の換価を行い、換価代金から換価の費用を控除した額を供託した場合　金融サービス仲介業者が金融サービス仲介業者保証金規則第十五条第四項の通知を受けた日

(iv) if the Commissioner of the Financial Services Agency, etc. has realized the deposited securities for the purpose of implementing procedures for the exercise of the rights referred to in Article 28 of the Order (including book-entry transfer bonds as prescribed in Article 278, paragraph (1) of the Act on

Book-Entry Transfer of Corporate Bonds and Shares), and has deposited the realized amount minus the costs of realization: the day on which the financial service intermediary receives a notice of deposit as prescribed in Article 15, paragraph (4) of the Regulation on Deposit of Financial Service Intermediaries.

（保証金に充てることができる有価証券の種類等）

(Types of Securities That May Be Deposited as Security Deposits)

第三十一条　法第二十二条第九項に規定する内閣府令で定める有価証券は、次に掲げる有価証券とする。

Article 31 (1) The securities specified by Cabinet Office Order, as prescribed in Article 22, paragraph (9) of the Act, are as follows:

一　国債証券（その権利の帰属が社債、株式等の振替に関する法律の規定による振替口座簿の記載又は記録により定まるものとされるものを含む。）

(i) national government bond securities (including national government bond securities whose ownership is determined based on the statement or record contained in the book-entry transfer account book as referred to in the Act on Book-Entry Transfer of Corporate Bonds and Shares);

二　地方債証券

(ii) local government bond securities;

三　政府保証債券（金融商品取引法第二条第一項第三号に掲げる有価証券のうち政府が元本の償還及び利息の支払について保証しているものをいう。）

(iii) government guaranteed bond certificates (meaning the securities stated in Article 2, paragraph (1), item (iii) of the Financial Instruments and Exchange Act, for which the government guarantees the redemption of principal and the payment of interest); and

四　金融庁長官が指定した社債券その他の債券（記名式のもの及び割引の方法により発行されるもの並びに前号に掲げるものを除く。）

(iv) corporate bond certificates and other bond certificates designated by the Commissioner of the Financial Services Agency (excluding registered bond certificates, bond certificates issued through discounting, and the securities stated in the preceding item).

２　法第二十二条第九項の規定により有価証券を保証金に充てる場合における当該有価証券の価額は、次の各号に掲げる有価証券の区分に応じ、当該各号に定める額とする。

(2) When securities are used as a guarantee pursuant to the provisions of Article 22, paragraph (9) of the Act, their value is to be the amount specified in each of the following items, according to the category of securities stated in each item:

一　前項第一号に掲げる有価証券　額面金額（その権利の帰属が社債、株式等の振替に関する法律の規定による振替口座簿の記載又は記録により定まるものとされるものにあっては、振替口座簿に記載又は記録された金額。以下この条において同じ。）

(i) securities stated in item (i) of the preceding paragraph: their par value (or, if the rights concerning the securities are to be determined in accordance with the statement or record contained in the book-entry transfer account book under the Act on Book-Entry Transfer of Corporate Bonds and Shares, the amount stated or recorded in that book; the same applies below in this Article);

二　前項第二号に掲げる有価証券　額面金額百円につき九十円として計算した額

(ii) securities stated in item (ii) of the preceding paragraph: the amount calculated by discounting the par value from 100 yen to 90 yen;

三　前項第三号に掲げる有価証券　額面金額百円につき九十五円として計算した額

(iii) securities stated in item (iii) of the preceding paragraph: the amount calculated by discounting the par value from 100 yen to 95 yen; and

四　前項第四号に掲げる有価証券　額面金額百円につき八十円として計算した額

(iv) securities stated in item (iv) of the preceding paragraph: the amount calculated by discounting the par value from 100 yen to 80 yen.

3　割引の方法により発行した有価証券については、その発行価額に次の算式により算出した額を加えた額を額面金額とみなして、前項の規定を適用する。

(3) For securities issued through discounting, their issue value plus the amount calculated in accordance with the following formula is deemed to be the par value of the securities, and the provisions of the preceding paragraph apply:

（（額面金額－発行価額）／発行の日から償還の日までの年数）×（発行の日から供託の日までの年数）

((par value - issue value) ÷ number of years from issue date to redemption date) × (number of years from issue date to deposit date).

4　前項の算式による計算において、発行の日から償還の日までの年数及び発行の日から供託の日までの年数について生じた一年未満の端数並びに額面金額と発行価額との差額を発行の日から償還の日までの年数で除して得た金額について生じた一円未満の端数は、切り捨てる。

(4) For the purpose of calculation under the formula in the preceding paragraph, if a fraction of less than one year arises in the number of years from the issue date to the redemption date and the number of years from the issue date to the deposit date, or if a fraction of less than one yen arises in the amount obtained by dividing the difference between the par value and the issue value by the number of years from the issue date to the redemption date, the fraction is to be truncated.

（保証金の一部に代わる金融サービス仲介業者賠償責任保険契約の承認の申請等）

(Application for Approval of a Financial Service Intermediary Liability Insurance Policy Substituting for a Partial Security Deposit)

第三十二条　金融サービス仲介業者は、法第二十三条第一項の規定による承認を受けようとするときは、当該承認に係る金融サービス仲介業者賠償責任保険契約により保証

金の一部を供託しないこととしようとする日の一月前までに、申請書に理由書その他の参考となるべき事項を記載した書類を添付して金融庁長官等に提出するものとする。

Article 32 (1) When a financial service intermediary intends to obtain approval under Article 23, paragraph (1) of the Act, it must, no later than one month before the date on which it intends not to deposit a portion of the security deposit by means of a financial service intermediary liability insurance policy for which the approval is sought, submit to the Commissioner, etc. a written application for approval, along with a written statement of reasons and any other documents containing relevant particulars for reference.

2　金融庁長官等は、前項の規定による承認の申請があったときは、当該承認の申請をした金融サービス仲介業者が締結する金融サービス仲介業者賠償責任保険契約の内容が令第二十九条第一項各号に掲げる要件に適合するものであるかどうかを審査するものとする。

(2) When an application for the approval under the preceding paragraph has been filed, the Commissioner, etc. is to examine whether the terms and conditions of the financial service intermediary liability insurance policy concluded by the financial service intermediary that filed the application conform to the requirements specified in the items of Article 29, paragraph (1) of the Order.

3　金融サービス仲介業者は、令第二十九条第一項第四号の規定による承認を受けようとするときは、当該承認に係る金融サービス仲介業者賠償責任保険契約を解除しようとする日又はその内容を変更しようとする日の一月前までに、申請書に理由書その他の参考となるべき事項を記載した書類を添付して金融庁長官等に提出するものとする。

(3) When a financial service intermediary intends to obtain approval under Article 29, paragraph (1), item (iv) of the Order, it must submit to the Commissioner, etc. a written application for approval, along with a written statement of reasons and other relevant particulars, no later than one month before the date on which it intends to cancel the financial service intermediary liability insurance policy for which the approval is sought, or to amend any of its terms and conditions.

4　金融庁長官等は、前項の規定による承認の申請があったときは、当該承認の申請をした金融サービス仲介業者が金融サービス仲介業者賠償責任保険契約を解除し、又はその内容を変更することが顧客等の保護に欠けるおそれのないものであるかどうかを審査するものとする。

(4) When an application for approval under the preceding paragraph has been filed, the Commissioner of the Financial Services Agency etc. is to examine whether the termination of the financial service intermediary's liability insurance policy or any change to its contents by the financial service intermediary that applied for that approval is likely to result in insufficient protection for customers, etc.

（情報の提供）

(Provision of Information)

第三十三条　金融サービス仲介業者は、法第二十五条第一項第三号に規定する金融サービス仲介業者の権限に関する事項として、相手方金融機関を代理して次に掲げる行為をすることができないことを明らかにしなければならない。

Article 33 (1) A financial service intermediary must clearly state that it is not permitted to perform the following activities on behalf of any counterparty financial institution, specifically in relation to the authority of a financial service intermediary prescribed in Article 25, paragraph (1), item (iii):

一　金融サービス契約の内容の変更又は解除の申出を受けること。

(i) to accept an offer to amend the terms and conditions or to cancel a financial services contract;

二　金融サービス契約の証書その他これに準ずる書面の発行

(ii) to issue a certificate of a financial service contract or any other similar document;

三　保険媒介業務を行う場合にあっては、顧客から保険契約に関する告知又は通知を受けること。

(iii) in the case of conducting insurance intermediary business operations, receiving announcements or notices concerning insurance policies from customers; and

四　保険媒介業務を行う場合にあっては、保険事故による損害を填補する責任があるかどうかを判断すること又は当該填補すべき額を決定すること。

(iv) in the case of conducting insurance intermediary business operations, to determine whether there is any liability to compensate for damages arising from an insured event, and to determine the amount of such compensation.

２　法第二十五条第一項第六号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in Article 25, paragraph (1), item (vi) of the Act, are as follows:

一　法第十四条第一項第二号の登録番号

(i) the registration number as referred to in Article 14 paragraph (1), item (ii) of the Act;

二　顧客が締結しようとする金融サービス契約に係る相手方金融機関の商号、名称又は氏名

(ii) the trade name or name of the counterparty financial institution relating to the financial service contract concluded by the customer;

三　顧客が締結しようとする金融サービス契約につき顧客が金融サービス仲介業者に支払う手数料（報酬、費用その他いかなる名称によるかを問わず、手数料と同種のものとして金融サービス契約に関して顧客が支払うべき対価を含む。次号及び第五号、第五款並びに第百三十九条において「手数料等」という。）の額若しくはその上限額又はこれらの計算方法の概要（これらを明示することができない場合にあっ

ては、その旨及びその理由）

(iii) the amount or maximum amount of fees payable by the customer in connection with the financial service contract concluded by the customer (including any consideration payable by the customer under the financial service contract as expenses equivalent to fees, irrespective of the terminology used, such as fees, remuneration, expenses, or otherwise; referred to as "fees, etc." in the following item, item (v), Subsection 5 and Article 139), the upper limit of such fees, or an outline of the method for calculating them (if these details cannot be clearly indicated, a statement confirming this and the reason);

四　相手方金融機関の一の金融サービス契約と同種の内容の金融サービス契約（他の相手方金融機関が契約の締結の相手方となるものに限る。）を取り扱う場合において、顧客が締結しようとする金融サービス契約につき顧客が相手方金融機関に支払う手数料等が相手方金融機関により異なるときは、その旨

(iv) in cases where a service is provided in relation to a financial service contract that contains the provisions of the same types as those in a financial service contract of a counterparty financial institution (limited to contracts concluded with other counterparty financial institutions), if the fees, etc. payable by the customer to the counterparty financial institution under the financial service contract differ depending on the counterparty financial institution, a statement confirming this;

五　投資助言業務（金融商品取引法第二十八条第六項に規定する投資助言業務をいう。以下この号及び第五款において同じ。）を行う場合において、投資助言業務の顧客に対し金融サービス仲介行為（法第十一条第四項第一号から第三号までに掲げる行為に限る。以下この号において同じ。）を行うとき（一定の期間における金融サービス仲介行為に係る手数料等の額が、当該金融サービス仲介行為の回数にかかわらず一定となっている場合であって、あらかじめ当該手数料等の形態又は額を顧客に対し明らかにしているときを除く。）は、当該金融サービス仲介行為により得ることとなる手数料等の額（あらかじめ手数料等の額が確定しない場合においては、当該手数料等の額の算定方法）

(v) in the case of conducting an investment advisory business (meaning the investment advisory business prescribed in Article 28, paragraph (6) of the Financial Instruments and Exchange Act; the same applies below in this item and Subsection 5), if any act of financial service intermediation (limited to the acts stated in Article 11, paragraph (4), items (i) through (iii) of the Act; the same applies below in this item) for customers of the investment advisory business (excluding cases where the amount of fees, etc. relating to financial services intermediation within a specified period is set regardless of the number of acts of financial services intermediation and where the methods and amount of fees, etc. are clearly explained to the customer in advance), the amount of fees, etc. to be obtained based on that financial

services intermediation (if the amount of fees, etc. is not fixed in advance, the method for calculating the amount of those fees, etc.);

六　金融サービス仲介業者と顧客が締結しようとする金融サービス契約に係る相手方金融機関との間の資本関係及び人的関係並びに金融サービス仲介行為に係る委託契約の有無

(vi) the capital and personal relationships between the financial service intermediary and the counterparty financial institution related to the financial service contract concluded by the customer, and whether an entrustment contract exists concerning the activities of the financial service intermediary; and

七　金融サービス仲介業務に関し、顧客に対する情報の提供、説明及び書面の交付等についての金融サービス仲介業者と顧客が締結しようとする金融サービス契約に係る相手方金融機関の役割分担に関する事項

(vii) the particulars concerning the role of the counterparty financial institution in relation to the financial service contract concluded between the financial service intermediary and the customer, regarding the provision of information, explanations, and delivery of documents, etc. to the customer concerning the financial service intermediary's business operations.

（開示事項）

(Particulars to Be Disclosed)

第三十四条　法第二十五条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34 The particulars specified by Cabinet Office Order, as prescribed in Article 25, paragraph (2) of the Act, are as follows:

一　業務の種別ごとに、当該金融サービス仲介業者と金融サービス仲介業務に関して取引関係にある主な相手方金融機関の商号、名称又は氏名及び相手方金融機関から受領した手数料、報酬その他の対価（以下この号において「手数料等」という。）を合計した金額の総額に占める顧客が締結しようとする金融サービス契約に係る相手方金融機関から受領した手数料等を合計した金額の割合

(i) for each type of business, the trade name, title, or name of the main counterparty financial institution with which the financial service intermediary has a business relationship in connection with the financial service intermediary business; and the percentage that the amount of fees, remuneration, and other consideration (referred to below in this paragraph as "fees, etc.") received from counterparty financial institutions in relation to the financial service contract the customer intends to conclude represents out of the total amount of fees, etc. received from all counterparty financial institutions; and

二　当該金融サービス仲介業者が供託している保証金の額、締結している保証委託契約において供託されることとなっている金額又は金融サービス仲介業者賠償責任保

険契約の保険金の額

(ii) the amount of security deposits deposited by the financial service intermediary, the amount required to be deposited under a guarantee entrustment contract concluded by the financial service intermediary, or the insured amount under a financial service intermediary liability insurance policy.

（社内規則等）

(Internal Rules)

第三十五条　金融サービス仲介業者は、その行う金融サービス仲介業務の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項の顧客に対する説明その他の健全かつ適切な業務の運営を確保するための措置（書面の交付その他の適切な方法による商品又は取引の内容及びリスクの説明並びに犯罪を防止するための措置を含む。）に関する社内規則等を定めるとともに、従業員に対する研修その他の当該社内規則等に基づいて業務が運営されるための十分な体制を整備しなければならない。

Article 35 A financial service intermediary must establish internal rules, etc. concerning measures such as providing explanations of important information to customers, taking into account the customers' knowledge, experience, asset status, and the purpose of the transaction, and other measures to ensure healthy and proper business operations (including providing explanations regarding the details and risks of instruments or transactions through document delivery or other appropriate means, as well as crime prevention measures), in accordance with the details and methods of the financial service intermediary business operations, and must develop a sufficient system to train its employees or otherwise ensure that its business is conducted based on those internal rules, etc.

（個人顧客情報の安全管理措置等）

(Measures for the Secure Management of Customers' Personal Information)

第三十六条　金融サービス仲介業者は、その取り扱う個人である顧客に関する情報の安全管理、従業者の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又は毀損の防止を図るために必要かつ適切な措置を講じなければならない。

Article 36 If a financial service intermediary entrusts security management of information concerning individual customers that it handles, supervision of employees, and handling of the information, it must take necessary and appropriate measures for the supervision of the entrusted party, so as to prevent the leaking, destruction or loss of the information.

（個人顧客情報の漏えい等の報告）

(Reporting Leakage of Personal Customer Information)

第三十六条の二　金融サービス仲介業者は、その取り扱う個人である顧客に関する情報（個人情報の保護に関する法律（平成十五年法律第五十七号）第十六条第三項に規定する個人データに該当するものに限る。）の漏えい、滅失若しくは毀損が発生し、又は発生したおそれがある事態が生じたときは、当該事態が生じた旨を財務局長又は福岡財務支局長に速やかに報告することその他の適切な措置を講じなければならない。

Article 36-2 If any leakage, loss, or destruction of information on individual customers handled by a financial service intermediary occurs, or if there is a risk of such an occurrence (limited to information that is personal data as prescribed in Article 16, paragraph (3) of the Act on the Protection of Personal Information (Act No. 57 of 2003)), the financial service intermediary must promptly report the incident to the Director-General of a Local Finance Bureau or the Director-General of the Fukuoka Local Finance Branch Bureau and take any other appropriate measures.

（返済能力情報の取扱い）

(Handling of Information on Repayment Ability)

第三十七条　金融サービス仲介業者は、信用情報に関する機関（資金需要者の借入金返済能力に関する情報の収集及び金融サービス仲介業者に対する当該情報の提供を行うものをいう。）から提供を受けた情報であって個人である資金需要者の借入金返済能力に関するものを、資金需要者の返済能力の調査以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 37 A financial service intermediary must take measures to ensure that it does not use information provided by a credit information-related organization regarding the loan repayment capacity of a person seeking funds (meaning an organization that collects information on the repayment capacity of such individuals and provides it to the financial service intermediary) for any purpose other than assessing that person's repayment capacity.

（特別の非公開情報の取扱い）

(Handling of Undisclosed Special Information)

第三十八条　金融サービス仲介業者は、その取り扱う個人である顧客に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を、適切な業務の運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 38 A financial service intermediary must take measures to ensure that it does not handle individual customer information relating to race, creed, family origin, registered domicile, health and medical care, criminal records, or any other undisclosed special information (meaning information that has come to light in the course of business and has not been disclosed), for any purpose

other than that which is considered necessary to ensure the proper operation of its business.

（電子計算機を利用する場合の相手方金融機関との誤認防止）
(Preventing Misidentification of Counterparty Financial Institutions When Using a Computer)

第三十九条　金融サービス仲介業者は、電気通信回線に接続している電子計算機を利用してその業務を行う場合において、顧客が当該金融サービス仲介業者を相手方金融機関又はその他の者と誤認することを防止するための適切な措置を講じなければならない。

Article 39 When a financial service intermediary conducts its business using a computer connected via a telecommunications line, it must take appropriate measures to prevent customers from misidentifying the financial service intermediary as a counterparty financial institution or any other person.

（委託業務の適確な遂行を確保するための措置）
(Measures to Ensure Proper Performance of Entrusted Business)

第四十条　金融サービス仲介業者は、金融サービス仲介業の業務を第三者に委託する場合には、当該委託した業務の実施状況を定期的に又は必要に応じて確認し、必要に応じて改善を求めるなど、当該業務が適確に実施されるために必要な措置を講じなければならない。

Article 40 When a financial service intermediary entrusts business to a third party, it must take necessary measures to ensure that the entrusted business is properly carried out, such as regularly or as necessary confirming the status of implementation and requesting improvements when needed.

（密接関係者から除かれる者の範囲）
(Individuals Not Considered Closely Related Persons)

第四十一条　令第三十条第一項各号列記以外の部分に規定する内閣府令で定める者は、次に掲げる者とする。

Article 41 The persons specified by Cabinet Office Order, as prescribed in the main clause of Article 30, paragraph (1) of the Order, are as follows:

一　第二十九条各号に掲げる者

(i) any person stated in the items of Article 29;

二　保険会社（外国保険会社等（保険業法第二条第七項に規定する外国保険会社等をいう。第六十二条第一項において同じ。）を含む。）及び少額短期保険業者（同法第二条第十八項に規定する少額短期保険業者をいう。第五十六条第一項並びに第六十二条第一項第二号及び第三号において同じ。）

(ii) an insurance company (including a foreign insurance company, etc. (meaning the foreign insurance company, etc. as prescribed in Article 2, paragraph (7) of the Insurance Business Act: the same applies to Article 62,

paragraph (1)) and a small-amount and short-term insurer (meaning the small-amount and short-term insurer as prescribed in Article 2, paragraph (18) of that Act; the same applies in Article 56, paragraph (1) and Article 62, paragraph (1), items (ii) and (iii)));

三　信託会社（信託業法（平成十六年法律第百五十四号）第二条第二項に規定する信託会社をいう。以下この節において同じ。）

(iii) a trust company (meaning the trust company as prescribed in Article 2, paragraph (2) of the Trust Business Act (Act No. 154 of 2004); the same applies below in this Section); and

四　資金移動業者（資金決済に関する法律（平成二十一年法律第五十九号）第二条第三項に規定する資金移動業者をいう。第四十六条第十九号において同じ。）

(iv) a fund transfer service provider (meaning the fund transfer service provider as prescribed in Article 2, paragraph (3) of the Payment Services Act (Act No. 59 of 2009); the same applies in Article 46, item (xix)).

（親法人等及び子法人等から除かれる者）

(Persons Excluded from the Scope of Parent Corporations and Subsidiary Corporations)

第四十二条　令第三十条第二項及び第三項に規定する内閣府令で定める者は、次に掲げる者とする。

Article 42 The persons specified by Cabinet Office Order, as prescribed in Article 30, paragraphs (2) and (3) of the Order, are as follows:

一　専ら次に掲げるいずれかの者の有価証券等仲介業務、金融商品取引業等（金融商品取引法第五十条第一項第一号に規定する金融商品取引業等をいう。次号において同じ。）又は金融商品仲介業の遂行のための業務を行っている者

(i) business solely for the implementation of the securities, etc. intermediary business operations, the financial instruments business, etc. (meaning the financial instruments business, etc. as prescribed in Article 50, paragraph (1), item (i) of the Financial Instruments and Exchange Act; the same applies in the following item), or the financial instruments intermediary service by any of the following parties:

イ　自己

(a) the party itself;

ロ　自己及びその親法人等（令第三十条第二項に規定する親法人等をいう。第五十一条第一項第二号を除き、以下この節において同じ。）又は子法人等（令第三十条第三項に規定する子法人等をいう。第五十一条第一項第一号を除き、以下この節において同じ。）

(b) the party itself, and its parent corporation, etc. (meaning the parent corporation, etc. prescribed in Article 30, paragraph (2) of the Order; the same applies below in this Section except Article 51, paragraph (1), item (ii)), or its subsidiary corporation, etc. (meaning the subsidiary corporation,

etc. prescribed in Article 30, paragraph (3) of the Order; the same applies below in this Section except Article 51, paragraph (1), item (i));

二　専ら次に掲げるいずれかの者の業務（有価証券等仲介業務、金融商品取引業等及び金融商品仲介業を除く。）の遂行のための業務（非公開財産等情報（発行者である会社の運営、業務若しくは財産に関する公表されていない重要な情報であって顧客の投資判断（金融商品取引法第二条第八項第十一号ロに規定する投資判断をいう。第五款において同じ。）に影響を及ぼすと認められるもの又は自己若しくはその親法人等若しくは子法人等の役員（役員が法人である場合にあっては、その職務を行うべき社員を含む。）若しくは使用人が職務上知り得た顧客の有価証券の売買その他の取引等（同法第四十一条の二第四号に規定する有価証券の売買その他の取引等をいう。第百十一条第一項第八号において同じ。）に係る注文の動向その他の特別の情報（これらの情報のうち外国法人（法人でない外国の団体で代表者又は管理人の定めのあるものを含む。）に係るものを除く。）をいう。）（発行者又は自己の行う有価証券等仲介業務の顧客に関するものに限る。）に関連するものを除く。）を行っている者

(ii) business conducted solely for the implementation of the business (excluding securities, etc. intermediary business operations, financial instruments business, etc., and financial instruments intermediary services) by any of the following parties (excluding business related to undisclosed asset information (meaning undisclosed material information concerning the management, business, or assets of an issuing company that is likely to affect the customer's investment decision (meaning the investment decision prescribed in Article 2, paragraph (8), item (xi), (b) of the Financial Instruments and Exchange Act; the same applies in Subsection 5), or information regarding the officers of the company itself (including, where the officer is a corporation, any person who is to perform the officer's duties), its employees, its parent corporation, etc., or its subsidiary corporation, etc., in the course of business related to ordering trends (meaning the purchase, sale, or other transactions in securities, etc., as prescribed in Article 41-2, item (iv) of that Act; the same applies in Article 118, paragraph (1), item (viii)) of a customer, and any other special information (excluding such information when relating to a foreign corporation (including unincorporated foreign organizations for which a representative or administrator has been designated))), in connection with the purchase, sale, or other transactions in securities, etc. (limited to those involving customers of securities, etc. intermediary business operations conducted by the issuer or the party itself)):

イ　自己

(a) the party itself;

ロ　自己及びその親法人等又は子法人等

(b) the party itself, and its parent corporation, etc. or subsidiary corporation, etc.; or

三　外国の法人その他の団体であって、国内に営業所、事務所その他これらに準ずるものを有していない者

(iii) a corporation or any other organization of a foreign state that does not have a place of business, office, or any other equivalent establishment in Japan.

（親会社等となる者）

(Prospective Parent Company, etc.)

第四十三条　令第三十条第四項に規定する内閣府令で定めるものは、次に掲げる会社等（同項に規定する会社等をいう。以下この条から第四十五条までにおいて同じ。）とする。ただし、財務上又は営業上若しくは事業上の関係からみて他の会社等の意思決定機関（同項に規定する意思決定機関をいう。第二号ホにおいて同じ。）を支配していないことが明らかであると認められるときは、この限りでない。

Article 43 (1) The companies specified by Cabinet Office Order, as prescribed in Article 30, paragraph (4) of the Order, are the following companies, etc. (meaning the companies, etc. prescribed in that paragraph; the same applies below in Articles 43 through 45); provided, however, that this does not apply when it is evident that a company does not have control over the decision-making body (meaning the decision-making body prescribed in that paragraph; the same applies in item (ii), (e)) of another company, etc., based on their financial, operational, or business relationships:

一　他の会社等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた他の会社等その他これらに準ずる他の会社等であって、有効な支配従属関係が存在しないと認められるものを除く。以下この項において同じ。）の議決権の過半数を自己の計算において保有している会社等

(i) a company, etc. that, on its own account, holds the majority of voting rights in another company, etc. (excluding any other company, etc. that is subject to an order for the commencement of bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings, or any equivalent company, etc. in which no effective parent-subsidiary relationship is found to exist; the same applies below in this paragraph);

二　他の会社等の議決権の百分の四十以上、百分の五十以下を自己の計算において保有している会社等であって、次に掲げるいずれかの要件に該当するもの

(ii) a company, etc. that, on its own account, holds not less than 40 percent but not more than 50 percent of the voting rights in another company, etc., and that falls under any of the following requirements:

イ　当該会社等が自己の計算において保有している議決権と当該会社等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該会社等の意思と同一の内容の議決権を行使すると認められる者及び当該会社等の意思と同一の内容の議決権を行使することに同意している者が保有している議決権とを合わせて、当該他の会社等の議決権の過半数を占めていること。

(a) the majority of the voting rights in another company, etc. is constituted by the voting rights held by the company, etc. on its own account, together with the voting rights held by any party that has a close relationship with the company, etc. in terms of equity, personnel affairs, funding, technology, or business transactions, etc., and is therefore likely to exercise its voting rights in accordance with the will of the company, etc., and by any party that has consented to exercise its voting rights in accordance with the will of the company, etc.;

ロ　当該会社等の役員若しくは使用人である者又はこれらであった者であって当該会社等が当該他の会社等の財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、当該他の会社等の取締役会その他これに準ずる機関の構成員の過半数を占めていること。

(b) the majority of the members of the board of directors, or any other equivalent organ, of another company, etc. involved in making decisions on its financial, operational, or business policies consists of officers or employees of the company, etc. or former officers or employees who may exert influence over that other company, etc.;

ハ　当該会社等と当該他の会社等との間に当該他の会社等の重要な財務及び営業又は事業の方針の決定を支配する契約等が存在すること。

(c) a company, etc. and another company, etc. have entered into a contract under which the former takes control over significant decisions concerning any important financial, operational, or business policies of the latter;

ニ　当該他の会社等の資金調達額（貸借対照表の負債の部に計上されているものに限る。ニにおいて同じ。）の総額の過半について当該会社等が融資（債務の保証及び担保の提供を含む。ニ及び次条第二号ロにおいて同じ。）を行っていること（当該会社等と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の過半となる場合を含む。）。

(d) a company, etc. has financed (including the provision of a guarantee of obligations and the provision of collateral; the same applies below in (d) and Article 44, item (ii), (b)) more than half of the total loan amount procured by another company, etc. (limited to the amount recorded in the liabilities section of the balance sheet; the same applies in (d)) (including cases where more than half of the total amount of funds procured by such other company, etc. is financed by the company, etc. together with any person having a close relationship with the company, etc. in terms of equity, personnel affairs, funding, technology, or business transactions, etc.);

ホ　その他当該会社等が当該他の会社等の意思決定機関を支配していることが推測される事実が存在すること。

(e) there are other facts indicating that the company, etc. controls the decision-making body of another company, etc.; or

三　会社等が自己の計算において保有している議決権と当該会社等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該会社等の意思と同一の内容の議決権を行使すると認められる者及び当該会社等の意思と同一の内容の議決権を行使することに同意している者が保有している議決権とを合わせて、他の会社等の議決権の過半数を占めている場合（当該会社等が自己の計算において議決権を保有していない場合を含む。）における当該会社等であって、前号ロからホまでに掲げるいずれかの要件に該当するもの

(iii) a company, etc. that falls under any of the requirements specified in (b) through (e) of the preceding item, in cases where the majority of the voting rights in another company, etc. consists of the voting rights held by the company, etc. on its own account, together with those held by any party having a close relationship with the company, etc. in terms of equity, personnel affairs, funding, technology, or business transactions, etc., and is therefore likely to exercise its voting rights in accordance with the will of the company, etc. and any party that has consented to exercise its voting rights in accordance with the will of the company, etc. (including cases where the company, etc. does not hold voting rights on its own account).

2　特別目的会社（資産の流動化に関する法律（平成十年法律第百五号）第二条第三項に規定する特定目的会社及び事業内容の変更が制限されているこれと同様の事業を行う事業体をいう。）については、適正な価額で譲り受けた資産から生ずる収益を当該特別目的会社が発行する証券の所有者（同条第十二項に規定する特定借入れに係る債権者を含む。）に享受させることを目的として設立されており、当該特別目的会社の事業がその目的に従って適切に遂行されているときは、当該特別目的会社に資産を譲渡した会社等（以下この項において「譲渡会社等」という。）から独立しているものと認め、前項の規定にかかわらず、譲渡会社等の子会社等（令第三十条第四項に規定する子会社等をいう。以下この節において同じ。）に該当しないものと推定する。

(2) With respect to a special purpose company (meaning a specific purpose company as prescribed in Article 2, paragraph (3) of the Act on Securitization of Assets (Act No. 105 of 1998) and a business entity engaged in a similar business that is restricted from modifying its business details), if its incorporation is intended to entitle the holders of the securities it issues (including creditors in connection with a specific borrowing as prescribed in Article 2, paragraph (12) of that Act) to receive profits generated from assets transferred to the special purpose company at a fair value, and if the business is properly implemented in accordance with that purpose, then—notwithstanding the provisions of the preceding paragraph—the special purpose company is deemed to be independent of the companies, etc. that transferred the assets to it (referred to below as the "transferor company, etc." in this paragraph), and is presumed not to fall under the category of a subsidiary company, etc. (meaning a subsidiary company, etc. as prescribed in Article 30, paragraph (4) of the Order; the same applies below in this Section)

of the transferor company, etc.

（関連会社等となる者）

(Prospective Affiliated Companies, etc.)

第四十四条　令第三十条第五項に規定する内閣府令で定めるものは、次に掲げる会社等とする。ただし、財務上又は営業上若しくは事業上の関係からみて会社等（当該会社等の子会社等を含む。）が子会社等以外の他の会社等の財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないことが明らかであると認められるときは、この限りでない。

Article 44 The companies, etc. specified by Cabinet Office Order, as prescribed in Article 30, paragraph (5) of the Order, are as follows; provided, however, that this does not apply when it is evident that the company, etc. (including its subsidiary companies, etc.) is unable to exert any material influence over decisions concerning the financial, operational, or business policies of another company, etc., excluding its subsidiary companies, etc., based on their financial, operational, or business relationships:

一　会社等（当該会社等の子会社等を含む。）が子会社等以外の他の会社等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた子会社等以外の他の会社等その他これらに準ずる子会社等以外の他の会社等であって、当該会社等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないと認められるものを除く。以下この条において同じ。）の議決権の百分の二十以上を自己の計算において保有している場合における当該子会社等以外の他の会社等

(i) a company, etc. other than a subsidiary company, etc., where a company, etc. (including its subsidiary companies, etc.) holds, on its own account, 20 percent or more of the voting rights in that other company, etc. (excluding companies, etc. that have been subject to an order commencing bankruptcy, rehabilitation, or reorganization proceedings, or companies, etc. in equivalent circumstances where it is found that the company, etc. is unable to exert any material influence over decisions concerning that company's financial, operational, or business policies; the same applies below in this Article);

二　会社等（当該会社等の子会社等を含む。）が子会社等以外の他の会社等の議決権の百分の十五以上、百分の二十未満を自己の計算において保有している場合における当該子会社等以外の他の会社等であって、次に掲げるいずれかの要件に該当するもの

(ii) a company, etc. other than a subsidiary company, etc. that falls under any of the following requirements, where the company, etc. (including its subsidiary companies, etc.) holds, on its own account, 15 percent or more but less than 20 percent of the voting rights in the other company, etc., excluding subsidiary companies, etc.:

イ　当該会社等の役員若しくは使用人である者又はこれらであった者であって当該会社等がその財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、その取締役若しくは執行役又はこれらに準ずる役職に就任していること。

(a) where any officer or employee of the company, etc., or any person formerly in such a position—through whom the company, etc. is able to exert influence over the financial, operational, or business policy decisions—has assumed the position of representative director, executive officer, or an equivalent position in the other company, etc.;

ロ　当該会社等から重要な融資を受けていること。

(b) where the company, etc. has been receiving a significant loan;

ハ　当該会社等から重要な技術の提供を受けていること。

(c) where the company, etc. has been provided with important technology;

ニ　当該会社等との間に重要な販売、仕入れその他の営業上又は事業上の取引があること。

(d) where there are substantial sales, purchases, or other business or operational transactions with the company, etc.;

ホ　その他当該会社等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができることが推測される事実が存在すること。

(e) where there are other facts indicating that the company, etc. is able to exert significant influence over decisions concerning its financial, operational, or business policies; or

三　会社等（当該会社等の子会社等を含む。）が自己の計算において保有している議決権と当該会社等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該会社等の意思と同一の内容の議決権を行使すると認められる者及び当該会社等の意思と同一の内容の議決権を行使することに同意している者が保有している議決権とを合わせて、子会社等以外の他の会社等の議決権の百分の二十以上を占めている場合（当該会社等が自己の計算において議決権を保有していない場合を含む。）における当該子会社等以外の他の会社等であって、前号イからホまでに掲げるいずれかの要件に該当するもの

(iii) another company, etc., excluding a subsidiary company, etc. that falls under any of the requirements stated in (a) through (e) of the preceding item, in cases where 20 percent or more of the voting rights in that other company, excluding a subsidiary company, etc., consist of the voting rights held by the company, etc. (including its subsidiary companies, etc.) on its own account, together with those held by any person having a close relationship with the company, etc. in terms of equity, personnel affairs, funding, technology, or business transactions, etc. and are therefore likely to be exercised in accordance with the will of the company, etc. and any person who has consented to exercise their voting rights in accordance with the will of the company, etc. (including cases where the company, etc. does not hold voting

rights on its own account).

（議決権の保有の判定）

(Determination of Possession of Voting Rights)

第四十五条　令第三十条第六項に規定する議決権の保有の判定に当たって、保有する議決権には、他人（仮設人を含む。）の名義によって保有する議決権及び次に掲げる場合における株式等に係る議決権を含むものとする。

Article 45 (1) For the purpose of determining the holding of voting rights as prescribed in Article 30, paragraph (6) of the Order, the voting rights held are to include those held under the name of another person (including a fictitious name), as well as the voting rights related to shares, etc. in the following cases:

一　金銭の信託契約その他の契約又は法律の規定に基づき、会社等の議決権を行使することができる権限又は当該議決権の行使について指図を行うことができる権限を有する場合

(i) if a person has been granted the authority to exercise voting rights in the company, etc., or to give instructions regarding the exercise of such rights, under a monetary trust agreement, another contract, or legal provisions;

二　特別の関係にある者が会社等の議決権を保有する場合

(ii) if any person in a special relationship holds voting rights in the company, etc.; or

三　社債、株式等の振替に関する法律第百四十七条第一項又は第百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定によりその保有する株式等（この項の規定により令第三十条第一項第四号の特定個人株主が保有する議決権に含むものとされる議決権に係る株式等を含む。）を発行者に対抗することができない場合

(iii) if, pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (including when these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part concerning item (ii)) of that Act), a person may not assert the shares, etc. held by the person (including the shares, etc. representing voting rights which, pursuant to the provisions of this paragraph, are to be included in the voting rights held by the specified individual shareholder referred to in Article 30, paragraph (1), item (iv) of the Order) against the issuer of those shares.

２　前項の保有する議決権からは、同項の規定にかかわらず、次に掲げる株式等に係る議決権を除くものとする。

(2) Notwithstanding the provisions of the preceding paragraph, the voting rights held as referred to in that paragraph are not to include the voting rights related to the following shares, etc.:

一　法人の代表権を有する者又は法人の代理権を有する支配人が、当該代表権又は代理権に基づき、議決権を行使することができる権限若しくは議決権の行使について指図を行うことができる権限又は投資を行うのに必要な権限を有する場合における当該法人の所有する株式等

(i) the shares, etc. held by a corporation, if a person with the authority to act as a representative of the corporation, or a manager with the authority to act as an agent for the corporation, has been granted the authority to exercise the voting rights or to give instructions as to their exercise or the authority required for making an investment, based on such representative or agency authority; or

二　相続人が相続財産として所有する株式等（当該相続人（共同相続の場合を除く。）が単純承認（単純承認をしたものとみなされる場合を含む。）若しくは限定承認をした日までのもの又は当該相続財産の共同相続人が遺産分割を了していないものに限る。）

(ii) the shares, etc. owned by heirs as part of an estate (limited to shares, etc. owned before the date on which an heir (excluding cases of joint succession) made an unqualified acceptance (including cases in which such acceptance is deemed to have been made) or a qualified acceptance, or shares, etc. that have not yet been divided among the coheirs of the estate).

3　第一項第二号の「特別の関係」とは、次の各号に掲げる者の区分に応じ、それぞれ当該各号に定める関係とする。

(3) The term "person in special relationship" as referred to in paragraph (1), item (ii) means the relationships stated in the following items, according to the categories of persons respectively stated in each item:

一　対象議決権（金融商品取引法第二十九条の四第二項に規定する対象議決権をいい、同条第五項（第二号に係る部分に限る。）の規定により保有しているものとみなされる対象議決権を除く。以下この号において同じ。）を保有している者又は被支配会社が対象議決権を保有している者　当該者と次に掲げる者との関係

(i) a person who holds subject voting rights (meaning the subject voting rights as defined in Article 29-4, paragraph (2) of the Financial Instruments and Exchange Act, excluding subject voting rights considered to be held under Article 29-4, paragraph (5) of the Act (limited to the part involving item (ii)); the same applies below in this item) or a person whose subject voting rights are held by a controlled company: the relationship between that person and the following persons:

イ　対象議決権をその者と共同で保有し、又は対象議決権をその者と共同で行使することを合意している者（第五項において「共同保有者」という。）

(a) a person who jointly holds subject voting rights with that person, or who has agreed to jointly exercise subject voting rights with that person (referred to as a "joint holder" in paragraph (5));

ロ　その配偶者

(b) the person's spouse;

ハ　その被支配会社

(c) a company controlled by the person;

ニ　その支配株主等

(d) a controlling shareholder of the person, etc.;

ホ　その支配株主等の他の被支配会社

(e) another company controlled by the person's controlling shareholder, etc.; or

二　前号に掲げる者以外の者　当該者と同号イ又はロに掲げる者との関係

(ii) a person other than those stated in the preceding item: the relationship between that person and the person stated in (a) or (b) of that item.

4　この条において「支配株主等」とは、会社の総株主等の議決権の百分の五十を超える議決権を保有している者をいい、「被支配会社」とは、支配株主等により総株主等の議決権の百分の五十を超える議決権を保有されている会社をいう。この場合において、支配株主等とその被支配会社が合わせて他の会社の総株主等の議決権の百分の五十を超える議決権を保有しているときは、当該他の会社を当該支配株主等の被支配会社と、当該支配株主等を当該他の会社の支配株主等とそれぞれみなす。

(4) In this Article, the term "controlling shareholder, etc." means a person who holds voting rights constituting more than 50 percent of the voting rights held by all shareholders, etc. of a company. The term "controlled company" means a company in which voting rights constituting more than 50 percent of the voting rights held by all shareholders, etc. are held by a controlling shareholder, etc. In this case, if a controlling shareholder, etc. and its controlled company jointly hold voting rights constituting more than 50 percent of voting rights held by all shareholders, etc. of another company, that other company is deemed to be a controlled company of the controlling shareholder, etc., and the controlling shareholder, etc. is deemed to be the controlling shareholder, etc. of that other company.

5　共同保有者と合わせて会社の総株主等の議決権の百分の五十を超える議決権を保有している者がある場合には、当該者をそれぞれ当該会社の支配株主等と、当該会社を当該者の被支配会社とそれぞれみなして、第三項の規定を適用する。

(5) If there is a person who, together with a joint holder, holds voting rights constituting more than 50 percent of the voting rights held by all shareholders, etc. of a company, each related person is deemed to be a controlling shareholder, etc. of the company, the company is deemed to be a controlled company of that person, and the provisions of paragraph (3) apply.

6　配偶者と合わせて会社の総株主等の議決権の百分の五十を超える議決権を保有している者がある場合には、当該者を当該会社の支配株主等と、当該会社を当該者の被支配会社とそれぞれみなして、第三項の規定を適用する。

(6) If a person, together with their spouse, jointly holds voting rights constituting more than 50 percent of the voting rights held by all shareholders, etc. of a

company, that person is deemed to be a controlling shareholder, etc. of the company, the company is deemed to be a controlled company of that person, and the provisions of paragraph (3) apply.

7　第十四条第二項の規定は、前三項の場合においてこれらの規定に規定する者が保有する議決権について準用する。この場合において、同条第二項中「第百四十七条第一項又は第百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）」とあるのは「第百四十七条第一項又は第百四十八条第一項」と、「株式等に」とあるのは「株式に」と読み替えるものとする。

(7) The provisions of Article 14, paragraph (2) apply mutatis mutandis to voting rights held by a person prescribed in these provisions in the cases stated in the preceding three paragraphs. In this case, the phrases "Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001) (including when these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part concerning item (ii)) of that Act)" and "shares, etc." in paragraph (2) of that Article is deemed to be replaced with "Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001)" and "shares", respectively.

（金銭等の預託の禁止から除かれる場合）

(Exemptions from the Restriction on Receiving Cash Deposits)

第四十六条　法第二十七条に規定する顧客の保護に欠けるおそれが少ない場合として内閣府令で定める場合は、次に掲げる場合とする。

Article 46　The cases specified by Cabinet Office Order as having little likelihood of resulting in sufficient protection of customers, as referred to in Article 27 of the Act, are as follows:

一　銀行及び第二十九条各号に掲げる者が業として行う場合（第三号、第五号、第七号、第九号、第十一号、第十三号、第十五号、第十六号及び第十八号に掲げる場合を除く。）

(i) when a bank and a person listed in each item of Article 29 engage in business (excluding the cases stated in items (iii), (v), (vii), (ix), (xi), (xiii), (xv), (xvi), and (xviii));

二　農業協同組合法第九十二条の二第三項に規定する特定信用事業代理業者が特定信用事業代理業（同条第二項に規定する特定信用事業代理業をいう。次号において同じ。）として行う場合

(ii) when the specified credit business agent prescribed in Article 92-2, paragraph (3) of the Agricultural Cooperatives Act engages in specified credit business agency services (meaning the specified credit business agency services prescribed in paragraph (2) of the same Article; the same applies in

the following item);

三　農業協同組合法第九十二条の三第三項の規定による届出をして特定信用事業代理業を行う同条第一項に規定する銀行等が特定信用事業代理業として行う場合

(iii) when a bank, etc., as prescribed in Article 92-3, paragraph (1) of the Agricultural Cooperatives Act, which has filed a notification under the provisions of paragraph (3) of the same Article, engages in specified credit business agency services;

四　水産業協同組合法第百六条第三項に規定する特定信用事業代理業者が特定信用事業代理業（同条第二項に規定する特定信用事業代理業をいう。次号において同じ。）として行う場合

(iv) when a specified credit business agent, as prescribed in Article 106, paragraph (3) of the Fishery Cooperatives Act, engages in specified credit business agency services (meaning the specified credit business agency services prescribed in paragraph (2) of the same Article; the same applies in the following item);

五　水産業協同組合法第百七条第三項の規定による届出をして特定信用事業代理業を行う同条第一項に規定する銀行等が特定信用事業代理業として行う場合

(v) when a bank, etc., as prescribed in Article 107, paragraph (1) of the Fishery Cooperatives Act, which has filed a notification under the provisions of paragraph (3) of the same Article, engages in specified credit business agency services;

六　信用協同組合代理業者（協同組合による金融事業に関する法律（昭和二十四年法律第百八十三号）第六条の三第三項に規定する信用協同組合代理業者をいう。第六十二条第一項第十五号において同じ。）が信用協同組合代理業（同法第六条の三第二項に規定する信用協同組合代理業をいう。次号及び第六十二条第一項第十五号イにおいて同じ。）として行う場合

(vi) when a credit cooperative agent (meaning the credit cooperative agent prescribed in Article 6-3, paragraph (3) of the Act on Financial Businesses by Cooperative (Act No. 183 of 1949); the same applies in Article 62, paragraph (1), item (xv)) engages in credit cooperative agency services (meaning the credit cooperative agency services prescribed in Article 6-3, paragraph (2) of the same Act; the same applies in the following item and Article 62, paragraph (1), item (xv), (a));

七　協同組合による金融事業に関する法律第六条の四の二第一項において準用する銀行法第五十二条の六十の二第三項の規定による届出をして信用協同組合代理業を行う協同組合による金融事業に関する法律第六条の四に規定する信用組合等が信用協同組合代理業として行う場合

(vii) when a credit cooperative, etc., as prescribed in Article 6-4 of the Act on Financial Business by Cooperatives, which has filed a notification under the provisions of Article 52-60-2, paragraph (3) of the Banking Act, as applied mutatis mutandis pursuant to Article 6-4-2, paragraph (1) of the Act on

Financial Business by Cooperatives, engages in credit cooperative agency services;

八　信用金庫代理業者（信用金庫法（昭和二十六年法律第二百三十八号）第八十五条の二第三項に規定する信用金庫代理業者をいう。第六十二条第一項第十五号において同じ。）が信用金庫代理業（同法第八十五条の二第二項に規定する信用金庫代理業をいう。次号及び第六十二条第一項第十五号イにおいて同じ。）として行う場合

(viii) when a shinkin bank agent (meaning the shinkin bank agent prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act (Act No. 238 of 1951); the same applies in Article 62, paragraph (1), item (xv)) engages in shinkin bank agency services (meaning the shinkin bank agency services prescribed in Article 85-2, paragraph (2) of the same Act; the same applies in the following item and Article 62, paragraph (1), item (xv), (a));

九　信用金庫法第八十九条第五項において準用する銀行法第五十二条の六十の二第三項の規定による届出をして信用金庫代理業を行う信用金庫法第八十五条の二の二に規定する金庫等が信用金庫代理業として行う場合

(ix) when a shinkin bank, etc., as prescribed in Article 85-2-2 of the Shinkin Bank Act, which has filed a notification under the provisions of Article 52-60-2, paragraph (3) of the Banking Act, as applied mutatis mutandis pursuant to Article 89, paragraph (5) of the Shinkin Bank Act, engages in shinkin bank agency services;

十　長期信用銀行代理業者（長期信用銀行法第十六条の五第三項に規定する長期信用銀行代理業者をいう。第六十二条第一項第十五号において同じ。）が長期信用銀行代理業（同法第十六条の五第二項に規定する長期信用銀行代理業をいう。次号及び第六十二条第一項第十五号イにおいて同じ。）として行う場合

(x) when a long-term credit bank agent (meaning the long-term credit bank agent prescribed in Article 16-5, paragraph (3) of the Long-Term Credit Bank Act; the same applies in Article 62, paragraph (1), item (xv)) engages in long-term credit bank agency services (meaning the long-term credit bank agency services prescribed in Article 16-5, paragraph (2) of the same Act; the same applies in the following item and Article 62, paragraph (1), item (xv), (a));

十一　長期信用銀行法第十七条において準用する銀行法第五十二条の六十の二第三項の規定による届出をして長期信用銀行代理業を営む長期信用銀行法第十六条の七に規定する長期信用銀行等が長期信用銀行代理業として行う場合

(xi) when a long-term credit bank, etc., as prescribed in Article 16-7 of the Long-Term Credit Bank Act, which has filed a notification under Article 52-60-2, paragraph (3) of the Banking Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act, engages in long-term credit bank agency services;

十二　労働金庫代理業者（労働金庫法（昭和二十八年法律第二百二十七号）第八十九条の三第三項に規定する労働金庫代理業者をいう。第六十二条第一項第十五号において同じ。）が労働金庫代理業（同法第八十九条の三第二項に規定する労働金庫代

理業をいう。次号及び第六十二条第一項第十五号イにおいて同じ。）として行う場合

(xii) when a labor bank agent (meaning the labor bank agent prescribed in Article 89-3, paragraph (3) of the Labor Bank Act (Act No. 227 of 1953); the same applies in Article 62, paragraph (1), item (xv)) engages in labor bank agency services (meaning the labor bank agency services prescribed in Article 89-3, paragraph (2) of the Labor Bank Act; the same applies in the following item and Article 62, paragraph (1), item (xv), (a));

十三　労働金庫法第九十四条第三項において準用する銀行法第五十二条の六十の二第三項の規定による届出をして労働金庫代理業を行う労働金庫法第八十九条の四に規定する金庫等が労働金庫代理業として行う場合

(xiii) when a labor bank, etc., as prescribed in Article 89-4 of the Labor Bank Act, which has filed a notification under the provisions of Article 52-60-2, paragraph (3) of the Banking Act, as applied mutatis mutandis pursuant to Article 94, paragraph 3 of the Labor Bank Act, engages in labor bank agency services;

十四　銀行代理業者（銀行法第二条第十五項に規定する銀行代理業者をいう。第六十二条第一項第十五号において同じ。）が銀行代理業（同法第二条第十四項に規定する銀行代理業をいう。次号及び第六十二条第一項第十五号イにおいて同じ。）として行う場合

(xiv) when a bank agent (meaning the bank agent prescribed in Article 2, paragraph (15) of the Banking Act; the same applies in Article 62, paragraph (1), item (xv)) engages in bank agency services (meaning the bank agency services prescribed in Article 2, paragraph (14) of the same Act; the same applies in the following item and in Article 62, paragraph (1), item (xv), (a));

十五　銀行法第五十二条の六十の二第三項の規定による届出をして銀行代理業を営む同条第一項に規定する銀行等が銀行代理業として行う場合

(xv) when a bank, etc., as prescribed in Article 52-60-2, paragraph (1) of the Banking Act, which has filed a notification under paragraph (3) of that Article, engages in bank agency services;

十六　農林中央金庫及び特定農水産業協同組合等による信用事業の再編及び強化に関する法律（平成八年法律第百十八号）第四十二条第三項の認可に係る業務の代理（以下この節において「再編強化法代理業務」という。）を行う農業協同組合、漁業協同組合及び水産加工業協同組合が当該再編強化法代理業務として行う場合

(xvi) when an agricultural cooperative, a fishery cooperative, and a fishery processing cooperative that provide agency services for businesses related to the authorization under Article 42, paragraph (3) of the Act on the Enhancement and Restructuring of Credit Business Conducted by the Norinchukin Bank and Specified Agricultural and Fishery Cooperatives (Act No. 118 of 1996) (referred to below as "agency services under the Enhancement and Restructuring Act" in this Section), engage in agency

services under the Enhancement and Restructuring Act;

十七　農林中央金庫代理業者（農林中央金庫法（平成十三年法律第九十三号）第九十五条の二第三項に規定する農林中央金庫代理業者をいう。第六十二条第一項第十五号において同じ。）が農林中央金庫代理業（同法第九十五条の二第二項に規定する農林中央金庫代理業をいう。次号及び第六十二条第一項第十五号イにおいて同じ。）として行う場合

(xvii) when a Norinchukin Bank agent (meaning the Norinchukin Bank agent prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act (Act No. 93 of 2001); the same applies in Article 62, paragraph (1), item (xv) engages in Norinchukin Bank agency services (meaning the Norinchukin Bank agency services prescribed in Article 95-2, paragraph (2) of that Act; the same applies in the following item and in Article 62, paragraph (1), item 15(a));

十八　農林中央金庫法第九十五条の三第三項の規定による届出をして農林中央金庫代理業を営む同条第一項に規定する銀行等が農林中央金庫代理業として行う場合

(xviii) when a bank, etc., as prescribed in Article 95-3, paragraph (1) of the Norinchukin Bank Act, which has filed a notification under paragraph (3) of that Article, engages in Norinchukin Bank agency services; and

十九　資金移動業者が資金決済に関する法律第二条第二項に規定する資金移動業として行う場合

(xix) when a funds transfer service provider engages in funds transfer services as prescribed in Article 2, paragraph (2) of the Payment Services Act.

（苦情処理措置及び紛争解決措置）

(Complaint Processing Measuresand Dispute Resolution Measures)

第四十七条　法第二十八条第一項第一号ロに規定する苦情処理措置として内閣府令で定める措置は、次のいずれかとする。

Article 47 (1) The complaint processing measuress specified by Cabinet Office Order, as prescribed in Article 28 paragraph (1), item (i), (b) of the Act, are any of the following:

一　次に掲げる全ての措置を講じること。

(i) to take all measures stated below:

イ　金融サービス仲介業務関連苦情（法第十一条第十項に規定する金融サービス仲介業務関連苦情をいう。以下この条及び第四章第二節において同じ。）の処理に関する業務を公正かつ適確に遂行するに足りる業務運営体制を整備すること。

(a) to develop a business operation system sufficient to fairly and appropriately perform the business concerning the processing of complaints related to financial service intermediary business operations (meaning the complaints related to the financial service intermediary business operations prescribed in Article 11, paragraph (10) of the Act; the same applies below in this Article and in Chapter IV, Section 2);

ロ　金融サービス仲介業務関連苦情の処理に関する業務を公正かつ適確に遂行するための社内規則（当該業務に関する社内における責任分担を明確化する規定を含むものに限る。）を整備すること。

(b) to establish internal rules for the fair and appropriate execution of business concerning the processing of complaints related to financial service intermediary business operations (limited to rules that include provisions clarifying the division of responsibilities with respect to the business within the company);

ハ　金融サービス仲介業務関連苦情の申出先を顧客等（法第二十八条第二項に規定する顧客等をいう。第四章第二節において同じ。）に周知し、並びにイの業務運営体制及びロの社内規則を公表すること。

(c) to inform customers, etc. (meaning the customers, etc. prescribed in Article 28, paragraph (2) of the Act; the same applies in Chapter IV, Section 2) of the contact information for submitting complaints related to financial service intermediary business operations, and to make public the business operation system referred to in (a) and the internal rules referred to in (b);

二　法第四十三条第一項の規定により認定金融サービス仲介業協会が行う苦情の解決により金融サービス仲介業務関連苦情の処理を図ること。

(ii) to handle complaints related to financial service intermediary business operations through complaint resolution conducted by a certified financial service intermediary business association, pursuant to the provisions of Article 43, paragraph (1) of the Act;

三　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める措置を講じること。

(iii) to take the measures specified in either (a) or (b) below, in accordance with the categories of cases listed in each:

イ　貸金業貸付媒介業務以外の金融サービス仲介業務を行う場合　金融商品取引法第七十七条第一項（同法第七十八条の六及び第七十九条の十二において準用する場合を含む。）の規定により金融商品取引業協会（同法第二条第十三項に規定する認可金融商品取引業協会又は同法第七十八条第二項に規定する認定金融商品取引業協会をいう。次項第一号及び第百十三条第一項第四号において同じ。）又は認定投資者保護団体（同法第七十九条の十第一項に規定する認定投資者保護団体をいう。次項第一号及び第五款において同じ。）が行う苦情の解決により金融サービス仲介業務関連苦情の処理を図ること。

(a) when conducting financial service intermediary business operations, other than loan intermediary business operations: to handle complaints related to financial service intermediary business operations through complaint resolution conducted by a financial instruments firms association (meaning the authorized financial instruments firms association prescribed in Article 2, paragraph (13) of the Financial

Instruments and Exchange Act, or the certified financial instruments business association prescribed in Article 78, paragraph (2) of that Act; the same applies in item (i) of the following paragraph and Article 113, paragraph (1), item (iv)) or a certified investor protection organization (meaning the certified investor protection organization prescribed in Article 79-10, paragraph (1) of that Act; the same applies in item (i) of the following paragraph and Subsection 5), pursuant to the provisions of Article 77, paragraph (1) of that Act (including as applied mutatis mutandis pursuant to Articles 78-6 and 79-12 of that Act);

ロ　貸金業貸付媒介業務を行う場合　貸金業法第四十一条の七第一項の規定により同法第二条第十項に規定する貸金業協会が行う苦情の解決により金融サービス仲介業務関連苦情の処理を図ること。

(b) when conducting loan intermediary business operations: to handle complaints related to financial service intermediary business operations through complaint resolution conducted by a money lenders association prescribed in Article 2, paragraph (10) of the Money Lending Business Act, pursuant to the provisions of Article 41-7, paragraph (1) of that Act;

四　消費者基本法（昭和四十三年法律第七十八号）第十九条第一項又は第二十五条に規定するあっせんにより金融サービス仲介業務関連苦情の処理を図ること。

(iv) to handle complaints related to financial service intermediary business operations through mediation as prescribed in Article 19, paragraph (1), or Article 25 of the Consumer Basic Act (Act No. 78 of 1968);

五　次に掲げる業務の種別に応じ、それぞれ次に定める者又は令第四十条各号に掲げる指定を受けた者が実施する苦情を処理する手続により金融サービス仲介業務関連苦情の処理を図ること。

(v) to handle complaints related to financial service intermediary business operations through complaint processingprocedures to be implemented by a person specified below, or by a designated person as stated in the items of Article 40 of the Order, depending on the types of business operations listed below:

イ　預金等媒介業務　指定預金等媒介紛争解決機関以外の指定紛争解決機関

(a) deposit, etc. intermediary business operations: a designated dispute resolution organization other than a designated dispute resolution organization for deposit, etc. brokerage s;

ロ　保険媒介業務　指定保険媒介紛争解決機関以外の指定紛争解決機関

(b) insurance intermediary business operations: a designated dispute resolution organization other than one designated for insurance intermediary services;

ハ　有価証券等仲介業務　指定有価証券等仲介紛争解決機関以外の指定紛争解決機関

(c) securities, etc. intermediary business operations: a designated dispute

resolution organization other than one designated for securities intermediary services;

ニ　貸金業貸付媒介業務　指定貸金業貸付媒介紛争解決機関以外の指定紛争解決機関

(d) loan intermediary business operations: a designated dispute resolution organization other than a designated dispute resolution organization for money lending business and loan brokerage services; and

六　金融サービス仲介業務関連苦情の処理に関する業務を公正かつ適確に遂行するに足りる経理的基礎及び人的構成を有する法人（法第五十一条第一項第一号に規定する法人をいう。次項第五号において同じ。）が実施する苦情を処理する手続により金融サービス仲介業務関連苦情の処理を図ること。

(vi) complaints related to financial service intermediary business operations are to be handled through complaint processing procedures implemented by a corporation (meaning the corporation prescribed in Article 51, paragraph (1), item (i) of the Act; the same applies in item (v) of the following paragraph), which has the accounting basis and personnel structure necessary to fairly and appropriately conduct the business concerning the processing of complaints related to financial service intermediary business operations.

2　法第二十八条第一項第一号ロに規定する紛争解決措置として内閣府令で定める措置は、次のいずれかとする。

(2) The dispute resolution measures specified by Cabinet Office Order, as prescribed in Article 28 paragraph (1), item (i), (b) of the Act, are any of the following:

一　金融サービス仲介業者が貸金業貸付媒介業務以外の金融サービス仲介業務を行う場合にあっては、金融商品取引業協会又は認定投資者保護団体のあっせん（金融商品取引法第七十七条の二第一項（同法第七十八条の七及び第七十九条の十三において準用する場合を含む。）に規定するあっせんをいう。第百十三条第一項第四号において同じ。）により金融サービス仲介業務関連紛争（法第十一条第十一項に規定する金融サービス仲介業務関連紛争をいう。以下この条及び第四章第二節において同じ。）の解決を図ること。

(i) where a financial service intermediary conducts financial service intermediary business operations other than loan intermediary business operations, to handle disputes related to financial service intermediary business operations (meaning disputes related to financial service intermediary business operations as prescribed in Article 11, paragraph (11) of the Act; the same applies below in this Article and in Chapter IV, Section 2), through mediation (meaning the mediation prescribed in Article 77-2, paragraph (1) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 78-6 and Article 79-13 of that Act); the same applies in Article 113, paragraph (1), item (iv)) conducted by a financial instruments firms association or a certified investor protection

organization;

二　弁護士法（昭和二十四年法律第二百五号）第三十三条第一項に規定する会則若しくは当該会則の規定により定められた規則に規定する機関におけるあっせん又は当該機関における仲裁手続により金融サービス仲介業務関連紛争の解決を図ること。

(ii) to seek resolution of disputes related to financial service intermediary business operations through mediation by an organization under the articles of association prescribed in Article 33, paragraph (1) of the Attorney Act (Act No. 205 of 1949), or under rules established pursuant to the provisions of those articles of association, or through arbitration procedures at the organization;

三　消費者基本法第十九条第一項若しくは第二十五条に規定するあっせん又は同条に規定する合意による解決により金融サービス仲介業務関連紛争の解決を図ること。

(iii) to seek resolution of disputes related to financial service intermediary business operations through mediation as prescribed in Article 19, paragraph (1), or Article 25 of the Consumer Basic Act, or through resolution by agreement as prescribed in Article 25 of that Act;

四　次に掲げる業務の種別に応じ、それぞれ次に定める者又は令第四十条各号に掲げる指定を受けた者が実施する紛争の解決を図る手続により金融サービス仲介業務関連紛争の解決を図ること。

(iv) to seek resolution of disputes related to financial service intermediary business operations, through dispute resolution procedures to be implemented by a person specified below, or by a designated person as stated in the items of Article 40 of the Order, depending on the types of business operations listed below:

イ　預金等媒介業務　指定預金等媒介紛争解決機関以外の指定紛争解決機関

(a) deposit, etc. intermediary business operations: a designated dispute resolution organization other than a designated dispute resolution organization for deposit, etc.brokerage;

ロ　保険媒介業務　指定保険媒介紛争解決機関以外の指定紛争解決機関

(b) insurance intermediary business operations: a designated dispute resolution organization other than one designated for insurance intermediary services;

ハ　有価証券等仲介業務　指定有価証券等仲介紛争解決機関以外の指定紛争解決機関

(c) securities, etc. intermediary business operations: a designated dispute resolution organization other than one designated for securities intermediary services;

ニ　貸金業貸付媒介業務　指定貸金業貸付媒介紛争解決機関以外の指定紛争解決機関

(d) loan intermediary business operations: a designated dispute resolution organization other than one designated for money lending business and

loan brokerage services; and

五　金融サービス仲介業務関連紛争の解決に関する業務を公正かつ適確に遂行するに足りる経理的基礎及び人的構成を有する法人が実施する紛争の解決を図る手続により金融サービス仲介業務関連紛争の解決を図ること。

(v) to resolve disputes related to financial service intermediary business operations through dispute resolution procedures implemented by a corporation having the financial basis and personnel necessary to fairly and appropriately conduct the business concerning the resolution of such disputes.

3　前二項（第一項第六号及び前項第五号に係る部分に限る。）の規定にかかわらず、金融サービス仲介業者は、次のいずれかに該当する法人が実施する手続により金融サービス仲介業務関連苦情の処理又は金融サービス仲介業務関連紛争の解決を図ってはならない。

(3) Notwithstanding the provisions of the preceding two paragraphs (limited to the portions relating to paragraph (1), item (vi) and paragraph (2) item (v)), a financial service intermediary must not attempt to handle complaints related to financial service intermediary business operations or resolve disputes related to financial service intermediary business operations through procedures implemented by a corporation falling under any of the categories:

一　法又は弁護士法の規定により罰金の刑に処せられ、その執行を終わり、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

(i) a corporation that has been sentenced to a fine under the Act or the Attorneys Act, and five year have not yet passed since the date on which the execution of the sentence was completed or the corporation ceased to be subject to its execution;

二　法第七十三条第一項の規定により法第五十一条第一項の規定による指定を取り消され、その取消しの日から五年を経過しない法人又は令第四十条各号に掲げる指定を取り消され、その取消しの日から五年を経過しない法人

(ii) a corporation whose designation under Article 51, paragraph (1) of the Act was revoked pursuant to the provisions of Article 73, paragraph (1) of the Act, and for which five years have not passed since the date of the revocation, or a corporation whose designation as stated in the items of Article 40 of the Order was revoked, and for which five years have not passed since the date of the revocation;

三　その業務を行う役員（役員が法人である場合にあっては、その職務を行うべき社員を含む。ロにおいて同じ。）のうちに、次のいずれかに該当する者がある法人

(iii) a corporation, any of whose officers in charge of its business (if an officer is a corporation, including any member responsible for performing its duties; the same applies in (b)), falls under any of the following conditions:

イ　禁錮以上の刑に処せられ、又は法若しくは弁護士法の規定により刑に処せられ、その執行を終わり、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

(a) a person who has been sentenced to imprisonment without work or a more severe punishment, or who has been sentenced pursuant to the provisions of the Act or the Attorney Act, provided that five years have not yet passed since the day on which the person served out the sentence or ceased to be subject to its execution; or

ロ　法第七十三条第一項の規定により法第五十一条第一項の規定による指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者又は令第四十条各号に掲げる指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者

(b) a person who was an officer of a corporation whose designation under Article 51, paragraph (1) of the Act was revoked pursuant to the provisions of Article 73, paragraph (1) of the Act, if the person was an officer of the corporation within one month before the revocation and five years have not yet passed since the date of the revocation; or a person who was an officer of a corporation whose designation, as stated in the items of Article 40 of the Order, was revoked, if the person was an officer of the corporation within one month before the revocation and five years have not yet passed since the date of the revocation.

第二款　預金等媒介業務に関する特則
Subsection 2 Special Provisions on Deposit, etc. Intermediary Business Operations

（特定預金等）

(Specified Deposits)

第四十八条　準用銀行法第五十二条の四十四第二項に規定する内閣府令で定めるものは、次に掲げる預金等とする。

Article 48　The deposits, etc. specified by Cabinet Office Order, as prescribed in Article 52-44, paragraph (2) of the Banking Act, as applied mutatis mutandis, are as follows:

一　預金者等（準用銀行法第五十二条の四十四第二項に規定する預金者等をいう。次条において同じ。）が預入期間の中途で解約をした場合に違約金その他これに準ずるもの（以下この号において「違約金等」という。）を支払うこととなる預金等であって、当該違約金等の額を当該解約の時における当該預金等の残高から控除した金額が、金利、通貨の価格、金融商品市場における相場その他の指標に係る変動により預入金額を下回ることとなるおそれがあるもの

(i) a deposit, etc. that requires the depositor, etc. (meaning the depositor, etc. prescribed in Article 52-44, paragraph (2) of the Banking Act as applied mutatis mutandis; the same applies in the following Article) to pay a penalty

or an equivalent amount (referred to below as a "penalty, etc." in this item) if the depositor, etc. cancels the deposit during the deposit period, and where there is a risk that the amount of the penalty, etc. deducted from the balance of the deposit, etc. at the time of cancellation may fall below the deposited amount due to fluctuations in interest rates, currency prices, quotations on a financial instruments market, and other indicators;

二　預金等のうち、外国通貨で表示されるもの

(ii) a deposit, etc. that is denominated in a foreign currency; or

三　預金等のうち、その受入れを内容とする取引に金融商品取引法第二条第二十二項第三号（ロを除く。）に掲げる取引（通貨の売買に係るものに限る。）が付随するもの

(iii) a deposit, etc. accompanied by a transaction (limited to transactions involving the purchase and sale of currencies) upon acceptance of the deposit, etc., as prescribed in Article 2, paragraph (22), item (iii) (excluding (b)) of the Financial Instruments and Exchange Act.

（預金者等に対する情報の提供）

(Provision of Information to Depositors, etc.)

第四十九条　金融サービス仲介業者（預金等媒介業務を行う者に限る。以下この款において同じ。）は、準用銀行法第五十二条の四十四第二項の規定により預金者等に対する情報の提供を行う場合には、次に掲げる方法により行うものとする。

Article 49 (1) When a financial service intermediary (limited to an intermediary conducting deposit, etc. intermediary business operations; the same applies below in this Subsection) provides information to depositors, etc. pursuant to the provisions of Article 52-44, paragraph (2) of the Banking Act, as applied mutatis mutandis, it is to provide the information by the following methods:

一　主要な預金等の金利の明示

(i) by clearly indicating the interest rate on the principal deposit, etc.;

二　取り扱う預金等に係る手数料の明示

(ii) by clearly indicating the fee related to the deposit, etc. handled by the intermediary;

三　取り扱う預金等のうち預金保険法（昭和四十六年法律第三十四号）第五十三条又は農水産業協同組合貯金保険法（昭和四十八年法律第五十三号）第五十五条に規定する保険金の支払の対象であるものの明示

(iii) by clearly indicating the deposit, etc. handled by the intermediary that is subject to the payment of insurance proceeds prescribed in Article 53 of the Deposit Insurance Act (Act No. 34 of 1971) or Article 55 of the Agricultural and Fishery Cooperatives Savings Insurance Act (Act No. 53 of 1973);

四　商品の内容に関する情報のうち次に掲げる事項を記載した書面を用いて行う預金者等の求めに応じた説明（書面に記載すべき事項が電磁的記録（法第六十二条第八項に規定する電磁的記録をいう。以下この章及び第百四十六条第四項において同

じ。）に記録されている場合は、当該記録された事項を電子計算機の映像面へ表示したものを用いて行う説明を含む。）及び次に掲げる事項を記載した書面の交付

(iv) by using a document containing the following particulars as part of the information concerning the contents of a product to provide an explanation (if the particulars to be stated in the document are recorded in an electronic or magnetic record (meaning the electronic or magnetic record prescribed in Article 62, paragraph (8) of the Act; the same applies below in this Chapter and in Article 146, paragraph (4)), including an explanation using the recorded particulars displayed on a computer screen) at the request of depositors, etc., and by delivering that document containing the following particulars:

イ　名称（通称を含む。）

(a) their names (including their aliases);

ロ　受入れの対象となる者の範囲

(b) the scope of persons subject to acceptance;

ハ　預入期間（自動継続扱いの有無を含む。）

(c) the deposit period (including whether it is subject to automatic renewal);

ニ　最低預入金額、預入単位その他の預入れに関する事項

(d) the minimum deposit amount, deposit unit, and other particulars concerning deposits;

ホ　払戻しの方法

(e) the method of refunding;

ヘ　利息の設定方法、支払方法、計算方法その他の利息に関する事項

(f) the method of setting interest, method of payment , method of calculation, and other particulars regarding interest;

ト　手数料

(g) fees;

チ　付加することのできる特約に関する事項

(h) the particulars related to any special provisions that may be added;

リ　預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(i) the processing of cancellations during the deposit period (including the method for calculating interest and fees);

ヌ　次に掲げる場合の区分に応じ、それぞれ次に定める事項

(j) the particulars prescribed for each of the categories of cases stated below:

（１）　指定預金等媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定預金等媒介紛争解決機関の名称又は商号

1. when a designated dispute resolution organization for deposit, etc. brokerages is designated: the trade name or name of the designated dispute resolution organization for deposit, etc.brokerage that is the counterparty to the basic contract for the implementation of dispute

resolution procedures, and with which the financial service intermediary takes measures to conclude such a contract;

（２）　指定預金等媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

2. when there is no designated dispute resolution organization for deposit, etc.brokerage: the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary;

ル　その他預金等の預入れに関し参考となると認められる事項

(k) other particulars deemed relevant to deposits, etc.;

五　次に掲げるものと預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細な説明

(v) when dealing in products that involve a combination of the following with deposits, etc., and that do not guarantee the full return of the amount paid at the time of deposit at maturity, the following facts and other detailed explanations regarding the product will be provided:

イ　市場デリバティブ取引又は外国市場デリバティブ取引のうち有価証券関連デリバティブ取引（金融商品取引法第二十八条第八項第六号に規定する有価証券関連デリバティブ取引をいう。ニ及び第九十三条第十二号において同じ。）に該当するもの以外のもの

(a) a market derivative transaction or a foreign-market derivative transaction, other than those that fall under securities-related derivatives transactions (meaning the securities-related derivatives transactions prescribed in Article 28, paragraph (8), item (vi) of the Financial Instruments and Exchange Act; the same applies in (d) and Article 93, item (xii));

ロ　金融等デリバティブ取引

(b) a financial derivative transaction;

ハ　先物外国為替取引

(c) a foreign exchange futures transaction;

ニ　有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場（同条第八項第三号ロに規定する外国金融商品市場をいう。ホ及び第五款において同じ。）における同条第二十一項第一号に掲げる取引と類似の取引を除く。）

(d) a securities-related derivative transaction (excluding the transaction stated in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act, or a transaction in a foreign financial instruments market (meaning the foreign financial instruments market prescribed in paragraph (8), item (iii), (b) of that Article; the same applies in (e) and Subsection 5), which is similar to the transaction stated in paragraph (21), item (i) of that Article);

ホ　金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（同条第一項第一号及び第二号に掲げる有価証券並びに同項第三号及び第五号に掲げる有価証券（政府が元本の償還及び利息の支払について保証しているものに限る。）並びに同項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）

(e) a transaction stated in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act, or a similar transaction in a foreign financial instruments market to that stated in that item (limited to the securities stated in paragraph (1), item (i) and item (ii) of that Article, and those stated in item (iii) and item (v) of that paragraph (limited to securities for which the national government guarantees the redemption of principal and interest payments), as well as securities stated in Article 2, paragraph (1), item (xvii) of that Act, concerning those that have the characteristics prescribed in item (i) of that paragraph); or

六　変動金利預金等の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあっては、当該基準及び方法並びに金利に関する情報の適切な提供

(vi) when the benchmark for setting interest rates on floating-rate deposits and the method for setting those rates have been established, the appropriate provision of information regarding those benchmarks, methods, and interest rates.

２　前項第五号ロの「金融等デリバティブ取引」とは、金利、通貨の価格、商品の価格、算定割当量（地球温暖化対策の推進に関する法律（平成十年法律第百十七号）第二条第七項に規定する算定割当量その他これに類似するものをいう。第二号において同じ。）の価格その他の指標の数値としてあらかじめ当事者間で約定された数値と将来の一定の時期における現実の当該指標の数値の差に基づいて算出される金銭の授受を約する取引又は次に定める取引をいう。

(2) The term "financial derivative transaction" as stated in item (v), (b) of the preceding paragraph means transactions in which the parties agree to pay or receive money based on the difference between a numerical value agreed in advance by the parties as the value of an interest rate, currency prices, commodity prices, the price of carbon dioxide equivalent quotas (meaning the carbon dioxide equivalent quotas prescribed in Article 2, paragraph (7) of the Act on Promotion of Global Warming Countermeasures (Act No. 117 of 1998), and any similar value; the same applies in item (ii)), or any other indicators, and the actual figure of the indicator at a specified time in the future, or transactions specified below:

一　商品デリバティブ取引（当事者が数量を定めた商品について当該当事者間で取り決めた商品相場に基づき金銭の支払を相互に約する取引その他これに類似する取引（次に掲げる取引に限る。）をいう。）

(i) commodity derivative transactions (meaning transactions in which the parties mutually agree to pay each other money based on a commodity price

agreed upon by them, for a commodity whose quantity is determined by the parties based on the agreed commodity market price, or other similar transactions (limited to the following transactions)):

イ　差金の授受によって決済される取引

(a) a transaction settled by payment of the difference;

ロ　商品及びその対価の授受を約する売買取引であって、次に掲げる要件の全てを満たすもの

(b) a sales transaction involving the delivery and receipt of goods and their consideration, which satisfies all of the following requirements:

（１）　当該売買取引に係る商品を決済の終了後に保有することとならないこと。

1. the product related to the transaction will not be held after settlement is completed;

（２）　当該売買取引に係る商品の保管又は運搬に伴い発生しうる危険を負担しないこと。

2. the sales transaction does not result in the bearing of any risk that may arise in relation to the custody or transportation of the commodity associated with that transaction;

二　当事者が数量を定めた算定割当量について当該当事者間で取り決めた算定割当量の相場に基づき金銭の支払を相互に約する取引その他これに類似する取引（次に掲げる取引に限る。）

(ii) a transaction in which the parties mutually agree to make payments based on the market price of carbon dioxide equivalent quotas, the quantities of which the parties have determined, or other similar transactions (limited to the following transactions):

イ　差金の授受によって決済される取引

(a) a transaction settled by payment of the difference;

ロ　算定割当量及びその対価の授受を約する売買取引であって、当該売買取引に係る算定割当量を決済の終了後に保有することとならないもの

(b) a purchase and sale transaction in which the parties agree to transfer a carbon dioxide equivalent quota and its consideration between them, and which does not result in the holding of the carbon dioxide equivalent quota in relation to that transaction after the completion of the settlement; and

三　当事者の一方の意思表示により当事者間において前二号に掲げる取引を成立させることができる権利を相手方が当事者の一方に付与し、当事者の一方がこれに対して対価を支払うことを約する取引その他これに類似する取引

(iii) a transaction in which one party grants the counterparty the right to consummate a transaction, as stated in the preceding two items, between the parties, by one party manifesting the intention, and the counterparty promises to pay the consideration for the granting of the right, and any other similar transaction.

3　一の預金等に係る契約の締結について相手方金融機関が預金者等に対し第一項各号

に掲げる方法により情報の提供を行ったときは、金融サービス仲介業者は、同項の規定にかかわらず、当該預金者等に対し、同項各号に掲げる方法により情報の提供を行うことを要しない。

(3) If a counterparty financial institution has provided information concerning the conclusion of a contract relating to a deposit, etc. to a depositor, etc. by a method stated in the items of paragraph (1), the financial service intermediary is not required to provide such information to the depositor, etc. by the methods stated in the items of paragraph (1), notwithstanding the provisions of that paragraph.

（預金等との誤認防止等）

(Prevention of Misidentification as Deposits, etc.)

第五十条　金融サービス仲介業者が、金融商品の販売（法第三条第一項に規定する金融商品の販売をいい、同項第一号及び第二号に係る行為を除く。）又はその代理若しくは媒介を行う場合には、業務の方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえ、顧客に対し、書面の交付その他の適切な方法により、預金等との誤認を防止するための説明を行わなければならない。

Article 50 (1) When a financial service intermediary sells financial instruments (meaning the sale of financial instruments prescribed in Article 3, paragraph (1) of the Act, excluding the acts related to items (i) and (ii) of that paragraph) or acts as an agent or intermediary for the sale, the intermediary must provide an explanation in writing or through other appropriate means to the customer, in order to prevent the customer from misidentifying those financial instruments as deposits, etc., in accordance with the method of business and take into account the customer's knowledge, experience, asset status, and the purpose of the transaction:

２　金融サービス仲介業者は、前項に規定する説明を行う場合には、次に掲げる事項（当該金融サービス仲介業者が発行する社債（社債、株式等の振替に関する法律第六十六条第一号に規定する短期社債を除く。）にあっては、第三号及び第四号に掲げるものを除く。）を説明するものとする。

(2) If a financial service intermediary provides the explanation prescribed in the preceding paragraph, the intermediary is to explain the following particulars (excluding those stated in items (iii) and (iv), in the case of corporate bonds (excluding short-term bonds prescribed in Article 66, item (i) of the Act on Book-Entry Transfer of Corporate Bonds and Shares) issued by that intermediary):

一　預金等ではないこと。

(i) the product is not a deposit, etc.;

二　預金保険法第五十三条又は農水産業協同組合貯金保険法第五十五条に規定する保険金の支払の対象とはならないこと。

(ii) the product is not subject to payment of insurance proceeds prescribed in

Article 53 of the Deposit Insurance Act or Article 55 of the Agricultural and Fishery Cooperatives Savings Insurance Act;

三　元本の返済が保証されていないこと。

(iii) repayment of the principal is not guaranteed;

四　契約の主体

(iv) parties to the contract; and

五　その他預金等との誤認防止に関し参考となると認められる事項

(v) other particulars deemed relevant to the prevention of misidentification of deposits, etc.

3　金融サービス仲介業者は、元本の補填の契約をしていない信託契約の締結又はその代理若しくは媒介を行う場合には、元本の補填の契約をしていないことを営業所又は事務所内において顧客の目につきやすい場所に適切に掲示し、元本の補填の契約をしていない金銭信託に係る信託契約の締結又はその代理若しくは媒介を行う場合（信託業法施行規則（平成十六年内閣府令第百七号）第七十八条各号に掲げる場合を除く。）には、前項各号に掲げる事項を説明しなければならない。

(3) When a financial service intermediary concludes a trust agreement without an agreement for the compensation of the principal, or acts as an agent or intermediary for the conclusion of such an agreement, it must display, in a place easily seen by customers at its places of business or offices, that the trust agreement does not include an agreement for the compensation of the principal; and, if it concludes a trust agreement concerning a monetary trust without an agreement for the compensation of the principal, or acts as an agent or intermediary for the conclusion of such an agreement (excluding cases stated in each item of Article 78 of the Order for Enforcement of Trust Business Act (Cabinet Office Order No. 107 of 2004)), it must explain the particulars stated in each item of the preceding paragraph.

（金融サービス仲介業者の密接関係者）

(A Person Closely Related to a Financial Service Intermediary)

第五十一条　準用銀行法第五十二条の四十五第三号に規定する内閣府令で定める金融サービス仲介業者と密接な関係を有する者は、次に掲げる者（当該金融サービス仲介業者の子会社を除く。）とする。

Article 51 (1) A person closely related to a financial service intermediary, as specified by Cabinet Office Order, which is prescribed in Article 52-45, item (iii) of the Banking Act, as applied mutatis mutandis, is as follows (excluding subsidiary companies of the financial service intermediary):

一　当該金融サービス仲介業者の子法人等（令第三十条第三項各号に掲げる者をいう。）

(i) a subsidiary corporation, etc. (meaning any person stated in the items of Article 30, paragraph (3) of the Order) of the financial service intermediary;

二　当該金融サービス仲介業者の親法人等（令第三十条第二項第一号から第三号まで

に掲げる者をいい、前号に掲げる者を除く。）

(ii) the parent corporation, etc. of the financial service intermediary (meaning any person stated in Article 30, paragraph (2), items (i) through (iii) of the Order, excluding those stated in the preceding item);

三　当該金融サービス仲介業者（個人に限る。以下この号において「個人金融サービス仲介業者」という。）に係る次に掲げる会社、組合その他これらに準ずる事業体（外国におけるこれらに相当するものを含み、前二号に掲げる者を除く。以下この号において「会社等」という。）

(iii) the following company, partnership, or other business entity equivalent to them relating to the financial service intermediary (limited to an individual person; referred to below as an "individual financial service intermediary" in this item) (including equivalent entities in foreign states, but excluding any person stated in the preceding two items; referred to below as a "company, etc." in this item):

イ　当該個人金融サービス仲介業者がその総株主等の議決権の百分の五十を超える議決権を保有する会社等（当該会社等の子会社等及び令第三十条第五項に規定する関連会社等を含む。）

(a) a company, etc. (including its subsidiary company, etc. and its affiliated company, etc. of that company, etc., as prescribed in Article 30, paragraph (5) of the Order) in which the individual financial service intermediary holds voting rights exceeding 50 percent of the voting rights of all shareholders; or

ロ　当該個人金融サービス仲介業者がその総株主等の議決権の百分の二十以上、百分の五十以下の議決権を保有する会社等

(b) a company, etc. in which the individual financial service intermediary holds voting rights accounting for no less than 20 percent and no more than 50 percent of the voting rights of all shareholders.

２　この条において「子会社」とは、会社がその総株主等の議決権の百分の五十を超える議決権を保有する他の会社をいう。この場合において、会社及びその一若しくは二以上の子会社又は当該会社の一若しくは二以上の子会社がその総株主等の議決権の百分の五十を超える議決権を保有する他の会社は、当該会社の子会社とみなす。

(2) The term "subsidiary company" as used in this Article means any other company in which the company holds a majority of all shareholders' voting rights. In this case, the company itself and one or more of its subsidiary companies, or any other company in which one or more of its subsidiaries hold a majority of the voting rights held by all shareholders, etc., is deemed subsidiary companies of the company.

（顧客の保護に欠けるおそれのないもの）

(Act Unlikely to Lead to Insufficient Customer Protection)

第五十二条　準用銀行法第五十二条の四十五第三号に規定する顧客の保護に欠けるおそ

れがないものとして内閣府令で定めるものは、金融サービス仲介業者が不当に取引を行うことを条件として、資金の貸付け又は手形の割引を内容とする契約の締結の媒介を行う行為ではないものとする。

Article 52 The acts provided by Cabinet Office Order as those without risk of lacking the protection of customers as prescribed in Article 52-45, item (iii) of the Banking Act as applied mutatis mutandis, are acts that are not an act as an intermediary for the conclusion of a contract for a loan of funds or discounting of bills and notes arranged on the condition that a financial service intermediary conducts transactions unfairly.

（相手方金融機関の特定関係者）

(Specified Related Parties of a Counterparty Financial Institution)

第五十三条　準用銀行法第五十二条の四十五第四号に規定する当該相手方金融機関と内閣府令で定める特殊の関係のある者は、次に掲げる者とする。

Article 53 A person with a unique relationship to a counterparty financial institution, as specified by Cabinet Office Order, which is prescribed in Article 52-45, item (iv) of the Banking Act, as applied mutatis mutandis, is as follows:

一　長期信用銀行法第十七条、信用金庫法第八十九条第一項、労働金庫法第九十四条第一項又は協同組合による金融事業に関する法律第六条第一項において準用する銀行法第十三条の二に規定する特定関係者

(i) a specified related party prescribed in Article 13-2 of the Banking Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act, Article 89, paragraph (1) of the Shinkin Bank Act, Article 94, paragraph (1) of the Labor Bank Act, or Article 6, paragraph (1) of the Act on Financial Businesses by Cooperatives;

二　農業協同組合法第十一条の四第三号に規定する特定関係者

(ii) a specified related party prescribed in Article 11-4, item (iii) of the Agricultural Cooperatives Act;

三　水産業協同組合法第十一条の十第三号（同法第九十二条第一項、第九十六条第一項及び第百条第一項において準用する場合を含む。）に規定する特定関係者

(iii) a specified related party prescribed in Article 11-10, item (iii) of the Fishery Cooperatives Act (including as applied mutatis mutandis pursuant to Article 92, paragraph (1), Article 96, paragraph (1), and Article 100, paragraph (1) of that Act); and

四　農林中央金庫法第五十九条に規定する特定関係者

(iv) a specified related party prescribed in Article 59 of the Norinchukin Bank Act.

（相手方金融機関の業務の健全かつ適切な遂行に支障を及ぼすおそれがないもの）

(Acts Unlikely to Impair the Sound and Proper Performance of a Counterparty Financial Institution's Services)

第五十四条　準用銀行法第五十二条の四十五第四号に規定する相手方金融機関の業務の健全かつ適切な遂行に支障を及ぼすおそれがないものとして内閣府令で定めるものは、相手方金融機関が銀行法第十三条の二ただし書（長期信用銀行法第十七条、信用金庫法第八十九条第一項、労働金庫法第九十四条第一項及び協同組合による金融事業に関する法律第六条第一項において準用する場合を含む。）、農業協同組合法第十一条の九ただし書、水産業協同組合法第十一条の十五ただし書（同法第九十二条第一項、第九十六条第一項及び第百条第一項において準用する場合を含む。）又は農林中央金庫法第五十九条ただし書の規定による承認を受けた取引又は行為に係るものとする。

Article 54 The acts that are unlikely to impair the sound and proper performance of the services of the counterparty financial institutions, as specified by Cabinet Office Order, which is referred to in Article 52-45, item (iv) of the Banking Act, as applied mutatis mutandis, are acts relating to transactions or actions for which the counterparty financial institution has obtained approval under the proviso to Article 13-2 of the Banking Act (including as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act, Article 89, paragraph (1) of the Shinkin Bank Act, Article 94, paragraph (1) of the Labor Bank Act, and Article 6, paragraph (1) of the Act on Financial Businesses by Cooperative), the proviso to Article 11-9 of the Agricultural Cooperatives Act, the proviso to Article 11-15 of the Fishery Cooperatives Act (including as applied mutatis mutandis pursuant to Article 92, paragraph (1), Article 96, paragraph (1) and Article 100, paragraph (1) of that Act), or Article 59 of the Norinchukin Bank Act.

（預金等媒介業務に係る禁止行為）

(Prohibited Acts in Deposit, etc. Intermediary Business Operations)

第五十五条　準用銀行法第五十二条の四十五第五号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 55 The acts specified by Cabinet Office Order, as prescribed in Article 52-45, item (v) of the Banking Act, as applied mutatis mutandis, are as follows:

一　顧客に対し、その行う預金等媒介業務の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項について告げず、又は誤解させるおそれのあることを告げる行為

(i) an act of failing to convey to a customer, in accordance with the content of its deposit, etc. intermediary business operations, important information in light of that customer's knowledge, experience, asset status, and purpose of the transaction, or of disclosing particulars to the customer that may cause misunderstanding;

二　顧客に対し、不当に、自己又は自己の指定する事業者と取引を行うことを条件として、法第十一条第二項各号に規定する契約の締結の媒介を行う行為（準用銀行法第五十二条の四十五第三号に掲げるものを除く。）

(ii) the act of unfairly acting as an intermediary in the conclusion of a contract,

as prescribed in any of the items of Article 11, paragraph (2) of the Act, on the condition that the customer conducts a transaction with the company or a business operator designated by that company (excluding those listed in Article 52-45, item (iii) of the Banking Act, as applied mutatis mutandis);

三　顧客に対し、金融サービス仲介業者としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(iii) an act of unfairly exploiting a superior position in a transaction, as a financial service intermediary, to place a customer at a disadvantage with respect to the conditions or implementation of a transaction;

四　顧客に対し、不当に、法第十一条第二項各号に規定する契約の締結の媒介を行うことを条件として、自己又は自己の指定する事業者と取引をさせる行為

(iv) an act of unfairly causing the customer to conduct a transaction by themselves or through a business operator they designate, on the condition that the business operator acts as an intermediary for the conclusion of a contract prescribed in the items of Article 11, paragraph (2) of the Act;

五　顧客に対し、兼業業務（預金等媒介業務に係る業務以外の業務をいう。第七号において同じ。）における取引上の優越的地位を不当に利用して、預金等媒介業務に係る取引の条件又は実施について不利益を与える行為

(v) an act of unfairly exploiting a superior position in a transaction regarding concurrent business (meaning business other than services related to deposit, etc. intermediary business operations; the same applies in item (vii)) to place a customer at a disadvantage with respect to the conditions or implementation of a transaction related to deposit, etc. intermediary business operations;

六　相手方金融機関に対し、預金等媒介業務に係る契約の締結の判断に影響を及ぼすこととなる重要な事項を告げず、又は虚偽のことを告げる行為

(vi) an act of failing to convey important particulars to the counterparty financial institution that may affect its judgment regarding the conclusion of a contract related to deposit, etc. intermediary business operations, or of disclosing false information;

七　次に掲げる措置を怠ること。

(vii) failure to take the following measures:

イ　その預金等媒介業務において取り扱う顧客に関する非公開金融情報を、事前に書面その他の適切な方法により当該顧客の同意を得ることなく兼業業務（保険媒介業務及び保険業法第二条第二十六項に規定する保険募集に係る業務を除く。ロにおいて同じ。）に利用しないことを確保するための措置

(a) measures to ensure that undisclosed financial information concerning a customer, handled in the course of deposit, etc. intermediary business operations, will not be used for concurrent business (excluding insurance intermediary business operations and business related to insurance solicitation prescribed in Article 2, paragraph (26) of the Insurance

Business Act; the same applies in (b)) without obtaining the customer's prior consent in writing or by other appropriate means;

ロ　その兼業業務において取り扱う顧客に関する非公開情報（その兼業業務上知り得た公表されていない情報（第三十七条に規定する情報及び第三十八条に規定する特別の非公開情報を除く。）をいう。ハにおいて同じ。）を、事前に書面その他の適切な方法により当該顧客の同意を得ることなく預金等媒介業務に係る業務に利用しないことを確保するための措置

(b) measures to ensure that undisclosed information (meaning information obtained in the course of its concurrent business and not publicly disclosed (excluding information prescribed in Article 37 and undisclosed special information prescribed in Article 38; the same applies in (c))) concerning a customer and handled in connection with the concurrent business is not used for deposit, etc. intermediary business operations without obtaining the customer's prior consent in writing or by other appropriate means; and

ハ　その兼業業務において取り扱う顧客に関する非公開情報を、事前に書面その他の適切な方法により当該顧客の同意を得ることなく相手方金融機関に提供しないことを確保するための措置

(c) measures to ensure that undisclosed information concerning a customer, handled in the course of the concurrent business, is not provided to a counterparty financial institution without obtaining the customer's prior consent in writing or by other appropriate means.

第三款　保険媒介業務に関する特則
Subsection 3 Special Provisions Regarding Insurance Intermediary Business Operations

（保険契約者及び被保険者に対する情報の提供）

(Provision of Information to Policyholders and Insured Persons)

第五十六条　金融サービス仲介業者（保険媒介業務を行う者に限る。第六十二条第一項第十二号及び第四項を除き、以下この款において同じ。）又はその役員若しくは使用人（準用保険業法第二百九十四条第一項に規定するものに限る。第四号及び次項において同じ。）は、同条第一項の規定により保険契約の内容その他保険契約者等（法第十七条第一項に規定する保険契約者等をいう。第一号ヨ及び第六十二条第一項第四号において同じ。）の参考となるべき情報の提供を行う場合には、保険契約者及び被保険者に対し、次に掲げる方法により行うものとする。

Article 56 (1) When providing information concerning the terms and conditions of an insurance policy, as well as other reference information for policyholders, etc. (meaning the policyholders, etc. prescribed in Article 17, paragraph (1) of the Act; the same applies in item (i), (o), and Article 62, paragraph (1), item (iv)), pursuant to the provisions of Article 294, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis, a financial service intermediary

(limited to those engaged in insurance intermediary business operations; the same applies below in this Subsection, except for Article 62, paragraph (1), item (xii) and paragraph (4)), or its officers or employees (limited to employees prescribed in Article 294, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis; the same applies in paragraph (4) and the following paragraph), are to provide the information to policyholders and insured persons by the following methods:

一　保険契約の内容その他保険契約に関する情報のうち次に掲げる事項を記載した書面を用いて行う説明（書面に記載すべき事項が電磁的記録に記録されている場合は、当該記録された事項を電子計算機の映像面へ表示したものを用いて行う説明を含む。以下この項において同じ。）及び次に掲げる事項を記載した書面の交付

(i) providing an explanation through a document that states the following particulars concerning the terms and conditions of, and other information related to, the insurance policy (where the particulars to be stated in a document are recorded in electronic or magnetic form, including providing an explanation by displaying the recorded particulars on a computer screen; the same applies below in this paragraph) and delivering a document that states the following particulars:

イ　商品の仕組み

(a) the structure of the instrument

ロ　保険給付に関する事項（保険金、返戻金その他の給付金（ロにおいて「保険金等」という。）の主な支払事由及び保険金等が支払われない主な場合に関する事項を含む。）

(b) the particulars relating to insurance benefits (including the main grounds for the payment of insurance proceeds, refunds, and other benefits (referred to as "insurance proceeds, etc." in (b)), as well as particulars concerning cases where insurance proceeds, etc. may not be paid);

ハ　付加することのできる主な特約に関する事項

(c) the particulars related to the main special provisions that may be added;

ニ　保険期間に関する事項

(d) the particulars related to the insurance period;

ホ　保険金額その他の保険契約の引受けに係る条件

(e) the amount of insurance proceeds and other terms related to the underwriting of the insurance policy;

ヘ　保険料に関する事項

(f) the particulars related to the insurance premiums;

ト　保険料の払込みに関する事項

(g) the particulars related to the payment of insurance premiums;

チ　配当金に関する事項

(h) the particulars related to policy dividends;

リ　保険契約の解約及び解約による返戻金に関する事項

(i) the particulars relating to the cancellation and cancellation refund of the insurance policy;

ヌ　保険契約の申込みの撤回等（保険業法第三百九条第一項に規定する申込みの撤回等をいう。）に関する事項

(j) the particulars related to the revocation of an offer, etc. for the insurance policy (meaning the revocation of an offer, etc. prescribed in Article 309, paragraph (1) of the Insurance Business Act);

ル　保険契約者又は被保険者が行うべき告知に関する事項

(k) the particulars related to the announcement to be made by the policyholder or the insured;

ヲ　保険責任の開始時期に関する事項

(l) the particulars related to the commencement of insurance liability;

ワ　保険料の払込猶予期間に関する事項

(m) the particulars related to the grace period for the payment of insurance premiums;

カ　保険契約の失効及び失効後の復活に関する事項

(n) the particulars related to the expiration or restoration of the insurance policy after its expiration;

ヨ　保険契約者保護機構（保険業法第二百五十九条に規定する保険契約者保護機構をいう。第九号において同じ。）の行う資金援助等の保険契約者等の保護のための特別の措置等に関する事項

(o) the particulars related to special measures, etc. for the protection of policyholders, etc., such as financial assistance, etc. provided by the Insurance Policyholders Protection Corporation of Japan (meaning the Insurance Policyholders Protection Corporation of Japan prescribed in Article 259 of the Insurance Business Act; the same applies in item (ix));

タ　次に掲げる場合の区分に応じ、それぞれ次に定める事項

(p) the particulars specified in accordance with the categories of cases listed below:

（１）　指定保険媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定保険媒介紛争解決機関の名称又は商号

1. when a designated dispute resolution organization for insurance intermediary services exists: the trade name or name of that organization, which is the counterparty to a basic contract for the implementation of dispute resolution procedures for which the financial service intermediary has taken measures to conclude the basic contract for the implementation of the dispute resolution procedures;

（２）　指定保険媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

2. when there is no designated dispute resolution organization for insurance intermediary services: details of the measures for complaint processing procedures and dispute resolution procedures to be taken by the financial service intermediary;

レ　イからタまでに掲げる事項のほか、保険契約者又は被保険者が商品の内容を理解するために必要な事項及び保険契約者又は被保険者の注意を喚起すべき事項として保険契約者又は被保険者の参考となるべき事項のうち、特に説明がされるべき事項

(q) in addition to the particulars stated in (a) through (p), the particulars necessary for the policyholder or the insured to understand the details of the instruments and the particulars that would serve as reference information for the policyholder or the insured as the particulars that should be noted by the policyholder or the insured, which particularly requires an explanation;

二　保険契約の締結の媒介又は自らが締結の媒介を行った団体保険（準用保険業法第二百九十四条第一項に規定する団体保険をいう。次号ハ及び次項において同じ。）に係る保険契約に加入することを勧誘する行為その他の当該保険契約に加入させるための行為（当該団体保険に係る保険契約の締結の媒介を行った者以外の者が行う当該加入させるための行為を含む。）に関し、保険契約の締結又は保険契約に加入することの判断に参考となるべき事項に関する説明

(ii) an explanation of the particulars that should be referred to when deciding whether to conclude an insurance policy or enroll in an insurance policy, with respect to acts of soliciting a person to enroll in group insurance (meaning group insurance prescribed in Article 294, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis; the same applies to item (c) below and the following paragraph), where the person has acted as an intermediary in concluding the insurance policy, or for other acts encouraging a person to enroll in such insurance policy (including acts carried out by persons other than those who have acted as intermediaries in the conclusion of an insurance policy for that group insurance);

三　次に掲げる保険契約の締結の媒介を行う場合であって、保険契約者又は被保険者との合意に基づく方法その他当該保険契約の特性等に照らして、前二号に掲げる方法によらなくとも、当該保険契約に係る保険契約者又は被保険者の理解に資する他の方法があるときは、当該他の方法（ハに掲げる保険契約の締結の媒介を行う場合にあっては、当該保険契約に係る保険契約者に対する情報の提供に係る部分に限る。）

(iii) in the case of acting as an intermediary for the conclusion of the following insurance policies, when there is a method that would contribute to the understanding of the policyholder or the insured concerning the insurance policy, without using the methods stated in the preceding two items, and in light of the characteristics of the insurance policy, such as a method based on

the agreement between the policyholder and the insured, the alternative method (in the case of acting as an intermediary for the conclusion of the insurance policy specified in (c), limited to the portion concerning the provision of information to the policyholder related to that insurance policy):

イ　保険業法第三条第五項第一号に掲げる保険に係る保険契約のうち、内容の個別性又は特殊性が高い保険契約

(a) an insurance policy concerning the insurance stated in Article 3, paragraph (5), item (i) of the Insurance Business Act, which has highly individualized or unusual contents;

ロ　一年間に支払う保険料の額（保険期間が一年未満であって保険期間の更新をすることができる保険契約にあっては、一年間当たりの額に換算した額）が五千円以下である保険契約

(b) an insurance policy in which the amount of insurance premiums to be paid each year (or, in the case of an insurance policy with a term of less than one year but renewable, the amount converted to an annual equivalent) does not exceed 5,000 yen;

ハ　団体保険に係る保険契約

(c) an insurance policy concerning group insurance;

ニ　既契約の一部の変更をすることを内容とする保険契約（当該変更に係る部分に限る。）

(d) an insurance policy that partially amends a previously concluded insurance policy (limited to the portion concerning the amendment);

四　二以上の相手方金融機関（準用保険業法第三百条第一項第八号に規定する相手方金融機関をいう。以下この款及び第百三十九条第二項第二号において同じ。）が引き受ける保険に係る保険契約を取り扱う金融サービス仲介業者又はその役員若しくは使用人にあっては、次のイからハまでに掲げる場合における当該イからハまでに定める事項の説明

(iv) in the case of a financial service intermediary dealing with an insurance policy related to insurance to be underwritten by two or more counterparty financial institutions (meaning the counterparty financial institutions prescribed in Article 300, paragraph (1), item (viii) of the Insurance Business Act, as applied mutatis mutandis; the same applies below in this Subsection and in Article 139, paragraph (2), item (ii)), or their officers or employees, an explanation of the particulars stated in (a) through (c) for the respective cases listed below:

イ　当該相手方金融機関が引き受ける保険に係る一の保険契約の契約内容につき当該保険に係る他の保険契約の契約内容と比較した事項を提供しようとする場合　当該比較に係る事項

(a) when the counterparty financial institution intends to provide information comparing the policy contents of one insurance policy related to insurance underwritten by the counterparty financial institution with

the policy contents of another insurance contract related to that insurance: the particulars concerning the comparison;

ロ　二以上の相手方金融機関が引き受ける保険に係る二以上の比較可能な同種の保険契約の中から顧客の意向に沿った保険契約を選別することにより、保険契約の締結又は保険契約への加入をすべき一又は二以上の保険契約（ハ、第六十三条及び第六十四条第二項において「提案契約」という。）の提案をしようとする場合　当該二以上の相手方金融機関が引き受ける保険に係る保険契約を取り扱う金融サービス仲介業者が取り扱う保険契約のうち顧客の意向に沿った比較可能な同種の保険契約の概要及び当該提案の理由

(b) in the case of proposing one or more insurance policies for which the conclusion of an insurance contract or subscription to an insurance policy is to be made (referred to below as a "suggested contract" in (c), Article 63 and Article 64, paragraph (2)), the policies are to be suggested by selecting insurance policies that align with the customer's intention from among two or more comparable insurance policies of the same type, concerning the insurance underwritten by two or more counterparty financial institutions: an outline of comparable insurance policies of the same type that are in line with the customer's intentions, selected from among the insurance policies handled by the financial service intermediary responsible for the insurance to be underwritten by two or more counterparty financial institutions, and the reasons for the proposal;

ハ　二以上の相手方金融機関が引き受ける保険に係る二以上の比較可能な同種の保険契約の中からロの規定による選別をすることなく、提案契約の提案をしようとする場合　当該提案の理由

(c) when proposed policies are to be suggested without being selected in accordance with the provisions of (b) from among two or more comparable insurance policies of the same type, concerning the insurance underwritten by two or more counterparty financial institutions: the reasons for the proposal;

五　保険契約に係る保険事故が発生したときにおいて保険金を受け取るべき者の選択により、保険金の支払又は直接支払サービス（保険金を受け取るべき者が当該保険契約に係る保険金の全部又は一部を対価として相手方金融機関が提携する事業者（以下この号において「提携事業者」という。）が取り扱う商品、権利又は役務（以下この号において「商品等」という。）を購入し又は提供を受けることとした場合に、当該相手方金融機関が当該商品等の対価の全部又は一部として当該保険金を受け取るべき者に代わり当該保険金の全部又は一部を提携事業者に支払うことをいう。）を受けることができる旨及び提携事業者が取り扱う商品等の内容又は水準について説明を行う場合（当該説明に係る当該商品等の内容又は水準が保険契約の締結又は保険契約に加入することの判断に重要な影響を及ぼす場合に限る。）にあっては、当該商品等の内容又は水準その他必要な事項を記載した書面を用いて行う説明及び当該書面の交付

(v) in the case where an explanation is provided regarding the fact that, when an insured event related to the insurance policy has occurred, the person entitled to receive the insurance proceeds may, at their option, receive either the payment of insurance proceeds or the direct payment service (meaning, when the person entitled to receive the insurance proceeds decides to purchase or accept products, rights, or services (referred to below in this item as "products, etc.") handled by a business operator partnered with the counterparty financial institution (referred to below in this item as a "partnered business operator") in exchange for all or part of the insurance proceeds related to the insurance policy, the counterparty financial institution makes a payment of all or part of the insurance proceeds to the partnered business operator instead of the person entitled to receive the insurance proceeds, in consideration of all or part of the products, etc.), and regarding the details or level of products, etc. handled by the partnered business operator, the following applies (limited to cases where the contents or level of the goods, etc., related to the explanation have a material influence on the decision to conclude or subscribe to an insurance policy): the provision of an explanation using a document stating the details or level of the products, etc., or any other necessary particulars, and the delivery of the document;

六　保険料の計算に際して予定解約率を用い、かつ保険契約の解約による返戻金を支払わないことを約した保険契約の締結の媒介を行う場合にあっては、保険契約の解約による返戻金がないことを記載した書面を用いて行う説明及び当該書面の交付

(vi) in the case of acting as an intermediary for the conclusion of an insurance policy that promises to use a projected cancellation rate for calculating insurance premiums and promises not to pay any refund for the cancellation of the insurance policy: the provision of an explanation using a document stating that there is no refund for the cancellation of the insurance policy, and the delivery of that document;

七　日本における元受保険契約（保険契約のうち再保険契約以外のものをいう。以下この号において同じ。）の締結の媒介を行う場合（少額短期保険業者が保険者となる保険契約の締結の媒介を行う場合を除く。）にあっては、保険契約者に対し、イ又はロに掲げる保険契約（日本における元受保険契約に限る。以下この号において同じ。）の区分に応じ、当該イ又はロに定める事項を記載した書面の交付その他の適切な方法による当該イ又はロに定める事項の説明

(vii) when acting as an intermediary for the conclusion of an underlying insurance policy (meaning an insurance policy other than a reinsurance policy; the same applies in this item) in Japan (excluding the case of acting as an intermediary for the conclusion of an insurance policy where the insurer is a small amount or short-term insurance provider), the insurer provides the policyholder with an explanation of the particulars specified in

(a) or (b), or a document stating the particulars specified in (a) or (b), in accordance with the categories of the insurance policies (limited to an underlying insurance policy in Japan; the same applies below in this item) in question, or by any other appropriate means:

イ　ロに掲げるもの以外の保険契約　締結の媒介を行う保険契約が補償対象契約（保険業法第二百七十条の三第二項第一号に規定する補償対象契約をいう。イ及び第九号において同じ。）に該当するかどうかの別又は保険契約のうち補償対象契約に該当するものの範囲

(a) insurance policies other than those stated in (b): whether the insurance policy for which the financial service intermediary provides intermediary services for the conclusion falls under the category of a covered insurance policy (meaning the covered insurance policy prescribed in Article 270-3, paragraph (2), item (i) of the Insurance Business Act; the same applies in (a) and item (ix)), or the scope of insurance policies falling under the category of covered insurance policies;

ロ　保険契約者等の保護のための特別の措置等に関する命令（平成十年大蔵省令第百二十四号。ロにおいて「保護命令」という。）第一条の六第二項に規定する元受生命保険契約等であって、保険期間（既に締結されている保険契約の条項に基づく保険期間の更新又は延長をすることができる保険契約にあっては、当該更新又は延長後の保険期間を含む通算保険期間）が五年を超えることとなるもの（その保険料又は責任準備金の算出の基礎として予定利率が用いられているもの（保護命令第五十条の五第三項括弧書に規定する予定利率が用いられているものを含む。）に限る。）　次の（１）及び（２）に掲げる事項

(b) Underlying life insurance policies, etc. prescribed in Article 1-6, paragraph (2) of the Order on Special Measures for the Protection of Policyholders (Ministry of Finance Order No. 124 of 1998; referred to as the "Protection Order" in (b)), where the insurance period (for an insurance policy where the insurance period is renewable or extendable pursuant to the provisions of an already concluded insurance policy, the total insurance period including the renewed or extended period) exceeds five years (limited to insurance policies for which the projected interest rate is used as the basis for calculating the insurance premiums or the policy reserve (including those for which the projected interest rate prescribed in parentheses in Article 50-5, paragraph (3) of the Protection Order is used)): the particulars stated in 1. and 2. below:

（１）　イに定める事項

1. the particulars specified in (a);

（２）　保護命令第五十条の五第三項に規定する高予定利率契約に該当することとなる保険契約並びに保険業法第二百六十条第二項に規定する破綻保険会社に係る当該保険契約が保護命令第五十条の五第二項（保護命令第五十条の十一において準用する場合を含む。）及び第一条の六第二項又は第五十条の十

四第二項の規定の適用を受けること。

2. an insurance policy that falls under the category of contracts with a high assumed interest rate, as prescribed in Article 50-5, paragraph (3) of the Protection Order, and an insurance policy related to bankrupt insurance companies, as prescribed in Article 260, paragraph (2) of the Insurance Business Act, are subject to the provisions of Article 50-5, paragraph (2) of the Protection Order (including cases where it is applied mutatis mutandis pursuant to Article 50-11 of the Protection Order), and Article 1-6, paragraph (2) of the Protection Order, or Article 50-14, paragraph (2) of the Protection Order;

八　保険契約者から保険期間の満了の日までに更新しない旨の申出がない限り更新される保険契約であって少額短期保険業者が保険者となるものの締結の媒介を行う場合にあっては、更新後の当該保険契約について、保険料の計算の方法、保険金額その他金融庁長官が定めるものについて見直す場合があることを記載した書面を用いて行う説明及び当該書面の交付

(viii) in the case of providing intermediary services for the conclusion of an insurance policy, which is renewed unless the policyholder expresses otherwise before the expiry date of the insurance period, and in which a small-amount and short-term insurer is the insurer: the provision of an explanation using a document stating that the method of calculating the premium, the amount of insurance, and other matters specified by the Commissioner of the Financial Services Agency may be revised for the renewed insurance contract, and the delivery of the document;

九　少額短期保険業者が保険者となる保険契約の締結の媒介を行う場合にあっては、当該保険契約について保険契約者保護機構の行う資金援助等の措置がないこと及び補償対象契約に該当しないことを記載した書面を用いて行う説明及び当該書面の交付

(ix) in the case of acting as an intermediary for the conclusion of an insurance policy in which the insurance company is a small-amount and short-term insurer: the provision of an explanation using a document stating that measures such as financial assistance from the Insurance Policyholders Protection Corporation of Japan are not applicable, and that the contract does not fall under the category of a covered insurance policy, and the delivery of the document;

十　少額短期保険業者が保険者となる保険契約の締結の媒介を行う場合にあっては、次に掲げる事項を記載した書面を用いて行う説明及び当該書面の交付

(x) in the case of acting as an intermediary for the conclusion of an insurance policy in which the insurer is a small-amount and short-term insurer: the provision of an explanation using a document stating the following particulars, and the delivery of the document:

イ　相手方金融機関は、保険期間が保険業法施行令（平成七年政令第四百二十五

号）第一条の五に定める期間以内であって、保険金額が同令第一条の六に定める金額以下の保険のみの引受けを行う者であること。

(a) the counterparty financial institution is a person that underwrites only insurance for which the insurance period falls within the period specified in Article 1-5 of the Order for Enforcement of the Insurance Business Act (Cabinet Order No. 425 of 1995), and for which the insurance amount is equal to or less than the amount specified in Article 1-6 of that Cabinet Order;

ロ　相手方金融機関が一の被保険者について引き受ける全ての保険の保険金額の合計額は、二千万円（保険業法施行令第一条の六第一号から第六号までに掲げる保険の保険金額の合計額については千万円）を超えてはならないこと。

(b) the total amount of the insured amounts of all insurance policies to be underwritten by the counterparty financial institution for a single insured person must not exceed twenty million yen (or ten million yen with respect to the total insured amounts of each category of insurance stated in Article 1-6, items (i) through (vi) of the Order for Enforcement of the Insurance Business Act); and

ハ　総保険金額（相手方金融機関が一の保険契約者について引き受ける保険業法施行令第一条の六各号に掲げる保険の区分に応じた保険金額の合計額をいう。）は、上限総保険金額（同条各号に掲げる保険についてそれぞれ当該各号に定める金額に百を乗じて得た金額（同条第五号に掲げる保険については、調整規定付傷害死亡保険（同号に規定する調整規定付傷害死亡保険をいう。ハにおいて同じ。）以外の保険にあっては三億円、調整規定付傷害死亡保険にあっては六億円から調整規定付傷害死亡保険以外の保険に係る保険金額の合計額を控除した金額）をいう。ハにおいて同じ。）を超えてはならないこと（特例上限総保険金額（上限総保険金額に百分の百十を乗じて得た金額（同号に掲げる保険については、調整規定付傷害死亡保険以外の保険にあっては三億三千万円、調整規定付傷害死亡保険にあっては六億六千万円から調整規定付傷害死亡保険以外の保険に係る保険金額の合計額を控除した金額）をいう。）を超えてはならないことを含む。）。

(c) the total insured amount (meaning the total insured amounts for each category of insurance stated in the items of Article 1-6 of the Order for Enforcement of the Insurance Business Act, which are to be underwritten by the counterparty financial institution for a single policyholder) must not exceed the maximum total insured amount (meaning the amount obtained by multiplying the amount stated in the items of that Article for the insurance stated in each item by one hundred (in the case of insurance stated in item (v) of that Article, for insurance other than accidental death insurance subject to adjustment provisions (meaning accidental death insurance subject to the adjustment provisions prescribed in the same item; the same applies below in (c)), 300 million yen; and for accidental death insurance subject to adjustment provisions, the amount calculated

by deducting the total of the insured amounts for insurance other than accidental death insurance subject to adjustment provisions from 600 million yen; the same applies in (c))) (this includes ensuring that the total insured amount does not exceed the special maximum total insured amount (meaning an amount obtained by multiplying the maximum total insured amount by 110 percent (in the case of insurance stated in that item, for insurance other than accidental death insurance subject to adjustment provisions, this means 330 million yen, and for accidental death insurance subject to adjustment provisions, this means 660 million yen, which is the amount calculated by deducting the total of the insured amounts of insurance other than accidental death insurance subject to the adjustment provisions))).

２　一の保険契約の締結又は団体保険に係る保険契約への加入について、相手方金融機関又はその役員若しくは使用人（保険業法第二条第二十三項に規定する保険募集人である者に限る。）が保険契約者及び被保険者に対し前項各号（第四号を除く。）に掲げる方法により情報の提供を行ったときは、金融サービス仲介業者又はその役員若しくは使用人は、同項の規定にかかわらず、当該保険契約者及び被保険者に対し、同項各号（第四号を除く。）に掲げる方法により情報の提供を行うことを要しない。

(2) Notwithstanding the provisions of the preceding paragraph, if a counterparty financial institution or its officer or employee (limited to an insurance agent as prescribed in Article 2, paragraph (23) of the Insurance Business Act) has provided information concerning the conclusion of an insurance policy or the subscription to a group insurance policy to the policyholder or the insured by the method stated in the items of that paragraph (excluding item (iv)), the financial service intermediary or its officer or employee is not required to provide the same information to the policyholder or the insured by the method stated in those items (excluding item (iv)).

３　準用保険業法第二百九十四条第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) The cases specified by Cabinet Office Order, as prescribed in the proviso to Article 294, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis, are as follows:

一　次に掲げる保険契約の締結の媒介を行う場合（当該保険契約に係る保険契約者以外の者に対する情報の提供に係る場合に限る。）

(i) when acting as an intermediary for the conclusion of the following insurance policies (limited to cases relating to the provision of information about the insurance policy to a person other than the policyholder):

イ　被保険者（保険契約者以外の者に限る。ロにおいて同じ。）が負担する保険料の額が零である保険契約

(a) an insurance policy for which the amount of insurance premiums to be borne by the insured (limited to a person other than the policyholder; the

same applies in (b)) is zero;

ロ　保険期間が一月以内であり、かつ、被保険者が負担する保険料の額が千円以下である保険契約

(b) an insurance policy under which the insurance period does not exceed one month and the amount of insurance premiums to be borne by the insured does not exceed 1,000 yen;

ハ　被保険者に対する行事の実施等に付随して引き受けられる保険に係る保険契約（当該保険契約への加入に係る被保険者（保険契約者以外の者に限る。）の意思決定を要しないものであって、当該行事の実施等に起因する損害等を対象とするものその他の当該行事の実施等と関連性を有するものに限る。）

(c) an insurance policy concerning insurance underwritten incidental to the implementation of events, etc. with respect to the insured (limited to those that do not require the insured (limited to those other than the policyholder) to make a decision concerning the subscription to the insurance policy, and that cover damages, etc. arising from the implementation of events, etc. or are otherwise related to the implementation of such events, etc.);

二　既契約の一部の変更をすることを内容とする保険契約の締結の媒介を行う場合であって、次のいずれかに該当するとき。

(ii) when acting as an intermediary in the conclusion of an insurance policy that involves making partial changes to an existing policy, and when any of the following applies:

イ　当該変更に伴い既契約に係る第一項の規定による情報の提供の内容に変更すべきものがないとき。

(a) when the change does not alter the content of the information provided under paragraph (1) for the existing policy; or

ロ　当該変更に伴い第一項第三号に掲げる方法により情報の提供を行っているとき（当該変更に係る部分を除く。）。

(b) when the information regarding the amendments has been provided, in accordance with the method stated in paragraph (1), item (iii) (excluding the part concerning the amendments).

（意向の把握等を要しない場合）

(Cases Where Understanding of Intention Is Not Required)

第五十七条　準用保険業法第二百九十四条の二に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 57　The cases specified by Cabinet Office Order, as prescribed in Article 294-2 of the Insurance Business Act, as applied mutatis mutandis, are as follows:

一　前条第三項各号に掲げる場合

(i) the cases stated in the items of paragraph (3) of the preceding Article; and

二　他の法律の規定により顧客が保険契約の締結又は保険契約への加入を義務付けられている保険契約の締結の媒介を行う場合

(ii) when acting as an intermediary for the conclusion of an insurance policy that is required to be concluded by the customer, or to which the customer is required to subscribe pursuant to the provisions of other laws.

（自己契約の禁止）

(Prohibition of Self-Contract)

第五十八条　準用保険業法第二百九十五条第一項に規定する内閣府令で定める保険契約は、保険業法第二条第四項に規定する損害保険会社及び同条第九項に規定する外国損害保険会社等が保険者となる保険契約とする。

Article 58 The insurance policy specified by Cabinet Office Order, as prescribed in Article 295, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis, is an insurance policy in which the insurer is a non-life insurance company prescribed in Article 2, paragraph (4) of the Insurance Business Act, and a foreign non-life insurance company, etc. prescribed in paragraph (9) of that Article.

（自己契約に係る保険料の合計額）

(Total Amount of Insurance Premiums Related to Self-Contracts)

第五十九条　準用保険業法第二百九十五条第二項に規定する保険媒介業務を行った自己契約に係る保険料（以下この項において「保険媒介業務を行った自己契約に係る保険料」という。）の合計額として内閣府令で定めるところにより計算した額は、金融サービス仲介業者が直近の二事業年度において保険媒介業務を行った自己契約に係る保険料（自己又は自己を雇用する者を保険契約者とする保険契約にあっては、次に掲げる全ての条件を満たす保険契約に係る保険料を除く。）の一事業年度当たりの平均額に相当する額とする。

Article 59 (1) The amount calculated as the total insurance premiums under self-contracts subject to insurance intermediary business operations, as prescribed in Article 295, paragraph (2) of the Insurance Business Act, as applied mutatis mutandis (referred to below as "insurance premiums under a self-contract subject to insurance intermediary business operations" in this paragraph), pursuant to the provisions of Cabinet Office Order, is the amount equivalent to the average annual insurance premiums under self-contract subject to insurance intermediary business operations provided by the financial service intermediary over the most recent two business years (excluding insurance premiums under insurance policies that satisfy all of the following requirements, in cases where the financial intermediary business is the policyholder itself or any of its employees):

一　保険契約者に被保険利益（保険事故が発生しないことについて被保険者の有する経済的利益）がないこと。

(i) the policyholder has no insurable interest (meaning an economic interest held by the insured in the non-occurrence of the insured event);

二　保険料は、被保険者が負担していること。

(ii) the insurance premiums are borne by the insured; and

三　自己又は自己を雇用する者を保険契約者とすることについて、やむを得ない事情があること。

(iii) there are unavoidable circumstances in designating itself or its employer as the policyholder.

2　準用保険業法第二百九十五条第二項に規定する保険媒介業務を行った保険契約に係る保険料の合計額として内閣府令で定めるところにより計算した額は、金融サービス仲介業者が直近の二事業年度において保険媒介業務を行った前条に規定する保険契約に係る保険料の一事業年度当たりの平均額に相当する額とする。

(2) The amount calculated as the total amount of insurance premiums under an insurance policy subject to insurance intermediary business operations, as prescribed in Article 295, paragraph (2) of the Insurance Business Act, as applied mutatis mutandis, pursuant to the provisions of Cabinet Office Order, is the amount equivalent to the average annual insurance premiums under the insurance policy, as provided by the financial service intermediary over the most recent two business years.

3　前二項に規定する保険料については、金融サービス仲介業者が二以上の相手方金融機関の保険契約の締結の媒介を行う場合には、当該二以上の相手方金融機関の全てに係る保険料を合計するものとする。

(3) For the purpose of calculating the insurance premiums prescribed in the preceding two paragraphs, if a financial service intermediary provides intermediary services for the conclusion of insurance policies of two or more counterparty financial institutions, the insurance premiums concerning all such counterparty financial institutions are to be totaled.

4　第一項及び第二項に規定する保険料は、実際に収受した額により計算するものとし、分割払いの保険契約及び保険期間が一年を超える保険契約にあっては、一年間当たりの額に換算した額の保険料とする。

(4) The insurance premiums prescribed in paragraphs (1) and (2) are to be calculated based on the amount actually received, and in the case of an insurance policy with an installment payment option, or an insurance policy in which the insurance period exceeds one year, the insurance proceeds are to be based on the annualized amount of insurance premiums.

（結約書の記載事項）

(Particulars to Be Included in the Written Agreement)

第六十条　準用保険業法第二百九十八条の規定により適用する商法（明治三十二年法律第四十八号）第五百四十六条第一項（準用保険業法第二百九十三条において準用する場合を含む。）に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 60 The particulars specified by Cabinet Office Order, as prescribed in Article 546, paragraph (1) of the Commercial Code (Act No. 48 of 1899), as applied pursuant to Article 298 of the Insurance Business Act, as applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 293 of the Insurance Business Act, as applied mutatis mutandis), are as follows:

一　金融サービス仲介業者の商号、名称又は氏名及び住所

(i) the trade name or name and the address of the financial service intermediary;

二　法第十四条第一項第二号の登録番号

(ii) the registration number as referred to in Article 14 paragraph (1), item (ii) of the Act;

三　被保険者及び保険金額を受け取るべき者の商号、名称又は氏名

(iii) trade name, business name, or name of the insured person or the person entitled to receive the insurance proceeds;

四　保険契約の種類及びその内容

(iv) the type of insurance policy and its details;

五　保険の目的及びその価額

(v) the purpose and value of the insurance;

六　保険金額

(vi) the insured amount;

七　保険期間の始期及び終期

(vii) the start and end of the insurance period; and

八　保険料及びその支払方法

(viii) the insurance premiums and the methods of their payment.

（将来における金額が不確実な事項）

(Particulars Involving Contingent Amounts)

第六十一条　準用保険業法第三百条第一項第七号に規定する内閣府令で定める事項は、資産の運用実績その他の要因によりその金額が変動する保険金、返戻金その他の給付金又は保険料とする。

Article 61 The particulars specified by Cabinet Office Order, as prescribed in Article 300, paragraph (1), item (vii) of the Insurance Business Act, as applied mutatis mutandis, are insurance premiums, refunds or any other benefits, or insurance proceeds, the amounts of which depend on the investment performance of assets or other factors.

（保険媒介業務に関する禁止行為）

(Prohibited Acts in Insurance Intermediary Business Operations)

第六十二条　準用保険業法第三百条第一項第九号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 62 (1) The acts specified by Cabinet Office Order, as prescribed in Article 300, paragraph (1), item (ix) of the Insurance Business Act, as applied mutatis mutandis, are as follows:

一　何らの名義によってするかを問わず、準用保険業法第三百条第一項第五号に規定する行為の同項の規定による禁止を免れる行為

(i) any act that evades the prohibitions prescribed in Article 300, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis, with respect to the activities specified in item (v) of that paragraph, regardless of the name under which the act is carried out;

二　法人である金融サービス仲介業者が、その役員又は使用人その他当該金融サービス仲介業者と密接な関係を有する者として金融庁長官が定める者に対して、金融庁長官が定める保険以外の保険について、保険業法第二条第三項に規定する生命保険会社、同条第八項に規定する外国生命保険会社等又は少額短期保険業者を保険者とする保険契約の申込みをさせる行為その他の保険契約者又は被保険者に対して、威迫し、又は業務上の地位等を不当に利用して保険契約の申込みをさせ、又は既に成立している保険契約を消滅させる行為

(ii) any act by a financial service intermediary that is a corporation to cause, in connection with any insurance other than those designated by the Commissioner of the Financial Services Agency, any of its officers, employees, or any counterparty designated by the Commissioner and having a close relationship with the intermediary, to apply for an insurance policy where the insurer is a life insurance company prescribed in Article 2, paragraph (3) of the Insurance Business Act, a foreign life insurance company, etc. as prescribed in paragraph (8) of that Article, or a small-amount and short-term insurer; or any act of intimidation or unfair use of business status, etc. against other policyholders or insured persons, in order to induce them to apply for insurance policies or to terminate insurance policies already in effect;

三　保険会社等（保険会社又は少額短期保険業者をいう。第五号及び第六号において同じ。）又は外国保険会社等との間で保険契約を締結することを条件として当該保険会社等又は外国保険会社等の特定関係者（保険業法第百条の三（同法第二百七十二条の十三第二項において準用する場合を含む。）に規定する特定関係者及び同法第百九十四条に規定する特殊関係者をいう。）が当該保険契約に係る保険契約者又は被保険者に対して信用を供与し、又は信用の供与を約していることを知りながら、当該保険契約者に対して当該保険契約の申込みをさせる行為

(iii) an act of causing a policyholder to apply for an insurance policy, knowing that any person in a specified relationship (meaning a person in the specified relationship prescribed in Article 100-3 of the Insurance Business Act (including cases applied mutatis mutandis pursuant to Article 272-13, paragraph (2) of that Act) and a person in the specified relationship prescribed in Article 194 of that Act) of the insurance company, etc. (meaning

the insurance company and a small-amount and short-term insurer; the same applies in items (v) and (vi)) or a foreign insurance company, etc. has extended or has promised to extend credit to the policyholder or insured under that policy on the condition that the policyholder or insured will conclude the insurance policy with that insurance company, etc. or foreign insurance company, etc.;

四　保険契約者若しくは被保険者又は不特定の者に対して、保険契約等（保険契約及び顧客（顧客以外の保険契約者等を含む。）のために保険契約の締結の媒介を行うことを内容とする契約をいう。）に関する事項であってその判断に影響を及ぼすこととなる重要なものにつき、誤解させるおそれのあることを告げ、又は表示する行為

(iv) an act of notifying or presenting the policyholder, insured, or an unspecified person with misleading information as to important particulars relating to insurance policies, etc. (meaning the insurance policy as well as contracts under which intermediary service for the conclusion of an insurance policy are provided on behalf of a customer (including a policyholder, etc. other than a customer)) which may affect their respective judgment;

五　保険契約者に対して、保険契約に係る保険の種類又は保険会社等若しくは外国保険会社等の商号若しくは名称を他のものと誤解させるおそれのあることを告げる行為

(v) an act of providing the policyholder with misleading information that may create confusion regarding the type of insurance related to the insurance policy, or the trade name or name of the insurance company, etc. or foreign insurance company, etc.;

六　保険料を一時に払い込むことを内容とする保険契約の締結の媒介を行う際に、その顧客が行う当該保険契約の申込みが保険業法第三百九条第一項に規定する申込みの撤回等を行うことができない場合（同項第一号から第五号まで及び保険業法施行令第四十五条第七号に掲げる場合並びに当該保険契約の引受けを行う保険会社等又は外国保険会社等が当該申込みの撤回等に応じることとしている場合を除く。）に該当する場合において、当該顧客に対しその旨の説明を書面の交付により行わず、又は当該顧客から当該書面を受領した旨の確認を署名若しくは押印を得ること若しくはこれに準ずる措置により行わずに当該保険契約の申込みをさせる行為

(vi) when acting as an intermediary for the conclusion of an insurance policy that involves an option for a lump-sum payment of insurance premiums, in cases where the customer's application for the contract falls under circumstances in which revocation, etc. of the application, as prescribed in Article 309, paragraph (1) of the Insurance Business Act, is not permitted (excluding the cases specified in items (i) through (v) of the same paragraph, the case specified in Article 45, item (vii) of the Order for Enforcement of the Insurance Business Act, and cases where the insurance company, etc. or

foreign insurance company, etc. underwriting the insurance policy accepts the revocation, etc. of the application), an act of causing the customer to make an application for the insurance policy without providing an explanation indicating delivery of documents, or without obtaining a signature or seal from the customer, or without taking any other similar measures acknowledging receipt of the documents;

七　金融サービス仲介業者である銀行等又はその役員若しくは使用人（準用保険業法第二百九十四条第一項に規定するものに限る。以下この条において同じ。）が、当該銀行等が行う信用供与の条件として保険契約の締結の媒介を行う行為その他の当該銀行等の取引上の優越的地位を不当に利用して保険契約の締結の媒介を行う行為

(vii) the act of a bank, etc. that is a financial service intermediary, or of its officer or employee (limited to those prescribed in Article 294, paragraph (1) of the Insurance Business Act, as applied mutatis mutandis; the same applies below in this Article), acting as an intermediary in the conclusion of an insurance policy as a condition for the provision of credit by that bank, etc., or providing any other intermediary service for the conclusion of an insurance policy while unjustly exploiting the superior position of that bank, etc. in the transaction;

八　金融サービス仲介業者である銀行等又はその役員若しくは使用人が、あらかじめ、顧客に対し、当該保険契約の締結の媒介に係る取引が当該銀行等の当該顧客に関する業務に影響を与えない旨の説明を書面の交付により行わずに保険契約の締結の媒介を行う行為

(viii) the act of a bank, etc. that is a financial service intermediary, or of its officer or employee, acting as an intermediary in the conclusion of an insurance policy without delivering, in advance, to the customer a document explaining that the transaction concerning such intermediary services will not have any impact on the customer's business;

九　金融サービス仲介業者である銀行等又はその役員若しくは使用人が、あらかじめ、顧客に対し、銀行等保険媒介制限先に該当するかどうかを確認する業務に関する説明を書面の交付により行わずに第二十条第一項第二号又は第四号から第七号までに掲げる保険契約の締結の媒介を行う行為

(ix) the act of a bank, etc. that is a financial service intermediary, or of its officer or employee, acting as an intermediary in the conclusion of an insurance policy as stated in Article 20, paragraph (1), item (ii) or items (iv) through (vii), without delivering, in advance, to the customer a document, with an explanation confirming whether the customer falls under a party for whom insurance intermediary services by a bank, etc. are restricted;

十　金融サービス仲介業者である銀行等又はその役員若しくは使用人が、顧客が当該銀行等に対し資金の貸付け又は手形の割引（当該顧客又はその密接関係者（当該顧客が法人（国、地方公共団体及び銀行法施行令第四条第十三項各号に掲げるものその他の金融庁長官が定めるものを除く。以下この号において同じ。）である場合の

当該法人の代表者又は当該顧客が法人の代表者である場合の当該法人をいう。以下この号及び第十四号において同じ。）の事業に必要なものに限る。同号において同じ。）の申込みを行っていることを知りながら、当該顧客又はその密接関係者（当該銀行等が協同組織金融機関である場合にあっては、当該協同組織金融機関の会員又は組合員である顧客及びその密接関係者を除く。）に対し、第二十条第一項第二号又は第四号から第七号までに掲げる保険契約（金銭消費貸借契約、賃貸借契約その他の契約（事業に必要な資金に係るものを除く。）に係る債務の履行を担保するための保険契約及び既に締結されている保険契約（その締結の媒介を当該銀行等の役員又は使用人が手数料その他の報酬を得て行ったものに限る。）の更新又は更改（保険金額その他の給付の内容の拡充（当該保険契約の目的物の価値の増加その他これに類する事情に基づくものを除く。）又は保険期間の延長を含むものを除く。）に係る保険契約を除く。）の締結の媒介を行う行為

(x) the act of a bank, etc. that is a financial service intermediary, or of its officer or employee, knowing that a customer has applied to the bank, etc. for the lending of funds or the discounting of negotiable instruments (limited to a loan or discounting of negotiable instruments required for the business of the customer or a closely related person (meaning the representative of a corporation when the customer is a corporation (excluding the state, local governments, those specified in the items of Article 4, paragraph (13) of the Order for Enforcement of the Banking Act, and those designated by the Commissioner of the Financial Services Agency; the same applies below in this item) or a corporation when the customer is the representative of the corporation; the same applies in this item and item (xiv)); the same applies in item (xiv)) to the bank, etc., to provide the customer or its closely related person (if the bank, etc. is a cooperative financial institution, excluding customers who are members or partners of the cooperative financial institution or a closely related person) with intermediary services for the conclusion of the insurance policies as stated in Article 20, paragraph (1), item (ii) or items (iv) through (vii) (excluding an insurance policy for the purpose of securing payment of obligations under a monetary loan contract, lease contract, or any other contract (excluding contracts related to funds required for business); and excluding an insurance policy for renewal or novation (a novation excludes any novation for the improvement of insurance benefits such as increase in the amount of insurance proceeds (excluding improvements due to increase in value of the object of the insurance policy or other similar factors) or extension of the insurance period) of an insurance policy already in effect (limited to contracts for which an officer or employee of the bank, etc. has prescribed intermediary services in return for fees or other remuneration));

十一　金融サービス仲介業者である銀行等又はその役員若しくは使用人が、第二十条第一項第一号に掲げる保険契約（保険業法施行規則第二百十二条第一項第一号に掲

げるものに該当するものに限る。）の締結の媒介を行う際に、保険契約者に対し、当該保険契約者が当該保険契約に係る保険金が充てられるべき債務の返済に困窮した場合の当該銀行等における相談窓口及びその他の相談窓口の説明を書面の交付により行わずに当該保険契約の申込みをさせる行為

(xi) the act of a bank, etc. that is a financial service intermediary, or of its officer or employee, acting as an intermediary in the conclusion of an insurance policy as specified in Article 20, paragraph (1), item (1) (limited to an insurance policy referred to in Article 212, paragraph (1), item (i) of the Regulation for Enforcement of the Insurance Business Act), without delivering a document explaining the contact point within the bank, etc. or another section to be consulted when the policyholder becomes unable to repay the obligation to be covered by the insurance proceeds under the policy;

十二　金融サービス仲介業者（保険媒介業務を行う者に限る。）である銀行等の特定関係者又はその役員若しくは使用人が、自己との間で保険契約の締結の媒介を行うことを条件として当該銀行等が当該保険契約に係る保険契約者又は被保険者に対して信用を供与し、又は信用の供与を約していることその他の取引上の優越的地位を不当に利用していることを知りながら保険契約の締結の媒介を行う行為

(xii) the act of a specified related party of a bank, etc. that is a financial service intermediary (limited to one conducting insurance intermediary business operations), or of its officers or employees, acting as an intermediary in the conclusion of an insurance policy despite knowing that the bank, etc. has extended or has promised to extend credit to the policyholder or the insured under that insurance policy on the condition that the intermediary services be provided by the specified related party or its officers or employees, or that the bank, etc. is unjustly exploiting its superior position in the transaction;

十三　金融サービス仲介業者である銀行等の特定関係者又はその役員若しくは使用人が、その保険契約者又は被保険者が当該銀行等に係る銀行等保険媒介制限先に該当することを知りながら、保険契約（第二十条第一項第一号及び第三号に掲げる保険契約（当該保険契約に保険特約が付される場合にあっては、当該保険特約が当該保険契約の内容と関連性が高く、かつ、当該保険特約に係る保険料及び保険金額が当該保険契約に係る保険料及び保険金額と比して妥当なものに限る。）を除く。次号において同じ。）の締結の媒介を行う行為

(xiii) the act of a specified related party of a bank, etc. that is a financial service intermediary, or any officer or employee of that party, to providing intermediary services for the conclusion of an insurance policy (excluding the insurance policies specified in Article 20, paragraph (1), items (i) and (iii) (in cases where an insurance rider is added to the insurance policy, limited to cases in which the rider is closely related to the terms and conditions of the insurance policy and the amount of insurance premiums and the insurance amount payable under the rider are reasonable in comparison to those

payable under the insurance policy); the same applies in the following item), despite knowing that the policyholder or the insured falls under a party for whom insurance intermediary services by the bank, etc. are restricted;

十四　金融サービス仲介業者である銀行等の特定関係者又はその役員若しくは使用人が、顧客が当該銀行等に対し資金の貸付け又は手形の割引の申込みをしていることを知りながら、当該顧客又はその密接関係者（当該銀行等が協同組織金融機関である場合にあっては、当該協同組織金融機関の会員又は組合員である者を除く。）に対し、保険契約の締結の媒介を行う行為

(xiv) the act of a specified related party of a bank, etc. that is a financial service intermediary, or of its officers or employees, providing the customer or a closely related person (excluding, in the case of a cooperative financial institution, customers who are members or partners of that institution) with intermediary services for the conclusion of an insurance policy, despite knowing that the customer has applied to the bank, etc. for the lending of funds or for the discounting of negotiable instruments;

十五　金融サービス仲介業者が預金等媒介業務を行う場合又は金融機関代理業者（銀行代理業者、長期信用銀行代理業者、信用金庫代理業者、労働金庫代理業者、信用協同組合代理業者、農業協同組合法第九十二条の二第三項に規定する特定信用事業代理業者、水産業協同組合法第百六条第三項に規定する特定信用事業代理業者、農林中央金庫代理業者並びに再編強化法代理業務を行う農業協同組合、漁業協同組合及び水産加工業協同組合をいう。以下この条及び第百十八条第八号において同じ。）である場合にあっては、次に掲げる措置を怠ること。

(xv) when a financial service intermediary conducts deposit, etc. intermediary business operations, or acts as a financial institution agent (meaning a bank agent, long-term credit bank agent, shinkin bank agent, labor bank agent, credit cooperative agent, specific credit business agent as prescribed in Article 92-2, paragraph (3) of the Agricultural Cooperatives Act, specific credit business agent as prescribed in Article 106, paragraph (3) of the Fishery Cooperatives Act, Norinchukin Bank agent, or an agricultural cooperative, fishery cooperative, or fishery processing cooperative conducting agency services under the Enhancement and Restructuring Act; the same applies below in this Article and in Article 118, item (viii)), and fails to take the following measures:

イ　その金融機関代理業（預金等媒介業務、銀行代理業、長期信用銀行代理業、信用金庫代理業、労働金庫代理業、信用協同組合代理業、農業協同組合法第九十二条の二第二項に規定する特定信用事業代理業、水産業協同組合法第百六条第二項に規定する特定信用事業代理業又は農林中央金庫代理業をいう。ロ並びに第百十一条第一項及び第二項において同じ。）（再編強化法代理業務（預金、貯金若しくは定期積金の受入れ、資金の貸付け若しくは手形の割引又は為替取引を内容とする契約の締結の代理に限る。）に係る事業を含む。ロにおいて同じ。）において取り扱う顧客に関する非公開金融情報を、事前に書面その他の適切な方法によ

り当該顧客の同意を得ることなく保険媒介業務に係る業務に利用しないことを確保するための措置

(a) measures to ensure that undisclosed financial information on a customer, handled in the course of financial institution agency services (meaning deposit, etc. intermediary business operations, bank agency services, long-term credit bank agency services, shinkin bank agency services, labor bank agency services, credit cooperative agency services, specific credit business agency services prescribed in Article 92-2, paragraph (2) of the Agricultural Cooperatives Act, specific credit business agency services prescribed in Article 106, paragraph (2) of the Fishery Cooperatives Act, or Norinchukin Bank agency services; the same applies in (b), as well as Article 111, paragraphs (1) and (2)) (including businesses relating to an agency service under the Enhancement and Restructuring Act (limited to agency services for the receipt of deposits, savings and installment savings, the lending of funds, the discounting of negotiable instruments, or the conclusion of contracts for exchange transactions); the same applies in (b)) will not be used for insurance intermediary business operations without obtaining prior consent from the customer in writing or by any other appropriate means;

ロ　その保険媒介業務に係る業務において取り扱う顧客に関する非公開保険情報を、事前に書面その他の適切な方法により当該顧客の同意を得ることなく金融機関代理業に係る業務に利用しないことを確保するための措置

(b) measures to ensure that undisclosed insurance information on a customer, which it handles in the course of its insurance intermediary business operations, will not be used for any business relating to financial institution agency services without obtaining prior consent from the customer in writing or by any other appropriate means; and

十六　金融サービス仲介業者が預金等媒介業務を行う場合又は金融機関代理業者である場合にあっては、保険媒介業務に係る法令等（法令、法令に基づく行政官庁の処分、当該金融サービス仲介業者の内部規則その他これらに準ずるものをいう。以下この号において同じ。）の遵守を確保する業務に係る責任者を保険媒介業務を行う営業所又は事務所（他の法令等の遵守を確保する業務が複数の営業所又は事務所を一つの単位（保険媒介業務を行う営業所又は事務所を含むものに限る。）として行われている場合にあっては、当該単位）ごとに、当該責任者を指揮し保険媒介業務に係る法令等の遵守を確保する業務を統括管理する統括責任者を主たる営業所又は事務所に、それぞれ配置するために必要かつ適切な措置を怠ること。

(xvi) when a financial service intermediary engages in deposit, etc. intermediary business operations or acts as a financial institution agent, failing to take the necessary and appropriate measures to appoint a responsible person to oversee operations and ensure compliance with laws and regulations, etc. relating to the business concerning insurance

intermediary business operations (meaning the laws and regulations, dispositions of administrative agencies issued under those laws and regulations, internal rules of the financial service intermediary, or any other rules equivalent to those previously stated; the same applies below in this item) applicable to such operations (or, when the task of ensuring compliance with other laws and regulations is carried out by integrating multiple places of business or offices into a single unit (limited to a unit comprising only those places of business or offices that carry out insurance intermediary business operations), failing to assign a responsible person to each such unit), and failing to take appropriate measures to assign a chief supervisor to the principal place of business or office to supervise the responsible person and to oversee operations to ensure compliance with the laws and regulations, etc. applicable to insurance intermediary business operations.

2　前項第十二号から第十四号までの「特定関係者」とは、銀行法施行令第四条の二第一項第一号から第十号まで（長期信用銀行法施行令（昭和五十七年政令第四十二号）第六条第一項において準用する場合を含む。）、信用金庫法施行令（昭和四十三年政令第百四十二号）第十一条の二第一項第一号、労働金庫法施行令（昭和五十七年政令第四十六号）第五条の二第一項第一号、協同組合による金融事業に関する法律施行令（昭和五十七年政令第四十四号）第三条の二第一項第一号、農業協同組合法施行令（昭和三十七年政令第二百七十一号）第五十五条各号（第三号にあっては、農業協同組合及び農業協同組合連合会の信用事業に関する命令（平成五年／大蔵省／農林水産省／令第一号）第十条第一項第一号に掲げる者に限る。）、水産業協同組合法施行令（平成五年政令第三百二十八号）第九条第一項第一号、農林中央金庫法施行令（平成十三年政令第二百八十五号）第八条第一項第一号並びに株式会社商工組合中央金庫法施行令（平成十九年政令第三百六十七号）第七条第一項第一号及び第二号に規定する者をいう。

(2) The term "specified related party" in items (xii) through (xiv) of the preceding paragraph means a person prescribed in Article 4-2, paragraph (1), items (i) through (x) of the Order for Enforcement of the Banking Act (including as applied mutatis mutandis pursuant to Article 6, paragraph (1) of the Order for Enforcement of the Long-Term Credit Bank Act (Cabinet Order No. 42 of 1982); Article 11-2, paragraph (1), item (i) of the Order for Enforcement of the Shinkin Bank Act (Cabinet Order No. 142 of 1968); Article 5-2, paragraph (1), item (i) of the Order for Enforcement of the Labor Bank Act (Cabinet Order No. 46 of 1982); Article 3-2, paragraph (1), item (i) of the Order for Enforcement of the Act on Financial Businesses by Cooperative (Cabinet Order No. 44 of 1982); and the items of Article 55 of the Order for Enforcement of the Agricultural Cooperatives Act (Cabinet Order No. 271 of 1962)) (with respect to item (iii), this is limited to persons stated in Article 10, paragraph (1), item (i) of the Order for Credit Business of Agricultural Cooperatives and Federation of Agricultural Cooperatives (Order of the Ministry of Finance and the Ministry

of Agriculture, Forestry and Fisheries No. 1 of 1993), Article 9, paragraph (1), item (i) of the Order for Enforcement of the Fishery Cooperatives Act (Cabinet Order No. 328 of 1993), Article 8, paragraph (1), item (i) of the Order for Enforcement of the Norinchukin Bank Act (Cabinet Order No. 285 of 2001), and Article 7 paragraph (1), items (i) and (ii) of the Order for Enforcement of the Shoko Chukin Bank Limited Act (Cabinet Order No. 367 of 2007)).

3　第一項（第七号及び第十一号に係る部分に限る。）の規定は、金融サービス仲介業者（金融機関代理業者である者又は預金等媒介業務を行う者に限る。）又はその役員若しくは使用人について準用する。この場合において、同項第七号中「当該銀行等」とあるのは「当該金融サービス仲介業者」と、「信用供与」とあるのは「資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介」と、同項第十一号中「当該銀行等」とあるのは「当該金融サービス仲介業者及びその所属銀行等（銀行法第二条第十六項に規定する所属銀行、長期信用銀行法第十六条の五第三項に規定する所属長期信用銀行、信用金庫法第八十五条の二第三項に規定する所属信用金庫、労働金庫法第八十九条の三第三項に規定する所属労働金庫、協同組合による金融事業に関する法律第六条の三第三項に規定する所属信用協同組合、農業協同組合法第九十二条の二第三項に規定する所属組合、水産業協同組合法第百六条第三項に規定する所属組合、農林中央金庫法第九十五条の二第三項に規定する農林中央金庫（農林中央金庫及び特定農水産業協同組合等による信用事業の再編及び強化に関する法律（以下この項において「再編強化法」という。）第四十二条第三項の認可を受けたものを除く。）及び再編強化法第四十二条第三項の認可を受けた農林中央金庫又は再編強化法第二条第二項に規定する信用農水産業協同組合連合会をいう。）又は当該金融サービス仲介業者が行う預金等媒介業務により当該保険契約者が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方」と読み替えるものとする。

(3) The provisions of paragraph (1) (limited to the part relating to items (vii) and (xi)) are to apply mutatis mutandis to a financial service intermediary (limited to a person who is a financial institution agent or who conducts deposit, etc. intermediary business operations) or their officers or employees. In this case, the terms "the bank, etc." and "extending credit" in item (vii) of that paragraph are to be replaced with "the financial service intermediary" and "providing agency or intermediary services for the conclusion of a contract for the lending of funds or the discounting of negotiable instruments", respectively; and the term "the bank, etc." in item (xi) of that paragraph is to be replaced with "the financial service intermediary and its principal bank, etc. (meaning the principal bank prescribed in Article 2, paragraph (16) of the Banking Act; a principal long-term credit bank prescribed in Article 16-5, paragraph (3) of the Long-Term Credit Bank Act; a principal shinkin bank prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act; a principal labor bank prescribed in Article 89-3, paragraph (3) of the Labor Bank Act; a principal credit cooperative prescribed in Article 6-3, paragraph (3) of the Act on Financial Businesses by Cooperatives; a principal cooperative prescribed in Article 92-2,

paragraph (3) of the Agricultural Cooperatives Act; a principal cooperative prescribed in Article 106, paragraph (3) of the Fishery Cooperatives Act; the Norinchukin Bank prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act (excluding banks authorized under Article 42, paragraph (3) of the Act on the Enhancement and Restructuring of Credit Business Conducted by the Norinchukin Bank and Specified Agricultural and Fishery Cooperatives (referred to below as the "Enhancement and Restructuring Act" in this paragraph); and the Norinchukin Bank authorized under Article 42, paragraph (3) of the Enhancement and Restructuring Act or a federation of agricultural and fishery cooperative savings credit cooperation prescribed in Article 2, paragraph (2) of the Enhancement and Restructuring Act)), or a counterparty to a contract for the lending of funds or the discounting of negotiable instruments to be concluded by the policyholder through the deposit, etc. intermediary business operations provided by the financial service intermediary".

4　第一項（第十二号に係る部分に限る。）の規定は、金融サービス仲介業者（保険媒介業務を行う者に限る。）（金融機関代理業者の特定関係者（銀行法施行令第四条の二第一項第十一号から第十三号まで（第十一号にあっては、同号に規定する銀行代理業者を除き、これらの規定を長期信用銀行法施行令第六条第一項において準用する場合を含む。）、信用金庫法施行令第十一条の二第一項第二号から第四号まで（第二号にあっては、同号に規定する信用金庫代理業者を除く。）、労働金庫法施行令第五条の二第一項第二号から第四号まで（第二号にあっては、同号に規定する労働金庫代理業者を除く。）、協同組合による金融事業に関する法律施行令第三条の二第一項第二号から第四号まで（第二号にあっては、同号に規定する信用協同組合代理業者を除く。）、農業協同組合及び農業協同組合連合会の信用事業に関する命令第十条第一項第二号から第五号まで（第二号にあっては同号に規定する特定信用事業代理業者を、第五号にあっては同号に規定する農業協同組合を除く。）、水産業協同組合法施行令第九条第一項第二号から第五号まで（第二号にあっては同号に規定する特定信用事業代理業者を、第五号にあっては同号に規定する漁業協同組合及び水産加工業協同組合を除く。）、農林中央金庫法施行令第八条第一項第二号から第五号まで（第二号にあっては同号に規定する農林中央金庫代理業者を、第五号にあっては同号に規定する農業協同組合、漁業協同組合及び水産加工業協同組合を除く。）並びに株式会社商工組合中央金庫法施行令第七条第一項第三号（同号に規定する代理組合等を除く。）及び第四号に規定する者をいう。）又は預金等媒介業務を行う金融サービス仲介業者の特定関係者（第五十一条第一項各号に掲げる者をいう。）である者に限る。）又はその役員若しくは使用人について準用する。この場合において、第一項第十二号中「当該銀行等が当該保険契約に係る保険契約者又は被保険者に対して信用を供与し、又は信用の供与を約していること」とあるのは、「当該金融機関代理業者又は当該預金等媒介業務を行う金融サービス仲介業者が当該保険契約に係る保険契約者又は被保険者に対してその所属銀行等（第三項において準用する前号に規定する所属銀行等をいう。）又は当該金融サービス仲介業者が行う預金等媒介業務により当該保険契約者若

しくは被保険者が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方が行う資金の貸付け又は手形の割引を内容とする契約の締結の代理若しくは媒介を行い、又は当該代理若しくは媒介を約していること」と読み替えるものとする。

(4) The provisions of paragraph (1) (limited to the part relating to item (xii)) are to apply mutatis mutandis to a financial service intermediary (limited to one conducting insurance intermediary business operations) (limited to one that is a specified related party (meaning a person prescribed in Article 4-2, paragraph (1), items (xi) through (xiii) of the Order for Enforcement of the Banking Act (in the case of a party stated in item (xi), excluding a bank agent prescribed in the same item; and including the cases where these provisions are applied mutatis mutandis pursuant to Article 6, paragraph (1) of the Order for Enforcement of the Long-Term Credit Bank Act); a person prescribed in Article 11-2, paragraph (1), items (ii) through (iv) of the Order for Enforcement of the Shinkin Bank Act (excluding, in the case of item (ii), a Shinkin Bank agent); a person prescribed in Article 5-2, paragraph (1), items (ii) through (iv) of the Order for Enforcement of the Labor Bank Act (excluding, in the case of item (ii), a labor bank agent); a person prescribed in Article 3-2, paragraph (1), items (ii) through (iv) of the Order for Enforcement of the Act on Financial Businesses by Cooperative (excluding, in the case of item (ii), a credit cooperative agent); a person prescribed in Article 10, paragraph (1), items (ii) through (v) of the Order for Credit Business of Agricultural Cooperatives and Federation of Agricultural Cooperatives (excluding, in the case of item (ii), a specified credit service agent; or in the case of item (v), an agricultural cooperative); a person prescribed in Article 9, paragraph (1), items (ii) through (v) of the Order for Enforcement of the Fishery Cooperatives Act (excluding, in the case of item (ii), a specified credit service agent; or in the case of item (v), a fishery cooperative and fishery processing cooperative); a person prescribed in Article 8, paragraph (1), items (ii) through (v) of the Order for Enforcement of the Norinchukin Bank Act (excluding, in the case of item (ii), a Norinchukin Bank agent; or in the case of item (v), an agricultural cooperative, fishery cooperative and fishery processing cooperative); a person prescribed in Article 7, paragraph (1), item (iii) (excluding a cooperative agent, etc. prescribed in that item) and item (iv) of the Order for Enforcement of the Shoko Chukin Bank Act) of a financial institution agent or a specified related party (meaning a person stated in the items of Article 51, paragraph (1)) of a financial service intermediary conducting deposit, etc. intermediary business operations) or their officers and employees. In this case, the phrase "that the bank, etc. has extended or promises to grant credit to the policyholder or insured under an insurance policy" in paragraph (1), item (xii) is deemed to be replaced with "that the financial institution agent or the financial service intermediary that conducts deposit, etc. intermediary business operations has provided, or has

undertaken, to provide the policyholder or the insured under the insurance policy, agency or intermediary services for the conclusion of a contract for the or the discounting of negotiable instruments to be implemented by the counterparty to the contract for the lending of funds or the discounting of negotiable instruments, to be concluded by the policyholder or the insured, through the deposit, etc. intermediary business operations provided by its principal bank, etc. (meaning the principal bank, etc. prescribed in the preceding item, as applied mutatis mutandis in paragraph 3))), or the deposit, etc. intermediation business conducted by the financial service intermediary".

（保険媒介業務に係る誤認防止）

(Prevention of Misunderstanding Relating to Insurance Intermediary Business Operations)

第六十三条　金融サービス仲介業者は、相手方金融機関が引き受ける保険に係る一の保険契約の契約内容につき当該保険に係る他の保険契約の契約内容と比較した事項を提供する場合（異なる相手方金融機関が引き受ける保険に係る保険契約の内容を比較する場合に限る。次条第一項において同じ。）又は二以上の相手方金融機関が引き受ける保険に係る二以上の比較可能な同種の保険契約の中から提案契約の提案をする場合には、当該金融サービス仲介業者と相手方金融機関の委託契約の有無について顧客が誤認することを防止するための適切な措置を講じなければならない。

Article 63　When a financial service intermediary provides information regarding the terms and conditions of a single insurance policy underwritten by a counterparty financial institution, in comparison with other insurance policies concerning the same type of insurance (limited to cases where the terms and conditions of insurance policies underwritten by different counterparty financial institutions are compared; the same applies in paragraph (1) of the following Article), or where it presents suggested contracts selected from among two or more comparable insurance policies of the same type underwritten by two or more counterparty financial institutions, the intermediary must take appropriate measures to prevent any customer from misunderstanding the existence of an entrustment contract between the financial service intermediary and the counterparty financial institution.

（契約内容を比較した事項の提供の適切性等を確保するための措置）

(Measures to Ensure the Appropriate Provision of Information for Comparing Contract Terms and Conditions)

第六十四条　金融サービス仲介業者は、相手方金融機関が引き受ける保険に係る一の保険契約の契約内容につき当該保険に係る他の保険契約の契約内容と比較した事項を提供する場合には、保険契約者若しくは被保険者又は不特定の者に対して、当該事項であってこれらの者を誤解させるおそれのあるものを告げ、又は表示することを防止するための措置を講じなければならない。

Article 64 (1) When a financial service intermediary provides information regarding the terms and conditions of a single insurance policy underwritten by a counterparty financial institution, in comparison with other insurance policies concerning the same type of insurance, it must take appropriate measures to avoid representing or conveying to the policyholder, the insured, or any other unspecified person any message about the comparison that is likely to cause misunderstanding among related persons.

2　金融サービス仲介業者は、二以上の相手方金融機関が引き受ける保険に係る二以上の比較可能な同種の保険契約の中から提案契約の提案をする場合には、当該提案に係る必要な説明を行うことを確保するための措置を講じなければならない。

(2) When presenting a proposed contract selected from among two or more comparable insurance policies of the same type underwritten by two or more counterparty financial institutions, a financial service intermediary must take measures to ensure that any necessary explanation regarding the recommendation is provided.

第四款　有価証券等仲介業務に関する特則
Subsection 4 Special Provisions on Securities, etc. Intermediary Business Operations

第六十五条　法第三十一条第一項において準用する金融商品取引法第六十六条の十四第一号ヘに規定する内閣府令で定めるものは、信用の供与をすることを条件として有価証券の売買（同法第二条第八項第一号に規定する有価証券の売買をいう。以下この節において同じ。）の受託等（同法第四十四条の二第一項第一号に規定する受託等をいい、有価証券等仲介業務に係るものに限る。第一号において同じ。）をする行為のうち、次に掲げる要件の全てを満たすものとする。

Article 65 The act specified by Cabinet Office Order, as prescribed in Article 66-14, item (i), (f) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 31, paragraph (1) of the Act, is the acceptance of entrustment, etc. (meaning the acceptance of entrustment, etc. as prescribed in Article 44-2, paragraph (1), item (i) of the Financial Instruments and Exchange Act, and limited to that related to securities, etc. intermediary business operations; the same applies in item (i)) for the purchase and sale of securities (meaning the purchase and sale of securities as prescribed in Article 2, paragraph (8), item (i) of that Act; the same applies below in this Section) on the condition that credit is granted to the customer, which satisfies all of the following requirements:

一　証票等（証票その他の物又は番号、記号その他の符号をいう。）を提示し、又は通知した個人から有価証券の売買の受託等をする行為であって、当該個人が当該有価証券の対価に相当する額を二月未満の期間内に一括して支払い、当該額が相手方金融機関（金融サービス仲介業者が行う有価証券等仲介業務により顧客が締結する

特定金融サービス契約（法第三十一条第二項に規定する特定金融サービス契約をいう。次款において同じ。）の相手方をいい、有価証券等管理業務（金融商品取引法第二十八条第五項に規定する有価証券等管理業務をいう。第九十八条第二項第二号イ及び第百四条第二項第二号イにおいて同じ。）を行う者に限る。第三号において同じ。）に交付されること。

(i) the act of accepting an entrustment, etc. for the purchase and sale of securities from an individual who has presented or given notice of identification cards, etc. (meaning identification cards or any other object, or symbols such as numbers and marks), where the individual makes a lump-sum payment of the amount equivalent to the consideration for the securities within a period shorter than two months, and the payment is delivered to the counterparty financial institution (meaning a counterparty to a specific financial service contract (meaning the specific financial service contract prescribed in Article 31, paragraph (2) of the Act; the same applies in the following Subsection) concluded by a customer through securities, etc. intermediary business operations provided by a financial service intermediary; and limited to an operator engaged in securities, etc. management business (meaning the securities, etc. management business prescribed in Article 28, paragraph (5) of the Financial Instruments and Exchange Act; the same applies in Article 98, paragraph (2), item (ii), (a) and Article 104, paragraph (2), item (ii), (a)); the same applies in item (iii));

二　前号の有価証券の売買をした月におけるその個人の同号の対価に相当する額の総額が十万円を超えることとならないこと。

(ii) the total amount of the consideration equivalent to the securities stated in the preceding item, for the individual in the month in which the purchase and sale of those securities was conducted, does not exceed 100,000 yen;

三　当該有価証券の売買が累積投資契約（相手方金融機関が顧客から金銭を預かり、当該金銭を対価としてあらかじめ定めた期日において当該顧客に有価証券を継続的に売り付ける契約であって、次に掲げる要件の全てを満たすものをいう。）によるものであること。

(iii) the purchase and sale of securities is conducted under a cumulative investment contract (meaning a contract under which a counterparty financial institution receives money deposit from a customer and continuously sells securities to that customer on predetermined dates, while receiving consideration from that deposit, and which satisfies all of the following requirements):

イ　有価証券の買付けの方法として、当該有価証券の種類及び買付けのための預り金の充当方法を定めていること。

(a) the contract specifies the types of securities and the method by which the deposits are appropriated for the purchase of those securities;

ロ　預り金の管理の方法として、顧客からの払込金及び顧客が寄託している有価証

券の果実並びに償還金の受入れに基づいて発生した相手方金融機関の預り金を累積投資預り金として他の預り金と区分して経理することを定めていること。

(b) the method of managing the deposits specifies that the deposits derived from customer payments or securities deposited by the customer, as well as any money held in custody by the counterparty financial institution due to the receipt of fruits and redemption payments, are treated as a cumulative investment deposit, and that the accounting for such cumulative investment deposit is managed separately from any other deposits;

ハ　他の顧客又は相手方金融機関と共同で買い付ける場合には、顧客が買い付けた有価証券につき回記号及び番号が特定されたときに、当該顧客が単独で当該有価証券の所有権を有することが確定することを定めていること。

(c) in the case of a joint purchase with another customer or a counterparty financial institution, the contract stipulates that, once the issue number and number of the securities purchased by the customer are specified, the customer is deemed to have sole ownership of those securities;

ニ　有価証券の管理の方法として、預託を受けた有価証券（相手方金融機関と顧客が共有しているものに限る。）が他の有価証券と分別して管理されるものであること。

(d) as a method of managing securities, the deposited securities (limited to those jointly held by the counterparty financial institution and the customer) are managed separately from other securities; and

ホ　顧客から申出があったときには解約するものであること。

(e) the contract will be canceled upon the customer's request.

第五款　特定金融サービス契約に係る金融サービス仲介業務に関する特則
Subsection 5 Special Provisions on Financial Service Intermediary Business Operations Related to a Specified Financial Service Contract

（契約の種類）

(Contract Types)

第六十六条　法第三十一条第二項において準用する金融商品取引法（以下この款及び第百三十九条第六項第二号において「準用金融商品取引法」という。）第三十四条に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 66 The contracts specified by Cabinet Office Order, as prescribed in Article 34 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act (referred to below as the "Financial Instruments and Exchange Act as applied mutatis mutandis" in this Subsection and in Article 139, paragraph (6), item (ii)), are as follows:

一　特定預金等契約（準用銀行法第五十二条の四十四第二項に規定する特定預金等契約をいう。以下この款において同じ。）

(i) a contract for a specified deposit, etc. (meaning a contract for a specified deposit, etc. as prescribed in Article 52-44, paragraph (2) of the Banking Act, as applied mutatis mutandis; the same applies below in this Subsection);

二　有価証券の売買契約又は有価証券を取得することを内容とする契約

(ii) a contract for the purchase and sale of securities or a contract for the acquisition of securities;

三　投資顧問契約（金融商品取引法第二条第八項第十一号に規定する投資顧問契約をいう。以下この款において同じ。）

(iii) an investment advisory contract (meaning an investment advisory contract as prescribed in Article 2, paragraph (8), item (xi) of the Financial Instruments and Exchange Act; the same applies below in this Subsection);

四　投資一任契約（金融商品取引法第二条第八項第十二号ロに規定する投資一任契約をいう。以下この款において同じ。）

(iv) a discretionary investment contract (meaning a discretionary investment contract as prescribed in Article 2, paragraph (8), item (xii), (b) of the Financial Instruments and Exchange Act; the same applies below in this Subsection).

（申出をした特定投資家に交付する書面の記載事項）

(Particulars to Be Stated in a Document Delivered to a Specific Investor Who Has Made an Application)

第六十七条　準用金融商品取引法第三十四条の二第三項第四号に規定する内閣府令で定める事項は、申出者（同項に規定する申出者をいう。）は、同条第二項の規定による承諾を行った金融サービス仲介業者（特定金融サービス契約に係る金融サービス仲介業務を行う者に限る。第六十九条第一号を除き、以下この款において同じ。）のみから対象契約（同項に規定する対象契約をいう。第七十条において同じ。）に関して特定投資家（金融商品取引法第二条第三十一項に規定する特定投資家をいう。以下この款において同じ。）以外の顧客として取り扱われることになる旨とする。

Article 67　The particular specified by Cabinet Office Order, as prescribed in Article 34-2, paragraph (3), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is that the applicant (meaning the applicant prescribed in the same paragraph) will be treated as a customer, rather than as a professional investor (meaning a professional investor as prescribed in Article 2, paragraph (31) of the Financial Instruments and Exchange Act; the same applies below in this Subsection), with respect to the subject contract (meaning the subject contract prescribed in Article 34-2, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; the same applies in Article 70), only by the financial service intermediary (limited to a person engaging in financial service intermediary business operations related to a specified financial service contract; the same applies below in this Subsection except for Article 69, item (i)) who has

approved the request under the same paragraph.

（情報通信の技術を利用した提供）

(Provision Using Information and Communications Technology)

第六十八条　準用金融商品取引法第三十四条の二第四項（準用金融商品取引法第三十四条の三第十二項（準用金融商品取引法第三十四条の四第六項において準用する場合を含む。）、第三十四条の四第三項、第三十七条の三第二項及び第三十七条の四第二項において準用する場合を含む。）に規定する内閣府令で定めるものは、第二条第一項各号に掲げる方法とする。

Article 68 The methods specified by Cabinet Office Order as prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (12), Article 34-4, paragraph (6), Article 34-4, paragraph (3), Article 37-3, paragraph (2), and Article 37-4, paragraph (2) of the Act), are to be the methods stated in the items of Article 2, paragraph (1).

（電磁的方法の種類及び内容）

(Types and Details of Electronic or Magnetic Means)

第六十九条　令第三十三条第一項及び第三十四条第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 69 The types and details of the means to be specified pursuant to the provisions of Article 33, paragraph (1), and Article 34, paragraph (1) of the Order are as follows:

一　第二条第一項各号又は第七十一条第一項各号に掲げる方法のうち金融サービス仲介業者が使用するもの

(i) the methods stated in the items of Article 2, paragraph (1), or the items of Article 71, paragraph (1), to be used by a financial service intermediary;

二　ファイルへの記録の方式

(ii) the method of recording information in a file.

（特定投資家への復帰申出をした者が同意を行う書面の記載事項）

(Particulars to Be Stated in the Written Consent of a Person Applying for Reinstatement as a Professional Investor)

第七十条　準用金融商品取引法第三十四条の二第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 70 The particulars specified by Cabinet Office Order, as prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　準用金融商品取引法第三十四条の二第十一項の規定による承諾をする日（第四号及び第五号において「承諾日」という。）

(i) the date on which acceptance is to be given under Article 34-2, paragraph

(11) of the Financial Instruments and Exchange Act as applied mutatis mutandis (referred to below as the "date of acceptance" in items (iv) and (v));

二　対象契約の属する契約の種類（準用金融商品取引法第三十四条に規定する契約の種類をいう。以下この款において同じ。）

(ii) the type of contract to which the subject contract belongs (meaning the type of contract prescribed in Article 34 of the Financial Instruments and Exchange Act as applied mutatis mutandis; the same applies below in this Subsection);

三　復帰申出者（準用金融商品取引法第三十四条の二第十一項に規定する復帰申出者をいう。以下この条において同じ。）が次に掲げる事項を理解している旨

(iii) a statement that the applicant for reinstatement (meaning the applicant for reinstatement prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; the same applies below in this Article) understands the following particulars:

イ　準用金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約に関して復帰申出者が当該各号に定める者である場合（同条ただし書に規定する場合を除く。）には適用されない旨

(a) the provisions stated in the items of Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, do not apply when the person applying for reinstatement is any person specified in those items, with respect to the subject contract (excluding cases prescribed in the proviso to the same Article);

ロ　対象契約に関して特定投資家として取り扱われることがその知識、経験及び財産の状況に照らして適当ではない者が特定投資家として取り扱われる場合には、当該者の保護に欠けることとなるおそれがある旨

(b) when a person who is deemed inappropriate to be treated as a professional investor with regard to the subject contract, in light of the person's knowledge, experience, and asset status, is treated as a professional investor in relation to the subject contract, the protection of the person may be impaired;

四　承諾日以後に対象契約の締結の勧誘又は媒介を行う場合において、復帰申出者を再び特定投資家として取り扱う旨

(iv) the applicant for reinstatement will again be treated as a professional investor in the case of soliciting or acting as an intermediary in the conclusion of the subject contract on or after the date of acceptance;

五　復帰申出者は、承諾日以後いつでも、準用金融商品取引法第三十四条の二第一項の規定による申出ができる旨

(v) the fact that the applicant for reinstatement may make an application under Article 34-2, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, at any time on or after the date of acceptance.

（情報通信の技術を利用した同意の取得）

(Obtaining Consent Using Information and Communications Technology)

第七十一条　準用金融商品取引法第三十四条の二第十二項（準用金融商品取引法第三十四条の三第三項（準用金融商品取引法第三十四条の四第六項において準用する場合を含む。）において準用する場合を含む。第一号イにおいて同じ。）に規定する内閣府令で定めるものは、次に掲げる方法とする。

Article 71 (1) The methods specified by Cabinet Office Order, as prescribed in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (which in turn includes as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis); the same applies in item (i), (a)), are as follows:

一　電子情報処理組織を使用する方法のうち次に掲げるもの

(i) the following methods of using an electronic data processing system:

イ　金融サービス仲介業者の使用に係る電子計算機と準用金融商品取引法第三十四条の二第十二項の規定により同意を得ようとする相手方（ロにおいて「顧客」という。）の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) transmitting the information via a telecommunications line connecting a computer used by the financial service intermediary and a computer used by the party from whom consent is to be obtained under Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act as applied mutatis mutandis (the party is referred to below as the "customer" in (b)), and recording the information in a file stored on a computer used by the recipient;

ロ　金融サービス仲介業者の使用に係る電子計算機に備えられたファイルに記録された顧客の同意に関する事項を電気通信回線を通じて当該顧客の閲覧に供し、当該金融サービス仲介業者の使用に係る電子計算機に備えられたファイルに当該顧客の同意に関する事項を記録する方法

(b) a method of making the particulars concerning the customer's consent—which are recorded in a file stored on a computer used by the financial service intermediary—available for the customer's inspection via a telecommunications line, and recording those particulars in a file stored on a computer used by the financial service intermediary;

二　電磁的記録媒体をもって調製するファイルに同意に関する事項を記録したものを得る方法

(ii) a method of obtaining a file—prepared using an electronic or magnetic recording medium—that records the particulars concerning the customer's

consent.

２　前項各号に掲げる方法は、金融サービス仲介業者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The methods stated in the items of the preceding paragraph must enable a financial service intermediary to produce a document by printing the information recorded in a file.

（特定投資家以外の顧客である法人が特定投資家とみなされる場合の期限日）

(Expiration Date for Deeming a Corporate Customer Other Than a Professional Investor as a Professional Investor)

第七十二条　準用金融商品取引法第三十四条の三第二項に規定する内閣府令で定める場合は、金融サービス仲介業者が一定の日を定め、次に掲げる事項を当該金融サービス仲介業者の営業所又は事務所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 72 (1) The case specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is the case in which a financial service intermediary designates a specified date and provides the following particulars, either by posting them in a location easily visible to the public at its place of business or office, or by other appropriate means:

一　当該日

(i) the designated date;

二　次項に規定する日を期限日（準用金融商品取引法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第二号並びに第七十四条において同じ。）とする旨

(ii) the date prescribed in the following paragraph is to be the expiration date (meaning the expiration date prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act as applied mutatis mutandis; the same applies in paragraph (2), items (i) and (ii) of the following Article and in Article 74).

２　準用金融商品取引法第三十四条の三第二項に規定する内閣府令で定める日は、金融サービス仲介業者が前項の規定により定めた日であって承諾日（同条第二項第一号に規定する承諾日をいう。次条第二項第四号及び第七十四条において同じ。）から起算して一年以内の日のうち最も遅い日とする。

(2) The date specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is to be the date designated by a financial service intermediary under the preceding paragraph, which is the latest date within one year from the date of acceptance (meaning the date of acceptance prescribed in paragraph (2), item (i) of the same Article; the same applies in paragraph (2), item (iv) of the following Article and in Article 74).

（申出をした特定投資家以外の顧客である法人が同意を行う書面の記載事項）

(Particulars to Be Stated in a Document Indicating Consent by a Corporate Customer Other Than a Professional Investor Who Has Made an Application)

第七十三条　準用金融商品取引法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、準用金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第七十五条において同じ。）に関して申出者（準用金融商品取引法第三十四条の三第二項に規定する申出者をいう。次項において同じ。）が当該各号に定める者である場合（準用金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 73 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2), item (iv), (a) of the Financial Instruments and Exchange Act as applied mutatis mutandis, are the facts that the provisions stated in the items of Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act as applied mutatis mutandis do not apply when the applicant (meaning the applicant prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis; the same applies in the following paragraph) falls under any of the persons specified in the items of Article 45 (excluding items (iii) and (iv)) of the Financial Instruments and Exchange Act as applied mutatis mutandis with respect to the subject contract (meaning the subject contract prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act as applied mutatis mutandis; the same applies in the following paragraph and in Article 75) (excluding the cases prescribed in the proviso to Article 45 of the same Act as applied mutatis mutandis).

２　準用金融商品取引法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　期限日以前に締結の媒介を行った対象契約（投資顧問契約及び投資一任契約を除く。）に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであっても、申出者を特定投資家として取り扱う旨

(i) With respect to any act related to the subject contract (excluding an investment advisory contract and a discretionary investment contract) for which the financial service intermediary provided intermediary services for its conclusion before the expiration date, the applicant will be treated as a professional investor, even if the act is performed after the expiration date, provided that the act is carried out pursuant to the provisions of laws and regulations or the terms of the contract;

二　準用金融商品取引法第三十四条の三第二項に規定する申出に係る契約の種類が第六十六条第三号及び第四号に掲げるものである場合にあっては、対象契約（投資顧問契約及び投資一任契約に限る。）に関して法令の規定又は契約の定めに基づいて行う行為については、期限日以前に行うものに限り、申出者を特定投資家として取り扱う旨

(ii) when the type of contract related to the request prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, falls under any of the cases stated in Article 66, items (iii) and (iv), and the act relates to the subject contract (limited to an investment advisory contract and a discretionary investment contract), the applicant is treated as a professional investor, only with respect to acts performed pursuant to the provisions of laws and regulations or the provisions of the contract, and only if such acts are conducted before the expiration date;

三　申出者は、準用金融商品取引法第三十四条の三第二項の規定による承諾を行った金融サービス仲介業者のみから対象契約に関して特定投資家として取り扱われることになる旨

(iii) the applicant will be treated as a professional investor with respect to the subject contract, only by the financial service intermediary that has approved the request pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis;

四　申出者は、承諾日以後いつでも、準用金融商品取引法第三十四条の三第九項の規定による申出ができる旨

(iv) the applicant may make a request under Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, at any time on or after the date of acceptance.

（申出をした特定投資家以外の顧客である法人が更新申出をするために必要な期間）

(Period Required for Renewal Application by a Corporate Customer Other Than a Professional Investor Who Has Made an Application)

第七十四条　準用金融商品取引法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあっては、当該各号に定める期間）とする。

Article 74 (1) The period specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is to be eleven months (or, in the cases stated in the following items, the period specified in each relevant item):

一　承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。）　当該期間から一月を控除した期間

(i) when the period between the date of acceptance and the expiration date is less than one year (excluding the case stated in the following item): the period obtained by subtracting one month from that period;

二　承諾日から期限日までの期間が一月を超えない場合　一日

(ii) when the period between the date of acceptance and the expiration date does not exceed one month: a period of one day.

2　準用金融商品取引法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項各号中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) With respect to the application of the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, the term "date of acceptance" in the items of the preceding paragraph is deemed to be replaced with "day following the previous expiration date".

（特定投資家以外の顧客への復帰申出をした法人に交付する書面の記載事項）

(Particulars to Be Stated in a Document to Be Delivered to a Corporation Requesting Reinstatement as a Customer Other Than a Professional Investor)

第七十五条　準用金融商品取引法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 75 The particulars specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　準用金融商品取引法第三十四条の三第十項の規定による承諾をする日（第三号において「承諾日」という。）

(i) the date on which acceptance is given under Article 34-3, paragraph (10) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (referred to below as the "date of acceptance" in item (iii));

二　対象契約の属する契約の種類

(ii) the contract type to which the subject contract belongs;

三　承諾日以後に対象契約の締結の勧誘又は媒介を行う場合において、準用金融商品取引法第三十四条の三第九項の規定による申出をした法人を再び特定投資家以外の顧客として取り扱う旨

(iii) when a solicitation or intermediation for the conclusion of a subject contract is conducted after the date of consent, a corporation that has made an application pursuant to the provisions of Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, will once again be treated as a customer other than a specified investor.

（特定投資家として取り扱うよう申し出ることができる営業者等）

(Proprietors That May Make a Request for Treatment as a Professional Investor)

第七十六条　準用金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定めるものは、次に掲げる要件のいずれかに該当する個人とする。

Article 76 (1) An individual specified by Cabinet Office Order, as prescribed in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is one who meets any of the following requirements:

一　準用金融商品取引法第三十四条の四第一項の規定による申出を行うことについて全ての匿名組合員の同意を得ていないこと。

(i) the individual has not obtained consent of all silent partners to make a request under Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis;

二　その締結した匿名組合契約（商法第五百三十五条に規定する匿名組合契約をいう。）に基づく出資の合計額が三億円未満であること。

(ii) the total amount of the equity investment under the silent partnership contract (meaning the silent partnership contract prescribed in Article 535 of the Commercial Code) concluded by the individual is less than 300 million yen.

2　準用金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定める個人は、次に掲げる者とする。

(2) The individuals specified by Cabinet Office Order, as prescribed in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　組合契約（民法（明治二十九年法律第八十九号）第六百六十七条第一項に規定する組合契約をいう。）を締結して組合の業務の執行を委任された組合員である個人（次に掲げる要件の全てに該当する者に限る。）

(i) an individual who has concluded a partnership contract (meaning the partnership contract prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896)) and has become a partner entrusted with managing the business operations of the partnership (limited to an individual who meets both of the following requirements):

イ　準用金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他の全ての組合員の同意を得ていること。

(a) the individual has obtained the consent of all other partners to make a request under Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis;

ロ　当該組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of equity investment under the partnership contract is 300 million yen or more;

二　有限責任事業組合契約（有限責任事業組合契約に関する法律（平成十七年法律第四十号）第三条第一項に規定する有限責任事業組合契約をいう。）を締結して組合の重要な業務の執行の決定に関与し、かつ、当該業務を自ら執行する組合員である個人（次に掲げる要件の全てに該当する者に限る。）

(ii) an individual who is a member of a limited liability partnership agreement

(meaning a limited liability partnership agreement as prescribed in Article 3, paragraph (1) of the Limited Liability Partnership Act (Act No. 40 of 2005)), who is involved in decision-regarding the execution of important business operations of the partnership, and who also personally executes those business operations (limited to an individual who satisfies both of the following requirements):

イ　準用金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他の全ての組合員の同意を得ていること。

(a) the individual has obtained consent of all other partners to make a request under Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis;

ロ　当該有限責任事業組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of equity investment under the limited liability partnership agreement is 300 million yen or more.

（特定投資家として取り扱うよう申し出ることができる個人）

(Individuals Eligible to Request Treatment as a Professional Investor)

第七十七条　準用金融商品取引法第三十四条の四第一項第二号に規定する内閣府令で定める要件は、次に掲げる要件の全てに該当することとする。

Article 77 The requirements specified by Cabinet Office Order, as prescribed in Article 34-4, paragraph (1), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are to satisfy all of the following requirements:

一　取引の状況その他の事情から合理的に判断して、承諾日（準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項第一号に規定する承諾日をいう。以下この条から第八十条までにおいて同じ。）における申出者（準用金融商品取引法第三十四条の四第二項に規定する申出者をいう。以下この条及び第七十九条において同じ。）の資産の合計額から負債の合計額を控除した額が三億円以上になると見込まれること。

(i) based on a reasonable judgement in light of the circumstances of the transactions or any other relevant factors, the amount obtained by deducting the total liabilities of the applicant (meaning the applicant prescribed in Article 34-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; the same applies below in this Article and Article 79) from the total assets of the applicant as of the date of acceptance (meaning the date of acceptance prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, and is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; the same applies below in this Article through Article 80) is expected to be 300 million yen or more;

二　取引の状況その他の事情から合理的に判断して、承諾日における申出者の資産（次に掲げるものに限る。）の合計額が三億円以上になると見込まれること。

(ii) based on a reasonable judgement in light of the circumstances of the transactions or any other relevant factors, the total amount of the assets (limited to the assets stated as follows) of the applicant as of the date of acceptance is expected to be 300 million yen or more:

イ　有価証券（ホに掲げるもの及びヘに掲げるもの（不動産特定共同事業法（平成六年法律第七十七号）第二条第九項に規定する特例事業者と締結したものに限る。）並びにチに掲げるものに該当するものを除く。）

(a) securities (excluding those listed in (e) and (f) (limited to those under contracts concluded with a special enterprise as prescribed in Article 2, paragraph (9) of the Real Estate Specified Joint Enterprise Act (Act No. 77 of 1994)) and those falling under (h));

ロ　金融商品取引法第二条第二十項に規定するデリバティブ取引に係る権利

(b) rights related to derivatives transactions as prescribed in Article 2, paragraph (20) of the Financial Instruments and Exchange Act;

ハ　銀行法第十三条の四に規定する特定預金等、長期信用銀行法第十七条の二に規定する特定預金等、信用金庫法第八十九条の二第一項に規定する特定預金等、労働金庫法第九十四条の二に規定する特定預金等、協同組合による金融事業に関する法律第六条の五の十一第一項に規定する特定預金等、農業協同組合法第十一条の五に規定する特定貯金等、水産業協同組合法第十一条の十一に規定する特定貯金等、農林中央金庫法第五十九条の三に規定する特定預金等及び株式会社商工組合中央金庫法（平成十九年法律第七十四号）第二十九条に規定する特定預金等（第九十三条第十二号及び第十八号において「特定預金等」と総称する。）

(c) specified deposits, etc. prescribed in Article 13-4 of the Banking Act; specified deposits, etc. prescribed in Article 17-2 of the Long-Term Credit Bank Act; specified deposits, etc. prescribed in Article 89-2, paragraph (1) of the Shinkin Bank Act; specified deposits, etc. prescribed in Article 94-2 of the Labor Bank Act; specified deposits, etc. prescribed in Article 6-5-11, paragraph (1) of the Act on Financial Businesses by Cooperatives; specified deposits, etc. prescribed in Article 11-5 of the Agricultural Cooperatives Act; specified deposits, etc. prescribed in Article 11-11 of the Fishery Cooperatives Act; specified deposits, etc. prescribed in Article 59-3 of the Norinchukin Bank Act; and specified deposits, etc. prescribed in Article 29 of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007) (collectively referred to as "specified deposits, etc." in Article 93, items (xii) and (xviii));

ニ　特定保険契約（保険業法第三百条の二に規定する特定保険契約をいう。以下この款において同じ。）、農業協同組合法第十一条の二十七に規定する特定共済契約、消費生活協同組合法（昭和二十三年法律第二百号）第十二条の三第一項に規定する特定共済契約、水産業協同組合法第十五条の十二に規定する特定共済契約及び中小企業等協同組合法第九条の七の五第二項に規定する特定共済契約に基づ

く保険金、共済金、返戻金その他の給付金に係る権利

(d) rights related to benefits such as insurance proceeds, mutual aid benefits, and refunds payable under a specified insurance contract (meaning the specified insurance contract prescribed in Article 300-2 of the Insurance Business Act; the same applies below in this Subsection), a specified mutual aid contract prescribed in Article 11-27 of the Agricultural Cooperatives Act, a specified mutual aid contract prescribed in Article 12-3, paragraph (1) of the Consumer Cooperatives Act (Act No. 200 of 1948), a specified mutual aid contract prescribed in Article 15-12 of the Fishery Cooperatives Act, and a specified mutual aid contract prescribed in Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act;

ホ　信託業法第二十四条の二に規定する特定信託契約に係る信託受益権（チに掲げるものに該当するものを除く。）

(e) a beneficial interest in a trust relating to a specific trust agreement as prescribed in Article 24-2 of the Trust Business Act (excluding those falling under (h));

ヘ　不動産特定共同事業法第二条第三項に規定する不動産特定共同事業契約に基づく権利

(f) rights under a real estate specified joint enterprise contract, as prescribed in Article 2, paragraph (3) of the Real Estate Specified Joint Enterprise Act;

ト　商品先物取引法（昭和二十五年法律第二百三十九号）第二条第十項に規定する商品市場における取引、同条第十三項に規定する外国商品市場取引及び同条第十四項に規定する店頭商品デリバティブ取引に係る権利

(g) rights related to transactions in a commodity market as prescribed in Article 2, paragraph (10) of the Commodity Derivatives Transaction Act (Act No. 239 of 1950)), foreign commodity market transactions as prescribed in paragraph (13) of the same Article, and over-the-counter commodity derivatives transactions as prescribed in paragraph (14) of the same Article;

チ　電子決済手段等取引業者に関する内閣府令（令和五年内閣府令第四十八号）第四十三条各号に掲げるもの

(h) those stated in each item of Article 43 of the Cabinet Office Order on Electronic Payment Instruments Service Providers (Cabinet Office Order No. 48 of 2023);

三　申出者が最初に当該金融サービス仲介業者の媒介により準用金融商品取引法第三十四条の四第一項の規定による申出に係る契約の種類に属する特定金融サービス契約を締結した日から起算して一年を経過していること。

(iii) one year has passed since the day on which the applicant first concluded a specified financial service contract of the same type as the contract relating

to the request under Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, through a financial service intermediary.

（特定投資家以外の顧客である個人が特定投資家とみなされる場合の期限日）

(Expiration Date When an Individual Who Is a Customer Other Than a Professional Investor Is Deemed to Be a Professional Investor)

第七十八条　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項に規定する内閣府令で定める場合は、金融サービス仲介業者が一定の日を定め、次に掲げる事項を当該金融サービス仲介業者の営業所又は事務所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 78 (1) The case specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, is the case in which a financial service intermediary designates a specified date and provides the following particulars, either by posting them in a location easily visible to the public at its place of business or office, or by other appropriate means:

一　当該日

(i) the designated date;

二　次項に規定する日を期限日（準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第二号並びに第八十条において同じ。）とする旨

(ii) the day prescribed in the following paragraph is to be the expiration date (meaning the expiration date prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis that is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; the same applies in paragraph (2), items (i) and (ii) of the following Article and in Article 80).

２　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項に規定する内閣府令で定める日は、金融サービス仲介業者が前項の規定により定めた日であって承諾日から起算して一年以内の日のうち最も遅い日とする。

(2) The day specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, which is, in turn, applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis, is to be the latest of the day designated by a financial service intermediary pursuant to the provisions of the preceding paragraph, and a day within one

year from the date of acceptance.

（申出をした特定投資家以外の顧客である個人が同意を行う書面の記載事項）
(Particulars to Be Stated in the Written Consent of an Individual Customer Other Than a Professional Investor Who Has Made an Application)

第七十九条　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、準用金融商品取引法第四十五条各号（第三号及び第四号を除く。）に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第八十一条において同じ。）に関して申出者が当該各号に定める者である場合（準用金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 79 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2), item (iv), (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, mean that the provisions stated in each item of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis (excluding items 3 and 4), do not apply in cases where the applicant is a person specified in the relevant item regarding a subject contract (meaning the subject contract as prescribed in item (2) of that paragraph; the same applies in the following paragraph and Article 81) (except in the cases prescribed in the proviso to Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis).

２　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　期限日以前に締結の媒介を行った対象契約（投資顧問契約及び投資一任契約を除く。）に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであっても、申出者を特定投資家として取り扱う旨

(i) with respect to any act related to the subject contract (excluding an investment advisory contract and a discretionary investment contract) for which the financial service intermediary provided an intermediary services for the conclusion before the expiration date, and which is conducted in accordance with the provisions of applicable laws and regulations or the provisions of the contract, the applicant is treated as a professional investor, even if that act is conducted after the expiration date;

二　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項に規定する申出に係る契約の種類が第六十六条第三号及び第四号に掲げるものである場合にあっては、対象契約（投資顧問契約及び投資一任契約に限る。）に関して法令の規定又は契約の定めに基づいて行う行為については、期限日以前に行うものに限り、申出者を特定投資家として取り扱う旨

(ii) when the type of contract relating to the request prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis, falls under any of the cases stated in Article 66, items (iii) and (iv), and regarding any act relating to the subject contract (limited to an investment advisory contract and a discretionary investment contract), the applicant will be treated as a specified investor only for actions taken on or before the expiration date, in accordance with the provisions of applicable laws and regulations or the provisions of the contract;

三　申出者は、準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第二項の規定による承諾を行った金融サービス仲介業者のみから対象契約に関して特定投資家として取り扱われることになる旨

(iii) the applicant will be treated as a professional investor regarding the subject contract only by the financial service intermediary that has approved the request under Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis;

四　申出者は、承諾日以後いつでも、準用金融商品取引法第三十四条の四第四項の規定による申出ができる旨

(iv) the applicant may make a request under Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, at any time on or after the date of acceptance.

（申出をした特定投資家以外の顧客である個人が更新申出をするために必要な期間）

(Period Required for Renewal Application by an Individual Customer Other Than a Professional Investor Who Has Made an Application)

第八十条　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあっては、当該各号に定める期間）とする。

Article 80 (1) The period specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, which is, in turn, applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis, is to be eleven months (in the cases stated in the following items, the period is to be as specified in each respective item):

一　承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除

く。）　当該期間から一月を控除した期間

(i) where the period between the date of acceptance and the expiration date is less than one year (excluding the case stated in the following item): that period minus one month;

二　承諾日から期限日までの期間が一月を超えない場合　一日

(ii) where the period between the date of acceptance and the expiration date does not exceed one month: one day.

2　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項各号中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) With respect to the application of the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, which is, in turn, applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, the term "date of acceptance" in the items of the same paragraph is deemed to be replaced with "the day following the previous expiration date".

（特定投資家以外の顧客への復帰申出をした個人に交付する書面の記載事項）

(Matters to Be Stated in Documents to Be Delivered to an Individual Who Made a Request for Reinstatement as a Customer Other Than a Professional Investor)

第八十一条　準用金融商品取引法第三十四条の四第六項において準用する準用金融商品取引法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 81 The particulars specified by Cabinet Office Order, as prescribed in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　準用金融商品取引法第三十四条の四第五項の規定による承諾をする日（第三号において「承諾日」という。）

(i) the date on which the acceptance under Article 34-4, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is to be given (referred to as the "date of acceptance" in item (iii));

二　対象契約の属する契約の種類

(ii) the contract type to which the subject contract belongs;

三　承諾日以後に対象契約の締結の勧誘又は媒介を行う場合において、準用金融商品取引法第三十四条の四第四項の規定による申出をした個人を再び特定投資家以外の顧客として取り扱う旨

(iii) cases where the individual who made a request under Article 34-4,

paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, will again be treated as a customer other than a professional investor in connection with the solicitation of, or acting as an intermediary for the conclusion of, the subject contract on or after the date of acceptance.

（広告類似行為）

(Acts Similar to Advertising)

第八十二条　準用金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便（民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者又は同条第九項に規定する特定信書便事業者の提供する同条第二項に規定する信書便をいう。）、ファクシミリ装置を用いて送信する方法、電子メール（特定電子メールの送信の適正化等に関する法律第二条第一号に規定する電子メールをいう。第百三十七条第二項において同じ。）を送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 82 The acts specified by Cabinet Office Order, as prescribed in the paragraphs of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are to be the provision of identical information to multiple persons by any of the following means: postal mail; correspondence delivery (meaning the correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002). provided by a general correspondence delivery operator prescribed in paragraph (6) of the same Article or a specified correspondence delivery operator prescribed in paragraph (9) of the same Article); transmission by facsimile devices; electronic mail transmission (meaning electronic mail as prescribed in Article 2, item (i) of the Act on Regulation of Transmission of Specified Electronic Mail); distribution of leaflets or pamphlets; or any other means (excluding those stated below):

一　法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) distribution of documents prepared based on laws and regulations, or dispositions rendered by administrative agencies under laws and regulations;

二　個別の企業の分析及び評価に関する資料であって、特定金融サービス契約の締結の勧誘に使用しないものを配布する方法

(ii) distribution of materials concerning the analysis and appraisal of individual companies that are not used for soliciting the conclusion of a specified financial service contract;

三　次のイ又はロに掲げる特定金融サービス契約の区分に応じ、それぞれ当該イ又はロに定める全ての事項のみが表示されている景品その他の物品（イ（２）から（４）まで又はロ（２）から（４）までに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表

示されていない事項がある場合にあっては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) a method of providing a premium or other goods that only indicate all of the particulars specified in (a) or (b) below, in accordance with the category of the specified financial service contract as specified in the following items (a) or (b), respectively (limited to premiums or other goods clearly and accurately indicating the particulars stated in (a), 2. through 4., or (b), 2. through 4.) (when any of the following particulars is not indicated on the premiums or other goods, including cases where those premiums or other goods are provided together with another item on which the particulars are displayed as a single item):

イ　特定預金等契約　次に掲げる事項

(a) a contract for a specified deposit, etc.: the following particulars:

（１）　商品の名称（通称を含む。）

1. the name of the financial instrument (including an alias);

（２）　この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする金融サービス仲介業者の商号、名称若しくは氏名又はこれらの通称

2. the trade name, name, or alias of the financial service intermediary that provides identical information to multiple persons by the methods prescribed in this item;

（３）　令第三十五条第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異ならない大きさで表示されているものに限る。ロ（３）において同じ。）

3. the particulars stated in Article 35, paragraph (2), item (i) of the Order (limited to cases where the letters or numerical characters representing those particulars are displayed in a size that does not differ substantially from the size of the largest letters or numerical characters representing other particulars; the same applies in (b), 3.);

（４）　次に掲げるいずれかの書面の内容を十分に読むべき旨

4. a notice that the details of any of the following documents should be read thoroughly:

（ｉ）　準用金融商品取引法第三十七条の三第一項に規定する書面（以下この款において「契約締結前交付書面」という。）

i. the document prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (referred to below as the " document to be delivered prior to conclusion of contract " in this Subsection);

（ｉｉ）　第九十条第一項第一号に規定する外貨預金等書面

ii. the document related to a foreign currency deposit, etc., as prescribed in Article 90, paragraph (1), item (i);

（ｉｉｉ）　第九十条第一項第三号ロに規定する契約変更書面

iii. the explanatory document concerning changes to contract information, as prescribed in Article 90, paragraph (1), item (iii), (b);

ロ　特定金融サービス契約（特定預金等契約及び特定保険契約を除く。（１）（ｉ）において同じ。）　次に掲げる事項

(b) a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract; the same applies in 1., i.): the following particulars:

（１）　次に掲げるいずれかのものの名称、銘柄又は通称

1. the name, issue name, or alias of any of the following:

（ｉ）　特定金融サービス契約又はその種類

i. the specified financial service contract or its type;

（ｉｉ）　有価証券又はその種類

ii. securities or their types;

（ｉｉｉ）　（ｉ）及び（ｉｉ）に掲げる事項に準ずる事項

iii. the particulars equivalent to those stated in i. and ii.;

（２）　この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする金融サービス仲介業者の商号、名称若しくは氏名又はこれらの通称

2. the trade name, name, or alias of the financial service intermediary that provides identical information to multiple persons by the methods prescribed in this item;

（３）　令第三十五条第二項第一号に掲げる事項

3. the particulars stated in Article 35, paragraph (2), item (i) of the Order;

（４）　次に掲げるいずれかの書面の内容を十分に読むべき旨

4. a notice that the details of any of the following documents should be read thoroughly:

（ｉ）　契約締結前交付書面

i. the document to be delivered prior to conclusion of contract ;

（ｉｉ）　第九十一条第一項第一号に規定する上場有価証券等書面

ii. the explanatory document on listed securities, etc. prescribed in Article 91, paragraph (1), item (i);

（ｉｉｉ）　第九十一条第一項第三号に規定する目論見書（同号の規定により当該目論見書と一体のものとして交付される書面がある場合には、当該目論見書及び当該書面）

iii. the prospectus prescribed in Article 91, paragraph (1), item (iii) (when there is any document to be delivered as an integral part of the prospectus under the same item, both the prospectus and such document);

（ｉｖ）　第九十一条第一項第四号ロに規定する契約変更書面

iv. the explanatory document concerning changes to contract information

prescribed in Article 91, paragraph (1), item (iv), (b).

（特定金融サービス契約に係る金融サービス仲介業務の内容についての広告等の表示方法）

(Method of Indicating the Details of the Financial Service Intermediary Business Operations in Advertisements Related to a Specified Financial Service Contract)

第八十三条　金融サービス仲介業者がその行う特定金融サービス契約に係る金融サービス仲介業務の内容について広告又は前条に規定する行為（以下この款において「広告等」という。）をするときは、準用金融商品取引法第三十七条第一項各号に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 83 (1) When engaging in advertising or any acts prescribed in the preceding Article (referred to below as "advertising, etc." in this Subsection) regarding the details of its financial service intermediary business operations related to a specified financial service contract, a financial service intermediary must clearly and accurately indicate the particulars stated in the items of Article 37, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis.

２　金融サービス仲介業者がその行う特定金融サービス契約に係る金融サービス仲介業務の内容について広告等をするときは、令第三十五条第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異ならない大きさで表示するものとする。

(2) When engaging in advertising, etc. regarding the details of its financial service intermediary business operations related to a specified financial service contract, a financial service intermediary is to indicate the particulars stated in Article 35, paragraph (1), item (ii) of the Order, using letters or numerical characters in a size that is not significantly different from the size of the largest letters or numerical characters representing other particulars.

３　金融サービス仲介業者がその行う特定金融サービス契約に係る金融サービス仲介業務の内容について基幹放送事業者（放送法（昭和二十五年法律第百三十二号）第二条第二十三号に規定する基幹放送事業者をいい、日本放送協会及び放送大学学園（放送大学学園法（平成十四年法律第百五十六号）第三条に規定する放送大学学園をいう。）を除く。第八十六条第一項第二号において同じ。）の放送設備により放送をさせる方法又は同項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第三十五条第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異ならない大きさで表示するものとする。

(3) When a financial service intermediary intends to advertise the details of its financial service intermediary business operations related to a specified financial service contract by having it broadcast via the broadcasting facilities of a basic broadcaster (meaning the basic broadcaster prescribed in Article 2,

item (xxiii) of the Broadcast Act (Act No. 132 of 1950), excluding the Japan Broadcasting Corporation and the Open University of Japan (meaning the Open University of Japan prescribed in Article 3 of the Act on the Open University of Japan (Act No. 156 of 2002)); the same applies in Article 86, paragraph (1), item (ii)), or by any of the methods stated in the items of the same paragraph (excluding the method of sound broadcasting), notwithstanding the provisions of the preceding paragraph, the financial service intermediary is to indicate the particulars stated in Article 35, paragraph (2), item (i) of the Order, using letters or numerical characters in a size that is not significantly different from the size of the largest letters or numerical characters representing other particulars.

（顧客が支払うべき対価に関する事項）

(Particulars Concerning Consideration Payable by Customers)

第八十四条　令第三十五条第一項第一号に規定する内閣府令で定めるものは、手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（特定預金等契約にあっては当該特定預金等契約に係る元本の額に対する割合を含み、特定金融サービス契約（特定預金等契約及び特定保険契約を除く。）にあっては当該特定金融サービス契約に係る有価証券の価格若しくは運用財産（金融商品取引法第三十五条第一項第十五号に規定する運用財産をいう。第九十二条第一項及び第百十一条第一項第十九号において同じ。）の額に対する割合又は当該特定金融サービス契約を締結することにより生じた利益に対する割合を含む。以下この項において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあっては、その旨及びその理由とする。

Article 84 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 35, paragraph (1), item (i) of the Order, are the amount of the fees, etc. by type or their upper limit, or an outline of the method of their calculation (in the case of a contract for a specified deposit, etc., including the ratio to the principal amount relating to the contract for a specified deposit, etc.; and in the case of a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract), including the ratio to the price of the securities relating to the specified financial service contract, the amount of the investment property (meaning the investment property prescribed in Article 35, paragraph (1), item (xv) of the Financial Instruments and Exchange Act; the same applies in Article 92, paragraph (1) and Article 111, paragraph (1), item (xix)), or the profit generated by the conclusion of the specified financial service contract; the same applies below in this paragraph), and the total amount by type or its upper limit, or an outline of the method of its calculation; provided, however, that if these particulars cannot be stated, a statement confirming this and the reasons must be provided.

2　前項の特定金融サービス契約が金融商品取引法第二条第一項第十号又は第十一号に

掲げる有価証券に表示されるべき権利（以下この条において「投資信託受益権等」という。）の取得に係るものであって、当該投資信託受益権等に係る財産が他の投資信託受益権等（以下この条において「出資対象投資信託受益権等」という。）に対して出資され、又は拠出されるものである場合には、前項の手数料等には、当該出資対象投資信託受益権等に係る信託報酬その他の手数料等を含むものとする。

(2) When the specified financial service contract stated in the preceding paragraph relates to the acquisition of the right to be indicated on the securities stated in Article 2, paragraph (1), item (x) or (xi) of the Financial Instruments and Exchange Act (referred to below as the "investment trust beneficial interests, etc." in this Article) and the property relating to those investment trust beneficial interests, etc. is to be invested or contributed in other investment trust beneficial interests, etc. (referred to below as the "target investment trust beneficial interests, etc." in this Article), the fees, etc. stated in the preceding paragraph include trust fees and other fees, etc. relating to those target investment trust beneficial interests, etc.

3　前項の出資対象投資信託受益権等に係る財産が他の投資信託受益権等に対して出資され、又は拠出される場合には、当該他の投資信託受益権等を出資対象投資信託受益権等とみなして、前二項の規定を適用する。

(3) When the property relating to the target investment trust beneficial interests, etc. stated in the preceding paragraph is to be invested or contributed in other investment trust beneficial interests, etc., those other investment trust beneficial interests, etc. are considered target investment trust beneficial interests, etc., and the provisions of the preceding two paragraphs are applied to them.

4　前項の規定は、同項（この項において準用する場合を含む。）の規定により出資対象投資信託受益権等とみなされた投資信託受益権等に係る財産が他の投資信託受益権等に対して出資され、又は拠出される場合について準用する。

(4) The provisions of the preceding paragraph apply mutatis mutandis when the property relating to investment trust beneficial interests, etc. that were considered target investment trust beneficial interests, etc. pursuant to the provisions of the same paragraph (including as applied mutatis mutandis pursuant to this paragraph) is to be invested in or contributed to other investment trust beneficial interests, etc.

（顧客の判断に影響を及ぼす重要事項）

(Material Particulars That Impact Customers' Judgment)

第八十五条　令第三十五条第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 85 The particulars specified by Cabinet Office Order, as prescribed in Article 35, paragraph (1), item (iii) of the Order, is as follows:

一　当該特定金融サービス契約に関する重要な事項について顧客の不利益となる事実

(i) facts disadvantageous to a customer concerning important particulars related to the specified financial service contract; and

二　当該金融サービス仲介業者が認定金融サービス仲介業協会に加入している場合にあっては、その旨及び当該認定金融サービス仲介業協会の名称

(ii) when the financial service intermediary is a member of a certified financial service intermediary business association, a statement confirming this and the name of the association.

（基幹放送事業者の放送設備により放送をさせる方法に準ずる方法等）

(Methods Equivalent to Broadcasting via the Broadcasting Facilities of a Basic Broadcaster)

第八十六条　令第三十五条第二項に規定する内閣府令で定める方法は、次に掲げる方法とする。

Article 86 (1) The methods specified by Cabinet Office Order, as prescribed in Article 35, paragraph (2) of the Order, are as follows:

一　放送法第二条第二十五号に規定する一般放送事業者の放送設備により放送をさせる方法

(i) a method of broadcasting using broadcasting facilities of a general broadcaster, as prescribed in Article 2, item (xxv) of the Broadcast Act;

二　金融サービス仲介業者又は当該金融サービス仲介業者が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（基幹放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) the method of allowing customers to inspect the details of the information recorded in a file stored on a computer used by the financial service intermediary or by a person entrusted with business operations related to advertising, etc. to be engaged in by that financial service intermediary (limited to information identical to that provided through broadcasting using the facilities of a basic broadcaster or by the method stated in the preceding item), via a telecommunications line;

三　常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であって、看板、立看板、貼り紙及び貼り札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) the method of displaying an indoor or outdoor advertisement to the public regularly or continuously for a specified period of time, by posting or displaying it on signboards, standing signboards, bills, notices, advertising towers, billboards, buildings, or any other structures, or by any other similar methods.

2　令第三十五条第二項第二号に規定する内閣府令で定める事項は、第八十二条第三号イ（４）又はロ（４）に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in Article 35, paragraph (2), item (ii) of the Order, are those stated in Article 82, item (iii), (a), 4. or (b), 4.

（誇大広告をしてはならない事項）

(Particulars for Which Exaggerated Advertisement is Prohibited)

第八十七条　準用金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 87 The particulars specified by Cabinet Office Order, as prescribed in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　特定金融サービス契約の解除に関する事項（特定金融サービス契約（特定預金等契約及び特定保険契約を除く。第五号イにおいて同じ。）にあっては、金融商品取引法第三十七条の六第一項から第四項まで（第三項及び第四項にあっては、法第三十一条第二項において準用する場合を含む。）の規定に関する事項を含む。）

(i) the particulars concerning the cancellation of a specified financial service contract (in the case of a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract; the same applies in item (v), (a)), including particulars concerning the provisions of Article 37-6, paragraphs (1) through (4) of the Financial Instruments and Exchange Act (including cases where Article 31, paragraph (2) of the Act applies mutatis mutandis in the case of paragraphs (3) and (4));

二　特定金融サービス契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) the particulars concerning the bearing of all or part of the losses or the guarantee of profits relating to a specified financial service contract;

三　特定金融サービス契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) the particulars concerning the amount of liquidated damages (including penalties) relating to a specified financial service contract;

四　特定金融サービス契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(iv) the particulars concerning the amount of fees, etc. payable by customers in connection with a specified financial service contract, or the method of calculation of such fees, as well as the method and timing of the payment of the fees, etc. and the payee of the fees, etc.;

五　有価証券等仲介業務に関して広告等をするときは、次に掲げる事項

(v) when engaging in advertising, etc. concerning the securities, etc. intermediary business operations, the following particulars:

イ　特定金融サービス契約に係る金融商品市場又は金融商品市場に類似する市場で外国に所在するものに関する事項

(a) the particulars concerning a financial instruments market related to a

specified financial service contract, or any other similar market located in a foreign state;

ロ　相手方金融機関（準用金融商品取引法第三十七条の三第一項第一号に規定する相手方金融機関をいう。以下この款並びに第百三十九条第三項第一号及び第二号並びに第四項第二号において同じ。）及び金融サービス仲介業者の資力又は信用に関する事項

(b) the particulars concerning a counterparty financial institution (meaning the counterparty financial institution prescribed in Article 37-3, paragraph (1), item (i) of the Financial Instruments and Exchange Act as applied mutatis mutandis; the same applies below in this Subsection, and in Article 139, paragraph (3), items (i) and (ii), and paragraph (4), item (ii)), as well as the particulars concerning the financial resources or credit of a financial service intermediary;

ハ　相手方金融機関の金融商品取引業（登録金融機関（金融商品取引法第二条第十一項に規定する登録金融機関をいう。第九十八条第二項及び第百四条第二項において同じ。）にあっては、同法第三十三条の三第一項第六号イに規定する登録金融機関業務）の実績及び金融サービス仲介業者の有価証券等仲介業務の実績に関する事項

(c) the particulars concerning the track record of a counterparty financial institution's financial instruments business (in the case of a registered financial institution (meaning the registered financial institution business operations prescribed in Article 2, paragraph (11) of the Financial Instruments and Exchange Act; the same applies in Article 98, paragraph (2) and Article 104, paragraph (2)), the performance of the registered financial institution, and the track record of the financial service intermediary's securities, etc. intermediary business operations;

ニ　投資顧問契約について広告等をする場合にあっては、助言の内容及び方法に関する事項

(d) when engaging in advertising, etc. for an investment advisory contract, the particulars concerning the details and methods of the advisory services;

ホ　投資一任契約について広告等をする場合にあっては、投資判断の内容及び方法に関する事項

(e) when engaging in advertising, etc. for a discretionary investment contract, the particulars concerning the details and methods of investment decisions;

ヘ　電子記録移転有価証券表示権利等（金融商品取引法第二十九条の二第一項第八号に規定する権利をいう。ヘ及び第九十五条第一項第二号において同じ。）に関する有価証券等仲介業務について広告等をする場合にあっては、次に掲げる事項

(f) when engaging in advertising, etc. for the securities, etc. intermediary business operations regarding electronically recorded transferable rights to

be indicated on securities, etc. (meaning the rights prescribed in Article 29-2, paragraph (1), item (viii) of the Financial Instruments and Exchange Act; the same applies in (f) and in Article 95, paragraph (1), item (ii)), the following particulars are included:

（１）　電子記録移転有価証券表示権利等の性質

1. the nature of the electronically recorded transferable rights to be indicated on securities, etc.;

（２）　電子記録移転有価証券表示権利等に係る保有又は移転の仕組みに関する事項

2. the particulars concerning the mechanism for holding or transferring electronically recorded transferable rights to be indicated on securities, etc.

（契約締結前交付書面の記載方法）

(Method of Preparing a Document to be Delivered prior to Conclusion of Contract)

第八十八条　契約締結前交付書面には、準用金融商品取引法第三十七条の三第一項各号（第六号を除く。第三項において同じ。）に掲げる事項を産業標準化法（昭和二十四年法律第百八十五号）に基づく日本産業規格（以下この節において「日本産業規格」という。）Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 88 (1) The particulars stated in the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (excluding item (vi); the same applies in paragraph (3)), must be clearly and accurately stated in a document to be delivered prior to conclusion of contract, using letters and numerical characters larger than 8-point as prescribed in Z8305 of Japanese Industrial Standards based on the Industrial Standardization Act (Act No. 185 of 1949) (referred to below as "Japanese Industrial Standards").

２　前項の規定にかかわらず、契約締結前交付書面には、次の各号に掲げる特定金融サービス契約の区分に応じ、当該各号に定める事項を枠の中に日本産業規格Ｚ八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, the particulars specified in the following items, in accordance with the category of specified financial service contracts stated in each item, are to be clearly and accurately stated—within the frame of document to be delivered prior to conclusion of contract, and after the particulars prescribed in the following paragraph—using letters and numerical characters larger than 12-point, as prescribed in Z8305 of the Japanese Industrial Standards:

一　特定預金等契約　準用金融商品取引法第三十七条の三第一項第四号に掲げる事項

の概要並びに同項第五号及び第九十三条第十一号に掲げる事項

(i) a contract for a specified deposit, etc.: an outline of the particulars stated in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, as well as the particulars stated in item (v) of the same paragraph and in Article 93, item (xi);

二　特定金融サービス契約（特定預金等契約及び特定保険契約を除く。）　準用金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号並びに第九十四条第二号、第三号及び第六号に掲げる事項

(ii) a contract for specified deposit, etc. (excluding a contract for a specified deposit, etc. and a specified insurance contract): an outline of the particulars stated in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, as well as the particulars stated in item (v) of the same paragraph and in Article 94, items (ii), (iii), and (vi).

3　金融サービス仲介業者は、契約締結前交付書面には、第九十三条第一号又は第九十四条第一号に掲げる事項及び準用金融商品取引法第三十七条の三第一項各号に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なものを、日本産業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) When preparing a document to be delivered prior to conclusion of contract, a financial service intermediary is to indicate, in plain language, especially important particulars that may affect a customer's decisions, using letters and numerical characters of 12-point or larger, as prescribed in Z8305 of the Japanese Industrial Standards. This applies mutatis mutandis to the particulars stated in Article 93, item (i) or Article 94, item (i), as well as the particulars stated in the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act.

（情報の提供の方法）

(Method of Providing Information)

第八十九条　準用金融商品取引法第三十七条の三第一項の規定による情報の提供は、契約締結前交付書面を交付することにより行うものとする。

Article 89 The provision of information under Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is to be made by delivering a document to be delivered prior to conclusion of contract .

（特定預金等契約に係る契約締結前交付書面の交付を要しない場合）

(Exemption from the Requirement to Deliver Document to be Delivered prior to Conclusion of Contract Relating to a Contract for a Specified Deposit, etc.)

第九十条　その締結の媒介を行う特定金融サービス契約が特定預金等契約である場合における準用金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定め

る場合は、次に掲げる場合とする。

Article 90 (1) The cases specified by Cabinet Office Order, as prescribed in the proviso to Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows in cases where the specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a contract for a specified deposit, etc.:

一　外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約について準用金融商品取引法第三十七条の三第一項第一号から第五号までに掲げる事項並びに第九十三条第一号、第十一号、第十六号及び第十七号に掲げる事項を、第八十八条に規定する方法に準ずる方法により記載した書面（以下この款において「外貨預金等書面」という。）を交付している場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があった場合に限る。）

(i) when, within one year before the conclusion of the contract for a specified deposit, etc. relating to a foreign currency deposit, etc., the financial service intermediary has delivered to the customer a document in which the particulars stated in Article 37-3, paragraph (1), items (i) through (v) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, and the particulars stated in Article 93, items (i), (xi), (xvi) and (xvii) are stated with respect to that contract for a specified deposit, etc. by a method equivalent to that prescribed in Article 88 (referred to below as a "document related to foreign currency deposit, etc." in this Subsection) (limited to cases where the customer has expressed the intent not to require delivery of the document to be delivered prior to conclusion of contract);

二　特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結前交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結前交付書面を交付していない場合を含む。）

(ii) when a financial service intermediary has delivered to the customer a document to be delivered prior to conclusion of contract relating to another specified contract for deposit, etc. within one year before the conclusion of the contract for a specified deposit, etc., which is identical to that contract for a specified deposit, etc. (including situations where the financial service intermediary has not delivered a document to be delivered prior to conclusion of contract relating to that other contract for a specified deposit, etc., pursuant to the provisions of the preceding item);

三　既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約の締結の媒介を行う場合においては、次に掲げるとき。

(iii) when acting as an intermediary for the conclusion of a contract for a specified deposit, etc. for the purpose of partially amending an already concluded contract for a specified deposit, etc., and the following conditions

are met:

イ　当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) when no change is required to the particulars stated in the document to be delivered prior to conclusion of contract for a specified deposit, etc. that has already been entered into, as a result of that change;

ロ　当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面（第五号及び第百十条第二号において「契約変更書面」という。）を交付しているとき。

(b) when, due to the change, there is a need to amend the particulars stated in the document to be delivered prior to conclusion of contract for a specified deposit, etc. that has already been entered into, and a document stating the particulars subject to the change (referred to below as an "explanatory document concerning changes to contract information" in item (v) and Article 110, item (ii)) has been delivered to the customer;

四　一の特定預金等契約の締結について、当該特定預金等契約の相手方金融機関が銀行法第十三条の四、長期信用銀行法第十七条の二、信用金庫法第八十九条の二、労働金庫法第九十四条の二、協同組合による金融事業に関する法律第六条の五の十一、農業協同組合法第十一条の五、水産業協同組合法第十一条の十一（同法第九十二条第一項、第九十六条第一項及び第百条第一項において準用する場合を含む。）又は農林中央金庫法第五十九条の三において準用する金融商品取引法第三十七条の三第一項本文の規定により当該顧客に対しこれらの規定において準用する同項本文に規定する書面（準用金融商品取引法第三十七条の三第一項第一号及び第二号並びに第九十三条第十五号から第十七号までに掲げる事項を併せて記載するものに限る。）を交付している場合

(iv) regarding the conclusion of a contract for a specified deposit, etc., if the counterparty financial institution to the contract for a specified deposit, etc.has delivered the document prescribed in the main clause of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act to the customer, as applied mutatis mutandis in accordance with Article 13-4 of the Banking Act, Article 17-2 of the Long-Term Credit Bank Act, Article 89-2 of the Shinkin Bank Act, Article 94-2 of the Labor Bank Act, Article 6-5-11 of the Act on Financial Businesses by Cooperatives, Article 11-5 of the Agricultural Cooperatives Act, Article 11-11 of the Fishery Cooperatives Act (including as applied mutatis mutandis in accordance with Article 92, paragraph (1), Article 96, paragraph (1), and Article 100, paragraph (1) of that Act), or Article 59-3 of the Norinchukin Bank Act (limited to a document in which the particulars stated in Article 37-3, paragraph (1), items (i) and (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, and in Article 93, items (xv) through (xvii) are also stated),

pursuant to the provisions of the main clause of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis;

五　当該顧客に対し、簡潔な重要情報提供等を行い、かつ、準用金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（第三号ロに規定する場合にあっては、同号の変更に係るものに限る。）について当該顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をしている場合（当該顧客に対し契約締結前交付書面（外貨預金等に係る特定預金等契約の締結の媒介を行う場合にあっては契約締結前交付書面又は外貨預金等書面、第三号ロに規定する場合にあっては契約締結前交付書面又は契約変更書面。以下この号並びに第四項第二号及び第三号において同じ。）に記載すべき事項を、電子情報処理組織を使用して顧客の閲覧に供する方法により提供している場合において、次に掲げる要件の全てを満たすときに限り、当該顧客から契約締結前交付書面の交付の請求があった場合を除く。）

(v) when the financial service intermediary has provided important information in a simple manner and has also given the customer with an explanation regarding the particulars stated in Article 37-3, paragraph (1), items (iii) through (v) and item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (in the case prescribed in item (iii), (b), limited to the particulars relating to the change stated in the same item), in a manner and to the extent necessary to ensure that the customer understands, in light of the customer's knowledge, experience, asset status, and the purpose of concluding the contract for a specified deposit, etc. (when the financial service intermediary has provided the customer with the particulars to be stated in a document to be delivered prior to conclusion of contract (in the case of acting as an intermediary for the conclusion of a contract for a specified deposit, etc. relating to a foreign currency deposit, etc., in document to be delivered prior to conclusion of contract or a document related to foreign currency deposit, etc., and in the case prescribed in item (iii), (b), in a document to be delivered prior to conclusion of contract or an explanatory document concerning changes to contract information; the same applies below in this item and in paragraph (4), items (ii) and (iii)) by making them available for customer inspection using an electronic data processing system, and the customer has not requested the delivery of a document to be delivered prior to conclusion of contract, only when all of the following requirements are satisfied):

イ　当該契約締結前交付書面に記載すべき事項を、当該顧客の使用に係る電子計算機の映像面において、当該顧客にとって見やすい箇所に第八十八条に規定する方法に準じて表示されるようにしていること（当該閲覧に供する方法が第二条第二項第一号に掲げる基準に適合するものである場合を除く。）。

(a) the particulars to be stated in the document to be delivered prior to conclusion of contract have been displayed in a location easily visible to the

customer on the screen of a computer used by the customer, in accordance with the method prescribed in Article 88 (excluding cases where the method of making them available for customer inspection conforms to the criteria stated in Article 2, paragraph (2), item (i));

ロ　当該契約締結前交付書面に記載すべき事項に掲げられた取引を最後に行った日以後五年間（当該期間が終了する日までの間に当該事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、当該顧客が常に容易に当該事項を閲覧することができる状態に置く措置がとられていること。

(b) measures have been taken to ensure that the customer can easily inspect the particulars to be included in the document to be delivered prior to conclusion of contract at all times for five years from the date on which the last transaction was conducted (or, if a complaint concerning those particulars if filed before the end of that period, until either the last day of that period or the day on which the complaint is resolved, whichever is later).

2　外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結の媒介を行った場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があった場合に限る。）には、当該特定預金等契約の締結の日において外貨預金等書面を交付したものとみなして、前項第一号の規定を適用する。

(2) When, within one year from the date of delivery of a document related to a foreign currency deposit, etc. (including the date on which such a document is deemed to have been delivered under this paragraph), a financial service intermediary has provided intermediary services for the conclusion of a contract for a specified deposit, etc. relating to a foreign currency deposit, etc. (limited to cases where the customer has expressed the intent not to require delivery of the document to be delivered prior to conclusion of contract), the document related to the foreign currency deposit, etc. is deemed to have been delivered on the date of the conclusion of that contract for a specified deposit, etc., and the provisions of item (i) of the preceding paragraph apply.

3　契約締結前交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結前交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結前交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結前交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結の媒介を行った場合には、当該特定預金等契約の締結の日において契約締結前交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(3) When, within one year from the date of delivery of a document to be delivered prior to conclusion of contract (including the date on which a contract for a specified deposit, etc. was concluded, in cases where a document to be delivered prior to conclusion of contract is not delivered for the contract for a specified

deposit, etc. under paragraph (1), item (i), and the date on which document to be delivered prior to conclusion of contract is deemed to have been delivered under this paragraph), a financial service intermediary has provided intermediary services for the conclusion of another contract for a specified deposit, etc. with the same content as the contract for a specified deposit, etc. relating to the document to be delivered prior to conclusion of contract, that document is deemed to have been delivered on the date of the conclusion of that other contract, and the provisions of paragraph (1), item (ii) apply.

4　第一項第五号の「簡潔な重要情報提供等」とは、次に掲げる事項を簡潔に記載した書面の交付又は当該書面に記載すべき事項の電磁的方法による提供をし、これらの事項について説明をすること（第一号の質問例に基づく顧客の質問に対して回答をすることを含む。）をいう。

(4) The "provision, etc. of important information in a simple manner" stated in paragraph (1), item (v) means either delivering a document that states the following particulars in a simple manner, or providing the particulars to be stated in such a document by electronic or magnetic means, and giving explanations of these particulars (including responding to customers' questions based on the examples of questions stated in item (i)):

一　準用金融商品取引法第三十七条の三第一項各号（第六号を除く。）に掲げる事項（第一項第三号ロに規定する場合にあっては、同号の変更に係るものに限る。）のうち特定預金等契約の締結についての顧客の判断に資する主なものの概要及びこれに関する質問例

(i) an outline of the major particulars stated in the items (excluding item (vi)) of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis (in the case prescribed in paragraph (1), item (iii), (b), limited to the particulars related to the change stated in the same item) that contribute to customers' decisions regarding the conclusion of a contract for a specified deposit, etc., as well as examples of related questions;

二　契約締結前交付書面に記載すべき事項の提供を受けるために必要な情報及び当該提供を受ける事項の内容を十分に読むべき旨

(ii) the information necessary to receive the particulars to be stated in the document to be delivered prior to conclusion of contract of a contract, as well as the details of the particulars to be provided, should be read thoroughly;

三　顧客から請求があるときは契約締結前交付書面を交付する旨

(iii) a document to be delivered prior to conclusion of contract will be delivered upon the customer's request.

（特定金融サービス契約に係る契約締結前交付書面の交付を要しない場合）

(Exemption from the Requirement to Deliver Document to be Delivered prior to Conclusion of Contract of a Specified Financial Service Contract)

第九十一条　その締結の媒介を行う特定金融サービス契約が特定預金等契約及び特定保

険契約以外の特定金融サービス契約（以下この条において単に「特定金融サービス契約」という。）である場合における準用金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 91 (1) When a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a specified financial service contract other than a contract for a specified deposit, etc. or a specified insurance contract (referred to below in this Article simply as a "specified financial service contract"), the cases specified by Cabinet Office Order, as prescribed in the proviso to Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　金融商品取引所（金融商品取引法第二条第十六項に規定する金融商品取引所をいう。以下この款において同じ。）に上場されている有価証券、店頭売買有価証券（同条第八項第十号ハに規定する店頭売買有価証券をいう。第百十一条第一項第十五号及び第百十八条第四号において同じ。）（金融庁長官の指定する有価証券を除く。）、金融商品取引所に類似するもので外国に所在するものに上場されている有価証券又は店頭売買有価証券市場（同法第六十七条第二項に規定する店頭売買有価証券市場をいう。第百十一条第一項第十五号及び第三項において同じ。）に類似する市場で外国に所在するものにおいて取引されている有価証券（金融庁長官の指定する有価証券を除く。）の売買その他の取引（以下この条において「上場有価証券等売買等」という。）に係る特定金融サービス契約の締結前一年以内に当該顧客に対し当該特定金融サービス契約について準用金融商品取引法第三十七条の三第一項第一号から第五号まで並びに第九十四条第一号から第三号まで、第八号、第十一号及び第十二号に掲げる事項を、第八十八条に規定する方法に準ずる方法により記載した書面（以下この条及び第百十一条第一項第一号ロにおいて「上場有価証券等書面」という。）を交付している場合

(i) in cases where a document containing the particulars stated in Article 37-3, paragraph (1), items (i) through (v), and Article 94, items (i) through (iii), items (viii), (xi), and (xii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, in relation to a specified financial services contract, has been prepared using methods equivalent to those prescribed in Article 88 (referred to below in this Article and Article 111, paragraph (1), item (i), (b) as "document concerning listed securities, etc."), and has been delivered concerning the following securities: securities listed on a financial instruments exchange (as defined in Article 2, paragraph (16) of the Financial Instruments and Exchange Act; the same applies below in this Section), over-the-counter traded securities (as defined in Article 8, paragraph (10), (c) of the same Act; the same applies in Article 111, paragraph (1), item (xv) and Article 118, item (iv) (excluding securities designated by the Commissioner of the Financial Services Agency); securities listed on an exchange similar to a financial instruments exchange located in

a foreign country; or securities listed on a market similar to an over-the-counter traded securities market (as defined in Article 67, paragraph (2) of the same Act; the same applies in Article 111, paragraph (1), item (xv) and paragraph (3)) located in a foreign country; when, within one year before the conclusion of a specified financial services contract related to the purchase, sale, or other transactions in securities (excluding securities designated by the Commissioner of the Financial Services Agency) (referred to below in this Article as "purchase and sale of listed securities, etc.");

二　有価証券の売買その他の取引に係る特定金融サービス契約の締結前一年以内に当該顧客に対し当該特定金融サービス契約と同種の内容の特定金融サービス契約に係る契約締結前交付書面を交付している場合

(ii) when, within one year before the conclusion of the specified financial service contract involving the purchase, sale, or other transactions in securities, the financial service intermediary has delivered to the customer a document to be delivered prior to conclusion of contract relating to another specified financial service contract with the same content as the specified financial service contract;

三　当該顧客に対し目論見書（金融商品取引法第二条第十項に規定する目論見書をいう。以下この条において同じ。）（第八十八条に規定する方法に準ずる方法により当該契約締結前交付書面に記載すべき事項の全てが記載されているものに限る。）を交付している場合（目論見書に当該事項の全てが記載されていない場合にあっては、当該目論見書及び当該事項のうち当該目論見書に記載されていない事項の全てが記載されている書面を一体のものとして交付している場合を含む。）又は同法第十五条第二項第二号に掲げる場合

(iii) when the financial service intermediary has delivered a prospectus to the customer (meaning the prospectus prescribed in Article 2, paragraph (10) of the Financial Instruments and Exchange Act; the same applies below in this Article) (limited to a prospectus in which all of the particulars to be stated in the document to be delivered prior to conclusion of contract are included by a method equivalent to that prescribed in Article 88) (including cases where, if not all of the particulars are included in the prospectus, a document containing all the remaining particulars has been delivered together with the prospectus), or in the case stated in Article 15, paragraph (2), item (ii) of that Act;

四　既に成立している特定金融サービス契約の一部の変更をすることを内容とする特定金融サービス契約の締結の媒介を行う場合においては、次に掲げるとき。

(iv) when acting as an intermediary for the conclusion of a specified financial service contract for the purpose of partially amending an already concluded specified financial service contract, and the following conditions are met:

イ　当該変更に既に成立している当該特定金融サービス契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) when the change does not involve any modification of the particulars to be stated in the document to be delivered prior to the conclusion of a specified financial service contract that has already been entered into;

ロ　当該変更に伴い既に成立している特定金融サービス契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面（第七号及び第百十一条第一項第一号において「契約変更書面」という。）を交付しているとき。

(b) when it is necessary to change the particulars stated in the document to be delivered prior to the conclusion of a specified financial service contract that has already been entered into, and the financial service intermediary has delivered to the customer a document stating the particulars subject to the change (referred to below as a "explanatory document concerning changes to contract information" in item (vii) and Article 111, paragraph (1), item (i));

五　上場有価証券等売買等に係る特定金融サービス契約の締結の媒介を行う場合において、当該顧客（当該金融サービス仲介業者から上場有価証券等書面の交付を受けたことがある者に限る。）に対し上場有価証券等書面に記載すべき事項を、電子情報処理組織を使用して顧客の閲覧に供する方法により提供しているとき（次に掲げる要件の全てを満たす場合に限り、当該顧客から上場有価証券等書面の交付の請求があった場合を除く。）。

(v) when acting as an intermediary for the conclusion of a specified financial service contract involving the purchase and sale, etc. of listed securities, etc., and the financial service intermediary has provided the customer (limited to a person who has received an explanatory document on listed securities, etc. from the financial service intermediary) with the particulars to be stated in such an explanatory document by making them available for inspection by the customer using an electronic data processing system (only when all of the following requirements are satisfied, and excluding cases where the customer requests the provision of a document on the listed securities, etc.):

イ　あらかじめ、当該顧客に対し、書面の交付その他の適切な方法により、当該事項を当該閲覧に供する方法により提供する旨及び当該顧客から請求があるときは上場有価証券等書面を交付する旨の説明が行われていること。

(a) the financial service intermediary has, in advance, provided the customer with an explanation that the particulars will be made available for the customer's inspection and that an explanatory document on listed securities, etc. will be delivered upon the customer's request;

ロ　当該上場有価証券等売買等に係る特定金融サービス契約の締結前一年以内に、当該顧客に対し、当該事項の提供を受けるために必要な情報を、書面の交付その他の適切な方法により提供していること。

(b) the financial service intermediary has provided the customer with the information necessary to access the particulars, either by delivering a

document or by other appropriate means, within one year before the conclusion of a specified financial service contract for the purchase and sale, etc. of listed securities, etc.;

ハ　当該事項を、当該顧客の使用に係る電子計算機の映像面において、当該顧客にとって見やすい箇所に第八十八条に規定する方法に準じて表示されるようにしていること。

(c) the particulars have been displayed in a location easily visible to the customer on the screen of a computer used by the customer, in accordance with the method prescribed in Article 88;

ニ　当該上場有価証券等売買等の媒介を行った日以後五年間（当該期間が終了する日までの間に当該事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、当該顧客が常に容易に当該事項を閲覧することができる状態に置く措置がとられていること。

(d) measures have been taken to ensure that the particulars are easily available for the customer to inspect for five years from the date on which the intermediary service for the purchase and sale, etc. of listed securities, etc. was carried out (or, if a complaint concerning those particulars is filed before the last day of that period, until either the last day of that period or the day on which the complaint is resolved, whichever is later);

六　金融商品取引法第二条第一項第一号から第三号まで若しくは第五号に掲げる有価証券（新株予約権付社債券を除く。以下この号において同じ。）又は同項第十七号に掲げる有価証券のうち同項第一号から第三号まで若しくは第五号に掲げる有価証券の性質を有するもの（償還期限（確定期限に限る。以下この号において同じ。）及び償還金額（確定金額に限る。以下この号において同じ。）の定めがあり、かつ、償還期限の到来時における償還金額の全部又は一部の償還がされない条件が付されていないものに限り、金融庁長官の指定する有価証券を除く。）の売買その他の取引（ロ及びニにおいて「債券売買等」という。）に係る特定金融サービス契約の締結の媒介を行う場合において、当該顧客（当該金融サービス仲介業者から当該特定金融サービス契約と同種の内容の特定金融サービス契約に係る契約締結前交付書面の交付を受けたことがある者に限る。）に対し契約締結前交付書面に記載すべき事項を、電子情報処理組織を使用して顧客の閲覧に供する方法により提供しているとき（次に掲げる要件の全てを満たす場合に限り、当該顧客から契約締結前交付書面の交付の請求があった場合を除く。）。

(vi) when the financial service intermediary provides intermediary services for the conclusion of a specified financial service contract involving the purchase, sale, or other transactions in the securities stated in Article 2, paragraph (1), items (i) through (iii) or item (v) of the Financial Instruments and Exchange Act (excluding corporate bond certificates with share options; the same applies below in this item), or the securities stated in item (xvii) of the same paragraph that have the characteristics of the securities in items (i) through (iii) or item (v) of the same paragraph (limited to securities for which the due

date (limited to the fixed a date; the same applies below in this item) and the redemption amount (limited to a fixed amount; the same applies below in this item) are specified, that are not subject to any condition under which all or part of the redemption amount as of the due date may be unpaid, and excluding securities designated by the Commissioner of the Financial Services Agency) (referred to as "purchase and sale, etc. of claims" in (b) and (d)), and where the financial service intermediary has provided the customer (limited to a person who has received document to be delivered prior to conclusion of contract, relating to another specified financial service contract with the same content from the financial service intermediary) with the particulars to be stated in document to be delivered prior to conclusion of contract by the method of making it available for the customer's inspection via an electronic data processing system (provided that all of the following requirements are satisfied and except where the customer requests the delivery of a document to be delivered prior to conclusion of contract):

イ　あらかじめ、当該顧客に対し、書面の交付その他の適切な方法により、当該事項を当該閲覧に供する方法により提供する旨及び当該顧客から請求があるときは契約締結前交付書面を交付する旨の説明が行われていること。

(a) the customer has been provided in advance with an explanation that the particulars will be made available for the customer's inspection and that the document to be delivered prior to conclusion of contract will be delivered upon the customer's request, either by delivering a document or by other appropriate means;

ロ　当該債券売買等に係る特定金融サービス契約の締結前一年以内に、当該顧客に対し、当該事項の提供を受けるために必要な情報を、書面の交付その他の適切な方法により提供していること。

(b) the customer has been provided with the necessary information for receiving the particulars, either by delivering a document or through any other appropriate means, within one year before the conclusion of the specified financial service contract for the purchase and sale, etc. of the claims;

ハ　当該事項を、当該顧客の使用に係る電子計算機の映像面において、当該顧客にとって見やすい箇所に第八十八条に規定する方法に準じて表示されるようにしていること。

(c) the particulars have been displayed in a location easily visible to the customer on the screen of a computer used by the customer, in accordance with the method prescribed in Article 88;

ニ　当該債券売買等の媒介を行った日以後五年間（当該期間が終了する日までの間に当該事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、当該顧客が常に容易に当該事項を閲覧することができる状態に置く措置がとられていること。

(d) measures have been taken to ensure that the particulars are easily available for the customer to inspect at all times for five years from the date on which the intermediary service for the purchase and sale, etc. of the claims was carried out (or, if a complaint concerning those particulars is filed before the end of that period, until either the last day of that period or the day on which the complaint is resolved, whichever is later);

七　当該顧客に対し、簡潔な重要情報提供等を行い、かつ、準用金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（第四号ロに規定する場合にあっては、同号の変更に係るものに限る。）について当該顧客の知識、経験、財産の状況及び特定金融サービス契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をしている場合（当該顧客に対し契約締結前交付書面（上場有価証券等売買等に係る特定金融サービス契約の締結の媒介を行う場合にあっては契約締結前交付書面又は上場有価証券等書面、第四号ロに規定する場合にあっては契約締結前交付書面又は契約変更書面。以下この号並びに第六項第二号及び第三号において同じ。）に記載すべき事項を、電子情報処理組織を使用して顧客の閲覧に供する方法により提供している場合において、次に掲げる要件の全てを満たすときに限り、当該顧客から契約締結前交付書面の交付の請求があった場合を除く。）

(vii) when the financial service intermediary has provided important information in a simple manner and has also explained to the customer the particulars stated in Article 37-3, paragraph (1), items (iii) through (v) and item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (in the case prescribed in item (iv), (b), limited to particulars related to the change referred to in that item), in a manner and to the extent necessary to ensure that the customer understands them, taking into account the customer's knowledge, experience, asset status, and the purpose of concluding the specified financial service contract (provided that the financial service intermediary has provided the customer with the particulars to be stated in a document to be delivered prior to conclusion of contract (in the case of acting as an intermediary for the conclusion of a specified financial service contract involving the purchase and sale, etc. of listed securities, etc., by means of document to be delivered prior to conclusion of contract or an explanatory document on listed securities, etc., and in the case prescribed in item (iv), (b), by means of document to be delivered prior to conclusion of contract or an explanatory document concerning changes to contract information; the same applies below in this item and in paragraph (6), items (ii) and (iii)) by the method of making them available for the customer's inspection via an electronic data processing system, and excluding cases where the customer requests the delivery of document to be delivered prior to conclusion of contract, only when all of the following requirements are satisfied):

イ　当該契約締結前交付書面に記載すべき事項を、当該顧客の使用に係る電子計算機の映像面において、当該顧客にとって見やすい箇所に第八十八条に規定する方法に準じて表示されるようにしていること（当該閲覧に供する方法が第二条第二項第一号に掲げる基準に適合するものである場合を除く。）。

(a) the particulars to be stated in the document to be delivered prior to conclusion of contract have been displayed in a location easily visible to the customer on the screen of a computer used by the customer, in accordance with the method prescribed in Article 88 (excluding cases where the method of making them available for customer inspection conforms to the criteria stated in Article 2, paragraph (2), item (i));

ロ　当該契約締結前交付書面に記載すべき事項に掲げられた取引を最後に行った日以後五年間（当該期間が終了する日までの間に当該事項に係る苦情の申出があったときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）、当該顧客が常に容易に当該事項を閲覧することができる状態に置く措置がとられていること。

(b) measures have been taken to ensure that the particulars to be stated in the document to be delivered prior to conclusion of contract are easily available for the customer to inspect at all times for five years from the date on which the transaction referred to in those particulars was conducted (or, if a complaint concerning those particulars is filed before the last day of that period, until either the last day of that period or the day on which the complaint is resolved, whichever is later);

八　当該特定金融サービス契約が次に掲げる行為に係るものである場合

(viii) when the specified financial service contract relates to the following acts:

イ　有価証券の売付け（相手方金融機関との間で当該有価証券の買付けに係る特定金融サービス契約を締結した場合に限る。）

(a) the sale of securities (limited to cases where a specified financial service contract for the purchase of securities has been concluded with a counterparty financial institution);

ロ　有価証券の買付けの媒介（公開買付者（金融商品取引法第二十七条の三第二項（同法第二十七条の二十二の二第二項において準用する場合を含む。）に規定する公開買付者をいう。第百七条第一項第二号ロにおいて同じ。）を相手方として公開買付け（同法第二十七条の二第六項（同法第二十七条の二十二の二第二項において準用する場合を含む。）に規定する公開買付けをいう。同号ロにおいて同じ。）に係る有価証券の買付けの媒介を行う場合に限る。）

(b) an intermediary service for the purchase of securities (limited to cases where the financial service intermediary provides an intermediary service for the purchase of securities in connection with a tender offer (meaning the tender offer prescribed in Article 27-2, paragraph (6) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 27-22-2, paragraph (2) of that Act); the same applies in

Article 107, paragraph (1), item (ii), (b)) for a tender offeror (meaning the tender offeror prescribed in Article 27-3, paragraph (2) of that Act (including as applied mutatis mutandis pursuant to Article 27-22-2, paragraph (2) of that Act); the same applies in Article 107, paragraph (1), item (ii), (b)) acting as a counterparty);

ハ　反対売買（有価証券の売付けにあっては有価証券の買付けをいい、有価証券の買付けにあっては有価証券の売付けをいう。第百十一条第一項において同じ。）

(c) a reversing trade (in the case of the sale of securities, meaning the purchase of securities, and in the case of the purchase of securities, meaning the sale of securities; the same applies in Article 111, paragraph (1));

ニ　累積投資契約（相手方金融機関が顧客から金銭を預かり、当該金銭を対価としてあらかじめ定めた期日において当該顧客に有価証券を継続的に売り付ける契約をいう。ニ及び第百七条第一項第一号イにおいて同じ。）による有価証券の買付け又は累積投資契約に基づき定期的にする有価証券の売付け

(d) the purchase of securities under a contract for cumulative investment (meaning a contract under which a counterparty financial institution receives a money deposit from a customer and continuously sells securities to that customer on predetermined dates, while receiving consideration out of that deposit; the same applies in (d) and in Article 107, paragraph (1), item (i), (a)), or the periodic sale of securities based on a contract for cumulative investment;

ホ　顧客が所有する金融商品取引法第二条第一項第十号に掲げる有価証券から生ずる収益金をもって当該有価証券と同一の銘柄を取得させるもの

(e) acquiring an issue identical to the securities stated in Article 2, paragraph (1), item (x) of the Financial Instruments and Exchange Act, using the earnings generated from those securities owned by the customer;

ヘ　金融商品取引法第二条第一項第十号に掲げる有価証券（公社債投資信託（投資信託及び投資法人に関する法律施行規則（平成十二年総理府令第百二十九号）第二十五条第二号に規定する公社債投資信託（計算期間が一日のものに限る。）をいう。第百七条第一項第一号ハ及び第百十四条において同じ。）の受益証券に限る。）の売買（当初の買付けを除く。）

(f) the purchase and sale (excluding the initial purchase) of the securities stated in Article 2, paragraph (1), item (x) of the Financial Instruments and Exchange Act (limited to beneficiary certificates of bond investment trusts (meaning the bond investment trust prescribed in Article 25, item (ii) of the Regulation for Enforcement of the Act on Investment Trust and Investment Corporations (Order of the Prime Minister's Office No. 129 of 2000) (limited to bond investment trusts whose accounting period is one day); the same applies in Article 107, paragraph (1), item (i), (c) and Article 114));

ト　有価証券の募集（金融商品取引法第二条第三項に規定する有価証券の募集をいう。以下この款において同じ。）又は有価証券の売出し（同条第四項に規定する有価証券の売出しをいう。以下この款において同じ。）の取扱い（当該特定金融サービス契約に係る顧客が当該有価証券の発行者又は所有者である場合に限る。）

(g) the handling of a public offering of securities (meaning the public offering of securities prescribed in Article 2, paragraph (3) of the Financial Instruments and Exchange Act; the same applies below in this Subsection) or the secondary distribution of securities (meaning the secondary distribution of securities prescribed in paragraph (4) of the same Article; the same applies below in this Subsection) (limited to cases where the customer for the specified financial service contract is the issuer or owner of such securities).

2　金融商品取引法第二十七条の三十の九第一項並びに企業内容等の開示に関する内閣府令（昭和四十八年大蔵省令第五号）第二十三条の二、外国債等の発行者の内容等の開示に関する内閣府令（昭和四十七年大蔵省令第二十六号）第十八条の二及び特定有価証券の内容等の開示に関する内閣府令（平成五年大蔵省令第二十二号）第三十二条の二の規定は、前項第三号の規定による書面の交付について準用する。

(2) The provisions of Article 27-30-9, paragraph (1) of the Financial Instruments and Exchange Act, Article 23-2 of the Cabinet Office Order on Disclosure of Corporate Affairs (Ministry of Finance Order No. 5 of 1973), Article 18-2 of the Cabinet Office Order on the Disclosure of Information, etc. on Issuers of Foreign Government Bonds, etc. (Ministry of Finance Order No. 26 of 1972), and Article 32-2 of the Cabinet Office Order on Disclosure of Information on Regulated Securities (Ministry of Finance Order No. 22 of 1993) apply mutatis mutandis to the delivery of the documents under item (iii) of the preceding paragraph.

3　上場有価証券等書面を交付した日（この項の規定により上場有価証券等書面を交付したものとみなされた日を含む。）から一年以内に上場有価証券等売買等に係る特定金融サービス契約の締結の媒介を行った場合には、当該特定金融サービス契約の締結の日において上場有価証券等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) When a financial service intermediary has provided intermediary services for the conclusion of a specified financial service contract for the purchase and sale, etc. of listed securities, etc., within one year from the day on which a document on listed securities, etc. is delivered (including the day on which the document on listed securities, etc. is deemed to have been delivered under this paragraph), the document on listed securities, etc. is deemed to have been delivered on the date of the conclusion of that specified financial service contract, and the provisions of paragraph (1), item (i) apply.

4　契約締結前交付書面を交付した日（この項の規定により契約締結前交付書面を交付

したものとみなされた日を含む。）から一年以内に当該契約締結前交付書面に係る特定金融サービス契約と同種の内容の特定金融サービス契約の締結の媒介を行った場合には、当該特定金融サービス契約の締結の日において契約締結前交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) When, within one year from the day on which a document to be delivered prior to conclusion of contract is delivered (including the day on which the document is deemed to have been delivered under this paragraph), a financial service intermediary has provided intermediary services for the conclusion of another specified financial service contract that is in substance identical to the specified financial service contract relating to the document to be delivered prior to conclusion of contract, the document to be delivered is deemed to have been delivered on the date of the conclusion of that other contract, and the provisions of paragraph (1), item (ii) apply.

5　金融商品取引法第二条第一項第十号に掲げる有価証券に係る目論見書（第一項第三号の規定により目論見書と一体のものとして交付される書面がある場合には、当該目論見書及び当該書面）に対する第一項第三号の規定の適用については、同号中「第八十八条に規定する方法に準ずる方法により当該」とあるのは、「当該」とする。

(5) Regarding the application of the provisions of paragraph (1), item (iii) to a prospectus concerning the securities stated in Article 2, paragraph (1), item (x) of the Financial Instruments and Exchange Act (when there is a document to be delivered as an integral part of a prospectus under paragraph (1), item (iii), the prospectus and the document), the phrase "by a method equivalent to that prescribed in Article 88" in the same item is deemed to be read as "in the case".

6　第一項第七号の「簡潔な重要情報提供等」とは、次に掲げる事項を簡潔に記載した書面の交付又は当該書面に記載すべき事項の電磁的方法による提供をし、これらの事項について説明をすること（第一号の質問例に基づく顧客の質問に対して回答をすることを含む。）をいう。

(6) The "provision, etc. of important information in a concise manner" stated in paragraph (1), item (vii) means delivering a document that states the following particulars or providing the particulars to be stated in the document by electronic or magnetic means, along with an explanation of these particulars (including responding to customers' questions based on the example questions stated in item (i)):

一　準用金融商品取引法第三十七条の三第一項各号（第六号を除く。）に掲げる事項（第一項第四号ロに規定する場合にあっては、同号の変更に係るものに限る。）のうち特定金融サービス契約の締結についての顧客の判断に資する主なものの概要及びこれに関する質問例

(i) the outline of the major particulars stated in each item (excluding item (vi)) of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (in the case prescribed in paragraph (1), item (iv), (b), limited to the particulars related to the change referred to in the

same item), that contribute to customers' decisions on the conclusion of a specified financial service contract, along with example questions relating to those particulars;

二　契約締結前交付書面に記載すべき事項の提供を受けるために必要な情報及び当該提供を受ける事項の内容を十分に読むべき旨

(ii) the information necessary to receive the particulars to be stated in the document to be delivered prior to conclusion of contract, as well as the details of the particulars to be provided, should be read thoroughly;

三　顧客から請求があるときは契約締結前交付書面を交付する旨

(iii) a document to be delivered prior to conclusion of contract will be delivered upon the customer's request.

（顧客が支払うべき対価に関する事項）

(Particulars Concerning Consideration Payable by a Customer)

第九十二条　準用金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、特定金融サービス契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（特定預金等契約にあっては当該特定預金等契約に係る元本の額に対する割合を含み、特定預金等契約及び特定保険契約以外の特定金融サービス契約にあっては当該特定金融サービス契約に係る有価証券の価格若しくは運用財産の額に対する割合又は当該特定金融サービス契約を締結することにより生じた利益に対する割合を含む。以下この項において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあっては、その旨及びその理由とする。

Article 92 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis are: the amount of fees, etc. payable by a customer in relation to a specified financial service contract, the upper limit of those fees, or the method of calculating them (in the case of a contract for a specified deposit, etc., including the ratio to the principal amount , and in the case of a specified financial service contract other than a contract for a specified deposit, etc. and a specified insurance contract, including the ratio to the price of securities or the amount of investment property related to the contract, or the ratio to the profit generated by the conclusion of the contract; the same applies below in this paragraph); the total amount by type or its upper limit ; or the method of calculating the total; provided, however, if these details cannot be stated, a statement confirming this, along with the reasons, are to be provided.

２　第八十四条第二項から第四項までの規定は、前項の手数料等（特定金融サービス契約（特定預金等契約及び特定保険契約を除く。）に関して顧客が支払うべき手数料等に限る。）について準用する。

(2) The provisions of Article 84, paragraphs (2) through (4) apply mutatis

mutandis to the fees, etc. stated in the preceding paragraph (limited to the fees, etc. payable by a customer in relation to a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract)).

（特定預金等契約に係る契約締結前交付書面の記載事項）

(Particulars to Be Stated in a Document to be Delivered prior to Conclusion of Contract Relating to a Specified Deposit, etc.)

第九十三条　その締結の媒介を行う特定金融サービス契約が特定預金等契約である場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 93 When a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a contract for a specified deposit, etc., the particulars to be specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　当該契約締結前交付書面の内容を十分に読むべき旨

(i) the details of the document to be delivered prior to conclusion of contract should be read thoroughly;

二　商品の名称（通称を含む。）

(ii) the name of the financial instrument (including its alias);

三　預金保険法第五十三条又は農水産業協同組合貯金保険法第五十五条に規定する保険金の支払の対象であるかどうかの別

(iii) whether the insured is entitled to payment of insurance proceeds as prescribed in Article 53 of the Deposit Insurance Act or Article 55 of the Agricultural and Fishery Cooperatives Savings Insurance Act;

四　受入れの対象となる者の範囲

(iv) the scope of persons subject to acceptance;

五　預入期間（自動継続扱いの有無を含む。）

(v) the deposit period (including whether the deposit will be automatically renewed);

六　最低預入金額、預入単位その他の預入れに関する事項

(vi) the minimum deposit amount, deposit unit, and any other particulars concerning deposits;

七　払戻しの方法

(vii) the method of refunding;

八　利息の設定方法、支払方法、計算方法その他の利息に関する事項

(viii) the method of establishing interest, the payment method of interest, the calculation method of interest, and any other particulars concerning interest;

九　付加することのできる特約に関する事項

(ix) the particulars related to any special provisions that may be added;

十　預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(x) the handling of cancellations during the deposit period (including the method for calculating interest and fees);

十一　顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項

(xi) when the conclusion of a contract for a specified deposit, etc. by the customer bears a risk of losses caused directly by fluctuations in interest rates, currency prices, quotations on the financial instruments market, or any other indicators, the following particulars:

イ　当該指標

(a) relevant indicators;

ロ　当該指標に係る変動により損失が生ずるおそれがある理由

(b) the reasons why losses may be caused by fluctuations in those indicators;

十二　次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細

(xii) when handling a financial instrument in which the full amount paid at the time of deposit for the combination of the specified deposit, etc. with the following transactions is not guaranteed to be repaid at its maturity, a detailed explanation stating that the full amount is not guaranteed to be repaid at maturity, along with any other relevant details concerning the financial instrument:

イ　市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）

(a) market derivatives transactions or foreign market derivatives transactions (excluding those that fall under transactions of securities-related derivatives);

ロ　第四十九条第二項に規定する金融等デリバティブ取引

(b) financial derivatives transactions prescribed in Article 49, paragraph (2);

ハ　先物外国為替取引

(c) foreign exchange futurestransactions;

ニ　有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除く。）

(d) transactions of securities-related derivatives (excluding those stated in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and transactions similar to those stated in the same item on a foreign financial instruments market);

ホ　金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場に

おける同号に掲げる取引と類似の取引（同条第一項第一号及び第二号に掲げる有価証券並びに同項第三号及び第五号に掲げる有価証券（政府が元本の償還及び利息の支払について保証しているものに限る。）並びに同項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）

(e) transactions stated in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and transactions similar to those stated in the same item on a foreign financial instruments market (limited to transactions relating to the securities stated in paragraph (1), items (i) and (ii) of the same Article, the securities stated in items (iii) and (v) of the same paragraph (limited to those for which redemption of the principal and payment of interest are guaranteed by the government), and the securities stated in item (xvii) of the same paragraph that have the characteristics of the securities stated in item (i) of the same paragraph);

十三　変動金利預金等の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあっては、当該基準及び方法並びに金利に関する事項

(xiii) when an indicator, which serves as the benchmark for establishing the money rate of a floating rate deposit, etc., and the method of establishing the money rate are specified, the particulars concerning that benchmark, the method, and the money rate;

十四　当該特定預金等契約に関する租税の概要

(xiv) the outline of taxation concerning the contract for a specified deposit, etc.;

十五　顧客が当該金融サービス仲介業者及び当該特定預金等契約に係る相手方金融機関に連絡する方法

(xv) the method by which the customer contacts the financial service intermediary and the counterparty financial institution regarding the contract for a specified deposit, etc.;

十六　当該金融サービス仲介業者が加入している認定金融サービス仲介業協会の有無及び加入している場合にあっては、その名称並びに金融サービス仲介業者が対象事業者（金融商品取引法第七十九条の十一第一項に規定する対象事業者をいう。以下この号及び次条第十一号において同じ。）となっている認定投資者保護団体（当該特定金融サービス契約が当該認定投資者保護団体の認定業務（同法第七十九条の十第一項に規定する認定業務をいう。）の対象となるものである場合における当該認定投資者保護団体に限る。同号において同じ。）の有無及び対象事業者となっている場合にあっては、その名称

(xvi) whether the financial service intermediary is a member of any certified financial service intermediary business association, and, if it is, the name of the association; whether the financial service intermediary is a covered operator (meaning the covered operator prescribed in Article 79-11, paragraph (1) of the Financial Instrument and Exchange Act; the same applies below in this item and item (xi) of the following Article) of any certified investor protection organization (limited to a certified investor

protection organization whose certified business operations (meaning the certified business operations prescribed in Article 79-10, paragraph (1) of that Act) cover that specified financial service contract; the same applies in the same item), and, if it is a covered operator, the name of the organization;

十七　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(xvii) the particulars specified in (a) or (b) below in accordance with the category of cases respectively stated in (a) or (b):

イ　指定預金等媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定預金等媒介紛争解決機関の名称又は商号

(a) when there is a designated dispute resolution organization for deposit, etc. brokerage intermediary business operations: the name or trade name of the designated dispute resolution organization for deposit, etc. brokerage intermediary business operations, which is the counterparty to the basic contract for the implementation of procedures under which the financial service intermediary takes measures to conclude the basic contract for the implementation of the procedures;

ロ　指定預金等媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

(b) when there are no designated dispute resolution organizations for deposit, etc. brokerage intermediary business operations: the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary;

十八　その他特定預金等の預入れに関し参考となると認められる事項

(xviii) other particulars deemed relevant to the deposit of a specified deposit, etc.

（特定金融サービス契約に係る契約締結前交付書面の共通記載事項）

(Particulars to Be Stated in All Documents to Be Delivered Prior to the Conclusion of a Specified Financial Service Contract)

第九十四条　その締結の媒介を行う特定金融サービス契約が特定預金等契約及び特定保険契約以外の特定金融サービス契約（以下この条において単に「特定金融サービス契約」という。）である場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 94　When a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a specified financial service contract other than a contract for a specified deposit, etc. or a specified insurance contract (simply referred to below as a "specified financial service contract" in this Article), the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis

mutandis, are as follows:

一　当該契約締結前交付書面の内容を十分に読むべき旨

(i) the details of the document to be delivered prior to conclusion of contract should be read thoroughly;

二　顧客が締結する特定金融サービス契約について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項

(ii) when the conclusion of a specified financial service contract by the customer carries a risk of any loss caused directly by fluctuations in interest rates, currency prices, quotations on the financial instruments market, or any other indicators, the following particulars:

イ　当該指標

(a) the indicators;

ロ　当該指標に係る変動により損失が生ずるおそれがある理由

(b) the reasons for any risk of loss that may be caused by fluctuations in those indicators;

三　顧客が締結する特定金融サービス契約について相手方金融機関その他の者の業務又は財産の状況の変化を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項

(iii) when the conclusion of a specified financial service contract by the customer carries a risk of any loss caused directly by a change in the business operations status or the asset status of the counterparty financial institution or any other person, the following particulars:

イ　当該者

(a) the person;

ロ　当該者の業務又は財産の状況の変化により損失が生ずるおそれがある旨及びその理由

(b) a statement that there is a risk of loss caused by a change in the business operations status or the asset status of the person, and the reasons for such risk;

四　当該特定金融サービス契約に関する租税の概要

(iv) an outline of taxation concerning the specified financial service contract;

五　当該特定金融サービス契約の終了の事由がある場合にあっては、その内容

(v) when there is any ground for the cancellation of the specified financial service contract, the details of the cancellation;

六　当該特定金融サービス契約への金融商品取引法第三十七条の六の規定の適用の有無

(vi) whether the provisions of Article 37-6 of the Financial Instruments and Exchange Act are applicable to the specified financial service contract;

七　当該特定金融サービス契約が金融商品取引法第三十七条の六の規定が適用されるものである場合にあっては、同条第一項から第四項まで（第三項及び第四項にあっ

ては、法第三十一条第二項において準用する場合を含む。）の規定に関する事項
(vii) when the provisions of Article 37-6 of the Financial Instruments and Exchange Act are applicable to the specified financial service contract, the particulars concerning the provisions of paragraphs (1) through (4) of the same Article (regarding paragraphs (3) and (4), including as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act);
八　当該金融サービス仲介業者の概要
(viii) an outline of the financial service intermediary;
九　当該金融サービス仲介業者が行う特定金融サービス契約に係る金融サービス仲介業務の内容及び方法の概要
(ix) the outline of the details and method of the financial service intermediary business operations related to a specified financial service contract conducted by the financial service intermediary;
十　顧客が当該金融サービス仲介業者及び相手方金融機関に連絡する方法
(x) the method by which the customer contacts the financial service intermediary and the counterparty financial institution;
十一　当該金融サービス仲介業者が加入している認定金融サービス仲介業協会の有無及び加入している場合にあっては、その名称並びに金融サービス仲介業者が対象事業者となっている認定投資者保護団体の有無及び対象事業者となっている場合にあっては、その名称
(xi) whether the financial service intermediary is a member of any certified financial service intermediary business association, and, if it is, the name of the association; whether the financial service intermediary is a covered operator of any certified investor protection organization, and, if it is, the name of the operator;
十二　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項
(xii) the particulars specified in (a) or (b) below in accordance with the category of cases respectively stated in (a) or (b):
イ　指定有価証券等仲介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定有価証券等仲介紛争解決機関の名称又は商号
(a) when there is adesignated dispute resolution organization for securities intermediary services：the name or trade name of the designated dispute resolution organization for securities intermediary services, which is the counterparty to the basic contract for the implementation of procedures, under which the financial service intermediary takes measures to conclude the basic contract for the implementation of the procedures;
ロ　指定有価証券等仲介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容
(b) when there is no designateddesignated dispute resolution organization for securities intermediary services：the details of the complaint processing

measuresand dispute resolution measures of the financial service intermediary.

（有価証券の売買その他の取引に係る契約締結前交付書面の共通記載事項）

(Particulars to Be Stated in All Documents to Be Delivered Prior to the Conclusion of a Contract Involving the Purchase, Sale, or Other Transactions in Securities)

第九十五条　その締結の媒介を行う特定金融サービス契約（特定預金等契約及び特定保険契約を除く。第三項において同じ。）が有価証券の売買その他の取引に係るものである場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、前条各号に掲げる事項のほか、次に掲げる事項とする。

Article 95 (1) In addition to the particulars stated in the items of the preceding Article, when a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion (excluding a contract for a specified deposit, etc. and a specified insurance contract; the same applies in paragraph (3)), involving the purchase, sale, or other transactions in securities, the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　当該有価証券の譲渡に制限がある場合にあっては、その旨及び当該制限の内容

(i) when the transfer of the securities is subject to any restriction, a statement confirming this and the details of the restriction;

二　当該有価証券が電子記録移転有価証券表示権利等である場合にあっては、当該電子記録移転有価証券表示権利等の概要その他当該電子記録移転有価証券表示権利等の性質に関し顧客の注意を喚起すべき事項

(ii) when the securities fall under the category of electronically recorded transferable rights to be indicated on securities, etc., the outline of these electronically recorded transferable rightsto be indicated on securities and other particulars requiring the attention of customers regarding the nature of the electronically recorded transferable rights to be indicated on securities, etc.

２　一の有価証券の売買その他の取引について相手方金融機関が金融商品取引法第三十七条の三第一項の規定により顧客に対し同項に規定する書面を交付しなければならない場合において、当該相手方金融機関が前項各号に掲げる事項を記載した当該書面を交付したときは、金融サービス仲介業者は、同項の規定にかかわらず、契約締結前交付書面に同項各号に掲げる事項を記載することを要しない。

(2) Notwithstanding the provisions of the same paragraph, when a counterparty financial institution is required to deliver a document prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act to a customer under the same paragraph concerning a single purchase, sale, or other transactions in securities, and the counterparty financial institution has

delivered that document containing the particulars stated in the items of the preceding paragraph, a financial service intermediary is not required to state those particulars again in a document to be delivered prior to the conclusion of a contract.

3　その締結の媒介を行う特定金融サービス契約が有価証券の売付けに係るものであって、当該特定金融サービス契約に係る顧客が当該有価証券の発行者又は所有者である場合には、第一項の規定にかかわらず、契約締結前交付書面に同項各号に掲げる事項を記載することを要しない。

(3) Notwithstanding the provisions of the same paragraph, when a specified financial service contract, for the conclusion of which a financial service intermediary provides an intermediary service relating to the sale of securities, and the customer for the specified financial service contract is the issuer or owner of those securities, the financial service intermediary is not required to state the particulars stated in the items of paragraph (1) in a document to be delivered prior to conclusion of contract.

（信託受益権等の売買その他の取引に係る契約締結前交付書面の記載事項の特則）

(Special Provisions on Particulars to Be Stated in a Document to Be Delivered Prior to Conclusion of a Contract Involving the Purchase, Sale, or Other Transactions in Beneficial Interests in Trust, etc.)

第九十六条　その締結の媒介を行う特定金融サービス契約（特定預金等契約及び特定保険契約を除く。）が金融商品取引法第二条第一項第十四号に掲げる有価証券又は同項第十七号に掲げる有価証券（同項第十四号に掲げる有価証券の性質を有するものに限る。）（以下この条において「信託受益権等」という。）の売買その他の取引に係るものである場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、前条第一項に規定する事項のほか、次に掲げる事項とする。

Article 96 (1) In addition to the particulars prescribed in paragraph (1) of the preceding Article, when a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract), for which a financial service intermediary provides an intermediary service for its conclusion, involving the purchase, sale, or other transactions in the securities stated in Article 2, paragraph (1), item (xiv) of the Financial Instruments and Exchange Act or the securities stated in item (xvii) of the same paragraph (limited to those that have the characteristics of the securities stated in item (xiv) of the same paragraph) (referred to below as "beneficial interests in trust, etc." in this Article), the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　信託財産の種類、信託期間、信託財産の管理又は処分の方法及び信託財産の交付に関する事項

(i) the particulars concerning the type of trust property, the term of the trust,

the method of management or disposition of the trust property, and the delivery of the trust property;

二　信託財産の管理又は処分の権限を有する者及び権限の内容に関する事項（当該者が適格投資家向け投資運用業（金融商品取引法第二十九条の五第一項に規定する適格投資家向け投資運用業をいう。第九十九条第一項第四号及び第五号並びに第百五条第一項第一号及び第九号において同じ。）を行うことにつき同法第二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）

(ii) the particulars concerning the person granted the authority to manage or dispose of the trust property, along with the details of the authority (when the person is a financial instruments business operator registered under Article 29 of the Financial Instruments and Exchange Act as engaging in the investment management business for qualified investors (meaning the investment management business for qualified investors prescribed in Article 29-5, paragraph (1) of that Act; the same applies in Article 99, paragraph (1), items (iv) and (v), and Article 105, paragraph (1), items (i) and (ix)), including confirmation of this);

三　信託の設定時における第三者による信託財産の評価の有無その他信託財産の評価に関する事項

(iii) whether the trust property was appraised by any third party at the time of the creation of the trust, or any other particulars concerning the appraisal of the trust property;

四　取引の種類の別

(iv) the type of transaction;

五　売付けの媒介又は募集若しくは売出しの取扱いの場合にあっては、売主又は買主に関する事項

(v) the particulars concerning the seller or purchaser, in the case of an intermediary service for the sale, public offering, or handling of secondary distribution;

六　信託の目的

(vi) the purpose of the trust;

七　受益者の権利義務に関する次に掲げる事項

(vii) the following particulars concerning beneficiaries' rights and obligations:

イ　受託者が受益者との間において、信託法（平成十八年法律第百八号）第四十八条第五項（同法第五十四条第四項において準用する場合を含む。）に規定する合意を行う定めがある場合（信託業法第二十九条の三の規定により信託会社が説明する場合を除く。）は、その旨及び当該合意の内容

(a) when there are any provisions requiring the trustee and the beneficiary to enter into an agreement prescribed in Article 48, paragraph (5) of the Trust Act (Act No. 108 of 2006) (including as applied mutatis mutandis pursuant to Article 54, paragraph (4) of that Act) (excluding cases where the trust company provides an explanation under Article 29-3 of the Trust

Business Act), a statement confirming this and the details of the agreement;

ロ　受益者の意思決定に関する特別の定めがある場合は、その旨及び当該定めの内容

(b) when there are special provisions regarding the decision-making of beneficiaries, a statement confirming this and the details of those provisions;

ハ　信託の変更、併合又は分割に関する特別の定めがある場合は、その旨及び当該定めの内容

(c) when there are special provisions regarding the change, consolidation, or split of the trust, a statement confirming this and the details of those provisions;

ニ　信託終了の事由に関する特別の定めがある場合は、その旨及び当該定めの内容

(d) when there are special provisions regarding the grounds for termination of the trust, a statement confirming this and the details of those provisions;

ホ　信託の合意による終了に関する特別の定めがある場合は、その旨及び当該定めの内容

(e) when there are special provisions regarding the termination of the trust by agreement, a statement confirming this and the details of those provisions;

ヘ　受託者の辞任及び新たな受託者の選任に関する特別の定めがある場合は、その旨及び当該定めの内容

(f) when there are special provisions regarding the resignation of a trustee and the appointment of a new trustee, a statement confirming this and the details of those provisions;

八　信託受益権等の損失の危険に関する次に掲げる事項

(viii) the following particulars concerning the risk of loss of the beneficial interests in a trust, etc.:

イ　信託法第二十一条第一項第三号に掲げる権利に係る債務がある場合は、当該債務の総額及び契約ごとの債務の金額その他当該債務の内容に関する事項（当該債務が借入れである場合にあっては、総借入金額並びに契約ごとの借入先の属性、借入金額、返済期限、直前の計算期間の借入残高、計算期間及び借入期間における利率、返済方法、担保の設定に関する事項並びに借入れの目的及び使途を含む。）

(a) in the case where there is any obligation related to the right stated in Article 21, paragraph (1), item (iii) of the Trust Act, the particulars concerning the details of the obligation, such as the total amount of the obligation and the amount of obligation for each contract (in cases where the obligation is a borrowing, this includes the total amount of the borrowing, as well as particulars concerning the characteristics of the

lender, borrowed amount, due date, outstanding balance for the preceding accounting period, interest rates for the accounting and borrowing periods, method of repayment, and creation of security, as itemized by contract, and the purpose and use of the borrowing);

ロ　イに掲げるもののほか、信託受益権について損失を生じるおそれのある債務がある場合は、その旨及び当該債務の総額その他の当該債務の状況

(b) in addition to the items stated in (a), if there is any obligation that may result in a loss related to the beneficial interest in the trust, a statement confirming this, the total amount of the obligation, and the status of other obligations;

ハ　信託債権、信託財産に設定された担保権その他当該信託受益権に優先する権利がある場合は、当該権利の内容

(c) when there is any trust claim, security interest created on the trust property, or any other rights having priority over the beneficial interest in the trust, the details of those rights;

ニ　信託受益権について信用補完が講じられている場合は、その旨及び当該信用補完の内容

(d) when a credit enhancement has been provided in relation to the beneficial interest in the trust, a statement confirming this and the details of the credit enhancement;

ホ　金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第六条の規定に基づき損失の補填又は利益の補足を約する特約が付されている場合は、その旨及びその内容

(e) when there are special provisions promising to compensate for a loss or supplement profit based on the provisions of Article 6 of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of 1943), a statement confirming this and the details of those provisions;

九　信託財産に関する租税その他の費用に関する事項

(ix) the particulars concerning taxes and any other expenses related to the trust property;

十　信託財産の計算期間に関する事項

(x) the particulars concerning the accounting period for the trust property;

十一　信託財産の管理又は処分の状況の報告に関する事項

(xi) the particulars concerning reports on the status of the management or disposition of the trust property;

十二　受託者の氏名又は名称及び公告の方法

(xii) the name of the trustee and the method of giving public notice;

十三　信託財産である金銭を固有財産又は他の信託財産である金銭と合同運用する場合は、その旨及び当該信託財産と固有財産又は他の信託財産との間の損益の分配に係る基準

(xiii) when the money comprising the trust property is to be invested jointly

with the money comprising the trustee's own property, or with the money comprising any other trust property, a statement confirming this and the criteria for allocating profit and loss between the trust property and the trustee's own property, or the other trust property;

十四　当該特定金融サービス契約が信託法第三条第三号に掲げる方法によってする信託に係る信託受益権等の売買その他の取引に係るものである場合にあっては、次に掲げる事項

(xiv) when the specified financial service contract involves the purchase, sale, or other transactions in beneficial interests in a trust, etc. established by the methods stated in Article 3, item (iii) of the Trust Act, the following particulars:

イ　信託法第三条第三号の公正証書その他の書面又は電磁的記録に記載され、又は記録された事項の内容

(a) the details of the particulars stated or recorded in the notarized deed, or any other document or electronic or magnetic record referred to in Article 3, item (iii) of the Trust Act;

ロ　受託者に係る信託業法第五十条の二第一項の登録の有無及び同条第十項の調査の有無

(b) whether the trustee has been registered as referred to in Article 50-2, paragraph (1) of the Trust Business Act, and whether the inspection referred to in paragraph (10) of the same Article has been conducted;

ハ　信託業法第五十条の二第十項の調査が行われた場合には、当該調査の結果

(c) when the inspection referred to in Article 50-2, paragraph (10) of the Trust Business Act has been conducted, the results of the inspection;

ニ　信託業法第五十条の二第十項の調査が行われなかった場合であり、かつ、信託受益権等の売買その他の取引を行う者が当該信託の受託者と同一の者であるものについては、信託業法施行規則第五十一条の七第一項各号に掲げる事項

(d) when the inspection referred to in Article 50-2, paragraph (10) of the Trust Business Act has not been conducted, and the person carrying out the purchase, sale, or other transactions in beneficial interests in a trust, etc. is the trustee of that trust, the particulars stated in the items of Article 51-7, paragraph (1) of the Regulation for Enforcement of the Trust Business Act;

十五　当該特定金融サービス契約が限定責任信託（信託法第二条第十二項に規定する限定責任信託をいう。イ及びロにおいて同じ。）に係る信託受益権等の売買その他の取引に係るものである場合にあっては、第一号から第十三号までに掲げるもののほか、次に掲げる事項

(xv) when the specified financial service contract concerns the purchase, sale, or other transactions in beneficial interests in a trust, etc. involving a limited liability trust (meaning a limited liability trust as prescribed in Article 2, paragraph (12) of the Trust Act; the same applies in (a) and (b)),

the following particulars, in addition to those stated in items (i) through (xiii):

イ　限定責任信託の名称

(a) the name of the limited liability trust;

ロ　限定責任信託の事務処理地

(b) the place where the affairs of the limited liability trust are processed;

ハ　給付可能額及び受益者に対する信託財産に係る給付は当該給付可能額を超えてすることはできない旨

(c) the amount available for benefits, and the fact that the benefits to beneficiaries regarding the trust property cannot exceed the amount available for benefits.

２　前条第二項の規定は、信託受益権等の売買その他の取引について準用する。この場合において、同項中「前項各号」とあるのは、「次条第一項各号」と読み替えるものとする。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the purchase, sale, or other transactions in beneficial interests in trust, etc. In this case, the term "the items of the preceding paragraph" in that paragraph is deemed to be replaced with "the items of paragraph (1) of the following Article".

３　前条第三項の規定は、信託受益権等について準用する。この場合において、同項中「第一項」とあるのは、「次条第一項」と読み替えるものとする。

(3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to beneficial interests in trust, etc. In this case, the term "paragraph (1)" in that paragraph is deemed to be replaced with "paragraph (1) of the following Article".

（商品ファンド関連取引に係る契約締結前交付書面の記載事項の特則）

(Special Provisions on Particulars to Be Stated in a Document to Be Delivered Prior to Conclusion of a Contract Relating to Commodity Fund-Related Transactions)

第九十七条　その締結の媒介を行う特定金融サービス契約（特定預金等契約及び特定保険契約を除く。以下この項において同じ。）が、商品ファンド関連受益権の売買その他の取引（第三十号及び次項並びに第百三条において「商品ファンド関連取引」という。）に係るものである場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、前条第一項の規定にかかわらず、第九十五条第一項に規定する事項のほか、次に掲げる事項とする。

Article 97 (1) In addition to the particulars prescribed in Article 95, paragraph (1), and notwithstanding the provisions of the preceding Article, paragraph (1), when a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract), for which a financial service intermediary provides an intermediary service for its conclusion, involves the

purchase, sale, or other transactions in a beneficial interest in a commodity fund (referred to as a "commodity fund-related transaction" in item (xxx), the following paragraph, and Article 103), the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　商品ファンド（商品ファンド関連受益権を有する者から出資又は拠出を受けた金銭その他の財産をいう。以下この項及び第百三条第一項第四号において同じ。）の運用を行う者（以下この項において「運用業者」という。）及び商品ファンドに関し業務上密接な関係を有する者（第十三号及び第十四号において「関係業者」という。）のうち主要な者であって次に掲げるものの商号、名称又は氏名及び住所並びに代表者がいる場合にあっては、代表者の氏名

(i) the trade names, names, and addresses of the persons making an investment (referred to below as the "investment manager" in this paragraph) in the commodity fund (meaning the money or other property invested or contributed by the person entitled to the beneficial interest in the commodity fund; the same applies below in this paragraph and in Article 103, paragraph (1), item (iv)), as well as the major parties listed below, from among those having a close business relationship with the commodity fund (referred to below as the "related operators" in items (xiii) and (xiv)); and, when any of the previously mentioned persons is a representative, the name of that representative:

イ　商品ファンドの運用に関与する商品投資顧問業者（商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第四項に規定する商品投資顧問業者をいう。第九号及び第十三号ハにおいて同じ。）及び同法に相当する外国の法令の規定により当該外国において同法第三条の商品投資顧問業の許可と同種の許可又はこれに準ずる処分（同号ハにおいて「許可等」という。）を受けている者

(a) a commodity trading advisor involved in the investment of the commodity fund (meaning the commodity trading advisor prescribed in Article 2, paragraph (4) of the Act on Regulation of Commodity Investment (Act No. 66 of 1991); the same applies in item (ix) and item (xiii), (c)), and a person who has been granted the same type of permission as a commodity investment advisory business permission referred to in Article 3 of that Act, or any other disposition equivalent to that Act (referred to as a "permission, etc." in (c) of the same item) in a foreign state under laws and regulations of the foreign state corresponding to that Act;

ロ　商品ファンドから出資又は拠出を受ける者（運用業者を除く。）

(b) a person who accepts an investment or contribution from the commodity fund (excluding the investment manager);

ハ　運用業者及びロに掲げる者が当該商品ファンドの運用を委託する者

(c) the investment manager and the person entrusted with the management of the commodity fund by the individual stated in (b);

二　相手方金融機関及び運用業者の資本金の額又は出資の総額及び主要株主（自己又は他人の名義をもって総株主等の議決権の百分の十以上の議決権を保有している者をいう。次条第一項第一号において同じ。）の商号、名称又は氏名並びに当該相手方金融機関又は運用業者が他に事業を行っているときは、その種類

(ii) the amount of stated capital or the total contribution of the counterparty financial institution and the investment manager, the trade names or names of the major shareholders (meaning persons who hold 10 percent or more of the voting rights held by all shareholders, etc., either in their own name or in the name of another person; the same applies in paragraph (1), item (i) of the following Article), and, if the counterparty financial institution or the investment manager engages in any additional business, the type of that business;

三　運用業者の財産の運用開始日が属する事業年度の前事業年度の貸借対照表及び損益計算書又はこれらに代わる書面

(iii) the balance sheet and profit and loss statement for the business year preceding the business year in which the investment manager commenced the investment of property, or any substitute documents;

四　運用業者の役員及び商品ファンドを運用する重要な使用人（部長、次長、課長その他いかなる名称であるかを問わず、商品ファンドの運用について責任を有する者をいう。）の氏名並びに役員が他の法人の常務に従事し、又は事業を営んでいるときは、当該役員の氏名並びに当該他の法人の商号又は名称及び業務又は当該事業の種類

(iv) the names of the officers of the investment manager and the important employees engaged in the investment of the commodity fund (meaning persons responsible for the investment, such as the general manager, vice-chief, section manager, or any other person, regardless of their job title). If any officer is involved in the ordinary affairs of another corporation, the name of that officer, the trade name or name of the other corporation, and the type of business conducted by that corporation;

五　当該特定金融サービス契約の種類並びに顧客の権利及び責任の範囲に関する次に掲げる事項

(v) the following particulars concerning the type of specified financial service contract and the scope of the customers' rights and liabilities:

イ　当該特定金融サービス契約の種類

(a) the type of specified financial service contract;

ロ　顧客から出資され、若しくは拠出された財産又は当該商品ファンド関連受益権に係る信託財産に関する顧客の監視権の有無及び顧客が当該監視権を有する場合にあっては、その内容

(b) whether customers have the right to monitor the property invested or

contributed by the customer, or the trust property relating to the beneficial interest in a commodity fund, and, if so, the details of that right;

ハ　顧客から出資され、若しくは拠出された財産又は当該商品ファンド関連受益権に係る信託財産の所有関係

(c) the ownership of the property invested or contributed by customers, or of the trust property related to the beneficial interest in a commodity fund;

ニ　顧客の第三者に対する責任の範囲

(d) the scope of the customers' liability to third parties;

ホ　出資され、若しくは拠出された財産又は当該商品ファンド関連受益権に係る信託財産が損失により減じた場合の顧客の損失分担に関する事項

(e) the particulars concerning the allocation of losses to be borne by customers, in the event of any loss to the property invested or contributed by customers, or to the trust property relating to the beneficial interest in a commodity fund due to any loss;

ヘ　顧客から出資され、若しくは拠出された財産又は当該商品ファンド関連受益権に係る信託財産に関する収益及び償還金の受領権

(f) the right to receive profit and redemption money in relation to the property invested or contributed by customers, or to the trust property related to the beneficial interest in a commodity fund;

六　当該特定金融サービス契約又は当該商品ファンド関連受益権に係る信託契約に係る法令の概要

(vi) the outline of the laws and regulations applicable to the specified financial service contract or to the trust agreement related to the beneficial interest in a commodity fund;

七　顧客から出資され、若しくは拠出された財産又は当該商品ファンド関連受益権に係る信託財産の運用形態に関する次に掲げる事項

(vii) the following particulars concerning the investment form for the property invested or contributed by customers, or the trust property relating to the beneficial interest in a commodity fund:

イ　元本確保型であるか、又は積極運用型であるかの別

(a) whether the investment is of a principal-protected type or an aggressive type;

ロ　元本確保型である場合にあっては、元本の確保の方法及び確保することができる元本の金額

(b) when the investment is of a principal-protected type, the method of principal protection and the amount of principal that may be protected;

ハ　積極運用型である場合にあっては、予想される損失の範囲

(c) when the investment is of an aggressive type, the scope of estimated losses;

ニ　追加募集の有無

(d) whether any additional offering will be made;

八　顧客から出資され、若しくは拠出された財産又は当該商品ファンド関連受益権に係る信託財産の投資の内容及び方針に関する次に掲げる事項

(viii) the following particulars concerning the details and policies of the investment of the property invested or contributed by customers, or the trust property relating to the beneficial interest in a commodity fund:

イ　地域別、種類別その他の投資の対象に係る分類別の比率の予定が明らかである場合にあっては、当該比率その他の主な投資の対象の内容及び基準に関する事項

(a) when the scheduled ratio, classified into categories of investment targets such as ratio per region or ratio per type, has been made clear, the ratio and any other particulars concerning relevant details and the criteria for other major investment targets;

ロ　法令その他の規則において投資の制限についての定めがある場合にあっては、当該制限の内容及びその根拠

(b) when any restriction on investment is imposed by laws and regulations or any other rules, the details and basis of that restriction;

ハ　借入れ、集中投資、他の商品ファンドへの投資及び流動性に欠ける投資対象への投資の有無並びに投資に関する制限を設ける場合にあっては、当該制限の内容及びその根拠

(c) whether any borrowing, concentrated investment, investment in other commodity funds, or investment in any investment target lacking liquidity is made, and when any restriction on investment is imposed, the details and basis of that restriction;

ニ　繰上償還の有無

(d) whether an advance redemption can be made;

ホ　運用開始予定日

(e) the scheduled date for the commencement of investment;

ヘ　運用終了予定日

(f) the scheduled date for the termination of investment;

ト　一年以内で定められた商品ファンドの運用に係る計算期間（以下この項において「計算期間」という。）

(g) the accounting period for the investment of the commodity fund, which does not exceed one year (referred to below as the "accounting period" in this paragraph);

九　商品投資に係る事業の規制に関する法律第二条第一項第一号に掲げる取引（以下この号及び第三十号イ（１）において「商品先物取引」という。）の投機性、資金運用効率、流動性、商品先物取引法第二条第二十三項に規定する商品先物取引業者の信用、商品投資顧問業者の運用手法その他の商品ファンドを商品先物取引で運用することにより予想される損失発生の要因

(ix) the speculative nature of the transaction stated in Article 2, paragraph (1), item (i) of the Act on Regulation of Commodity Investment (referred to below as the "commodity futures transaction" in this item and item (xxx), (a), 1.),

the efficiency of capital management, liquidity, the creditworthiness of the commodity trading advisor stated in Article 2, paragraph (23) of the Commodity Derivatives Transaction Act, the investment methods of commodity investment advisory businesses, and other factors that are expected to cause losses from managing commodity funds in commodity futures transactions;

十　顧客への運用状況の報告の方法、頻度及び時期

(x) the method, frequency, and timing of reporting the investment status to customers;

十一　商品投資に係る事業の規制に関する法律第二条第五項第三号に掲げる契約を締結する場合にあっては、当該契約により顧客に付与される報告請求権の内容

(xi) when a contract stated in Article 2, paragraph (5), item (iii) of the Act on Regulation of Commodity Investment is concluded, the details of the right to demand a report to be granted to the customer under that contract;

十二　運用業者に関する次に掲げる事項

(xii) the following particulars concerning the investment manager:

イ　定款上の事業目的

(a) the purpose of the business as stated in its articles of incorporation;

ロ　設立経緯

(b) the history of incorporation ;

ハ　商号の変更

(c) a change of the trade name;

ニ　運用業者の役員の変更についての監督官庁及び株主等による承認の要否並びに当該承認が必要な場合にあっては、その根拠及び承認手続

(d) whether any change in the officers of the investment manager requires the approval of supervisory government agencies or shareholders, etc., and, when such approval is required, the basis and procedures for obtaining it;

ホ　定款変更、合併並びに事業譲渡及び事業譲受

(e) changes to the articles of incorporation, consolidation, business transfers and business acquisitions;

ヘ　主要な出資又は拠出の状況

(f) the status of the major investment or contribution;

ト　訴訟事件その他の重要事項

(g) lawsuits and other material particulars;

十三　関係業者のうち主要な者に関する次に掲げる事項

(xiii) the following particulars concerning major related business operators:

イ　関係業者が商品ファンドから出資又は拠出を受ける者である場合にあっては、その資本金の額又は出資の総額

(a) when a related business operator is to receive investment or contribution from commodity funds, the amount of its stated capital or total contributions;

ロ　商品ファンドから新たに出資又は拠出を受けて関係業者となる法人が設立される場合にあっては、当該出資又は拠出の予定額

(b) when a corporation that will become a related business operator is to be incorporated based on an investment or contribution to be newly made by the commodity fund, the scheduled amount of such investment or contribution;

ハ　商品投資顧問業者及び商品投資に係る事業の規制に関する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同法第三条の許可と同種の許可等を受けている者に係る当該許可等の番号、当該許可等を与えた機関の名称及びその機関が属する国の名称、設立年並びに当該許可等を受けた年

(c) regarding a commodity trading advisor and a person who has been granted the same type of permission, etc. as the permission referred to in Article 3 of the Act on Regulation of Commodity Investment in a foreign state under laws and regulations of the foreign state corresponding to that Act, the serial number of the permission, etc., the name of the agency that granted the permission, etc., the name of the state to which the agency belongs, the year of its establishment, and the year in which the permission, etc. was granted;

ニ　商品ファンドの運用に係る業務内容

(d) the details of the business operations related to the investment management of the commodity fund;

十四　運用業者及び関係業者のうち主要な者との資本関係

(xiv) the capital relationship with major investment managers and major related business operators;

十五　商品ファンド関連受益権の募集又は売出しに関する次に掲げる事項

(xv) the following particulars concerning the public offering or secondary distribution of beneficial interest in a commodity fund:

イ　商品ファンド関連受益権の名称

(a) the name of the beneficial interest in a commodity fund;

ロ　募集又は売出しの予定総額及び予定総口数

(b) the scheduled total amount and the total amount of the public offering or secondary distribution;

ハ　募集又は売出しの単位

(c) the unit of the public offering or secondary distribution;

ニ　申込みの期間、方法及び取扱場所

(d) the period, method, and place of handling applications;

ホ　払込みの期日及び方法

(e) the payment date and the payment method;

十六　当該商品ファンド関連受益権に係る契約期間に関する事項

(xvi) the particulars concerning the contract period related to the beneficial interest in a commodity fund;

十七　特定金融サービス契約の変更の手続、変更をする旨の開示の方法その他当該特定金融サービス契約の変更に関する事項

(xvii) the particulars concerning amendments to the specified financial service contract, including the procedures for the amendment, the method for announcing the change, and any other relevant particulars;

十八　当該特定金融サービス契約の解約に関する次に掲げる事項

(xviii) the following particulars concerning the cancellation of the specified financial service contract:

イ　解約の可否

(a) whether the specified financial service contract can be canceled;

ロ　解約をすることができる場合にあっては、次に掲げる事項

(b) when the specified financial service contract can be canceled, the following particulars:

（１）　解約の条件及び方法

1. the conditions and method of cancellation;

（２）　解約の申込期間

2. the period for applying for cancellation;

（３）　解約償還金の金額の計算方法及び支払方法

3. the method of calculation and the payment method for the amount to be redeemed upon cancellation;

（４）　解約償還金の支払予定日

4. the scheduled date for the payment of the amount to be redeemed upon cancellation;

（５）　解約に係る手数料

5. the cancellation fee;

（６）　解約が多発したときは、当初予定していた運用を行うことができなくなるおそれがある旨及び運用自体を行うことができなくなるおそれがある旨

6. a statement that frequent cancellations may result in the inability to carry out operations as originally planned, or at all;

十九　相手方金融機関による買取りの有無並びに買取りをする場合にあっては、その条件及び方法並びに当該買取りに係る買取り金額の計算方法、支払方法及び支払時期

(xix) whether the counterparty financial institution purchases the property, and, if so, the conditions and methods of that purchase, the method of calculation of the buy-back price, and the method and timing of the payment for that purchase;

二十　損害賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容

(xx) when there is an agreement on the amount of liquidated damages (including penalties), the details of this agreement;

二十一　相手方金融機関が顧客から手数料等を徴収する方法

(xxi) the method by which the counterparty financial institution collects fees,

etc. from the customer;

二十二　商品ファンドから支払われる商品ファンドの管理に係る手数料等の支払先、計算方法、支払額、支払方法及び支払時期並びに当該支払額が未定の場合にあっては、その旨

(xxii) the payee, the calculation method, the amount to be paid, the payment method, and the timing of the payment of the fees, etc. related to the management of the commodity fund, payable from the commodity fund; and, when the payment amount has not been set, a statement confirming this;

二十三　商品ファンドに係る資産評価等に関する次に掲げる事項

(xxiii) the following particulars concerning asset appraisal, etc. related to the commodity fund:

イ　一口当たりの純資産額の計算方法及び資産の評価方法

(a) the method of calculation of the net asset per unit, and the method of appraisal of the assets per unit;

ロ　計算期間

(b) the accounting period;

ハ　顧客への通知の方法

(c) the method of notifying customers;

二十四　計算期間に係る商品ファンドの貸借対照表及び損益計算書又はこれらに代わる書面その他の財務計算に関する書類に対する公認会計士（公認会計士法（昭和二十三年法律第百三号）第十六条の二第五項に規定する外国公認会計士を含む。第三十号ヘ及び第百十一条第一項第十二号ニ（２）において同じ。）又は監査法人の監査を受ける予定の有無及びその予定がある場合にあっては、監査を受ける範囲

(xxiv) whether there is a plan to receive an audit by a certified public account (including the foreign certified public accountant prescribed in Article 16-2, paragraph (5) of the Certified Public Accountants Act (Act No. 103 of 1948); the same applies in item (xxx), (f), and in Article 111, paragraph (1), item (xii), (d), 2.), or by an audit corporation regarding the balance sheet, profit and loss statement, or any documents in lieu of them, or any other documents related to the financial calculations of the commodity fund for the accounting period, and, when there is a plan, the scope of the auditing;

二十五　商品ファンドの収益の分配の方法及び方針

(xxv) the method and policy for the distribution of any profits from the commodity fund;

二十六　満期時の償還金の金額の計算方法、支払方法及び支払時期

(xxvi) the calculation method, payment method, and timing of payment for the redemption amount upon maturity;

二十七　配当及び償還金に係る租税に関する事項

(xxvii) the particulars concerning the taxation applicable to dividends and redemption;

二十八　運用業者が外国法人である場合にあっては、国内に住所を有する者であって

裁判上及び裁判外において当該運用業者を代理する権限を有するものの有無並びに当該者がある場合にあっては、その商号、名称又は氏名及び住所並びに当該権限の内容

(xxviii) when the investment manager is a foreign corporation, whether it has a person domiciled in Japan who has been granted the authority to act as the investment manager's agent, both in and out of court. If such a person exists, the trade name or name and the address of that person, as well as the details of the authority granted to them;

二十九　当該商品ファンド関連受益権に係る契約その他の法律行為に当該商品ファンド関連受益権に関する訴訟について管轄権を有する裁判所の定めがある場合にあっては、その名称及び所在地

(xxix) when a contract or any other juridical act regarding the beneficial interest in the commodity fund specifies the court that has jurisdiction over actions related to the beneficial interest in the commodity fund, the name and location of that court;

三十　元本の追加運用をすることができる商品ファンドに追加運用するための商品ファンド関連取引に係る特定金融サービス契約の締結の媒介を行う場合にあっては、次に掲げる事項

(xxx) when acting as an intermediary for the conclusion of a specified financial service contract relating to commodity fund-related transactions, for the purpose of making an additional investment in a commodity fund in which the principal may be further invested, the following particulars:

イ　当該契約の締結の勧誘の開始日の前々月末日における次に掲げる事項ごとの当該商品ファンドに係る資産配分状況

(a) the status of the distribution of assets of the commodity fund for each of the following particulars, as of the end of the month two months before the commencement of solicitation for the conclusion of the contract:

（１）　商品先物取引（貴金属、農産物、エネルギー資源、その他の当該商品先物取引に係る主要な物品ごとの内訳を含む。）

1. commodity futures transactions (including a breakdown by category of major goods, such as precious metals, agricultural products, energy resources, etc. related to those commodity futures transactions);

（２）　商品投資に係る事業の規制に関する法律第二条第一項第二号に規定する商品投資（貴金属、農産物、エネルギー資源その他の当該商品投資に係る主要な物品ごとの内訳を含む。）

2. commodity investment prescribed in Article 2, paragraph (1), item (ii) of the Act on Regulation of Commodity Investment (including a breakdown by category of major goods, such as precious metals, agricultural products, energy resources, etc. related to that commodity investment);

（３）　商品投資に係る事業の規制に関する法律第二条第一項第三号に規定する

商品投資（貴金属、農産物、エネルギー資源その他の当該商品投資に係る主要な物品ごとの内訳を含む。）

3. commodity investment prescribed in Article 2, paragraph (1), item (iii) of the Act on Regulation of Commodity Investment (including a breakdown by category of major goods, such as precious metals, agricultural products, energy resources, etc. related to that commodity investment);

（４）　金融商品取引法施行令（昭和四十年政令第三百二十一号）第三十七条第一項第二号イからホまでに掲げる物品の取得（生産を含む。）をし、譲渡をし、使用をし、又は使用させることによる運用（同号イからホまでに掲げる当該運用に係る物品ごとの内訳を含む。）

4. acquisition (including production), by transfer or use, of the goods stated in Article 37, paragraph (1), item (ii), (a) through (e) of the Order for Enforcement of the Financial Instruments and Exchange Act (Cabinet Order No. 321 of 1965), or by having those goods used (including a breakdown by category of the goods stated in (a) through (e) of the same item, relating to that acquisition);

（５）　その他の運用方法（有価証券、譲渡性預金その他の主要な金融商品（金融商品取引法第二条第二十四項に規定する金融商品をいう。以下この章において同じ。）に対する投資、同条第二十一項各号に掲げる取引、同条第二十二項各号に掲げる取引、同条第二十三項に規定する取引その他の主要な運用方法ごとの内訳を含む。）

5. other methods of investment (including a breakdown by category of major investment methods, such as investments in securities, negotiable deposits, and other major financial instruments (meaning the financial instruments prescribed in Article 2, paragraph (24) of the Financial Instruments and Exchange Act; the same applies below in this Chapter), transactions stated in the items of paragraph (21) of the same Article, transactions stated in the items of paragraph (22) of the same Article, and transactions prescribed in paragraph (23) of the same Article, or other methods);

ロ　当該勧誘の開始日が属する月の前々月末日において終了している直近十計算期間の各計算期間の末日における純資産額及び配当

(b) the amount of net assets and the dividend as of the last day of each of the latest ten accounting periods, ending on the last day of the month two months before the month in which the solicitation commencement day falls;

ハ　当該勧誘の開始日が属する月の前々月末日において終了している直近十計算期間の各計算期間における募集、私募（金融商品取引法第二条第三項に規定する有価証券の私募をいう。）、売出し又は特定投資家向け売付け勧誘等（同条第六項に規定する特定投資家向け売付け勧誘等をいう。）の金額、解約金額及び償還金

額

(c) the amount, the cancellation payment amount, and the redemption t related to a public offering, private placement (meaning the private placement of securities prescribed in Article 2, paragraph (3) of the Financial Instruments and Exchange Act), secondary distribution, or solicitation for selling, etc. exclusively for professional investors (meaning the solicitation for selling, etc. exclusively for professional investors prescribed in paragraph (6) of the same Article), for each of the latest ten accounting periods, which ended on the last day of the month two months before the month in which the solicitation commencement day falls;

ニ　当該勧誘の開始日が属する計算期間の前計算期間に係る商品ファンドの貸借対照表及び損益計算書又はこれらに代わる書面

(d) the balance sheet and the profit and loss statement of the commodity fund for the accounting period immediately preceding the accounting period containing the day of the commencement of the solicitation, or any documents in lieu of them;

ホ　ニの商品ファンドから出資又は拠出を受けた者がある場合にあっては、当該商品ファンド及び当該者に係る連結貸借対照表及び連結損益計算書又はこれらに代わる書面であって顧客が当該商品ファンド及び当該者に係る純資産額を理解することができる方法により記載されているもの

(e) when there is any person who has accepted an investment or contribution from the commodity fund referred to in (d), the consolidated balance sheet and the consolidated profit and loss statement relating to the commodity fund and that person, or any documents in lieu of them, presented in such a way that customers may understand the net assets of the commodity fund or that person;

ヘ　ニ又はホに掲げる書面その他の財務計算に関する書類に対する公認会計士又は監査法人の監査を受けているときは、その範囲（契約締結前交付書面に公認会計士又は監査法人の監査に係る書類が添付されており、かつ、当該書類に監査を受けた範囲が明記されている場合を除く。）

(f) when the document stated in (d) or (e), or any other documents related to financial calculations, have been audited by a certified public accountant or an audit corporation, the scope of the auditing (excluding cases where a document related to the audit by a certified public accountant or an audit corporation is attached to the document to be delivered prior to conclusion of contract, and the scope of the auditing is clearly indicated in the document).

２　第九十五条第二項の規定は、商品ファンド関連取引について準用する。この場合において、同項中「前項各号」とあるのは、「第九十七条第一項各号」と読み替えるものとする。

(2) The provisions of Article 95, paragraph (2) apply mutatis mutandis to a

commodity fund-related transaction. In this case, the term "the items of the preceding paragraph" in the same paragraph is deemed to be replaced with "the items of Article 97, paragraph (1)".

3　第九十五条第三項の規定は、商品ファンド関連受益権について準用する。この場合において、同項中「第一項」とあるのは、「第九十七条第一項」と読み替えるものとする。

(3) The provisions of Article 95, paragraph (3) apply mutatis mutandis to beneficial interests in a commodity fund. In this case, the term "paragraph (1)" in the same paragraph is deemed to be replaced with "Article 97, paragraph (1)".

4　第一項及び前項の「商品ファンド関連受益権」とは、金融商品取引法第二条第一項第十四号に掲げる有価証券又は同項第十七号に掲げる有価証券（同項第十四号に掲げる有価証券の性質を有するものに限る。）に表示されるべき権利であって、当該権利に係る信託財産を主として次に掲げる行為により運用することを目的とする信託の収益の分配及び元本の返還を受ける権利であるものをいう。

(4) The term "beneficial interest in a commodity fund" referred to in paragraph (1) and the preceding paragraph means the right to be indicated on the securities stated in Article 2, paragraph (1), item (xiv) of the Financial Instruments and Exchange Act, or on the securities stated in item (xvii) of the same paragraph (limited to those have the characteristics of the securities stated in item (xiv) of the same paragraph), which is a right to receive distributions of profits and refunds of the principal from a trust that is primarily intended to invest its trust property through the following acts:

一　商品投資に係る事業の規制に関する法律第二条第一項に規定する商品投資

(i) commodity investment prescribed in Article 2, paragraph (1) of the Act on Regulation of Commodity Investment;

二　金融商品取引法施行令第三十七条第一項第二号イからホまでに掲げるいずれかの物品の取得（生産を含む。）をし、譲渡をし、使用をし、又は使用をさせること。

(ii) the acquisition (including production), transfer, or use of any of the goods stated in Article 37, paragraph (1), item (ii), (a) through (e) of the Order for Enforcement of the Financial Instruments and Exchange Act, or the allowance of the use of those goods.

（投資顧問契約に係る契約締結前交付書面の記載事項）

(Particulars to Be Stated in a Document to Be Delivered Prior to Conclusion of a Contract Relating to an Investment Advisory Contract)

第九十八条　その締結の媒介を行う特定金融サービス契約（特定預金等契約及び特定保険契約を除く。第五号及び第六号において同じ。）が投資顧問契約である場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、第九十四条各号に掲げる事項のほか、次に掲げる事項とする。

Article 98 (1) In addition to the particulars stated in the items of Article 94,

when a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract), for which a financial service intermediary provides an intermediary service for its conclusion, constitutes an investment advisory contract, the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　相手方金融機関が法人である場合にあっては、その資本金の額又は出資の総額並びにその役員及び主要株主の商号、名称又は氏名

(i) when the counterparty financial institution is a corporation, the amount of stated capital or the total amount of the contributions of the counterparty financial institution, and the trade names or names of its officers and major shareholders;

二　顧客に対する投資顧問契約に基づく助言の業務の用に供する目的で金融商品取引法第二条第八項第十一号ロに規定する金融商品の価値等の分析又は当該分析に基づく投資判断を行う者（第百四条第一項第六号において「分析者等」という。）の氏名

(ii) the name of a person who conducts the analysis of the values, etc. of the financial instruments prescribed in Article 2, paragraph (8), item (xi), (b) of the Financial Instruments and Exchange Act, for the purpose of making it available for advisory services to a customer under the investment advisory contract, or who makes investment decisions based on that analysis (referred to as the "analyst, etc." in Article 104, paragraph (1), item (vi));

三　助言の内容及び方法

(iii) the details and method of the advisory services;

四　顧客に対する投資顧問契約に基づく助言の業務を行う者の氏名

(iv) the name of the person providing advisory services to a customer under the investment advisory contract;

五　当該特定金融サービス契約に金融商品取引法第三十七条の六の規定が適用される場合にあっては、顧客は、特定金融サービス契約が成立したときに作成する同法第三十七条の四第一項に規定する書面（以下この号において「契約締結時交付書面」という。）を受領した日（当該契約締結時交付書面の受領に代えて、金融商品取引業等に関する内閣府令（平成十九年内閣府令第五十二号）第五十六条第一項に規定する電磁的方法により当該契約締結時交付書面に記載すべき事項が提供された場合にあっては、次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める日）から起算して十日を経過するまでの間、書面又は電磁的記録により当該特定金融サービス契約の解除を行うことができる旨

(v) when the provisions of Article 37-6 of the Financial Instruments and Exchange Act apply to the specified financial service contract, the customer may cancel that specified financial service contract in writing or by electronic or magnetic record within ten days from the date on which the customer receives the document prescribed in Article 37-4, paragraph (1) of that Act,

which is to be prepared when the specified financial service contract is entered into (referred to below as the "document to be delivered upon conclusion of contract") (when, in lieu of receiving the document to be delivered upon the conclusion of a contract, the required particulars are provided by electronic or magnetic means prescribed in Article 56, paragraph (1) of the Cabinet Office Order on Financial Instruments Business (Cabinet Office Order No. 52 of 2007), the ten-day period is to be counted from the date specified in (a) or (b) below in accordance with the category of the case listed in (a) or (b) below):

イ　金融商品取引業等に関する内閣府令第五十六条第一項第一号に掲げる方法により提供された場合　当該契約締結時交付書面に記載すべき事項が顧客の使用に係る電子計算機に備えられたファイルへ記録された日

(a) in the case of provision by the method stated in Article 56, paragraph (1), item (i) of the Cabinet Office Order on Financial Instruments Business, etc., the day on which the particulars to be stated in the document to be delivered upon the conclusion of a contract are recorded in a file stored on a computer used by the customer;

ロ　金融商品取引業等に関する内閣府令第五十六条第一項第二号に掲げる方法により提供された場合　同号のファイルを受領した日

(b) in the case of provision by the method stated in Article 56, paragraph (1), item (ii) of the Cabinet Office Order on Financial Instruments Business, etc., the day on which the file stated in the same item is received;

六　次のイ又はロに掲げるものにより行う金融商品取引法第三十七条の六第一項の規定による当該特定金融サービス契約の解除は、当該イ又はロに定める時に、その効力を生ずる旨

(vi) the cancellation of the specified financial service contract by either of the following means under Article 37-6, paragraph (1) of the Financial Instruments and Exchange Act, which comes into effect at the time respectively specified in (a) or (b) below:

イ　書面　当該書面を発した時

(a) in writing: when the document is issued;

ロ　記録媒体に記録された電磁的記録　当該記録媒体を発送した時

(b) in an electronic or magnetic record stored on a recording medium: when the recording medium is sent;

七　相手方金融機関は、その行う投資助言業務に関して、顧客を相手方として又は当該顧客のために金融商品取引法第二条第八項第一号から第四号までに掲げる行為を行ってはならない旨

(vii) the counterparty financial institution must not engage in any of the acts stated in Article 2, paragraph (8), items (i) through (iv) of the Financial Instruments and Exchange Act concerning customers as counterparties, or for those customers, in connection with its investment advisory services;

八　相手方金融機関は、いかなる名目によるかを問わず、その行う投資助言業務に関して、顧客から金銭若しくは有価証券の預託を受け、又は当該相手方金融機関と密接な関係を有する者に顧客の金銭若しくは有価証券を預託させてはならない旨

(viii) the counterparty financial institution must not receive any deposit of money or securities from customers, nor allow any person with a close relationship to the counterparty financial institution to receive money or securities from customers, in connection with its investment advisory services, regardless of the grounds for such deposits;

九　相手方金融機関は、その行う投資助言業務に関して、顧客に対し金銭若しくは有価証券を貸し付け、又は顧客への第三者による金銭若しくは有価証券の貸付けにつき媒介、取次ぎ若しくは代理をしてはならない旨

(ix) the counterparty financial institution must not loan money or securities to customers, nor provide any intermediary, brokerage, or agency services for the lending of money or securities to customers by a third party, in connection with its investment advisory services.

2　次の各号に掲げる規定は、当該各号に定める場合には、適用しない。

(2) The provisions stated in the following items do not apply to the cases specified in each item:

一　前項第七号の規定　相手方金融機関が次に掲げる者である場合

(i) the provisions of item (vii) of the preceding paragraph: when the counterparty financial institution falls under the following persons:

イ　第一種金融商品取引業（金融商品取引法第二十八条第一項に規定する第一種金融商品取引業をいう。以下この款において同じ。）を行う者（第一種少額電子募集取扱業者（同法第二十九条の四の二第九項に規定する第一種少額電子募集取扱業者をいう。第百四条第二項第一号イにおいて同じ。）を除く。）

(a) a person engaged in a type-I financial instruments business (meaning the type-I financial instruments business prescribed in Article 28, paragraph (1) of the Financial Instruments and Exchange Act; the same applies below in this Subsection) (excluding a type-I small amount electronic public offering service provider (meaning the type-I small amount electronic public offering service provider prescribed in Article 29-4-2, paragraph (9) of that Act; the same applies in Article 104, paragraph (2), item (i)(a)));

ロ　第二種金融商品取引業（金融商品取引法第二十八条第二項に規定する第二種金融商品取引業をいう。第百四条第二項第一号ロにおいて同じ。）を行う者（第二種少額電子募集取扱業者（同法第二十九条の四の三第二項に規定する第二種少額電子募集取扱業者をいう。同号ロにおいて同じ。）を除く。）

(b) a person engaged in a type-II financial instruments business (meaning the type-II financial instruments business prescribed in Article 28, paragraph (2) of the Financial Instruments and Exchange Act; the same applies in Article 104, paragraph (2), item (i), (b)) (excluding a type-II small amount electronic public offering service provider (meaning the type-

II small amount electronic public offering service provider prescribed in Article 29-4-3, paragraph (2) of that Act; the same applies in (b) of the same item));

ハ　登録金融機関

(c) a registered financial institution;

ニ　金融商品仲介業者

(d) a financial instruments intermediary service provider;

ホ　金融サービス仲介業者（有価証券等仲介業務を行う者に限る。）

(e) a financial service intermediary (limited to a person engaged in securities, etc. intermediary business operations);

二　前項第八号の規定　相手方金融機関が次に掲げる者である場合

(ii) the provisions of item (viii) of the preceding paragraph: when the counterparty financial institution falls under the following persons:

イ　有価証券等管理業務を行う者

(a) a person engaged in the securities, etc. management business operations;

ロ　登録金融機関（信託業務を営む金融機関（金融機関の信託業務の兼営等に関する法律第一条第一項の認可を受けた金融機関をいう。次号ロ並びに第百四条第二項第二号ロ及び第三号ロにおいて同じ。）又は預金、貯金若しくは定期積金等（銀行法第二条第四項に規定する定期積金等をいう。第百四条第二項第二号ロにおいて同じ。）の受入れを行う金融機関に限る。）

(b) a registered financial institution (limited to a financial institution engaged in the trust business (meaning a financial institution that has obtained the authorization referred to in Article 1, paragraph (1) of the Act on Engagement in Trust Business by Financial Institutions; the same applies in (b) of the following item and Article 104, paragraph (2), item (ii), (b) and item (iii), (b)), or a financial institution accepting deposits, savings, or installment savings, etc. (meaning the installment savings, etc. prescribed in Article 2, paragraph (4) of the Banking Act; the same applies in Article 104, paragraph (2), item (ii), (b));

三　前項第九号の規定　相手方金融機関が次に掲げる者である場合

(iii) the provisions of item (ix) of the preceding paragraph: when the counterparty financial institution falls under the following persons:

イ　第一種金融商品取引業を行う者

(a) a person engaged in a type-I financial instruments business;

ロ　登録金融機関（信託業務を営む金融機関に限る。）

(b) a registered financial institution (limited to a financial institution engaged in trust business);

ハ　金融商品仲介業者

(c) a financial instruments intermediary service provider;

ニ　金融サービス仲介業者（有価証券等仲介業務を行う者に限る。）

(d) a financial service intermediary (limited to a person engaged in securities,

etc. intermediary business operations).

3　第九十五条第二項の規定は、投資顧問契約について準用する。この場合において、同項中「前項各号」とあるのは、「第九十八条第一項各号」と読み替えるものとする。

(3) The provisions of Article 95, paragraph (2) apply mutatis mutandis to an investment advisory contract. In this case, the term "the items of the preceding paragraph" in the same paragraph is deemed to be replaced with "the items of Article 98, paragraph (1)".

（投資一任契約に係る契約締結前交付書面の記載事項）

(Particulars to Be Stated in a Document to Be Delivered Prior to Conclusion of a Contract Relating to a Discretionary Investment Contract)

第九十九条　その締結の媒介を行う特定金融サービス契約（特定預金等契約及び特定保険契約を除く。次項において同じ。）が投資一任契約である場合における準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、第九十四条各号に掲げる事項のほか、次に掲げる事項とする。

Article 99 (1) In addition to the particulars stated in the items of Article 94, when a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract), for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a discretionary investment contract, the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　運用の基本方針

(i) the basic investment policy;

二　投資一任契約に基づき顧客のために行う当該顧客の資産に係る投資の方法及び取引の種類

(ii) the method of investment for the customer's assets to be made for the customer under the discretionary investment contract, and the type of transaction;

三　投資一任契約に基づき顧客のために投資判断を行い、又は当該投資判断を行うとともに、これに基づく投資を行う者の氏名

(iii) the name of the person who makes investment decisions, or who both makes investment decisions and executes investments based on those decisions, for the customer under the discretionary investment contract;

四　投資判断の一任の範囲及び投資の実行に関する事項（権利者（金融商品取引法第四十二条第一項に規定する権利者をいう。以下この款において同じ。）のために運用を行う権限の全部又は一部を同法第四十二条の三第一項に規定する者に委託（当該委託に係る権限の一部を更に委託するものを含む。）をする場合における当該者の商号又は名称（当該者が適格投資家向け投資運用業を行うことにつき同法第二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）及び当該委託の概要を含む。）

(iv) the particulars concerning the scope of discretionary investment decisions and the implementation of investments (when all or part of the authority to make investments for a right holder (meaning the right holder prescribed in Article 42, paragraph (1) of the Financial Instruments and Exchange Act; the same applies below in this Subsection) is entrusted to a person prescribed in Article 42-3, paragraph (1) of that Act (including when part of the authority is re-entrusted), including the trade name or name of the person (if the person is a financial instruments business operator registered under Article 29 of that Act as engaging in the investment management business for qualified investors, including a statement confirming this), and the outline of the entrustment);

五　投資一任契約に基づき権利者のために運用を行う者が適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者であるときは、その旨

(v) when a person making investments for a right holder under the discretionary investment contract is a financial instruments business operator registered under Article 29 of the Financial Instruments and Exchange Act as engaging in the investment management business for qualified investors, a statement confirming this;

六　相手方金融機関の財務又は投資一任契約に係る業務に関する外部監査の有無並びに当該外部監査を受けている場合にあっては、当該外部監査を行った者の氏名又は名称並びに当該外部監査の対象及び結果の概要

(vi) whether an external audit has been conducted for the counterpartyfinancial institution's finances or the business operations related to the discretionary investment contract, and, if an external audit has been conducted, the name of the person who conducted the audit, as well as the target and an outline of the results of the audit.

2　その締結の媒介を行う特定金融サービス契約が投資一任契約である場合において、当該投資一任契約の締結後に当該投資一任契約に基づき特定の銘柄の対象有価証券を投資の対象とする方針であるときにおける準用金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、前項に規定する事項のほか、次に掲げる事項とする。

(2) In addition to the particulars prescribed in the preceding paragraph, when a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a discretionary investment contract, and where, under the relevant policy, the subject securities of a specific issue are to be designated as the subject of investment after the discretionary investment contract is concluded, the particulars specified by Cabinet Office Order, as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　当該対象有価証券の名称、当該対象有価証券の価額の算出方法並びに当該対象有価証券に係る権利を有する者に当該価額を報告する頻度及び方法に関する事項

(i) the name of the subject securities, the method of calculating the price of the subject securities, and the particulars concerning the frequency and method of reporting the price to a person holding the rights relating to those securities;

二　当該対象有価証券の発行者、当該対象有価証券に係る権利を有する者から出資又は拠出を受けた資産（以下この号及び第四号において「ファンド資産」という。）の運用に係る重要な業務を行う者、ファンド資産の保管に係る重要な業務を行う者並びにファンド資産の運用及び保管に係る業務以外の前号に掲げる事項（同号に規定する価額の算出方法又は当該価額を報告する方法に関する事項に限る。）に係る重要な業務を行う者（次号において「ファンド関係者」という。）の商号又は名称、住所又は所在地及びそれらの者の役割分担に関する事項

(ii) the trade name or name and the address or residence of the issuer of the subject securities; a person engaged in important business operations for the investment of assets invested or contributed by a person holding rights relating to the subject securities (these assets are referred to below as the "fund assets" in this item and item (iv)); a person engaged in important business operations for the preservation of the fund assets; and a person engaged in important business operations concerning the particulars stated in the preceding item, other than those relating to the investment and preservation of the fund assets (limited to the particulars concerning the calculation method of the price prescribed in the same item or the method of reporting the price) (referred to as the "persons related to the fund" in the following item); and the particulars concerning the role-sharing of these persons;

三　相手方金融機関とファンド関係者との間の資本関係及び人的関係

(iii) the capital and personal relationships between the counterparty financial institutions and the persons related to the fund;

四　ファンド資産に係る外部監査の有無及び当該外部監査を受ける場合にあっては、当該外部監査を行う者の氏名又は名称

(iv) whether an external audit is conducted for the fund assets, and, if an external audit is conducted, the name of the person who conducts the audit.

3　第九十五条第二項の規定は、投資一任契約について準用する。この場合において、同項中「前項各号」とあるのは「第九十九条第一項各号及び第二項各号」と、「同項の」とあるのは「これらの」と、「同項各号」とあるのは「同条第一項各号及び第二項各号」と読み替えるものとする。

(3) The provisions of Article 95, paragraph (2) apply mutatis mutandis to a discretionary investment contract. In this case, in the same paragraph, the term "the items of the preceding paragraph" is deemed to be replaced with "the items of paragraph (1) and paragraph (2) of Article 99"; the term "the

provisions of the same paragraph" is deemed to be replaced with "these provisions"; and the term "the items of the same paragraph" is deemed to be replaced with "the items of paragraph (1) and paragraph (2) of the same Article".

4　第二項の「対象有価証券」とは、次に掲げる有価証券（当該有価証券に関して金融商品取引法第四条第七項に規定する開示が行われている場合に該当するものを除く。）をいう。

(4) The term "subject securities" referred to in paragraph (2) means the following securities (excluding those securities for which the disclosure prescribed in Article 4, paragraph (7) of the Financial Instruments and Exchange Act has been made):

一　金融商品取引法第二条第一項第十号又は第十一号に掲げる有価証券

(i) the securities stated in Article 2, paragraph (1), item (x) or (xi) of the Financial Instruments and Exchange Act;

二　金融商品取引法第二条第一項第十四号に掲げる有価証券のうち、投資信託（投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第三項に規定する投資信託をいう。以下この章において同じ。）の受益証券に類似するもの

(ii) the securities similar to beneficiary certificates of an investment trust (meaning the investment trust prescribed in Article 2, paragraph (3) of the Act on Investment Trust and Investment Corporations (Act No. 198 of 1951); the same applies below in this Chapter) among the securities stated in Article 2, paragraph (1), item (xiv) of the Financial Instruments and Exchange Act;

三　金融商品取引法第二条第一項第十七号に掲げる有価証券のうち、前号に掲げる有価証券の性質を有するもの

(iii) the securities stated in Article 2, paragraph (1), item (xvii) of the Financial Instruments and Exchange Act that have the characteristics of the securities stated in the preceding item;

四　金融商品取引法第二条第一項第二十号に掲げる有価証券で、前三号に掲げる有価証券に係る権利を表示するもの

(iv) the securities stated in Article 2, paragraph (1), item (xx) of the Financial Instruments and Exchange Act that indicate the rights related to the securities stated in the preceding three items;

五　前各号に掲げる有価証券に表示されるべき権利であって、金融商品取引法第二条第二項の規定により有価証券とみなされるもの

(v) the right to be indicated on the securities stated in the preceding items, which are considered to be securities under Article 2, paragraph (2) of the Financial Instruments and Exchange Act.

（特定預金等契約に係る契約締結時交付書面の記載事項）

(Particulars to Be Stated in a Document to Be Delivered upon the Conclusion of

a Contract Relating to a Contract for a Specified Deposit, etc.)

第百条　特定預金等契約が成立したときに作成する準用金融商品取引法第三十七条の四第一項に規定する書面（以下この款において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 100 The following particulars must be stated in a document prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, that is to be prepared when a contract for a specified deposit, etc. is concluded (the document is referred to below as a "document to be delivered upon conclusion of contract" in this Subsection):

一　当該金融サービス仲介業者及び相手方金融機関の商号、名称又は氏名

(i) the trade name or name of the financial service intermediary and the counterparty financial institution;

二　預入金額（元本の額が外国通貨で表示される場合にあっては、当該外国通貨で表示される元本の額）

(ii) the amount of deposit (if the principal amount is indicated in a foreign currency, the amount in that foreign currency);

三　預金保険法第五十三条又は農水産業協同組合貯金保険法第五十五条に規定する保険金の支払の対象であるかどうかの別

(iii) whether the insured is entitled to payment of insurance proceeds as prescribed in Article 53 of the Deposit Insurance Act or Article 55 of the Agricultural and Fishery Cooperatives Savings Insurance Act;

四　預入日及び満期日（自動継続扱いの有無を含む。）

(iv) the date of deposit and the date of maturity (including whether the deposit will be automatically renewed);

五　払戻しの方法

(v) the method of making repayment;

六　利息の設定方法、支払方法、計算方法その他の利息に関する事項

(vi) the method of establishing interest, the payment method of interest, the calculation method of interest, and other particulars concerning interest;

七　預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(vii) the handling of cancellations before the maturity of the deposit period (including the method for calculating interest and fees);

八　当該特定預金等契約の成立の年月日

(viii) the date on which the contract for a specified deposit, etc. is effected ;

九　当該特定預金等契約に係る手数料等に関する事項

(ix) the particulars concerning fees, etc. in relation to the contract for a specified deposit, etc.;

十　顧客の氏名又は名称

(x) the name of the customer; and

十一　顧客が当該金融サービス仲介業者及び相手方金融機関に連絡する方法

(xi) the method by which the customer contacts the financial service

intermediary and the counterparty financial institution.

（特定金融サービス契約に係る契約締結時交付書面の共通記載事項）
(Particulars to Be Stated in All Documents to Be Delivered Upon the Conclusion of a Specified Financial Service Contract)

第百一条　特定預金等契約及び特定保険契約以外の特定金融サービス契約が成立したときに作成する契約締結時交付書面には、次に掲げる事項を記載しなければならない。

Article 101 The following particulars must be stated in a document to be delivered upon the conclusion of a contract, which document is to be prepared when a specified financial service contract—other than a contract for a specified deposit, etc. and a specified insurance policy—is effected:

一　当該金融サービス仲介業者及び相手方金融機関の商号、名称又は氏名

(i) the trade name or name of the financial service intermediary and the counterparty financial institution;

二　相手方金融機関の営業所又は事務所の名称

(ii) the name of the place of business or office of the counterparty financial institution;

三　当該特定金融サービス契約の概要

(iii) the outline of the specified financial service contract;

四　当該特定金融サービス契約の成立の年月日

(iv) the date on which the specified financial service contract is effected;

五　当該特定金融サービス契約に係る手数料等に関する事項

(v) the particulars concerning fees, etc. in relation to the specified financial service contract;

六　顧客の氏名又は名称

(vi) the name of the customer;

七　顧客が当該金融サービス仲介業者及び相手方金融機関に連絡する方法

(vii) the method by which the customer contacts the financial service intermediary and the counterparty financial institution.

（有価証券の売買その他の取引に係る契約締結時交付書面の共通記載事項）
(Particulars to Be Stated in All Documents to Be Delivered Upon the Conclusion of a Contract Involving the Purchase, Sale, or Other Transactions in Securities)

第百二条　有価証券の売買その他の取引に係る特定金融サービス契約が成立したときに作成する契約締結時交付書面には、前条各号に掲げる事項のほか、次に掲げる事項を記載しなければならない。

Article 102 (1) In addition to the particulars prescribed in the items of the preceding Article, the following particulars must be stated in a document to be delivered upon the conclusion of a contract that is to be prepared when a specified financial service contract involving the purchase, sale, or other

transactions in securities is concluded:

一　相手方金融機関の自己又は委託の別

(i) whether it is a transaction for the counterparty financial institution itself or conducted based on entrustment;

二　売付け等（売付けその他の有償の譲渡をいう。）又は買付け等（買付けその他の有償の取得をいう。）の別

(ii) whether it is a sale, etc. (meaning a sale or any other manner of transfer for value) or a purchase, etc. (meaning a purchase or any other manner of acquisition for value);

三　銘柄（取引の対象となる金融商品、金融指標（金融商品取引法第二条第二十五項に規定する金融指標をいう。第百十一条第一項第十五号及び第百三十九条第三項において同じ。）その他これらに相当するものを含む。）

(iii) the issues (including financial instruments, financial indicators (meaning the financial indicators prescribed in Article 2, paragraph (25) of the Financial Instruments and Exchange Act; the same applies in Article 111, paragraph (1), item (xv), and Article 139, paragraph (3)), which are to be the subject of the transaction, or any others equivalent to those issues);

四　約定数量

(iv) the agreed volume;

五　単価、対価の額、約定数値（金融商品取引法第二条第二十一項第二号に規定する約定数値をいう。）その他取引一単位当たりの金額又は数値

(v) the unit price, amount of consideration, agreed figure (meaning the agreed figure prescribed in Article 2, paragraph (21), item (ii) of the Financial Instruments and Exchange Act), or any other amount or figure per transaction unit;

六　顧客が支払うこととなる金銭の額及び計算方法

(vi) the amount of money payable by a customer and the method of calculating it;

七　取引の種類

(vii) the type of transaction;

八　現金取引又は信用取引（金融商品取引法第百五十六条の二十四第一項に規定する信用取引をいう。）の別

(viii) whether the transaction is a cash transaction or a margin transaction (meaning the margin transaction prescribed in Article 156-24, paragraph (1) of the Financial Instruments and Exchange Act);

九　前各号に掲げる事項のほか、取引の内容を適確に示すために必要な事項

(ix) In addition to the particulars stated in the preceding items, any other particulars necessary for properly indicating the details of the transaction.

2　一の有価証券の売買その他の取引について相手方金融機関が金融商品取引法第三十七条の四第一項の規定により顧客に対し同項に規定する書面を交付しなければならない場合において、当該相手方金融機関が前項各号に掲げる事項を記載した当該書面を

交付したときは、金融サービス仲介業者は、同項の規定にかかわらず、契約締結時交付書面に同項各号に掲げる事項を記載することを要しない。

(2) Notwithstanding the provisions of the same paragraph, when a counterparty financial institution is required to deliver a document prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act to a customer under the same paragraph concerning a single purchase, sale, or other transactions in securities, and the counterparty financial institution has delivered that document containing the particulars stated in the items of the preceding paragraph, a financial service intermediary is not required to state those particulars again in a document to be delivered upon the conclusion of a contract.

（商品ファンド関連取引に係る契約締結時交付書面の記載事項の特則）

(Special Provisions on Particulars to Be Stated in a Document to Be Delivered upon the Conclusion of a Contract Relating to Commodity Fund-Related Transactions)

第百三条　商品ファンド関連取引に係る特定金融サービス契約が成立したときに作成する契約締結時交付書面には、前条第一項に規定する事項のほか、次に掲げる事項を記載しなければならない。

Article 103 (1) In addition to the particulars stated in paragraph (1) of the preceding Article, the document to be provided at the time of the conclusion of a specified financial services contract for commodity fund-related transactions must include the following particulars:

一　準用金融商品取引法第三十七条の三第一項第五号に掲げる事項

(i) the particulars stated in Article 37-3, paragraph (1), item (v) of the Financial Instruments and Exchange Act, as applied mutatis mutandis;

二　第九十五条第一項第一号並びに第九十七条第一項第一号、第五号、第十六号、第十八号ロ（２）及び（４）から（６）まで並びに第二十号に掲げる事項

(ii) the particulars stated in Article 95, paragraph (1), item (i), and Article 97, paragraph (1), items (i), (v), and (xvi), and item (xviii), (b), 2., and 4. through 6., and item (xx);

三　当該商品ファンド関連受益権に係る第九十七条第四項各号に掲げる行為による運用の内容

(iii) the details of the investment through any of the actions stated in the items of Article 97, paragraph (4), in relation to the beneficial interest in a commodity fund;

四　商品ファンドの収益の分配の方法

(iv) the method of distributing any profits of the commodity fund;

五　満期時の償還金の支払方法及び繰上償還がある場合にあっては、当該償還金の支払方法

(v) the method of payment for the redemption amount payable upon maturity,

and when advance redemption may be made, the method of payment for the redemption amount; and

六　配当及び償還金に対する課税方法及び税率

(vi) the method and rate of taxation for both the dividend and the redemption.

２　前条第二項の規定は、商品ファンド関連取引について準用する。この場合において、同項中「前項各号」とあるのは、「次条第一項各号」と読み替えるものとする。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to commodity fund-related transactions. In this case, the term "the items of the preceding paragraph" in the same paragraph is deemed to be replaced with "the items of paragraph (1) of the following Article".

（投資顧問契約に係る契約締結時交付書面の記載事項等）

(Particulars to Be Stated in a Document to Be Delivered at the Conclusion of a Contract Relating to an Investment Advisory Contract)

第百四条　投資顧問契約が成立したときに作成する契約締結時交付書面には、第百一条各号に掲げる事項のほか、次に掲げる事項を記載しなければならない。

Article 104 (1) In addition to the particulars stated in each item of Article 101, the document to be delivered at the time of the conclusion of an investment advisory contract must include the following particulars:

一　助言の内容及び方法

(i) the details and method of the advisory services;

二　報酬の額及び支払の時期

(ii) the amount and timing of the payment of remuneration;

三　契約の解除に関する事項（金融商品取引法第三十七条の六第一項から第四項まで（第三項及び第四項にあっては、法第三十一条第二項において準用する場合を含む。）の規定に関する事項を含む。）

(iii) the particulars concerning the cancellation of the contract (including the particulars concerning the provisions of Article 37-6, paragraphs (1) through (4) of the Financial Instruments and Exchange Act (with respect to paragraphs (3) and (4), including as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act));

四　損害賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容

(iv) when there is an agreement on the amount of liquidated damages (including penalties), the details of this agreement;

五　契約期間

(v) the contract period;

六　分析者等の氏名

(vi) the name of the analyst, etc.;

七　顧客に対して投資顧問契約に基づく助言の業務を行う者の氏名

(vii) the name of the person providing advisory services to a customer under the investment advisory contract;

八　投資顧問契約により生じた債権に関し、相手方金融機関に係る営業保証金について、他の債権者に先立ち弁済を受ける権利を有する旨

(viii) regarding claims arising from the investment advisory contract, a customer is entitled to receive payment from the business security deposit related to the counterparty financial institution, in preference to other creditors;

九　第九十八条第一項第七号に掲げる事項

(ix) the particulars stated in Article 98, paragraph (1), item (vii);

十　第九十八条第一項第八号に掲げる事項

(x) the particulars stated in Article 98, paragraph (1), item (viii);

十一　第九十八条第一項第九号に掲げる事項

(xi) the particulars stated in Article 98, paragraph (1), item (ix).

２　次の各号に掲げる規定は、当該各号に定める場合には、適用しない。

(2) The provisions stated in the following items do not apply to the cases specified in each item:

一　前項第九号の規定　相手方金融機関が次に掲げる者である場合

(i) the provisions of item (ix) of the preceding paragraph: when the counterparty financial institution falls under the following persons:

イ　第一種金融商品取引業を行う者（第一種少額電子募集取扱業者を除く。）

(a) a person engaged in type-I financial instruments business (excluding a type-I small amount electronic public offering service provider);

ロ　第二種金融商品取引業を行う者（第二種少額電子募集取扱業者を除く。）

(b) a person engaged in type-II financial instruments business (excluding a type-II small amount electronic public offering service provider);

ハ　登録金融機関

(c) a registered financial institution;

ニ　金融商品仲介業者

(d) a financial instruments intermediary service provider;

ホ　金融サービス仲介業者（有価証券等仲介業務を行う者に限る。）

(e) a financial service intermediary (limited to a person engaged in securities, etc. intermediary business operations);

二　前項第十号の規定　相手方金融機関が次に掲げる者である場合

(ii) the provisions of item (x) of the preceding paragraph: when the counterparty financial institution falls under the following persons:

イ　有価証券等管理業務を行う者

(a) a person engaged in securities, etc. management business operations;

ロ　登録金融機関（信託業務を営む金融機関又は預金、貯金若しくは定期積金等の受入れを行う金融機関に限る．）

(b) a registered financial institution (limited to a financial institution engaged in trust business, or a financial institution accepting deposits, savings, or fixed-term installment deposits, etc.);

三　前項第十一号の規定　相手方金融機関が次に掲げる者である場合

(iii) the provisions of item (xi) of the preceding paragraph: when the counterparty financial institution falls under the following persons:

イ　第一種金融商品取引業を行う者

(a) a person engaged in type-I financial instruments business;

ロ　登録金融機関（信託業務を営む金融機関に限る。）

(b) a registered financial institution (limited to a financial institution engaged in trust business);

ハ　金融商品仲介業者

(c) a financial instruments intermediary service provider;

ニ　金融サービス仲介業者（有価証券等仲介業務を行う者に限る。）

(d) a financial service intermediary (limited to a person engaged in securities, etc. intermediary business operations).

3　第百二条第二項の規定は、投資顧問契約について準用する。この場合において、同項中「前項各号」とあるのは、「第百四条第一項各号」と読み替えるものとする。

(3) The provisions of Article 102, paragraph (2) apply mutatis mutandis to an investment advisory contract. In this case, the term "the items of the preceding paragraph" in the same paragraph is deemed to be replaced with "the items of Article 104, paragraph (1)".

（投資一任契約に係る契約締結時交付書面の記載事項等）

(Particulars to Be Stated in a Document to Be Delivered upon the Conclusion of a Contract Relating to a Discretionary Investment Contract)

第百五条　投資一任契約が成立したときに作成する契約締結時交付書面には、第百一条各号に掲げる事項のほか、次に掲げる事項を記載しなければならない。

Article 105 (1) In addition to the particulars stated in the items of Article 101, the document to be delivered upon the conclusion of a contract must include the following particularswhen a discretionary investment contract is effected:

一　投資判断の一任の範囲及び投資の実行に関する事項（投資判断及び投資の実行に係る権限の全部又は一部の委託をする場合における当該委託を受けた者の名称（当該者が適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者であるときは、その旨を含む。）及び当該委託の範囲を含む。）

(i) the particulars concerning the scope of discretionary investment decisions and the implementation of investments (when all or part of the authority to make investment decisions or execute investments is to be entrusted to another person, including the name of the entrusted person (when the person is a financial instruments business operator registered under Article 29 of the Financial Instruments and Exchange Act as engaging in the investment management business for qualified investors, including a statement confirming this) and the scope of the entrustment);

二　報酬の額及び支払の時期

(ii) the amount of remuneration and the timing of its payment;

三　契約の解除に関する事項

(iii) the particulars concerning the cancellation of the contract;

四　損害賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容

(iv) when there is an agreement on the amount of liquidated damages (including penalties), the details of this agreement;

五　契約期間

(v) the contract period;

六　投資一任契約に係る顧客の資産の内容及び金額

(vi) the details and amount of the customer's assets relating to the discretionary investment contract;

七　投資一任契約に基づき顧客のために投資判断を行い、又は当該投資判断を行うとともに、これに基づく投資を行う者の氏名

(vii) the name of the person who makes investment decisions, or who both makes investment decisions and executes investments based on those decisions, for the customer under the discretionary investment contract;

八　投資一任契約に基づき顧客のために行う当該顧客の資産に係る投資の方法及び取引の種類

(viii) the method of investment regarding the customer's assets to be made for the customer under the discretionary investment contract, and the type of transaction;

九　投資一任契約に基づき権利者のために運用を行う者が適格投資家向け投資運用業を行うことにつき金融商品取引法第二十九条の登録を受けた金融商品取引業者であるときは、その旨

(ix) when the person making investments for a right holder under the discretionary investment contract is a financial instruments business operator registered under Article 29 of the Financial Instruments and Exchange Act as engaging in the investment management business for qualified investors, a statement confirming this;

十　金融商品取引法第四十二条の七第一項の運用報告書を交付する頻度

(x) the frequency of delivery of the investment report referred to in Article 42-7, paragraph (1) of the Financial Instruments and Exchange Act.

2　第百二条第二項の規定は、投資一任契約について準用する。この場合において、同項中「前項各号」とあるのは、「第百五条第一項各号」と読み替えるものとする。

(2) The provisions of Article 102, paragraph (2) apply mutatis mutandis to a discretionary investment contract. In this case, the term "the items of the preceding paragraph" in the same paragraph is deemed to be replaced with "the items of Article 105, paragraph (1)".

（特定預金等契約に係る契約締結時交付書面の交付を要しない場合）

(Exemption from the Requirement to Deliver Documents to Be Delivered Upon the Conclusion of a Contract Relating to a Contract for a Specified Deposit, etc.)

第百六条　特定預金等契約が成立したときにおける契約締結時交付書面に係る準用金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 106 (1) The cases specified by Cabinet Office Order, as prescribed in the proviso to Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis to the document delivered at the time of the conclusion of a contract for a specified deposit, etc., are as follows:

一　外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し外貨預金等書面を交付している場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があった場合に限る。）

(i) when, within one year before the conclusion of the contract for a specified deposit, etc. relating to a foreign currency deposit, etc., the financial service intermediary has delivered to the customer a document related to the foreign currency deposit, etc. (limited to cases where the customer has expressed the intent not to require delivery of the document upon the conclusion of the contract);

二　特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結時交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結時交付書面を交付していない場合を含む。）

(ii) when, within one year before the conclusion of the contract for a specified deposit, etc., the financial service intermediary has delivered to the customer a document to be delivered upon the conclusion of a contract relating to another contract for a specified deposit, etc. which contains the same content as that contract for a specified deposit, etc. (including cases where the intermediary has not delivered such a document for that other contract for deposit, etc. provided that the two contracts are substantively identical pursuant to the provisions of the preceding item);

三　既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるとき。

(iii) when a new contract for a specified deposit, etc. is concluded for the purpose of partially amending a contract for an already concluded specified deposit, etc., and the following conditions are met:

イ　当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) when the partial change does not affect the particulars to be stated in the document to be delivered at the time of concluding a s contract for specified deposit, etc. that has already been effected;

ロ　当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(b) when the partial change results in a change to the particulars to be stated in the document to be delivered at the time of concluding a contract for specified deposit, etc. that has already been effected, provided that the financial service intermediary has delivered to the customer a document stating the particulars subject to the change;

四　一の特定預金等契約の締結について、当該特定預金等契約の相手方金融機関が銀行法第十三条の四、長期信用銀行法第十七条の二、信用金庫法第八十九条の二、労働金庫法第九十四条の二、協同組合による金融事業に関する法律第六条の五の十一、農業協同組合法第十一条の五、水産業協同組合法第十一条の十一（同法第九十二条第一項、第九十六条第一項及び第百条第一項において準用する場合を含む。）又は農林中央金庫法第五十九条の三において準用する金融商品取引法第三十七条の四第一項本文の規定により当該顧客に対しこれらの規定において準用する同項本文に規定する書面（第百条第一号及び第十一号に掲げる事項を併せて記載するものに限る。）を交付している場合

(iv) with regard to the conclusion of a contract for a specified deposit, etc., the counterparty financial institution to the contract for a specified deposit, etc. has delivered to the customer a document prescribed in the main clause of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Banking Act; Article 17-2 of the Long-Term Credit Bank Act; Article 89-2 of the Shinkin Bank Act; Article 94-2 of the Labor Bank Act; Article 6-5-11 of the Act on Financial Businesses by Cooperatives; Article 11-5 of the Agricultural Cooperatives Act; Article 11-11 of the Fishery Cooperatives Act (including when applied mutatis mutandis pursuant to Article 92, paragraph (1); Article 96, paragraph (1); and Article 100, paragraph (1) of that Act); or Article 59-3 of the Norinchukin Bank Act (limited to a document in which the particulars stated in Article 100, items (i) and (xi) are also stated), pursuant to the provisions of the main clause of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to these provisions.

2　外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結の媒介を行った場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があった場合に限る。）には、当該特定預金等契約の締結の日において外貨預金等書面を交付したものとみなして、前項第一号の規定を適用する。

(2) When, within one year from the date of delivery of a document related to a foreign currency deposit, etc. (including the date on which such a document on foreign currency deposit, etc.is deemed to have been delivered under this

paragraph), a financial service intermediary has provided intermediary services for the conclusion of a contract for a specified deposit, etc. relating to a foreign currency deposit, etc. (limited to cases where the customer has expressed the intent not to require delivery of the document upon the conclusion of the contract), the document related to the foreign currency deposit, etc. is deemed to have been delivered on the date of the conclusion of that contract for a specified deposit, etc., and the provisions of item (i) of the preceding paragraph apply.

3　契約締結時交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結時交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結時交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結時交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結の媒介を行った場合には、当該特定預金等契約の締結の日において契約締結時交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(3) When, within one year from the date delivery of a document to be delivered upon the conclusion of a contract (including the date on which a contract for a specified deposit, etc. was concluded where such a document was not delivered for that contract for specified deposit, etc.under paragraph (1), item (i); and the date on which such a document is deemed to have been delivered under this paragraph), a financial service intermediary has provided intermediary services for the conclusion of another contract for a specified deposit, etc. with the same content as the contract for a specified deposit, etc.related to the document to be delivered upon the conclusion of a contract, the document is deemed to have been delivered on the date of the conclusion of that other contract, and the provisions of paragraph (1), item (ii) apply.

（特定金融サービス契約に係る契約締結時交付書面の交付を要しない場合）

(Exemption from the Requirement to Deliver Documents to Be Delivered Upon the Conclusion of a Specified Financial Service Contract)

第百七条　特定預金等契約及び特定保険契約以外の特定金融サービス契約（以下この項において単に「特定金融サービス契約」という。）が成立したときにおける契約締結時交付書面に係る準用金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 107 (1) When a specified financial service contract other than a contract for a specified deposit, etc. or a specified insurance contract (simply referred to below as a "specified financial service contract" in this paragraph) is concluded, the cases specified by Cabinet Office Order, as prescribed in the proviso to Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　当該特定金融サービス契約が次に掲げるものである場合であって、顧客に対し当該特定金融サービス契約の内容を記載した書面を定期的に交付し、かつ、当該顧客

からの個別の取引に関する照会に対して、速やかに回答できる体制が整備されているとき。

(i) when the specified financial service contract falls under the following, and the financial service intermediary has established a system to enable it to periodically deliver documents containing the details of the specified financial service contract to customers, and to promptly respond to customers' inquiries regarding individual transactions:

イ　累積投資契約による有価証券の買付け又は累積投資契約に基づき定期的にする有価証券の売付け

(a) a contract for the purchase of securities under a contract for cumulative investment, or a contract for the sale of securities conducted on a regular basis under a contract for cumulative investment;

ロ　顧客が所有する金融商品取引法第二条第一項第十号に掲げる有価証券から生ずる収益金をもって当該有価証券と同一の銘柄を取得させるもの

(b) acquiring the same securities as those stated in Article 2, paragraph (1), item (x) of the Financial Instruments and Exchange Act, using the proceeds from securities held by the customer;

ハ　金融商品取引法第二条第一項第十号に掲げる有価証券（公社債投資信託の受益証券に限る。）の売買

(c) purchasing and selling the securities stated in Article 2, paragraph (1), item (x) of the Financial Instruments and Exchange Act (limited to beneficiary certificates of bond investment trusts);

二　次に掲げる取引に係る特定金融サービス契約が成立した場合であって、相手方金融機関が金融商品取引業等に関する内閣府令第百十条第一項第二号の規定により顧客に対し契約書を交付するものであるとき。

(ii) when a specified financial service contract for the following transactions is concluded, and the counterparty financial institution is to deliver a written contract to the customer pursuant to Article 110, paragraph (1), item (ii) of the Cabinet Office Order on Financial Instruments Business:

イ　有価証券の売付けの媒介（当該特定金融サービス契約に係る顧客が当該有価証券の発行者又は所有者である場合に限る。）

(a) an intermediary service for the sale of securities (limited to cases where the customer for the specified financial service contract is the issuer or owner of those securities);

ロ　有価証券の買付けの媒介（公開買付者を相手方として公開買付けに係る有価証券の買付けの媒介を行う場合に限る。）

(b) an intermediary service for the purchase of securities (limited to cases where the service involves acting as an intermediary for the purchase of securities in connection with a tender offer, with the tender offeror being the counterparty;

ハ　有価証券の募集又は売出しの取扱い（当該特定金融サービス契約に係る顧客が

当該有価証券の発行者又は所有者である場合に限る。）

(c) the handling of a public offering or secondary distribution of securities (limited to cases where the customer for the specified financial service contract is the issuer or owner of those securities);

三　事故処理（金融商品取引業等に関する内閣府令第百十八条第一号イからホまでに掲げる行為があった場合に、当該行為に係る取引を解消し、又は顧客注文の本旨に従った履行をするために行う取引であって、顧客の同意を得て行うものをいう。）である場合

(iii) when handling problematic conduct (meaning a transaction carried out with the customer's consent, in cases where any of the acts stated in Article 118, item (i), (a) through (e) of the Cabinet Office Order on Financial Instruments Business has been committed, for the purpose of cancelling the transaction related to that act and executing the customer's order in accordance with its intended purpose);

四　顧客が相手方金融機関（投資運用業（金融商品取引法第二十八条第四項に規定する投資運用業をいう。第百十一条第一項第十九号において同じ。）を行う者に限る。）と投資一任契約を締結している場合であって、当該投資一任契約に基づく有価証券の売買その他の取引について次に掲げる要件の全てを満たすものであるとき。

(iv) when a customer has concluded a discretionary investment contract with the counterparty financial institution (limited to a counterparty financial institution engaged in the investment management business (meaning the investment management business prescribed in Article 28, paragraph (4) of the Financial Instruments and Exchange Act; the same applies in Article 111, paragraph (1), item (xix)), and when the purchase, sale, or other transactions in securities conducted under that discretionary investment contract satisfy all of the following requirements:

イ　書面又は情報通信の技術を利用する方法により、当該顧客からあらかじめ契約締結時交付書面の交付を要しない旨の承諾を得ること。

(a) the financial service intermediary obtains the customer's prior consent, in writing or by a method utilizing information and communications technology, that the delivery of a document to be delivered upon the conclusion of a contract is not required;

ロ　当該顧客に対し、第百二条第一項各号に掲げる事項に準ずる事項その他当該投資一任契約に基づく有価証券の売買その他の取引の内容を記載した書面を遅滞なく交付すること（書面又は情報通信の技術を利用する方法により、当該顧客からあらかじめ当該内容を記載した書面の交付を要しない旨の承諾を得た場合を除く。）。

(b) the financial service intermediary delivers to the customer, without delay, a document stating the particulars equivalent to those stated in the items of Article 102, paragraph (1), and other details of the purchase, sale, or other transactions in securities to be conducted under the discretionary

investment contract (excluding cases where the customer's prior consent for not requiring the delivery of a document stating those particulars is obtained in writing, or by a method utilizing information and communications technology);

ハ　当該顧客からの個別の取引に関する照会に対して速やかに回答できる体制が整備されていること。

(c) the financial service intermediary has established a system to enable it to promptly respond to customers' inquiries regarding individual transactions;

五　既に成立している特定金融サービス契約の一部の変更をすることを内容とする特定金融サービス契約が成立した場合においては、次に掲げるとき。

(v) when a new specified financial service contract is concluded for the purpose of partially amending an already concluded specified financial service contract, and the following conditions are met:

イ　当該変更に伴い既に成立している特定金融サービス契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) when the partial change does not affect the particulars to be stated in the document to be delivered at the time of concluding a specified financial service contract that has already been effected;

ロ　当該変更に伴い既に成立している特定金融サービス契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(b) when the change results in a change to the particulars to be stated in the document to be delivered at the time of concluding a specified financial service contract that has already been effected, provided that the financial service intermediary has delivered to the customer a document stating the particulars subject to that change.

2　金融サービス仲介業者は、前項第一号の書面の交付に代えて、次項に定めるところにより、顧客の承諾を得て、当該書面に記載すべき事項（同項において「記載事項」という。）を電磁的方法（第二条第一項第一号ニに掲げる方法を除く。次項において同じ。）により提供することができる。この場合において、金融サービス仲介業者は、当該書面を交付したものとみなす。

(2) In lieu of delivering a document pursuant to the provisions of item (i) of the preceding paragraph, a financial service intermediary may provide the particulars to be stated in the document (referred to as the "particulars to be stated" in the following paragraph) by electronic or magnetic means (excluding the method stated in Article 2, paragraph (1), item (i), (d); the same applies in the following paragraph) with the customer's consent. In such a case, the financial service intermediary is deemed to have delivered the document.

3　第三条第二項及び第三項の規定は、前項の規定により記載事項を電磁的方法により提供しようとするときについて準用する。この場合において、同条第二項中「前項」

とあるのは「第百七条第二項」と、「前条第一項各号」とあるのは「前条第一項第一号イからハまで又は第二号」と読み替えるものとする。

(3) The provisions of Article 3, paragraphs (2) and (3) apply mutatis mutandis to cases where a financial service intermediary intends to provide the particulars to be stated by electronic or magnetic means under the preceding paragraph. In such cases, the terms "the preceding paragraph" and "the items of paragraph (1) of the preceding Article" in paragraph (2) of the same Article are deemed to be replaced with "Article 107, paragraph (2)" and "paragraph (1), item (i), (a) through (c) or item (ii) of the preceding Article", respectively.

4　第二項の場合において、第二条第二項（第三号ロ及び第四号を除く。）の規定の適用については、同項第三号中「に掲げられた取引を最後に行った」とあるのは、「を記録した」とする。

(4) In the case referred to in paragraph (2), with regard to the application of the provisions of Article 2, paragraph (2) (excluding item (iii), (b) and item (iv)), the phrase "the transaction stated in the particulars to be stated was finally conducted" in item (iii) of the same paragraph is deemed to be replaced with "the particulars to be stated were recorded".

5　第一項第四号イ及びロの「情報通信の技術を利用する方法」とは、次に掲げる方法とする。ただし、当該方法は、金融サービス仲介業者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(5) "A method utilizing information and communications technology," as referred to in paragraph (1), item (iv), (a) and (b), means the following methods; provided, however, that the method must enable a financial service intermediary to prepare a document by printing out the information recorded in the files:

一　電子情報処理組織を使用する方法のうち次に掲げるもの

(i) the following methods of using an electronic data processing system:

イ　金融サービス仲介業者の使用に係る電子計算機と顧客の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a method of transmitting the information to be stated via a telecommunications line connecting a computer used by the financial service intermediary and computers used by customers, and recording that information in a file stored on a computer used by the recipient;

ロ　金融サービス仲介業者の使用に係る電子計算機に備えられたファイルに記録された顧客の承諾に関する事項を電気通信回線を通じて当該顧客の閲覧に供し、当該金融サービス仲介業者の使用に係る電子計算機に備えられたファイルに当該顧客の承諾に関する事項を記録する方法

(b) a method of making the particulars concerning the customer's consent—which are recorded in a file stored on a computer used by the financial service intermediary—available for the customer's inspection via a

telecommunications line, and recording those particulars in a file stored on a computer used by the financial service intermediary;

二　電磁的記録媒体をもって調製するファイルに顧客の承諾に関する事項を記録したものを得る方法

(ii) a method of obtaining a file—prepared using an electronic or magnetic recording medium—that records the particulars concerning the customer's consent.

（投資者の保護に欠けるおそれが少ないと認められる信用格付）

(Credit Ratings Found Unlikely to Result in Insufficient Protection of Investors)

第百八条　準用金融商品取引法第三十八条第三号に規定する内閣府令で定めるものは、次に掲げる信用格付（金融商品取引法第二条第三十四項に規定する信用格付をいう。以下この条及び次条において同じ。）とする。

Article 108 The credit ratings specified by Cabinet Office Order, as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are to be the following credit ratings (meaning the credit ratings prescribed in Article 2, paragraph (34) of the Financial Instruments and Exchange Act; the same applies below and in the following Article):

一　当該特定金融サービス契約に係る資産証券化商品（金融商品取引業等に関する内閣府令第二百九十五条第三項第一号に規定する資産証券化商品をいう。）の原資産（同項第二号に規定する原資産をいう。）の信用状態に関する評価を対象とする信用格付（実質的に当該資産証券化商品の信用状態に関する評価を対象とする信用格付と認められる信用格付を除く。）

(i) a credit rating for assessing the credit status of the underlying assets (meaning the underlying assets prescribed in Article 295, paragraph (3), item (ii) of the Cabinet Office Order on Financial Instruments Business) of the asset securitization products (meaning the asset securitization products prescribed in item (i) of the same paragraph) for which the specified financial service contract was concluded (excluding any credit rating that is substantially regarded as a credit rating for assessing the credit status of the asset securitization product itself);

二　前号に掲げるもののほか、当該特定金融サービス契約に係る有価証券以外の有価証券又は当該特定金融サービス契約に係る有価証券の発行者以外の者の信用状態に関する評価を主たる対象とする信用格付（実質的に当該特定金融サービス契約に係る有価証券又は当該有価証券の発行者の信用状態に関する評価を対象とする信用格付と認められる信用格付を除く。）

(ii) in addition to what is stated in the preceding item, a credit rating whose primary purpose is the assessment of the credit status of securities other than those related to the specified financial service contract, or the credit status of any party other than the issuer of those securities (excluding any

credit rating that is substantially regarded as a credit rating for assessing the credit status of securities related to the specified financial service contract, or the credit status of the issuer of those securities).

（信用格付業者の登録の意義その他の事項）

(Significance of Registration of Credit Rating Agencies and Other Related Matters)

第百九条　準用金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 109 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration in accordance with Article 66-27 of the Financial Instruments and Exchange Act;

二　信用格付を付与した者に関する次に掲げる事項

(ii) the following particulars regarding the person who determined the credit rating:

イ　商号、名称又は氏名

(a) the trade name or name;

ロ　法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあっては、その代表者又は管理人）の氏名又は名称

(b) when the person is a corporation (including an organization without legal personality for which a representative or administrator has been designated), the names of its officers (or, in the case of an organization without legal personality, the name of the designated representative or administrator);

ハ　本店その他の主たる営業所又は事務所の名称及び所在地

(c) the name and location of the head office, or any other principal place of business or office;

三　信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the outline of the policies and methods used by the person who determined the credit rating to assign that rating;

四　信用格付の前提、意義及び限界

(iv) the assumptions, significance, and limitations of the credit rating.

2　前項の規定にかかわらず、特定関係法人（金融商品取引業等に関する内閣府令第百十六条の三第二項に規定する特定関係法人をいう。以下この項において同じ。）の付与した信用格付については、準用金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) Notwithstanding the provisions of the preceding paragraph, with respect to credit ratings determined by a specified associated corporation (meaning the specified associated corporation prescribed in Article 116-3, paragraph (2) of the Cabinet Office Order on Financial Instruments Business; the same applies below in this paragraph), the particulars specified by Cabinet Office Order, as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of the registration referred to in Article 66-27 of the Financial Instruments and Exchange Act;

二　金融庁長官が金融商品取引業等に関する内閣府令第百十六条の三第二項の規定に基づき、その関係法人（同令第二百九十五条第三項第十号に規定する関係法人をいう。）を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) the trade name or name and the registration number of the credit rating agency, whose associated corporation (meaning the associated corporation prescribed in Article 295, paragraph (3), item (x) of the Cabinet Office Order on Financial Instruments Business) was designated by the Commissioner of the Financial Services Agency as a specified associated corporation, based on the provisions of Article 116-3, paragraph (2) of that Cabinet Office Order;

三　当該特定関係法人が信用格付業を示すものとして使用する呼称

(iii) the name used by the specified associated corporation to represent its credit rating business;

四　信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手する方法

(iv) the outline of the policies and methods used by the specified associated corporation that determined the credit rating, or the means to obtain information on that outline from the credit rating agency prescribed in item (ii); and

五　信用格付の前提、意義及び限界

(v) the assumptions, significance, and limitations of a credit rating.

（特定預金等契約の締結の媒介に関する禁止行為）

(Prohibited Acts Involving Intermediary Services for the Conclusion of a Contract for a Specified Deposit, etc.)

第百十条　その締結の媒介を行う特定金融サービス契約が特定預金等契約である場合における準用金融商品取引法第三十八条第九号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 110 When a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion,

constitutes a contract for a specified deposit, etc., the acts specified by Cabinet Office Order, as prescribed in Article 38, item (ix) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　第五十五条各号に掲げる行為

(i) the acts stated in the items of Article 55;

二　次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（準用金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、準用金融商品取引法第三十四条の三第四項（準用金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号、次条第一項第一号及び第十六号並びに第百十八条第四号及び第五号において同じ。）に対して、準用金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（契約変更書面を交付する場合にあっては、当該契約変更書面に記載されている事項であって同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約の締結の媒介を行う行為

(ii) the act of providing intermediary services for the conclusion of a contract for a specified deposit, etc., without having provided the customer (excluding a professional investor (excluding a person deemed to be a customer other than a professional investor under Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act as applied mutatis mutandis, but including a person deemed to be a professional investor under Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act as applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act as applied mutatis mutandis)); the same applies below in this item, and paragraph (1), items (i) and (xvi) of the following Article, as well as in Article 118, items (iv) and (v))—with a prior explanation of the particulars stated in Article 37-3, paragraph (1), items (iii) through (v) and item (vii) of the Financial Instruments and Exchange Act as applied mutatis mutandis (when an explanatory document concerning changes to contract information is to be delivered, a prior explanation of the particulars stated in items (iii) through (v) and item (vii) of the same paragraph, as stated in the document)—upon the delivery of the following documents, in a manner and to the extent necessary to ensure that the customer understands them, in light of the customer's knowledge, experience, asset status, and the purpose of concluding a contract for a specified deposit, etc.:

イ　契約締結前交付書面

(a) a document to be delivered prior to conclusion of contract;

ロ　外貨預金等書面

(b) a document related to a foreign currency deposit, etc.;

ハ　契約変更書面

(c) an explanatory document concerning changes to contract information;

三　特定預金等契約の締結の勧誘又は媒介に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為

(iii) an act of making any false representation, or making any representation that could lead to a material particular being misunderstood, while soliciting or acting as an intermediary for the conclusion of a contract for a specified deposit, etc.;

四　特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iv) an act of promising a customer or the customer's designee to provide any special benefit, or providing any special benefit to a customer or a third party (including an act of having any third party promise to provide, or providing, any special benefit), in relation to a contract for a specified deposit, etc.;

五　特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為

(v) in connection with the conclusion or cancellation of a contract for a specified deposit, etc., an act of soliciting a customer (limited to an individual) by phone calls or visits at times when the customer may be inconvenienced.

（有価証券等仲介業務に関する禁止行為）

(Prohibited Acts Related to Securities, etc. Intermediary Business Operations)

第百十一条　その締結の媒介を行う特定金融サービス契約が特定預金等契約及び特定保険契約以外の特定金融サービス契約（第一号において単に「特定金融サービス契約」という。）である場合における準用金融商品取引法第三十八条第九号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 111 (1) When a specified financial service contract, for which a financial service intermediary provides an intermediary service for its conclusion, constitutes a specified financial service contract other than a contract for a specified deposit, etc. or a specified insurance contract (simply referred to below as a "specified financial service contract" in item (i)), the acts specified by Cabinet Office Order, as prescribed in Article 38, item (ix) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　次に掲げる書面の交付に関し、あらかじめ、顧客に対して、準用金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（契約変更書面を交付する場合にあっては、当該契約変更書面に記載されている事項であって同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定金融サービス契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、金融サービス仲

介行為（法第十一条第四項各号に掲げる行為に限る。次号から第六号までにおいて同じ。）を行うこと。

(i) conducting intermediation for financial services (limited to the acts stated in the items of Article 11, paragraph (4) of the Act; the same applies in the following item through item (vi)), without having provided the customer with a prior explanation of the particulars stated in Article 37-3, paragraph (1), items (iii) through (v) and item (vii) of the Financial Instruments and Exchange Act as applied mutatis mutandis (when an explanatory document concerning changes to contract information is to be delivered, a prior explanation of the particulars stated in items (iii) through (v) and item (vii) of the same paragraph as stated in the document), upon the delivery of the following documents, in a manner and to the extent necessary to ensure that the customer understands them, in light of the customer's knowledge, experience, asset status, and the purpose of concluding a specified financial service contract, relating to the delivery of the documents stated as follows:

イ　契約締結前交付書面

(a) a document to be delivered prior to conclusion of contract;

ロ　上場有価証券等書面

(b) an explanatory document on listed securities, etc.:

ハ　第九十一条第一項第三号に掲げる場合にあっては、同号に規定する目論見書（同号の規定により当該目論見書と一体のものとして交付される書面がある場合には、当該目論見書及び当該書面）

(c) in the case stated in Article 91, paragraph (1), item (iii), the prospectus prescribed in the same item (when there is any document to be delivered as an integral part of the prospectus under the same item, the prospectus along with that document);

ニ　契約変更書面

(d) an explanatory document concerning changes to contract information;

二　金融サービス仲介行為に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為

(ii) an act of making any false representation, or making any representation that could lead to any material particular being misunderstood, in relation to the intermediation for financial services;

三　金融サービス仲介行為につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iii) an act of promising a customer or a person designated by the customer to provide any special benefit, or providing any special benefit to a customer or a third party (including an act of having any third party promise to provide, or providing, a special benefit), in relation to the intermediation for financial services;

四　金融サービス仲介行為に関し、偽計を用い、又は暴行若しくは脅迫をする行為
(iv) an act of using fraudulent means, or committing assault or intimidation, in relation to the intermediation for financial services;
五　金融サービス仲介行為を行うことを内容とする契約に基づく金融サービス仲介行為を行うことの全部又は一部の履行を拒否し、又は不当に遅延させる行為
(v) an act of refusing or unreasonably delaying the performance of all or part of the intermediation of financial services, under a contract for providing intermediation for financial services;
六　金融サービス仲介行為に関し、顧客（当該金融サービス仲介行為が第九十七条第四項に規定する商品ファンド関連受益権の売買その他の取引に係るもの以外のものである場合にあっては、個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為
(vi) in relation to the intermediation of financial services, an act of soliciting a customer (in the casewhere the intermediation of financial services relates to any transactions other than the purchase, sale, or other transactions in a beneficial interest in a commodity fund prescribed in Article 97, paragraph (4), limited to an individual) by phone calls or visits at times when the customer may be inconvenienced;
七　あらかじめ顧客の同意を得ずに、当該顧客の計算による有価証券の売買その他の取引、市場デリバティブ取引又は外国市場デリバティブ取引をする行為
(vii) an act of conducting the purchase, sale, or other transactions in securities, or market derivatives transactions or foreign market derivatives transactions on the customer's account, without obtaining the customer's prior consent;
八　個人である金融サービス仲介業者又は金融サービス仲介業者の役員（役員が法人であるときは、その職務を行うべき社員を含む。）若しくは使用人（有価証券等仲介業務に従事する者に限る。）が専ら投機的利益の追求を目的として有価証券の売買その他の取引等をする行為
(viii) an act of conducting the purchase, sale, or other transactions in securities solely in pursuit of speculative profit by a financial service intermediary who is an individual, or by any officer (including the executive members, if the officer is a corporation) or employee (limited to an employee engaged in the securities, etc. intermediary business operations) of a financial service intermediary;
九　顧客の有価証券の売買その他の取引が金融商品取引法第百六十六条第一項若しくは第三項又は第百六十七条第一項若しくは第三項の規定に違反すること又は違反するおそれのあることを知りながら、当該有価証券の売買の媒介その他の取引又は取引所金融商品市場（同法第二条第十七項に規定する取引所金融商品市場をいう。以下この項及び第三項並びに第百十八条第一号及び第二号において同じ。）若しくは外国金融商品市場における当該有価証券の売買の委託の媒介の申込みを受ける行為
(ix) an act of accepting a customer's application for an intermediary service for

the purchase, sale, or other transactions in securities, or for an intermediary service for the entrustment of the purchase and sale of securities on a financial instruments exchange market (meaning the financial instruments exchange market prescribed in Article 2, paragraph (17) of the Financial Instruments and Exchange Act; the same applies below in this paragraph and paragraph (3), and in Article 118, items (i) and (ii)) or on a foreign financial instruments market, while knowing that the customer's purchase, sale, or other transactions in securities violate or may violate the provisions of Article 166, paragraph (1) or (3), or Article 167, paragraph (1) or (3) of that Act;

十　有価証券の売買の媒介その他の取引又は取引所金融商品市場若しくは外国金融商品市場における有価証券の売買の委託の媒介につき、顧客に対して当該有価証券の発行者の金融商品取引法第二十七条の二第一項に規定する公開買付け（同項本文の規定の適用を受ける場合に限る。次号において同じ。）、これに準ずる株券等（同項に規定する株券等をいう。同号及び第百十八条第三号において同じ。）の買集め及び同法第二十七条の二十二の二第一項に規定する公開買付け（同項本文の規定の適用を受ける場合に限る。次号において同じ。）の実施又は中止の決定（同法第百六十七条第二項ただし書に規定する基準に該当するものを除く。同号において同じ。）に係る公表されていない情報を提供して勧誘する行為

(x) an act of soliciting a customer regarding an intermediary service for the purchase, sale, or other transactions in securities, or an intermediary service for the entrustment of the purchase and sale of securities on a financial instruments exchange market or on a foreign financial instruments market, by furnishing undisclosed information from the issuer of those securities regarding decisions on the launch or suspension (excluding those corresponding to the standards prescribed in the proviso to Article 167, paragraph (2) of the Financial Instruments and Exchange Act; the same applies in the following item) of a tender offer prescribed in Article 27-2, paragraph (1) of that Act (limited to when the provisions of the main clause of the same paragraph are applicable; the same applies in the following item), an equivalent buy-up of share certificates, etc. (meaning the share certificates, etc. prescribed in Article 27-2, paragraph (1) of that Act; the same applies in the following item and in Article 118, item (iii)), and a tender offer prescribed in Article 27-22-2, paragraph (1) of that Act (limited to when the provisions of the main clause of the same paragraph are applicable; the same applies in the following item);

十一　有価証券の売買の媒介その他の取引又は取引所金融商品市場若しくは外国金融商品市場における有価証券の売買（以下この号において有価証券の売買又は取引所金融商品市場若しくは外国金融商品市場における有価証券の売買を総称して「売買等」という。）の委託の媒介につき、当該有価証券の発行者の金融商品取引法第二十七条の二第一項に規定する公開買付け、これに準ずる株券等の買集め及び同法第

二十七条の二十二の二第一項に規定する公開買付けの実施又は中止の決定に係る情報について公表がされたこととなる前に当該売買等をさせることにより顧客に利益を得させ、又は当該顧客の損失の発生を回避させる目的をもって、当該顧客に対して当該売買等をすることを勧めて勧誘する行為（前号に掲げる行為を除く。）

(xi) an act of soliciting a customer to conduct the purchase and sale, etc. regarding an intermediary service for the purchase, sale, or other transactions in securities, or an intermediary service for the entrustment of the purchase and sale of securities on a financial instruments exchange market or a foreign financial instruments market (the purchase and sale of securities, or the purchase and sale of securities on a financial instruments exchange market or a foreign financial instruments market, are collectively referred to below as the "purchase and sale, etc." in this item), before the publication of the information from the issuer of those securities regarding decisions on the implementation or suspension of the tender offer prescribed in Article 27-2, paragraph (1) of the Financial Instruments and Exchange Act, an equivalent buy-up of share certificates, etc., and a tender offer prescribed in Article 27-22-2, paragraph (1) of that Act, for the purpose of having the customer gain a profit or avoid incurring a loss (excluding the act stated in the preceding item);

十二　金融サービス仲介業者又はその役員（役員が法人であるときは、その職務を行うべき社員を含む。）若しくは使用人が、当該金融サービス仲介業者若しくはその親法人等若しくは子法人等の役員若しくは使用人が職務上知り得た顧客の有価証券の売買、市場デリバティブ取引若しくは外国市場デリバティブ取引に係る注文の動向その他の特別の情報（外国法人（法人でない外国の団体で代表者又は管理人の定めのあるものを含む。）に係るものを除く。）を、その親法人等若しくは子法人等から受領し、若しくはその親法人等若しくは子法人等に提供する行為（次に掲げる場合において行うものを除く。）又は親法人等若しくは子法人等から取得した当該特別の情報（当該親法人等又は子法人等が当該顧客（ニ（１）から（４）までのいずれかに該当する者に限る。）の求めに応じて当該特別の情報の当該金融サービス仲介業者又はその役員若しくは使用人への提供を停止することとしている場合であって、その旨について、あらかじめ、当該顧客が容易に知り得る状態に置いているとき（その求めがある場合を除く。）における当該特別の情報及び当該親法人等又は子法人等が事前に当該顧客の書面又は電磁的記録による同意を得て提供したものを除く。）を利用して有価証券の売買その他の取引を勧誘する行為

(xii) an act of a financial service intermediary or any of its officers (when the officer is a corporation, this includes employees who are to perform the duties of the corporation) or employees, receiving from or providing to its parent corporation, etc. or subsidiary corporation, etc., order trends relating to the buying and selling of customers' securities, market derivatives transactions or foreign market derivatives transactions, or soliciting the purchase, sale, or other transactions in securities or using special

information (excluding information relating to foreign corporations (including unincorporated foreign organizations that have a designated representative or administrator)) that the directors or employees of the financial service intermediary or its parent corporation, etc. or subsidiary corporation, etc. have learned in the course of their duties, or special information obtained from a parent corporation, etc. or subsidiary corporation, etc. (excluding special information where the parent corporation, etc. or subsidiary corporation, etc. has decided to suspend the provision of such information to the financial service intermediary or its officers or employees at the request of the customer (limited to a person falling under any of (d), 1. through 4.), and where that fact is made readily available to the customer (excluding cases in which the customer has made such a request), and excluding special information provided by the parent corporation, etc. or subsidiary corporation, etc. with the customer's prior consent in writing or in electronic or magnetic record):

イ　当該金融サービス仲介業者若しくはその役員若しくは使用人又はその親法人等若しくは子法人等による当該特別の情報の提供につき、事前に当該顧客の書面又は電磁的記録による同意がある場合

(a) when the customer has given prior consent in writing or in an electronic or magnetic record for the provision of special information by the financial service intermediary, or by its officers, employees, parent corporation, etc., or subsidiary corporation, etc.;

ロ　当該金融サービス仲介業者の親法人等又は子法人等が相手方金融機関である場合であって、金融商品取引業等に関する内閣府令第百二十三条第一項第十八号イからハまでに掲げる情報を受領する場合及び第百十八条第九号イ若しくはロに掲げる情報を提供する場合

(b) when the parent corporation, etc. or subsidiary corporation, etc. is the counterparty financial institution, and where the information stated in Article 123, paragraph (1), item (xviii), (a) through (c) of the Cabinet Office Order on Financial Instruments Business is received, or the information stated in Article 118, item (ix), (a) or (b) is provided;

ハ　当該金融サービス仲介業者の親銀行等（親法人等のうち、銀行又は協同組織金融機関（協同組織金融機関の優先出資に関する法律（平成五年法律第四十四号）第二条第一項に規定する協同組織金融機関をいう。ハにおいて同じ。）に該当するものをいう。次項において同じ。）又は子銀行等（子法人等のうち、銀行又は協同組織金融機関に該当するものをいう。同項において同じ。）である所属銀行等（銀行法第二条第十六項に規定する所属銀行、長期信用銀行法第十六条の五第三項に規定する所属長期信用銀行、信用金庫法第八十五条の二第三項に規定する所属信用金庫、労働金庫法第八十九条の三第三項に規定する所属労働金庫、協同組合による金融事業に関する法律第六条の三第三項に規定する所属信用協同組合、農業協同組合法第九十二条の二第三項に規定する所属組合、水産業協同組合法第

百六条第三項に規定する所属組合又は農林中央金庫法第九十五条の二第三項に規定する農林中央金庫をいう。次項において同じ。）又は当該金融サービス仲介業者が行う預金等媒介業務により顧客が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方の委託を受けて金融機関代理業を行う場合であって、同項第一号又は第二号に掲げる情報を受領する場合及び同項第三号又は第四号に掲げる情報を提供する場合

(c) when financial institution agency services are provided based on entrustment by the counterparty to a contract for the lending of funds or the discounting of negotiable instruments concluded by a customer through deposit, etc. intermediary business operations conducted by a principal bank, etc. (meaning the principal bank prescribed in Article 2, paragraph (16) of the Banking Act; the principal long-term credit bank prescribed in Article 16-5, paragraph (3) of the Long-Term Credit Bank Act; the principal shinkin bank prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act; the principal labor bank prescribed in Article 89-3, paragraph (3) of the Labor Bank Act; the principal credit cooperative prescribed in Article 6-3, paragraph (3) of the Act on Financial Businesses by Cooperatives; the principal cooperative prescribed in Article 92-2, paragraph (3) of the Agricultural Cooperatives Act; the principal cooperative prescribed in Article 106, paragraph (3) of the Fishery Cooperatives Act; and the Norinchukin Bank prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act; the same applies in the following paragraph), which is either the financial service intermediary's parent bank, etc. (meaning a parent corporation, etc. that is a bank or cooperative financial institution (meaning a cooperative financial institution prescribed in Article 2, paragraph (1) of the Act on Preferred Equity Investment by Cooperative Financial Institutions (Act No. 44 of 1993); the same applies in (c)); the same applies in the following paragraph) or the financial service intermediary's subsidiary bank, etc. (meaning a subsidiary corporation, etc. that is a bank or cooperative financial institution; the same applies in the same paragraph), or by the financial service intermediary itself, and where the information stated in item (i) or (ii) of the same paragraph is received, or the information stated in item (iii) or (iv) of the same paragraph is provided;

ニ　当該金融サービス仲介業者又は当該親法人等若しくは子法人等が当該顧客（次のいずれかに該当する者に限る。）の求めに応じて当該特別の情報の当該親法人等若しくは子法人等又は当該金融サービス仲介業者若しくはその役員若しくは使用人への提供を停止することとしている場合であって、その旨について、あらかじめ、当該顧客が容易に知り得る状態に置いているとき（その求めがある場合を除く。）。

(d) when the financial service intermediary or the parent corporation, etc. or

subsidiary corporation, etc. has decided to suspend the provision of special information to the financial service intermediary or its officers or employees at the request of the customer (limited to persons falling under any of the following), and when that fact has been made readily available to the customer in advance (excluding cases where the customer has made such a request):

（１）　金融商品取引法第百六十三条第一項に規定する上場会社等及びその子会社等

1. a listed company, etc. prescribed in Article 163, paragraph (1) of the Financial Instruments and Exchange Act and its subsidiary company, etc.;

（２）　金融商品取引所にその発行する株式を上場しようとする株式会社（その上場に関する基準に適合するために必要な助言を受けることを内容とする契約又は金融商品取引法第百九十三条の二の規定に準じて公認会計士若しくは監査法人の監査を受けることを内容とする契約を締結しているものに限る。）及びその子会社等

2. a stock company that intends to list the shares it issues on a financial instruments exchange (limited to a stock company that has concluded a contract to receive advice necessary to conform to the listing criteria, or a contract to receive an audit by a certified public accountant or an audit corporation pursuant to the provisions of Article 193-2 of the Financial Instruments and Exchange Act), and its subsidiaries, etc.;

（３）　金融商品取引法第二十四条第一項（同条第五項（同法第二十七条において準用する場合を含む。）及び同法第二十七条において準用する場合を含む。）に規定する有価証券報告書を提出している者及びその子会社等

3. a person who has submitted an annual securities report, as prescribed in Article 24, paragraph (1) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to paragraph (5) of the same Article (including as applied mutatis mutandis pursuant to Article 27 of that Act) and Article 27 of that Act), and their subsidiary company, etc.;

（４）　金融商品取引法第二条第三項第一号に規定する適格機関投資家（金融商品取引法第二条に規定する定義に関する内閣府令（平成五年大蔵省令第十四号）第十条第一項第二十三号（イに係る部分に限る。）及び第二十四号に掲げる者を除く。）及びその子会社等

4. a qualified institutional investor prescribed in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act (excluding those stated in Article 10, paragraph (1), item (xxiii) (limited to the portion relating to (a)) and item (xxiv) of the Cabinet Office Order on Definitions under Article 2 of the Financial Instruments and Exchange Act (Order of the Ministry of Finance No. 14 of 1993), and its

subsidiary company, etc.;

十三　不特定かつ多数の顧客に対し、特定かつ少数の銘柄の有価証券の買付け若しくは売付けの媒介又は委託の媒介の申込みを一定期間継続して一斉にかつ過度に勧誘する行為で、公正な価格の形成を損なうおそれがあるもの

(xiii) an act of soliciting a large number of unspecified customers in a simultaneous and excessive manner for a specified period of time to apply for intermediation for the purchase or sale of a small number of specific securities, or for intermediation for entrustment, in a way that may undermine the formation of a fair price;

十四　顧客の取引に基づく価格、指標、数値又は対価の額の変動を利用して自己又は当該顧客以外の顧客の利益を図ることを目的として、不特定かつ多数の顧客に対し、有価証券の買付け若しくは売付けの媒介又は委託の媒介の申込みを一定期間継続して一斉にかつ過度に勧誘する行為

(xiv) the act of soliciting an unspecified number of customers for a specified period of time in a simultaneous and excessive manner to apply for intermediation for the purchase or sale of securities or intermediation for entrustment, for the purpose of benefiting oneself or other customers by taking advantage of fluctuations in prices, indexes, figures, or amounts of consideration based on the transactions of the customer;

十五　取引所金融商品市場における上場金融商品等（金融商品取引所が上場する金融商品、金融指標又はオプション（金融商品取引法第二条第一項第十九号に規定するオプションをいう。）をいい、暗号等資産等（同法第百八十五条の二十三第一項に規定する暗号等資産等をいう。）を除く。）又は店頭売買有価証券市場における店頭売買有価証券の相場若しくは相場若しくは取引高に基づいて算出した数値を変動させ、若しくはくぎ付けし、固定し、若しくは安定させ、又は取引高を増加させることにより実勢を反映しない作為的なものとなることを知りながら、当該上場金融商品等又は当該店頭売買有価証券に係る買付け若しくは売付けの媒介又は委託の媒介を行う行為

(xv) an act of providing an intermediary service for, or an intermediary service for the entrustment of, the purchase or sale of listed financial instruments, etc. (meaning financial instruments, financial indicators or options (meaning the options prescribed in Article 2, paragraph (1), item (xix) of the Financial Instruments and Exchange Act) that are listed by a financial instruments exchange, and excluding crypto-and other assets, etc. (meaning the crypto-and other assets, etc. prescribed in Article 185-23, paragraph (1) of that Act) or over-the-counter traded securities, with the knowledge that it will result in artificial figures not reflecting the actual market conditions, through causing fluctuations in, or pegging, setting or stabilizing quotations or figures calculated based on quotations or transaction volumes of listed financial instruments, etc. on a financial instruments exchange market, or over-the-counter traded securities;

十六　顧客に対して、有価証券に係る次に掲げる書類が英語により記載される旨の説明を行わず、又はその旨を記載した文書の交付（当該文書に記載すべき事項を第九十一条第一項第五号又は第六号に規定する閲覧に供する方法に準じて提供することを含む。以下この号において同じ。）をしないで買付けの媒介又は取引所金融商品市場若しくは外国金融商品市場における当該有価証券の買付けに係る委託の媒介を行うこと（当該行為の日前一年以内に当該顧客に当該説明を行い、かつ、当該文書の交付をした場合を除く。）。

(xvi) an act of providing an intermediary service for the purchase, or an intermediary service for the entrustment of the purchase of securities on a financial instruments exchange market or a foreign financial instruments market, without explaining to the customer that the following documents relating to the securities are prepared in English or without delivering a document stating this (including the provision of the particulars to be stated in that document by a method equivalent to the method of making them available for the customer to inspect, as prescribed in Article 91, paragraph (1), item (v) or (vi); the same applies below in this item) (except when, within one year before the date of that act, an explanation has been provided and the document has been delivered to the customer):

イ　金融商品取引法第五条第八項（同法第二十七条において準用する場合を含む。）に規定する外国会社届出書

(a) a foreign company statement prescribed in Article 5, paragraph (8) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 27 of that Act);

ロ　金融商品取引法第二十四条第八項（同法第二十七条において準用する場合を含む。）に規定する外国会社報告書

(b) a foreign company report prescribed in Article 24, paragraph (8) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 27 of that Act);

ハ　金融商品取引法第二十四条の五第七項（同法第二十七条において準用する場合を含む。）に規定する外国会社半期報告書

(c) a foreign company semiannual securities report prescribed in Article 24-5, paragraph (7) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 27 of that Act);

ニ　企業内容等の開示に関する内閣府令第一条第十八号の四に規定する外国会社確認書

(d) a foreign company confirmation letter prescribed in Article 1, item (xviii)-4 of the Cabinet Office Order on Disclosure of Corporate Affairs;

ホ　財務計算に関する書類その他の情報の適正性を確保するための体制に関する内閣府令（平成十九年内閣府令第六十二号）第二条第三号の二に規定する外国会社内部統制報告書

(e) a foreign company internal control report prescribed in Article 2, item

(iii)-2 of the Cabinet Office Order on the System for Ensuring the Appropriateness of Documents on Financial Calculation and Other Information (Cabinet Office Order No. 62 of 2007);

ヘ　金融商品取引法第二十四条の五第十五項（同法第二十七条において準用する場合を含む。）に規定する外国会社臨時報告書

(f) a foreign company extraordinary report prescribed in Article 24-5, paragraph (15) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 27 of that Act);

ト　イからヘまでに掲げる書類の訂正に係る書類であって英語で記載されたもの

(g) a document correcting the documents stated in (a) through (f), which was written in English;

チ　企業内容等の開示に関する内閣府令第十九条の四第二項に規定する外国親会社等状況報告書

(h) a report on the status of a foreign parent company, etc., as prescribed in Article 19-4, paragraph (2) of the Cabinet Office Order on Disclosure of Corporate Affairs;

十七　資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介を行うことを条件として、法第十一条第四項各号に掲げる行為を行うこと（第三号に掲げる行為によってするものを除く。）。

(xvii) to commit any of the acts stated in the items of Article 11, paragraph (4) of the Act, on the condition that the financial service intermediary acts as an agent or intermediary in the conclusion of a contract for the lending of funds or the discounting of negotiable instruments and notes (excluding the act stated in item (iii));

十八　投資助言業務を行う場合には、当該投資助言業務に係る助言に基づいて顧客が行った有価証券の売買その他の取引を結了させ、又は反対売買を行わせるため、当該顧客以外の顧客に対して有価証券の売買その他の取引を勧誘する行為

(xviii) the act, in the course of providing investment advisory services, of soliciting a customer to engage in the purchase, sale, or any other transactions in securities, for the purpose of completing a transaction that the customer conducted based on advice provided in those services, or conducting a reversing trade;

十九　投資運用業を行う場合には、当該投資運用業に関して運用財産の運用として行った有価証券の売買その他の取引を結了させ、又は反対売買を行わせるため、当該運用財産の権利者以外の顧客に対して有価証券の売買その他の取引を勧誘する行為

(xix) the act, in the course of conducting the investment management business, of soliciting a customer—other than the right holders of the investment property related to that business—to engage in the purchase, sale, or any other transactions in securities, for the purpose of completing a transaction that the customer conducted as part of the investment of that property, or conducting a reversing trade;

二十　確定拠出年金運営管理業（確定拠出年金法（平成十三年法律第八十八号）第二条第七項に規定する確定拠出年金運営管理業をいう。次号において同じ。）を行う場合において、当該確定拠出年金運営管理業に係る加入者等（同項第一号イに規定する加入者等をいう。次号において同じ。）による運用の指図（有価証券の売買に係るものに限る。同号において同じ。）に関する情報を利用して、当該加入者等以外の顧客に対して有価証券の売買その他の取引を勧誘する行為

(xx) the act, in the course of conducting defined contribution pension operational management business (meaning the defined contribution pension operational management business prescribed in Article 2, paragraph (7) of the Defined Contribution Pension Act (Act No. 88 of 2001); the same applies in the following item), of using information on investment instructions (limited to instructions regarding the purchase and sale of securities; the same applies in the following item) of subscribers, etc. (meaning the subscribers, etc. prescribed in Article 2, paragraph (7), item (i), (a) of that Act; the same applies in the following item), and, through such use, soliciting any customer other than those subscribers, etc. to engage in the purchase, sale, or other transactions in securities;

二十一　確定拠出年金運営管理業を行う場合において、当該確定拠出年金運営管理業に係る加入者等による運用の指図に基づいて行った有価証券の売買を結了させるため、当該加入者等以外の顧客に対して有価証券の売買その他の取引を勧誘する行為

(xxi) the act, in the course of conducting defined contribution pension operational management business, of soliciting a customer—other than the subscribers, etc. of that business—to engage in the purchase, sale, or other transactions in securities, for the purpose of completing a transaction previously conducted by the customer based on the investment instructions of those subscribers, etc.;

二十二　信託業等（信託業法第二条第一項に規定する信託業、同条第八項に規定する信託契約代理業、同法第二十一条第一項に規定する財産の管理業務又は同法第二十二条第一項に基づき信託会社から信託業務の委託を受けて行う業務をいう。次号において同じ。）を行う場合において、当該信託業等に基づく信託財産の管理又は処分に係る有価証券の売買その他の取引、市場デリバティブ取引又は外国市場デリバティブ取引に関する情報を利用して、当該信託財産に係る顧客以外の顧客に対して有価証券の売買その他の取引の委託等（金融商品取引法第四十四条第一号に規定する委託等をいう。第百十八条第四号において同じ。）を勧誘する行為

(xxii) in the case of conducting trust business, etc. (meaning the trust business prescribed in Article 2, paragraph (1) of the Trust Business Act, the trust agreement agency services prescribed in paragraph (8) of the same Article, the property management services prescribed in Article 21, paragraph (1) of that Act, or business operations conducted based on the entrustment of the trust business by a trust company under Article 22, paragraph (1) of that Act; the same applies in the following item), an act of using information on

the purchase, sale, or other transactions in securities, market derivatives transactions, or foreign market derivatives transactions in connection with the management or disposition of trust property based on the trust business, etc., to solicit a customer other than those related to the trust property to make an entrustment, etc. of the purchase, sale, or other transactions in securities (meaning the entrustment, etc. prescribed in Article 44, item (i) of the Financial Instruments and Exchange Act; the same applies in Article 118, item (iv));

二十三　信託業等を行う場合において、当該信託業等に基づく信託契約又は委託者の指図に基づいて行った有価証券の売買その他の取引を結了させ、又は反対売買を行わせるため、当該信託契約に係る顧客以外の顧客に対して有価証券の売買その他の取引を勧誘する行為

(xxiii) the act, in the course of conducting a trust business, etc., of soliciting a customer—other than those related to the trust agreement executed in the course of the trust business, etc.—to engage in the purchase, sale, or other transactions in securities, for the purpose of completing a transaction that the customer conducted based on that trust agreement or on a settlor's instructions given in connection with the trust business, etc., or conducting a reversing trade;

二十四　金融機関代理業（再編強化法代理業務を含む。次号において同じ。）を行う場合において、有価証券等仲介業務に従事する金融サービス仲介業者又はその役員（役員が法人であるときは、その職務を行うべき社員を含む。）若しくは使用人が、有価証券（金融商品取引法第三十三条第二項第一号に掲げる有価証券並びに同法第二条第一項第十七号に掲げる有価証券であって同項第一号及び第二号の性質を有する有価証券を除く。以下この号において同じ。）の発行者である顧客の非公開融資等情報（金融機関代理業務（金融機関代理業のうち事業のための資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介に係る業務をいい、再編強化法代理業務のうち事業のための資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介に係る業務を含む。以下この号及び次号並びに第百十八条第七号において同じ。）に従事する金融サービス仲介業者若しくはその役員若しくは使用人が職務上知り得たその顧客の行う事業に係る公表されていない情報その他の特別な情報であって有価証券等仲介業務に従事する金融サービス仲介業者若しくはその役員若しくは使用人が勧誘する当該有価証券に係る顧客の投資判断に影響を及ぼすと認められるもの又は有価証券等仲介業務に従事する金融サービス仲介業者若しくはその役員若しくは使用人が職務上知り得たその顧客の有価証券の売買、市場デリバティブ取引又は外国市場デリバティブ取引に係る注文の動向その他の特別の情報であって当該有価証券の発行者に係る金融機関代理業務に重要な影響を及ぼすと認められるもの（これらの情報のうち外国法人（法人でない外国の団体で代表者又は管理人の定めのあるものを含む。）に係るものを除く。）をいう。以下この号及び第百十八条第七号において同じ。）を金融機関代理業務に従事する金融サービス仲介業者若しくはその役員若しくは使用人から受領し、又は金融機関代理業務に従事す

る金融サービス仲介業者若しくはその役員若しくは使用人に提供する行為（次に掲げる場合を除く。）

(xxiv) when providing financial institution agency services (including agency service operations under the Enhancement and Restructuring Act; the same applies in the following item), a financial service intermediary engaged in the securities, etc. intermediary business operations, or any of its officers (when the officer is a corporation, including employees who are to perform the duties of that corporation), or a financial service intermediary engaged in financial institution agency service operations, or its officers or employees, undisclosed loan information, etc. of a customer who is the issuer of securities (excluding the securities stated in Article 33, paragraph (2), item (i) of the Financial Instruments and Exchange Act and the securities stated in Article 2, paragraph (1), item (xvii) of that Act that have the nature referred to in items (i) and (ii) of the same paragraph; the same applies below in this item) (where undisclosed loan information, etc. means undisclosed information on the business of a customer or any other special information that has come to be known by a financial service intermediary engaged in financial institution agency service operations (meaning business operations relating to the agency or intermediary services for the conclusion of contracts for the lending of funds or the discounting of negotiable instruments and notes, from the financial institution agency service operations, including such services under the Enhancement and Restructuring Act; the same applies below in this item, the following item, and in Article 118, item (vii)) or its officers or employees, and which is found to affect the customer's investment decisions in in relation to securities solicited by a financial service intermediary engaged in securities, etc. intermediary business operations or its officers or employees, or any information on ordering trends in a customer's purchase and sale of securities, market derivatives transactions, or foreign market derivatives transactions, or any other special information that has come to be known by a financial service intermediary engaged in securities, etc. intermediary business operations or its officers or employees in the course of their duties and which is found to have a material impact on the financial institution agency service operations relating to the issuer of the securities (excluding information relating to a foreign corporation (including a foreign organization without legal personality for which a representative or administrator has been designated)); the same applies below in this item and Article 118, item (vii)) (excluding the cases specified as follows):

イ　非公開融資等情報の提供につき、事前に顧客の書面又は電磁的記録による同意を得て提供する場合

(a) when the undisclosed loan information, etc. is to be provided with the

customer's prior consent obtained in writing or in an electronic or magnetic record;

ロ　有価証券等仲介業務に係る法令を遵守するために、金融機関代理業務に従事する金融サービス仲介業者又はその役員若しくは使用人から非公開融資等情報を受領する必要があると認められる場合

(b) when it is found necessary to receive any undisclosed loan information, etc. from the financial service intermediary engaged in financial institution agency service operations, or from its officers or employees, to ensure compliance with the laws and regulations applicable to the securities, etc. intermediary business operations;

ハ　非公開融資等情報を有価証券等仲介業務を実施する組織（金融機関代理業務を併せて実施する組織に限る。）の業務を統括する金融サービス仲介業者又はその役員若しくは使用人に提供する場合

(c) when the undisclosed loan information, etc. is to be provided to the financial service intermediary supervising the business operations of the section responsible for implementing the securities, etc. intermediary business operations (limited to a section that is also responsible for implementing the financial institution agency service operations), or to its officers or employees;

ニ　当該金融サービス仲介業者が当該顧客（第十二号ニ（１）から（４）までのいずれかに該当する者に限る。）の求めに応じて当該非公開融資等情報の有価証券等仲介業務に従事する金融サービス仲介業者若しくはその役員若しくは使用人又は金融機関代理業務に従事する金融サービス仲介業者若しくはその役員若しくは使用人への提供を停止することとしている場合であって、その旨について、あらかじめ、当該顧客が容易に知り得る状態に置いているとき（その求めがある場合を除く。）。

(d) when the financial service intermediary has decided to suspend the provision of the undisclosed loan information, etc. to a financial service intermediary engaged in securities, etc. intermediary business operations or its officers or employees, or to a financial service intermediary engaged in financial institution agency service operations or its officers or employees, at the request of the customer (limited to a person falling under any of item (xii), (d), 1. through 4.), and when that fact is made readily available to the customer (excluding cases where the customer has made such a request);

二十五　金融機関代理業を行う場合において、金融機関代理業務に従事する金融サービス仲介業者又はその役員若しくは使用人が、職務上知り得た公表されていない情報であって有価証券の投資判断に影響を及ぼすと認められるものに基づいて、有価証券の売買その他の取引、市場デリバティブ取引又は外国市場デリバティブ取引（金融商品取引法第二条第二十七項に規定する有価証券等清算取次ぎを除く。）をする行為

(xxv) the act of a financial service intermediary, when providing financial institution agency services, engaged in financial institution agency service operations, or of its officers or employees, engaging in the purchase, sale, or other transactions in securities, market derivatives transactions, or foreign market derivatives transactions (excluding brokerage for clearing of securities, etc., as prescribed in Article 2, paragraph (27) of the Financial Instruments and Exchange Act), based on any undisclosed information that has come to their knowledge in the course of their duties and is found to have an impact on investment decisions regarding securities, without informing their customers of the situation;

二十六　委託金融商品取引業者（金融サービス仲介業者に有価証券等仲介業務の委託を行う第一種金融商品取引業を行う金融商品取引業者をいう。）が当該委託金融商品取引業者の親法人等又は子法人等に対して借入金に係る債務を有する者が発行する有価証券（金融商品取引法第三十三条第二項第一号に掲げる有価証券並びに同法第二条第一項第十七号に掲げる有価証券であって同項第一号及び第二号の性質を有する有価証券を除く。）又は処分する自己株式の引受人（同条第六項に規定する引受人をいう。以下この号において同じ。）となる場合において、これらの有価証券に係る手取金が当該借入金に係る債務の弁済に充てられることを当該金融サービス仲介業者が知りながら、その事情を顧客に告げることなく当該有価証券に係る法第十一条第四項第一号に掲げる行為（当該委託金融商品取引業者が引受人となった日から六月を経過する日までの間に当該有価証券を売却するものに係るものに限る。）又は同項第三号に掲げる行為を行うこと。

(xxvi) when an entrusting financial instruments business operator (meaning a financial instruments business operator engaged in type-I financial instruments business that entrusts securities, etc. intermediary business operations to a financial service intermediary) is to become an underwriter (meaning the underwriter as prescribed in Article 2, paragraph (6) of the Financial Instruments and Exchange Act; the same applies below in this item) of securities issued by a person who owes an obligation relating to a borrowing to the entrusting financial instruments business operator's parent corporation, etc. or subsidiary corporation, etc. (excluding the securities stated in Article 33, paragraph (2), item (i) of that Act and the securities stated in Article 2, paragraph (1), item (xvii) of that Act that have the nature referred to in items (i) and (ii) of the same paragraph), or an underwriter of treasury shares to be disposed of, the act of a financial service intermediary of committing any of the acts stated in Article 11, paragraph (4), item (i) of the Act (limited to cases where such acts relate to securities to be sold within a period ending six months from the date on which the entrusting financial instruments business operator becomes an underwriter), or the acts stated in item (iii) of the same paragraph in relation to such securities, while knowing that the proceeds from the sale of those securities will be appropriated for

the payment of the borrowing-related obligation.

2　前項第十二号ハの親銀行等又は子銀行等である所属銀行等又は当該金融サービス仲介業者が行う預金等媒介業務により顧客が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方から受領し、又は提供する情報は、次に掲げる情報とする。

(2) The information to be received from or provided to the counterparty to a contract for the lending of funds or the discounting of negotiable instruments concluded by a customer through deposit, etc. intermediary business operations conducted by a principal bank, etc., which is the financial service intermediary's parent bank, etc. or subsidiary bank, etc., as referred to in item (xii), (c) of the preceding paragraph, or by the financial service intermediary itself, is as follows:

一　金融サービス仲介業者が親銀行等又は子銀行等である所属銀行等又は当該金融サービス仲介業者が行う預金等媒介業務により顧客が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方の委託を受けて行う金融機関代理業に係る情報

(i) information on the financial institution agency services to be provided by the financial service intermediary based on entrustment by the counterparty to a contract for the lending of funds or the discounting of negotiable instruments concluded by a customer through deposit, etc. intermediary business operations conducted by a principal bank, etc., which is the financial service intermediary's parent bank, etc. or subsidiary bank, etc., or by the financial service intermediary itself;

二　金融サービス仲介業者が親銀行等又は子銀行等である所属銀行等又は当該金融サービス仲介業者が行う預金等媒介業務により顧客が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方の委託を受けて行う金融機関代理業に係る法令を遵守するために受領する必要があると認められる情報

(ii) information deemed necessary for the financial service intermediary to receive in order to ensure compliance with the laws and regulations applicable to the financial institution agency services it provides based on entrustment by the counterparty to a contract for the lending of funds or the discounting of negotiable instruments concluded by a customer through deposit, etc. intermediary business operations conducted by a principal bank, etc., which is the financial service intermediary's parent bank, etc. or subsidiary bank, etc., or by the financial service intermediary itself;

三　金融サービス仲介業者が親銀行等又は子銀行等である所属銀行等又は当該金融サービス仲介業者が行う預金等媒介業務により顧客が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方の委託を受けて行う金融機関代理業を行うためにこれらの者に対し提供する必要があると認められる情報

(iii) information deemed necessary for the financial service intermediary to receive in order to provide the financial institution agency services based on entrustment by the counterparty to a contract for the lending of funds or the

discounting of negotiable instruments concluded by a customer through deposit, etc. intermediary business operations conducted by a principal bank, etc., which is the financial service intermediary's parent bank, etc. or subsidiary bank, etc., or by the financial service intermediary itself;

四　金融サービス仲介業者が親銀行等又は子銀行等である所属銀行等又は当該金融サービス仲介業者が行う預金等媒介業務により顧客が締結する資金の貸付け若しくは手形の割引を内容とする契約の相手方から委託を受けて行う金融機関代理業により知り得た情報であって、金融サービス仲介業者が法令を遵守するため、これらの者に提供する必要があると認められる情報

(iv) information that may come to the knowledge of the financial service intermediary in the course of the financial institution agency services it provides based on entrustment by the counterparty to a contract for the lending of funds or the discounting of negotiable instruments concluded by a customer through deposit, etc. intermediary business operations conducted by a principal bank, etc., which is the financial service intermediary's parent bank, etc. or subsidiary bank, etc., or by the financial service intermediary itself, and which is deemed necessary for the financial service intermediary to provide to such persons to ensure compliance with laws and regulations.

3　第一項第十五号の規定は、有価証券の募集（五十名以上の者を相手方として行うものに限る。）又は有価証券の売出し（五十名以上の者を相手方として行うものに限る。）を容易にするために取引所金融商品市場若しくは店頭売買有価証券市場において一連の有価証券の売買をする場合における当該一連の有価証券の売買の媒介を行う場合には、適用しない。

(3) The provisions of paragraph (1), item (xv) do not apply when an intermediary service is provided for a series of purchases and sales of securities, etc. where the series of purchases and sales are to be conducted on a financial instruments exchange market or an over-the-counter securities market to facilitate a public offering of securities (limited to a public offering made to 50 or more persons) or a secondary distribution of securities (limited to a secondary distribution made to 50 or more persons).

（事故）

(Problematic Conduct)

第百十二条　準用金融商品取引法第三十九条第三項に規定する内閣府令で定めるものは、特定金融サービス契約（特定預金等契約及び特定保険契約を除く。以下この条において同じ。）の締結につき、金融サービス仲介業者又はその代表者、代理人、使用人その他の従業者（次条第一項第十号及び第十一号並びに第百十六条第三号イにおいて「代表者等」という。）が、当該金融サービス仲介業者の業務に関し、次に掲げる行為を行うことにより顧客に損失を及ぼしたものとする。

Article 112　The problematic conduct specified by the Cabinet Office Order, as prescribed in Article 39, paragraph (3) of the Financial Instruments and

Exchange Act, as applied mutatis mutandis, refers to the following acts committed by a financial service intermediary or its representative, agent, employee, or other staff member (referred to as the "representative, etc." in paragraph (1), items (x) and (xi) of the following Article and in Article 116, item (iii), (a)), in connection with the financial service intermediary's business operations, in relation to the conclusion of a specified financial service contract (excluding a contract for a specified deposit, etc. and a specified insurance contract; the same applies below in this Article), that causes any kind of loss to a customer:

一　顧客の注文の内容について確認しないで、当該顧客の計算による特定金融サービス契約の締結の媒介を行うこと。

(i) an act of providing intermediary services for the conclusion of a specified financial service contract on the customer's account, without confirming the details of the customer's order;

二　次に掲げるものについて顧客を誤認させるような勧誘をすること。

(ii) an act of soliciting a customer in a manner that could lead the customer to misunderstand the following:

イ　金融サービス仲介行為（法第十一条第四項各号に掲げる行為に限る。）に係る有価証券の性質

(a) the characteristics of the securities relating to the intermediation for financial services (limited to the acts stated in the items of Article 11, paragraph (4) of the Act);

ロ　取引の条件

(b) the conditions of the transaction;

ハ　金融商品の価格の騰貴又は下落

(c) any rise or decline in the price of the financial instruments;

三　顧客の計算による特定金融サービス契約の締結の媒介を行う際に、過失により事務処理を誤ること。

(iii) an act of erroneously handling affairs due to negligence, in the course of acting as an intermediary for the conclusion of a specified financial service contract on a customer's account;

四　電子情報処理組織の異常により、顧客の計算による特定金融サービス契約の締結の媒介を誤って行うこと。

(iv) an act of erroneously providing intermediary services for the conclusion of a specified financial service contract on a customer's account, due to any malfunction in the electronic data processing system;

五　その他法令に違反する行為を行うこと。

(v) any other act that violates laws and regulations.

（事故の確認を要しない場合）

(Exemption from the Requirement to Confirm Problematic Conduct)

第百十三条　準用金融商品取引法第三十九条第三項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 113 (1) The cases specified by Cabinet Office Order, as prescribed in the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　裁判所の確定判決を得ている場合

(i) when a final and binding judgment has been issued by the court;

二　裁判上の和解（民事訴訟法（平成八年法律第百九号）第二百七十五条第一項に定めるものを除く。）が成立している場合

(ii) when a judicial settlement (excluding the settlement specified in Article 275, paragraph (1) of the Code of Civil Procedures (Act No. 109 of 1996)) has been reached;

三　民事調停法（昭和二十六年法律第二百二十二号）第十六条に規定する調停が成立している場合又は同法第十七条の規定により裁判所の決定が行われ、かつ、同法第十八条第一項に規定する期間内に異議の申立てがない場合

(iii) when conciliation prescribed in Article 16 of the Civil Conciliation Act (Act No. 222 of 1951) has been reached, or when a court decision has been made pursuant to the provisions of Article 17 of that Act and no objection has been filed against that decision within the period prescribed in Article 18, paragraph (1) of that Act;

四　金融商品取引業協会若しくは認定投資者保護団体のあっせん又は指定紛争解決機関（令第四十条各号に掲げる指定を受けた者を含む。）の紛争解決手続による和解が成立している場合

(iv) when a settlement has been reached through mediation by a financial instruments firms association or a certified investor protection organization, or through dispute resolution procedures conducted by a designated dispute resolution organization (including those designated under any of the items of Article 40 of the Order);

五　弁護士法第三十三条第一項に規定する会則若しくは当該会則の規定により定められた規則に規定する機関におけるあっせんによる和解が成立している場合又は当該機関における仲裁手続による仲裁判断がされている場合

(v) when a settlement has been reached through mediation at an organization prescribed in the bar association rules under Article 33, paragraph (1) the Attorney Act, or under any other rules established pursuant to those bar association rules, or when an arbitral award has been made under arbitration procedures at that organization;

六　消費者基本法第十九条第一項若しくは第二十五条に規定するあっせんによる和解が成立している場合又は同条に規定する合意による解決が行われている場合

(vi) when a settlement has been reached through mediation as prescribed in Article 19, paragraph (1), or Article 25 of the Consumer Basic Act, or when a resolution has been reached based on an agreement prescribed in the same

Article;

七　認証紛争解決事業者（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第四号に規定する認証紛争解決事業者をいい、金融サービス仲介行為（法第十一条第四項各号に掲げる行為に限る。）に係る紛争が裁判外紛争解決手続の利用の促進に関する法律第六条第一号に規定する紛争の範囲に含まれるものに限る。）が行う同法第二条第三号に規定する認証紛争解決手続による和解が成立している場合

(vii) when a settlement has been reached through the certified dispute resolution procedures prescribed in Article 2, item (iii) of the Act on Promotion of the Use of Alternative Dispute Resolution (Act No. 151 of 2004), conducted by a certified dispute resolution business operator (meaning the certified dispute resolution business operator prescribed in Article 2, item (iv) of that Act, and limited to when disputes relating to the intermediation for financial services (limited to the acts stated in the items of Article 11, paragraph (4) of the Act) fall within the scope of the disputes prescribed in Article 6, item (i) of that Act);

八　和解が成立している場合であって、次に掲げる要件の全てを満たす場合

(viii) when a settlement has been reached and all of the following requirements are satisfied:

イ　当該和解の手続について弁護士又は司法書士（司法書士法（昭和二十五年法律第百九十七号）第三条第一項第七号に掲げる事務を行う者に限る。次号において同じ。）が顧客を代理していること。

(a) an attorney or a judicial scrivener (limited to a judicial scrivener who performs the affairs stated in Article 3, paragraph (1), item (vii) of the Judicial Scriveners Act (Act No. 197 of 1950); the same applies in the following item) has represented the customer in connection with the settlement procedures;

ロ　当該和解の成立により金融サービス仲介業者が顧客に対して支払をすることとなる額が千万円（イの司法書士が代理する場合にあっては、司法書士法第三条第一項第七号に規定する額）を超えないこと。

(b) the amount payable by the financial service intermediary to the customer as a result of the realization of the settlement does not exceed ten million yen (or, when the judicial scrivener referred to in (a) represents the customer, the amount prescribed in Article 3, paragraph (1), item (vii) of the Judicial Scriveners Act);

ハ　ロの支払が事故（準用金融商品取引法第三十九条第三項に規定する事故をいう。以下この条及び第百十六条において同じ。）による損失の全部又は一部を補填するために行われるものであることをイの弁護士又は司法書士が調査し、確認したことを証する書面又は電磁的記録が金融サービス仲介業者に交付され、又は提供されていること。

(c) a document or an electronic or magnetic record stating that the attorney

or judicial scrivener referred to in (a) has verified and confirmed that the payment referred to in (b) is to be made for the purpose of compensating all or part of any losses arising from problematic conduct (meaning the problematic conduct prescribed in Article 39, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; the same applies below in this Article and Article 116), and that it has been delivered or provided to the financial service intermediary.

九　事故による損失について、金融サービス仲介業者と顧客との間で顧客に対して支払をすることとなる額が定まっている場合であって、次に掲げる要件の全てを満たす場合（前各号に掲げる場合を除く。）

(ix) when the amount payable to a customer for losses arising from problematic conduct has been specified between the financial service intermediary and the customer, and where the following requirements are both satisfied (excluding the cases stated in the preceding items):

イ　金融サービス仲介業者が顧客に対して支払をすることとなる額が千万円（ロに規定する委員会が司法書士である委員のみにより構成されている場合にあっては、司法書士法第三条第一項第七号に規定する額）を超えないこと。

(a) the amount payable by the financial service intermediary to the customer does not exceed ten million yen (or, when a committee prescribed in (b) consists solely of members who are judicial scriveners, the amount prescribed in Article 3, paragraph (1), item (vii) of the Judicial Scriveners Act);

ロ　イの支払が事故による損失を補填するために行われるものであることが、認定金融サービス仲介業協会の内部に設けられた委員会（認定金融サービス仲介業協会により任命された複数の委員（事故に係る金融サービス仲介業者及び顧客と特別の利害関係のない弁護士又は司法書士である者に限る。）により構成されるものをいう。）において調査され、確認されていること。

(b) the payment referred to in (a) is to be made for the purpose of compensating for losses arising from problematic conduct, and has been verified and confirmed by a committee set up within a certified financial service intermediary business association (meaning a committee that consists of multiple members appointed by the certified financial service intermediary business association (limited to persons who are attorneys or judicial scriveners and who have no special interest in the financial service intermediary and the customer relating to that problematic conduct));

十　金融サービス仲介業者又はその代表者等が前条各号に掲げる行為により顧客に損失を及ぼした場合で、一日の取引において顧客に生じた損失について顧客に対して申し込み、約束し、又は提供する財産上の利益が百万円に相当する額を上回らないとき（前各号に掲げる場合を除く。）。

(x) when the financial service intermediary or its representative, etc. has caused any loss to a customer due to any of the acts stated in the items of the

preceding Article, and when the amount of the property benefit offered, promised, or provided to the customer in relation to a loss suffered by the customer in daily trading does not exceed an amount equivalent to 1,000,000 yen (excluding the cases stated in the preceding items);

十一　金融サービス仲介業者又はその代表者等が前条第三号又は第四号に掲げる行為により顧客に損失を及ぼした場合（第百三十八条第三号に掲げる帳簿書類又は顧客の注文の内容の記録により事故であることが明らかである場合に限り、第一号から第九号までに掲げる場合を除く。）

(xi) when the financial service intermediary or its representative, etc. has caused any loss to a customer due to any of the acts stated in item (iii) or (iv) of the preceding Article (excluding the cases stated in items (i) through (ix), but only when it is evident from the descriptions in the books and documents stated in Article 138, item (iii), or the records of the details of the customer's orders that the act falls under problematic conduct).

２　前項第十号の利益は、前条各号に掲げる行為の区分ごとに計算するものとする。この場合において、同条第三号又は第四号に掲げる行為の区分に係る利益の額については、同項第十一号に掲げる場合において申し込み、約束し、又は提供する財産上の利益の額を控除するものとする。

(2) The benefit referred to in item (x) of the preceding paragraph is to be calculated for each category of the acts stated in the items of the preceding Article. In this case, the amount of the financial benefit offered, promised, or provided in the case listed in item (xi) of the same paragraph is to be deducted from the profit amount for the categories of acts listed in items (iii) and (iv) of the same Article.

３　金融サービス仲介業者は、第一項第九号から第十一号までに掲げる場合において、準用金融商品取引法第三十九条第三項ただし書の確認を受けないで、顧客に対し、財産上の利益を提供する旨を申し込み、若しくは約束し、又は財産上の利益を提供したときは、その申込み若しくは約束又は提供をした日の属する月の翌月末日までに、第百十六条各号に掲げる事項を、当該申込み若しくは約束又は提供に係る事故の発生した営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては福岡財務支局長、当該金融サービス仲介業者が国内に営業所又は事務所を有しない場合にあっては関東財務局長。）に報告しなければならない。

(3) When a financial service intermediary has offered or promised to provide, or has provided, any property benefit to a customer in the cases stated in paragraph (1), items (ix) through (xi), without obtaining the confirmation referred to in the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, it must report the particulars stated in the items of Article 116 to the Director-General of a Local Finance Bureau having jurisdiction over the location of the place of business or office where the problematic conduct relating to that offer, promise,

or provision occurred (to the Director-General of the Fukuoka Local Finance Branch Bureau if that location falls within its jurisdiction, or to the Director-General of the Kanto Local Finance Bureau if the financial service intermediary has no place of business or office in Japan), no later than the last day of the month immediately following the month in which the offer, promise, or provision occurred.

（損失補填の禁止の適用除外）

(Exemption from the Prohibition of Compensation for Losses)

第百十四条　準用金融商品取引法第三十九条第四項に規定する内閣府令で定める投資信託は、公社債投資信託であって、顧客と相手方金融機関との間で行われる有価証券の売買その他の取引に係る金銭の授受の用に供することを目的としてその受益権が取得され、又は保有されるものとする。

Article 114 The investment trust specified by Cabinet Office Order, as prescribed in Article 39, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, refers to a bond investment trust, the beneficial interest of which is acquired or held for the purpose of being used in payments or receipts of money in connection with the purchase, sale, or other transactions in securities between a customer and a counterparty financial institution.

（事故の確認の申請）

(Application for Confirmation of Problematic Conduct)

第百十五条　準用金融商品取引法第三十九条第三項ただし書の確認を受けようとする者は、同条第七項の申請書及びその添付書類を、金融庁長官等に提出しなければならない。

Article 115 Any person intending to obtain the confirmation stated in the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, must submit a written application, along with the accompanying documents referred to in paragraph (7) of the same Article, to the Commissioner of the Financial Services Agency, etc.

（確認申請書の記載事項）

(Particulars to Be Stated in a Written Application for Confirmation)

第百十六条　準用金融商品取引法第三十九条第七項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 116 The particulars specified by Cabinet Office Order, as prescribed in Article 39, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　金融サービス仲介業者の商号、名称又は氏名及び登録番号

(i) the trade name or name, and the registration number of the financial

service intermediary;

二　事故の発生した営業所又は事務所の名称及び所在地

(ii) the name and location of the place of business or office at which the problematic conduct occurred;

三　確認を受けようとする事実に関する次に掲げる事項

(iii) the following particulars relating to the facts for which confirmation is to be sought:

イ　事故となる行為に関係した代表者等の氏名又は部署の名称

(a) the name of the representative, etc. or the section that was involved in an act constituting problematic conduct;

ロ　顧客の氏名及び住所（法人にあっては、商号又は名称、主たる営業所又は事務所の所在地及び代表者の氏名）

(b) the name and address of the customer (if the customer is a corporation, its trade name or name, the location of its principal place of business or office, and the name of its representative);

ハ　事故の概要

(c) an outline of problematic conduct;

ニ　補填に係る顧客の損失が事故に起因するものである理由

(d) the reasons why the customer's losses, related to compensation, were caused by problematic conduct;

ホ　申込み若しくは約束又は提供をしようとする財産上の利益の額

(e) the amount of property benefit offered, promised, or provided;

四　その他参考となるべき事項

(iv) any other particulars that may be of useful reference.

（確認申請書の添付書類）

(Documents to Be Attached to a Written Application for Confirmation)

第百十七条　準用金融商品取引法第三十九条第七項に規定する内閣府令で定めるものは、顧客が前条各号に掲げる事項の内容を確認したことを証明する書類その他参考となるべき資料とする。

Article 117 (1) The documents specified by Cabinet Office Order, as prescribed in Article 39, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are those that confirm the customer has acknowledged the details of the particulars stated in the items of the preceding Article, along with any other materials that are useful for reference.

2　前項の規定は、準用金融商品取引法第三十九条第七項の申請書が同条第一項第二号の申込みに係るものである場合には、適用しない。

(2) The provisions of the preceding paragraph do not apply when the written application referred to in Article 39, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, relates to an application referred to in paragraph (1), item (ii) of the same Article.

（業務の運営の状況が公益に反し又は投資者の保護に支障を生ずるおそれがあるもの）

(Business Operations Contrary to the Public Interest or Potentially Compromising Investor Protection)

第百十八条　準用金融商品取引法第四十条第二号に規定する内閣府令で定める状況は、次に掲げる状況とする。

Article 118 The circumstances specified by Cabinet Office Order, as prescribed in Article 40, item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　あらかじめ顧客の注文の内容を確認することなく、頻繁に当該顧客の計算による有価証券の売買の媒介又は取引所金融商品市場若しくは外国金融商品市場における有価証券の売買の委託の媒介を行っている状況

(i) circumstances in which the financial service intermediary frequently acts as an intermediary in the purchase and sale of securities, or in the entrustment of the purchase and sale of securities on a financial instruments exchange market or a foreign financial instruments market, on the customer's account, without confirming the details of the customer's order in advance;

二　不特定かつ多数の投資者を勧誘して有価証券の売買についての委任を受けている者（法令に準拠して金融商品取引法第三十四条に規定する金融商品取引行為を行う者を除く。）に関し、当該投資者の計算において行う取引であることを知りながら、あらかじめ当該投資者の意思を確認することなく有価証券の売買の媒介又は取引所金融商品市場若しくは外国金融商品市場における有価証券の売買の委託の媒介を行っている状況

(ii) circumstances in which a person, having solicited a large number of unspecified investors and been entrusted with the purchase and sale of securities (excluding any person who engages in financial instruments transactions as prescribed in Article 34 of the Financial Instruments and Exchange Act in compliance with applicable laws and regulations), acts as an intermediary in the purchase and sale of securities, or in the entrustment of the purchase and sale of securities on a financial instruments exchange market or a foreign financial instruments market, while knowing that the transactions are to be conducted on those investors' accounts, and without confirming their intentions in advance;

三　その取り扱う法人関係情報（金融商品取引法第百六十三条第一項に規定する上場会社等の運営、業務又は財産に関する公表されていない重要な情報であって顧客の投資判断に影響を及ぼすと認められるもの並びに同法第二十七条の二第一項に規定する公開買付け（同項本文の規定の適用を受ける場合に限る。）、これに準ずる株券等の買集め及び同法第二十七条の二十二の二第一項に規定する公開買付け（同項本文の規定の適用を受ける場合に限る。）の実施又は中止の決定（同法第百六十七条第二項ただし書に規定する基準に該当するものを除く。）に係る公表されていな

い情報をいう。以下この号及び第七号において同じ。）に関する管理又は顧客の有価証券の売買その他の取引に関する管理について法人関係情報に係る不公正な取引の防止を図るために必要かつ適切な措置を講じていないと認められる状況

(iii) regarding the management of corporate information (meaning undisclosed material information about the operations, business, or assets of a listed company, etc., as prescribed in Article 163, paragraph (1) of the Financial Instruments and Exchange Act, which is found to impact customers' investment decisions, as well as undisclosed information regarding decisions on the launch or suspension (excluding those corresponding to the standards prescribed in the proviso to Article 167, paragraph (2) of that Act) of a tender offer prescribed in Article 27-2, paragraph (1) of that Act (limited to when the provisions of the main clause of the same paragraph are applicable), an equivalent buy-up of share certificates, etc., and a tender offer prescribed in Article 27-22-2, paragraph (1) of that Act (limited to when the provisions of the main clause of the same paragraph are applicable), the same applies below in this item and item (vii)) that the financial service intermediary handles, or the management of customers' purchase, sale, or other transactions in securities, in circumstances in which it is found that the financial service intermediary has not taken necessary and appropriate measures to prevent unfair transactions based on corporate information;

四　投資信託受益証券等（投資信託若しくは外国投資信託（投資信託及び投資法人に関する法律第二条第二十四項に規定する外国投資信託をいう。第百三十九条第三項において同じ。）の受益証券（金融商品取引業等に関する内閣府令第六十五条第二号イからハまでに掲げるもの及びこれらと同様の性質を有するものを除く。）、投資証券（同法第二条第十五項に規定する投資証券をいう。以下この号及び第百三十九条第三項において同じ。）又は外国投資証券（同法第二百二十条第一項に規定する外国投資証券をいう。第百三十九条第三項において同じ。）で投資証券に類する証券をいい、金融商品取引所に上場されているもの及び店頭売買有価証券に該当するものを除く。以下この号において同じ。）の乗換え（現に保有している投資信託受益証券等に係る投資信託契約（同法第三条又は第四十七条第一項に規定する投資信託契約をいう。）の一部解約若しくは投資口（同法第二条第十四項に規定する投資口をいう。）の払戻し又は投資信託受益証券等の売付け若しくはその委託等を伴う投資信託受益証券等の取得又は買付け若しくはその委託等をいう。）を勧誘するに際し、顧客に対して、当該乗換えに関する重要な事項について説明を行っていない状況

(iv) circumstances in which, in connection with the solicitation for a rollover (meaning the acquisition or purchase of investment trust beneficiary certificates, etc. or the entrustment, etc. of it, which involves a partial cancellation or refund of investment equity (meaning the investment equity prescribed in Article 2, paragraph (14) of the Act on Investment Trust and Investment Corporations) under an investment trust agreement (meaning

the investment trust agreement prescribed in Article 3 or Article 47, paragraph (1) of that Act) for the investment trust beneficiary certificates, etc. currently held, or which involves the sale of investment trust beneficiary certificates, etc. currently held or the entrustment, etc. of it), involving investment trust beneficiary certificates, etc. (meaning beneficiary certificates of an investment trust or foreign investment trust (meaning the foreign investment trust prescribed in Article 2, paragraph (24) of that Act; the same applies in Article 139, paragraph (3)) (excluding the beneficiary certificates stated in Article 65, item (ii), (a) through (c) of the Cabinet Office Order on Financial Instruments Business and those of a similar nature), investment securities (meaning the investment securities prescribed in Article 2, paragraph (15) of that Act; the same applies below in this item and in Article 139, paragraph (3)), or foreign investment securities (meaning the foreign investment securities prescribed in Article 220, paragraph (1) of that Act; the same applies in Article 139, paragraph (3)), which are similar to investment securities, and excluding those listed on a financial instruments exchange and those classified as over-the-counter traded securities; the same applies below in this item), the financial service intermediary has not provided the customer with an explanation of the important particulars regarding the rollover;

五　法第十一条第四項第三号に掲げる行為により金融商品取引法第二条第一項第五号に掲げる有価証券又は同項第十七号に掲げる有価証券（同項第一号から第三号まで及び第五号のいずれかに掲げる有価証券の性質を有するものに限る。）を取得させ、又は売り付けようとする際に、これらの有価証券の取得又は買付けの申込みの期間中に生じた投資判断に影響を及ぼす重要な事象について、個人である顧客に対して説明を行っていない状況

(v) circumstances in which the financial service intermediary intends to have a customer acquire or sell the securities stated in Article 2, paragraph (1), item (v) of the Financial Instruments and Exchange Act, or the securities stated in item (xvii) of the same paragraph (limited to those possessing the characteristics of the securities stated in any of items (i) through (iii) and item (v) of the same paragraph) through the act stated in Article 11, paragraph (4), item (iii) of the Act, in a situation where an explanation is not provided to an individual customer regarding important events that may affect investment decisions, which occurred during the period of the application to acquire or purchase those securities;

六　有価証券等仲介業務に係る電子情報処理組織の管理が十分でないと認められる状況

(vi) circumstances in which the management of the electronic data processing system used for securities, etc. intermediary business operations is found to be insufficient;

七　有価証券等仲介業務を実施する組織（金融機関代理業務を併せて実施する組織に限る。）の業務を統括する金融サービス仲介業者又はその役員（役員が法人であるときは、その職務を行うべき社員を含む。）若しくは使用人が、有価証券（金融商品取引法第三十三条第二項第一号に掲げる有価証券並びに同法第二条第一項第十七号に掲げる有価証券であって同項第一号及び第二号の性質を有する有価証券を除く。）の発行者である顧客の非公開融資等情報を自ら取得し、又は金融機関代理業務に従事する金融サービス仲介業者若しくはその役員若しくは使用人から受領して、当該有価証券に係る法第十一条第四項各号に掲げる行為を行っている状況（当該統括する金融サービス仲介業者又はその役員若しくは使用人が、非公開融資等情報（法人関係情報を除く。）の提供につき、事前にその顧客の書面又は電磁的記録による同意を得ることなく、その顧客の非公開融資等情報（当該金融サービス仲介業者が当該顧客（第百十一条第一項第十二号ニ（１）から（４）までのいずれかに該当する者に限る。）の求めに応じて当該非公開融資等情報の提供を停止することとしている場合であって、その旨について、あらかじめ、当該顧客が容易に知り得る状態に置いているとき（その求めがある場合を除く。）における当該非公開融資等情報を除く。）を有価証券等仲介業務に従事する金融サービス仲介業者又はその役員若しくは使用人に提供している状況を含む。）

(vii) circumstances in which the financial service intermediary supervising the business operations of the section responsible for executing the securities, etc. intermediary business operations (limited to a section that is also responsible for implementing the financial institution agency service operations), or any of its officers (including executive members when the officer is a corporation) or an employee has acquired undisclosed loan information, etc. of a customer who is an issuer of securities (excluding the securities stated in Article 33, paragraph (2), item (i) of the Financial Instruments and Exchange Act, and the securities stated in Article 2, paragraph (1), item (xvii) of that Act that possesses the characteristics stated in items (i) and (ii) of the same paragraph), or has received such information from a financial service intermediary engaged in the financial institution agency service operations or its officers or employees, and conducts any of the acts stated in the items of Article 11, paragraph (4) regarding those securities (including circumstances in which, with respect to the provision of undisclosed loan information, etc. (excluding corporate information), the supervising financial service intermediary or any of its officers or employees provides a financial service intermediary engaged in the securities, etc. intermediary business operations, or its officers or employees, with a customer's undisclosed loan information, etc. (in cases where the financial service intermediary has decided to suspend the provision of such undisclosed loan information, etc. at the request of the customer (limited to a person falling under any of Article 111, paragraph (1), item (xii), (d), 1. through 4.), and where such information is made readily available to the

customer (excluding cases where the customer has made such a request), thereby excluding such undisclosed loan information, etc.), without obtaining the customer's prior consent in writing or in an electronic or magnetic record);

八　金融サービス仲介業者（有価証券等仲介業務を行う者に限る。次号において同じ。）が、営業所又は事務所を金融機関（銀行、信託会社その他令第二十二条各号（第四号を除く。）に掲げる金融機関をいう。）の本店その他の営業所若しくは事務所又はその代理店（金融機関代理業者の営業所又は事務所を含み、保険業法第二条第十九項に規定する生命保険募集人及び同条第二十一項に規定する損害保険代理店を除く。）と同一の建物に設置してその業務を行う場合において、顧客が当該金融サービス仲介業者を当該金融機関と誤認することを防止するための適切な措置を講じていないと認められる状況

(viii) circumstances in which the financial service intermediary (limited to a person engaged in securities, etc. intermediary business operations; the same applies in the following item) establishes a place of business or office in the same building as the head office, other place of business or office, or agency office of a financial institution (meaning a bank, trust company, or any other financial institution listed in the items (excluding item (iv)) of Article 22 of the Order) (including the place of business or office of a financial institution agent, but excluding a life insurance agent as prescribed in Article 2, paragraph (19) of the Insurance Business Act and a non-life insurance representative as prescribed in paragraph (21) of the same Article), and it is found that the financial service intermediary has not taken appropriate measures to prevent customers from confusing it with such financial institution;

九　金融サービス仲介業者が取得した顧客の財産に関する情報その他の特別な情報（次に掲げるものを除く。）を、事前に顧客の書面若しくは電磁的記録による同意を得ることなく、相手方金融機関に提供している状況又は当該相手方金融機関から取得した顧客の財産に関する情報その他の特別な情報（ハ及びニに掲げるもの以外のものであって、当該相手方金融機関が当該顧客の書面又は電磁的記録による同意を得ずに提供したものに限る。）を利用して有価証券の売買その他の取引を勧誘している状況

(ix) circumstances in which the financial service intermediary, without obtaining the customer's prior consent in writing or in an electronic or magnetic record, provides information regarding the customer's assets or other special information it has obtained (excluding the information described below) to a counterparty financial institution; or circumstances in which the financial service intermediary solicits the purchase, sale, or other transactions in securities using information regarding a customer's assets or other special information obtained from a counterparty financial institution (limited to information other than that stated in (c) and (d) which the

counterparty provided without obtaining the customer's prior consent in writing or in an electronic or magnetic record):

イ　金融サービス仲介業者が金融サービス仲介行為（法第十一条第四項各号に掲げる行為に限る。）を行うために相手方金融機関に対し提供する必要があると認められる情報

(a) information that is deemed necessary for the financial service intermediary to provide to the counterparty financial institution in order to conduct intermediation for financial services (limited to the acts stated in the items of Article 11, paragraph (4) of the Act);

ロ　相手方金融機関からの委託に係る有価証券等仲介業務により知り得た情報であって、当該金融サービス仲介業者が有価証券等仲介業務に係る法令を遵守するために当該相手方金融機関に提供する必要があると認められる情報

(b) information obtained in the course of the securities, etc. intermediary business operations entrusted by the counterparty financial institution, which is deemed necessary for the financial service intermediary to provide to the counterparty financial institution in order to ensure compliance with the laws and regulations applicable to those operations;

ハ　当該金融サービス仲介業者が当該相手方金融機関の親法人等若しくは子法人等である場合又は当該相手方金融機関が当該金融サービス仲介業者の親法人等若しくは子法人等である場合には、外国法人（法人でない外国の団体で代表者又は管理人の定めのあるものを含む。）に係るもの

(c) where the financial service intermediary is the counterparty financial institution's parent corporation, etc. or subsidiary corporation, etc., or where the counterparty financial institution is the financial service intermediary's parent corporation, etc. or subsidiary corporation, etc., information relating to a foreign corporation (including a foreign organization without legal personality for which a representative or administrator has been designated);

ニ　当該金融サービス仲介業者が当該相手方金融機関の親法人等若しくは子法人等である場合又は当該相手方金融機関が当該金融サービス仲介業者の親法人等若しくは子法人等である場合において、当該金融サービス仲介業者又は当該相手方金融機関が当該顧客（第百十一条第一項第十二号ニ（１）から（４）までのいずれかに該当する者に限る。）の求めに応じて当該特別な情報の当該相手方金融機関又は当該金融サービス仲介業者への提供を停止することとしているときであって、その旨について、あらかじめ、当該顧客が容易に知り得る状態に置いているとき（その求めがある場合を除く。）における当該特別な情報

(d) when the financial service intermediary is the counterparty financial institution's parent corporation, etc. or subsidiary corporation, etc., or when the counterparty financial institution is the financial service intermediary's parent corporation, etc. or subsidiary corporation, etc., and when the financial service intermediary or the counterparty financial

institution has decided to suspend the provision of that special information at the request of the customer (limited to a person falling under any of Article 111, paragraph (1), item (xii), (d), 1. through 4.), and when that information is made readily available to the customer (excluding cases where the customer has made such a request), that special information.

（行為規制の適用除外の例外）

(Exceptions to the Exemption of Conduct Regulations)

第百十九条　準用金融商品取引法第四十五条ただし書に規定する内閣府令で定める場合は、準用金融商品取引法第三十七条の四の規定の適用について顧客の締結した特定金融サービス契約に関する照会に対して速やかに回答できる体制が整備されていない場合とする。

Article 119 The cases specified by Cabinet Office Order, as prescribed in the proviso to Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis, refer to cases where a financial service intermediary has not established a system to enable it to promptly respond to customers' inquiries regarding specified financial service contracts that customers have concluded, in relation to the application of the provisions of Article 37-4 of the Financial Instruments and Exchange Act, as applied mutatis mutandis.

第六款　貸金業貸付媒介業務に関する特則

Subsection 6 Special Provisions on Loan Intermediary Business Operations

（証明書の様式等）

(Certificate Form)

第百二十条　法第三十二条において準用する貸金業法（以下この款並びに第百三十九条第五項及び第九項において「準用貸金業法」という。）第十二条の四第一項に規定する証明書は、次に掲げる事項が記載され、従業者の写真が貼り付けられたものとする。

Article 120 (1) The certificate prescribed in Article 12-4, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis pursuant to Article 32 of the Act (referred to below as the "Money Lending Business Act as applied mutatis mutandis" in this Subsection and in Article 139, paragraphs (5) and (9)), is to contain the following particulars, and the employee's photograph must be affixed to the certificate:

一　金融サービス仲介業者（貸金業貸付媒介業務を行う者に限る。以下この款において同じ。）の商号、名称又は氏名、住所及び登録番号

(i) the trade name or name, address, and registration number of the financial service intermediary (limited to a person engaged in loan intermediary business operations; the same applies below in this Subsection);

二　従業者の氏名

(ii) the employee's name;
三　証明書の番号
(iii) the certificate number.
2　準用貸金業法第十二条の四第一項に規定する貸金業貸付媒介業務に係る業務には、勧誘を伴わない広告のみを行う業務及び営業所又は事務所において資金需要者等（法第二十八条第二項に規定する資金需要者等をいう。）と対面することなく行う業務を含まないものとする。
(2) Business operations relating to the loan intermediary business operations prescribed in Article 12-4, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis, do not include business operations conducted solely for advertisement without solicitation, or business operations conducted without meeting persons seeking funds, etc. (meaning the persons seeking funds, etc. prescribed in Article 28, paragraph (2) of the Act) face-to-face at a place of business or office.
3　従業者は、貸金業貸付媒介業務に係る業務に従事するに際し、相手方の請求があったときは、第一項の証明書を提示しなければならない。
(3) When engaging in business operations relating to the loan intermediary business operations, an employee must present the certificate referred to in paragraph (1) upon the request of a counterparty.

（従業者名簿の記載事項等）
(Particulars to Be Stated in a Roster of Employees)
第百二十一条　準用貸金業法第十二条の四第二項に規定する内閣府令で定める事項は、貸金業貸付媒介業務に係る業務に従事する従業者についての次に掲げる事項とする。
Article 121 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 12-4, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, are as follows with respect to each employee engaged in business operations relating to loan intermediary business operations:
一　生年月日
(i) date of birth;
二　主たる職務内容
(ii) main duties;
三　当該営業所又は事務所の従業者となった年月日
(iii) the date on which the person became an employee of the place of business or office; and
四　当該営業所又は事務所の従業者でなくなったときは、その年月日
(iv) when the person ceases to be an employee of the place of business or office, the date of cessation of their employment.
2　準用貸金業法第十二条の四第二項に規定する従業者名簿の様式は、別紙様式第六号とする。
(2) The roster of employees form prescribed in Article 12-4, paragraph (2) of the

Money Lending Business Act, as applied mutatis mutandis, is to be prepared in accordance with Appended Form 6.

3　金融サービス仲介業者は、準用貸金業法第十二条の四第二項に規定する従業者名簿を、最終の記載をした日から十年間保存しなければならない。

(3) A financial service intermediary must preserve the roster of employees prescribed in Article 12-4, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, for 10 years from the date on which the most recent entry was made.

（生命保険契約等の締結に係る制限）

(Restrictions on the Conclusion of Life Insurance Policies)

第百二十二条　準用貸金業法第十二条の七に規定する内閣府令で定める契約は、次に掲げる契約とする。

Article 122 The contracts specified by Cabinet Office Order, as prescribed in Article 12-7 of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　住宅（居住の用に供する建物（その一部を事業の用に供するものを含む。）をいう。以下この号において同じ。）の建設若しくは購入に必要な資金（住宅の用に供する土地又は借地権の取得に必要な資金を含む。）又は住宅の改良に必要な資金の貸付け（貸金業法第二条第一項に規定する貸付けをいい、貸金業貸付媒介業務に係るものに限る。以下この款及び第百三十九条第五項第六号において同じ。）に係る契約

(i) a contract for the lending of funds (meaning the loan prescribed in Article 2, paragraph (1) of the Money Lending Business Act, and limited to loans relating to loan intermediary business operations; the same applies below in this Subsection and in Article 139, paragraph (5), item (vi)), for funds necessary for building or purchasing housing (meaning buildings for residential purposes (including those partly used for business purposes); the same applies below in this item) (including funds necessary for the acquisition of land for housing or for the acquisition of land leasehold rights), or for funds necessary for the improvement of housing;

二　前号の貸付けが行われることが予定されている場合において、当該貸付けが行われるまでのつなぎとして行う貸付けに係る契約

(ii) a loan contract to be made as a stopgap when the loan referred to in the preceding item is planned but has not yet been made, until that loan is executed.

（貸付けに係る契約の締結の条件としてはならない債務履行担保措置）

(Security Measures for Performance of Obligations That Must Not Be Required as a Condition for Concluding a Loan Contract)

第百二十三条　準用貸金業法第十二条の八第五項に規定する内閣府令で定めるものは、

貸付けに係る契約に基づく債務の履行を担保するために土地、建物その他の財産を担保に供することとする。

Article 123 The measures specified by Cabinet Office Order, as prescribed in Article 12-8, paragraph (5) of the Money Lending Business Act, as applied mutatis mutandis, are the provision of land, buildings, or other property as collateral to secure the performance of obligations under a loan contract.

（保証料の確認に関する記録の保存）

(Retention of Preservation of Related to Guarantee Charge Confirmation)

第百二十四条　金融サービス仲介業者は、準用貸金業法第十二条の八第七項に規定する記録を、同条第六項に規定する貸付けに係る契約に定められた最終の支払期日（当該貸付けに係る契約に基づく債権が弁済その他の事由により消滅したときにあっては、当該債権の消滅した日（当該貸付けに係る契約が極度方式基本契約（貸付けに係る契約のうち、資金需要者である顧客によりあらかじめ定められた条件に従った返済が行われることを条件として、当該顧客の請求に応じ、極度額の限度内において貸付けを行うことを約するものをいう。以下この章において同じ。）又は極度方式貸付け（極度方式基本契約に基づく貸付けをいう。以下この章において同じ。）に係る契約である場合にあっては、当該極度方式基本契約の解除の日又は当該極度方式基本契約に基づく全ての極度方式貸付けに係る契約に定められた最終の支払期日のうち最後のもの（これらの契約に基づく債権の全てが弁済その他の事由により消滅したときにあっては、その消滅した日）のうちいずれか遅い日））までの間保存しなければならない。

Article 124 A financial service intermediary must preserve the record prescribed in Article 12-8, paragraph (7) of the Money Lending Business Act as applied mutatis mutandis until the final repayment due date provided in the loan contract prescribed in paragraph (6) of the same Article (when the claim under the loan contract has been extinguished due to payment or on any other grounds, the day of the extinguishment of the claim (when the loan contract is a basic contract for a revolving credit loan (meaning a loan contract under which a financial service intermediary, upon request from a customer who is a borrower of funds, extends loans up to a maximum amount, on the condition that the customer repays the loans according to predetermined terms; the same applies below in this Chapter) or a contract for a revolving credit loan (meaning a loan made under a basic contract for a revolving credit loan; the same applies below in this Chapter), the day of cancellation of the basic contract for a revolving credit loan or the latest date among the final repayment due dates provided in all the contracts for revolving credit loans under the basic contract for a revolving credit loan (when all the claims under these contracts have been extinguished upon payment or on any other grounds, the day of the extinguishment of the claims), whichever comes later)).

（貸付けに係る契約の締結の条件としてはならない保証料に係る契約）

(Contract for Guarantee Charges That Must Not Be Made a Condition for Concluding a Loan Contract)

第百二十五条　準用貸金業法第十二条の八第八項に規定する内閣府令で定めるものは、法第三十五条第二項に規定する保証業者が、貸付けに係る契約（利息の額が定まらないもの（主たる債務について支払うべき利息が利息の契約後変動し得る利率をもって定められている場合を除く。）に限る。）に基づく債務を主たる債務とする保証を行う場合における保証料に係る契約とする。

Article 125 The contract specified by Cabinet Office Order, as prescribed in Article 12-8, paragraph (8) of the Money Lending Business Act, as applied mutatis mutandis, is a contract for a guarantee charge, in which the guarantee business operator prescribed in Article 35, paragraph (2) of the Act provides a guarantee for an obligation under a loan contract (limited to a loan contract in which the amount of interest is not fixed (excluding cases where the interest payable on the principal obligation is determined by a variable interest rate after the interest contract has been concluded)) as the principal obligation.

（締結の媒介を行ってはならない根保証契約）

(Contract for a Revolving Guarantee Whose Conclusion Must Not Be Intermediated)

第百二十六条　準用貸金業法第十二条の八第九項に規定する内閣府令で定めるものは、次のいずれかに該当する根保証契約（同項に規定する根保証契約をいう。以下この条において同じ。）とする。

Article 126 The contract specified by Cabinet Office Order, as prescribed in Article 12-8, paragraph (9) of the Money Lending Business Act, as applied mutatis mutandis, is a contract for a revolving guarantee (meaning the contract for a revolving guarantee prescribed in the same paragraph; the same applies below in this Article):

一　当該根保証契約の締結の媒介を行う時に現に存する主たる債務の元本額及び当該根保証契約の締結の媒介を行った後に発生することが見込まれる貸付けに係る契約に係る債務の元本額（当該根保証契約の締結の媒介を行う時までの主たる債務者の資金の借入れ又は当該根保証契約の締結の媒介を行う時に主たる債務者が保有する資産の状況に照らして合理的と認められる範囲内のものに限る。）を合算した金額を超える元本極度額（保証人が履行の責任を負うべき主たる債務の元本の上限の額をいう。）を定める根保証契約

(i) a contract for a revolving guarantee that provides a maximum principal (meaning the maximum amount of principal of the principal obligation for which the guarantor is to assume responsibility) exceeding the total of the actual principal of the obligation at the time of acting as an intermediary for concluding the contract and the principal amount of the obligation expected to arise after acting as an intermediary for concluding the contract (limited to the amount of principal deemed reasonable in light of the principal

obligor's borrowing status at the time of acting as an intermediary for concluding the contract, or the assets held by the principal obligor at that time);

二　当該根保証契約において三年を経過した日より後の日を元本確定期日として定める根保証契約又は元本確定期日の定めがない根保証契約

(ii) a contract for a revolving guarantee that sets a date later than three years after the date of conclusion of the contract as the principal determination date, or a contract for a revolving guarantee that does not specify a principal determination date.

（媒介のための新たな役務の提供を伴わないと認められる法律行為）

(Juridical Acts Deemed Not to Involve the Provision of New Intermediary Services)

第百二十七条　準用貸金業法第十二条の八第十項に規定する内閣府令で定めるものは、次のいずれかに該当する法律行為とする。

Article 127　A juridical act specified by Cabinet Office Order, as prescribed in Article 12-8, paragraph (10) of the Money Lending Business Act, as applied mutatis mutandis, is either of the following acts:

一　当該貸付けに係る契約（金銭の貸借の媒介（貸金業法第二条第一項に規定する金銭の貸借の媒介をいい、貸金業貸付媒介業務に係るものに限る。次条第一項第一号及び第三項において同じ。）により締結されたものに限る。次号において同じ。）の締結後に行われる借換え（同一の貸主（準用貸金業法第十五条第一項第一号に規定する貸主をいう。以下この款並びに第百三十九条第五項第二号及び第六項第二号において同じ。）と債務者との間で行われるものに限る。）であって、新たな役務の提供を伴わないと認められるもの

(i) refinancing (limited to refinancing made between the same money lender (meaning the money lender prescribed in Article 15, paragraph (1), item (i) of the Money Lending Business Act as applied mutatis mutandis; the same applies below in this Subsection and in Article 139, paragraph (5), item (ii) and paragraph (6), item (ii)) and the same obligor) that is made after the conclusion of a loan contract (limited to a loan contract concluded through loan intermediary services (meaning the loan intermediary services prescribed in Article 2, paragraph (1) of the Money Lending Business Act, and limited to intermediary services relating to loan intermediary business operations; the same applies in paragraph (1), item (i) and paragraph (3) of the following Article); the same applies in the following item), which is deemed not to involve the provision of any new services;

二　当該貸付けに係る契約の終了後に行われる新たな貸付けに係る契約の締結（同一の貸主と債務者との間で行われるものに限る。）であって、新たな役務の提供を伴わないと認められるもの

(ii) the conclusion of a new loan contract (limited to a loan contract made

between the same money lender and obligor) after the termination of the loan contract, which is deemed not to involve the provision of any new services.

（貸付条件の掲示）

(Posting of Loan Conditions)

第百二十八条　準用貸金業法第十四条第一項第一号に規定する内閣府令で定める方法は、次の各号に掲げる区分に応じ、当該各号に定める方法とする。

Article 128 (1) The methods specified by Cabinet Office Order, as prescribed in Article 14, paragraph (1), item (i) of the Money Lending Business Act, as applied mutatis mutandis, are the methods specified in the following items, according to the category stated in each item:

一　金銭の貸借の媒介（次号に掲げるものを除く。）　別表中の算式一

(i) loan intermediary services (excluding what is stated in the following item): Formula 1 in the Appended Table;

二　手形の割引の媒介　別表中の算式一又は算式二のいずれか（算式二を用いる場合にあっては、割引率であることを明示するものとする。）

(ii) intermediation for the discount of negotiable instruments: either Formula 1 or Formula 2 in the Appended Table (in the case of using Formula 2, the discount rate is to be clearly indicated).

２　準用貸金業法第十四条第一項第一号に規定する貸付けの利率に準ずるものとして内閣府令で定めるものは、市場金利に一定の利率を加える方法により算定される利息を用いて貸付けの利率（同号に規定する貸付けの利率をいう。以下この款において同じ。）を算定する場合には、基準とする市場金利の名称及びこれに加算する利率とする。

(2) What is specified by Cabinet Office Order as being equivalent to the loan interest rate prescribed in Article 14, paragraph (1), item (1) of the Money Lending Business Act, as applied mutatis mutandis, is the name of the base market interest rate and the interest rate to be added to it when calculating the loan interest rate (meaning the loan interest rate prescribed in the same item; the same applies below in this section), using interest calculated by adding a specified interest rate to the market interest rate.

３　準用貸金業法第十四条第一項第五号に規定する内閣府令で定める事項は、媒介手数料（何らの名義をもってするを問わず、金融サービス仲介業者が、その金銭の貸借の媒介に関し受ける金銭をいう。以下この款において同じ。）の計算の方法（媒介手数料の割合（当該媒介に係る貸借の金額に対する媒介手数料の割合（百分率で少なくとも小数点以下一位まで表示したものに限る。））を含む。以下この款において同じ。）とする。

(3) The particular specified by Cabinet Office Order, as prescribed in Article 14, paragraph (1), item (v) of the Money Lending Business Act, as applied mutatis mutandis, is the method of calculating the intermediary fee (meaning the money that the financial service intermediary receives for its loan

intermediary services, regardless of the name under which the intermediary services are provided; the same applies below in this Subsection) (including the intermediary rate (meaning the ratio of the intermediary fee to the total amount of money lent and borrowed through the intermediary services (limited to the rate expressed as a percentage, at least to the first decimal place)); the same applies below in this Subsection).

4　金融サービス仲介業者は、準用貸金業法第十四条第一項の規定により貸付けの利率を掲示するときは、別表中の算式一、算式二又はこれらに準ずるものとして金融庁長官が指定する方法によって算出した元本の額を用いて得た年率を百分率で少なくとも小数点以下一位まで表示する方法によるものとする。

(4) When posting a loan interest rate pursuant to the provisions of Article 14, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis, a financial service intermediary is to indicate the annual rate—calculated using the principal amount derived from Formula 1 or Formula 2 in the Appended Table, or by a method designated by the Commissioner of the Financial Services Agency as equivalent to these formulae—as a percentage, to at least the first decimal place.

5　準用貸金業法第十四条第一項の規定による掲示は、当該営業所又は事務所で媒介を行う貸付けの種類ごとに、見やすい方法で行わなければならない。

(5) The posting under Article 14, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis, must be made in a readily visible manner for each type of loan offered at the place of business or office.

（貸付条件の広告等）

(Advertisement of Loan Conditions)

第百二十九条　準用貸金業法第十五条第一項第三号に規定する内閣府令で定める事項は、媒介手数料の計算の方法及び法第十四条第一項に規定する金融サービス仲介業者登録簿に登録された電話番号（当該金融サービス仲介業者登録簿に登録されたホームページアドレス又は電子メールアドレスを表示し、又は説明する場合に限る。）とする。

Article 129 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 15, paragraph (1), item (iii) of the Money Lending Business Act, as applied mutatis mutandis, are the method of calculating the intermediary fee and the telephone number registered in the register of financial service intermediaries prescribed in Article 14, paragraph (1) of the Act (limited to cases where the website URL or email address registered in the register of financial service intermediaries is indicated or explained).

2　前条第四項の規定は、金融サービス仲介業者が準用貸金業法第十五条第一項の規定による表示をし、又は説明をする場合について準用する。この場合において、その種類を明示するときは、貸付けの利率以外の利率を併記することができる。

(2) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to cases where a financial service intermediary makes an indication

or provides an explanation under Article 15, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis. In such cases, where the type of loan is to be clearly indicated, interest rates other than the loan interest rate may also be indicated.

3　金融サービス仲介業者は、貸付けの条件を広告するとき、又は貸付けの契約（貸金業法第二条第三項に規定する貸付けの契約をいい、貸金業貸付媒介業務に係るものに限る。以下この章において同じ。）の締結について勧誘をする場合において貸付けの条件を表示し、若しくは説明するときは、準用貸金業法第十五条第一項各号に掲げる事項を明瞭かつ正確に表示し、又は説明しなければならない。

(3) When a financial service intermediary advertises loan conditions or indicates or explains loan conditions in the course of soliciting the conclusion of a loan contract (meaning the loan contract prescribed in Article 2, paragraph (3) of the Money Lending Business Act, and limited to loan contracts relating to loan intermediary business operations; the same applies below in this Chapter), the financial service intermediary must clearly and accurately indicate or explain the particulars stated in the items of Article 15, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis.

4　準用貸金業法第十五条第二項に規定する広告に準ずるものとして内閣府令で定めるものは、多数の者に対して同様の内容で行う勧誘とする。

(4) What is specified by Cabinet Office Order as being equivalent to an advertisement as prescribed in Article 15, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, is a solicitation of similar content made to multiple persons.

5　準用貸金業法第十五条第二項に規定する連絡先等であって内閣府令で定めるものは、次に掲げる連絡先等とする。

(5) The points of contact, etc. specified by Cabinet Office Order as prescribed in Article 15, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　電話番号

(i) a telephone number;

二　ホームページアドレス

(ii) a website URL;

三　電子メールアドレス

(iii) an email address.

6　金融サービス仲介業者は、貸付けの条件を広告するときは、不当景品類及び不当表示防止法（昭和三十七年法律第百三十四号）、屋外広告物法（昭和二十四年法律第百八十九号）第三条第一項の規定に基づく都道府県の条例その他の法令に違反する広告をしてはならない。

(6) When advertising loan conditions, a financial service intermediary must not make any advertisement that violates the Act against Unjustifiable Premiums and Misleading Representations (Act No. 134 of 1962), a Prefectural Order

issued based on Article 3, paragraph (1) of the Outdoor Advertisement Act (Act No. 189 of 1949), or any other applicable laws and regulations.

（契約締結前の書面の交付）

(Delivery of Documents Before Concluding a Contract)

第百三十条　準用貸金業法第十六条の二第一項第七号に規定する内閣府令で定める事項は、次の各号に掲げる事項とする。

Article 130 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 16-2, paragraph (1), item (vii) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　金融サービス仲介業者及び貸主の登録番号（貸主の登録番号の括弧書については、記載を省略することができる。）

(i) the registration numbers of the financial service intermediary and the money lender (the registration number of the money lender may be omitted if placed in parentheses);

二　各回の返済期日及び返済金額の設定の方式

(ii) the method of establishment of each repayment due date and repayment amount;

三　契約上、返済期日前の返済ができるか否か及び返済ができるときは、その内容

(iii) whether the contract permits repayment before the due date, and if so, the details of such repayment;

四　期限の利益の喪失の定めがあるときは、その旨及びその内容

(iv) when there are provisions on acceleration, a statement confirming this and the details of those provisions;

五　媒介手数料の計算の方法及びその金額

(v) the method of calculating the intermediary fee and the amount of the fee;

六　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(vi) the particulars specified in (a) or (b) below in accordance with the category of cases stated in each item, respectively：

イ　指定貸金業貸付媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定貸金業貸付媒介紛争解決機関の名称又は商号

(a) when there is a designated dispute resolution organization for money lending business and loan brokerage services: the name or trade name of the designated dispute resolution organization for money lending business and loan brokerage services s that is the counterparty to the basic contract for implementation of procedures under which the financial service intermediary is to take measures to conclude the basic contract for implementation of procedures;

ロ　指定貸金業貸付媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

(b) when there is no designated dispute resolution organization formoney lending business and loan brokerage services：the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary.

2　準用貸金業法第十六条の二第二項第六号に規定する内閣府令で定める事項は、前項各号に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in Article 16-2, paragraph (2), item (vi) of the Money Lending Business Act, as applied mutatis mutandis, are the particulars stated in the preceding paragraph.

3　一の貸付けに係る契約の締結について貸主が当該貸付けに係る契約の相手方となろうとする者に対し貸金業法第十六条の二第一項又は第二項の規定により第一項各号に掲げる事項又は前項に規定する事項を記載した書面を交付したときは、金融サービス仲介業者は、前二項の規定にかかわらず、準用貸金業法第十六条の二第一項又は第二項に規定する書面に第一項各号に掲げる事項及び前項に規定する事項を記載することを要しない。

(3) When, in relation to the conclusion of a loan contract, a money lender has delivered a document that includes the particulars stated in the items of paragraph (1) or the particulars prescribed in the preceding paragraph to a person intending to become the counterparty to that loan contract, pursuant to Article 16-2, paragraph (1) or (2) of the Money Lending Business Act, the financial service intermediary is not required to state those particulars again in the document prescribed in Article 16-2, paragraph (1) or (2) of the Money Lending Business Act as applied mutatis mutandis, notwithstanding the provisions of the preceding two paragraphs.

4　準用貸金業法第十六条の二第三項第四号に規定する内閣府令で定めるものは、次に掲げる事項とする。

(4) The particulars specified by Cabinet Office Order, as prescribed in Article 16-2, paragraph (3), item (iv) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　保証契約の種類及び効力（極度額の説明を含む。）

(i) the type and effect of the guarantee contract (including an explanation of the maximum amount);

二　保証の対象となる貸付けに係る契約に基づく債務の残高の総額

(ii) the total outstanding balance of the obligation under the loan contract to be covered by the guarantee;

三　保証債務の極度額その他の保証人が負担する債務の範囲

(iii) the maximum amount of the guarantee obligation and the scope of that obligation to be borne by the guarantor;

四　貸付けに係る契約の契約年月日

(iv) the date of the conclusion of the loan contract;

五　貸付けに係る契約の貸付けの金額

(v) the amount of the loan under the loan contract;
六　貸付けに係る契約の貸付けの利率
(vi) the loan interest rate under the loan contract;
七　貸付けに係る契約に基づく債務の返済の方式
(vii) the method of repayment of the obligation under the loan contract;
八　貸付けに係る契約に基づく債務の返済期間及び返済回数（極度方式保証契約（貸金業法第二条第九項に規定する極度方式保証契約をいい、貸金業貸付媒介業務に係るものに限る。第十号において同じ。）にあっては、記載することを要しない。）
(viii) the repayment period and number of repayment installments under the loan contract (in the case of a contract for a revolving guarantee (meaning the contract for a revolving guarantee prescribed in Article 2, paragraph (9) of the Money Lending Business Act, and limited to contracts relating to loan intermediary business operations; the same applies in item (x)), entry of these particulars is not required);
九　貸付けに係る契約に賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容
(ix) when the loan contract contains an agreement on the planned amount of damages (including penalty charges), the details of the agreement;
十　貸付けに係る契約に基づく債務の各回の返済期日及び返済金額（極度方式保証契約にあっては、貸付けに係る契約に基づく債務の各回の返済期日及び返済金額の設定の方式）
(x) the repayment due date and repayment amount for the obligation under the loan contract (in the case of a contract for a revolving guarantee, the method of establishment of each repayment due date and repayment amount related to the obligation under the loan contract);
十一　契約上、貸付けに係る契約に基づく債務の返済期日前の返済ができるか否か及び返済ができるときは、その内容
(xi) whether early repayment of the obligation under the loan contract is permitted before the repayment due date, and if so, the details of such repayment;
十二　貸付けに係る契約に期限の利益の喪失の定めがあるときは、その旨及びその内容
(xii) when the loan contract contains provisions on acceleration, a statement confirming this and the details of those provisions;
十三　貸付けに係る契約に基づく債務の残高及びその内訳（元本、利息及び当該貸付けに係る契約に基づく債務の不履行による賠償額の別をいう。）
(xiii) the outstanding balance of the obligation under the loan contract and its breakdown (meaning information on the composition of the outstanding balance, such as the principal, interest, and damages due to any default under the loan contract);
十四　準用貸金業法第十六条の二第三項第二号に掲げる保証期間の定めがないときは、

その旨

(xiv) when a guarantee period, as stated in Article 16-2, paragraph (3), item (ii) of the Money Lending Business Act, as applied mutatis mutandis, is not provided, a statement confirming this;

十五　媒介手数料の計算の方法及びその金額

(xv) the method of calculating the intermediary fee and the amount of the fee.

5　準用貸金業法第十六条の二第三項第五号に規定する内閣府令で定めるものは、民法第四百五十四条の規定の趣旨とする。

(5) What is specified by Cabinet Office Order, as prescribed in Article 16-2, paragraph (3), item (v) of the Money Lending Business Act, as applied mutatis mutandis, is the intent of the provisions of Article 454 of the Civil Code.

6　準用貸金業法第十六条の二第三項第六号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(6) The particulars specified by Cabinet Office Order, as prescribed in Article 16-2, paragraph (3), item (vi) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　保証契約に基づく債務の弁済の方式

(i) the method ofperformance payment of the obligation under the guarantee contract;

二　保証契約に賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容

(ii) when the guarantee contract contains an agreement on the planned amount of damages (including penalties), the details of such agreement;

三　金融サービス仲介業者の登録番号

(iii) the registration number of the financial service intermediary;

四　主たる債務者及び保証人の商号、名称又は氏名及び住所

(iv) the trade names or names and the addresses of the principal obligor and the guarantor;

五　貸付けの契約に関し金融サービス仲介業者が受け取る書面の内容

(v) the details of the documents to be received by the financial service intermediary in relation to the loan contract;

六　保証人が負担すべき保証債務以外の金銭に関する事項

(vi) the particulars concerning money, other than the guarantee obligation, to be borne by the guarantor;

七　保証契約に基づく債務の弁済の方法及び弁済を受ける場所

(vii) the method of performanceof the obligation under the guarantee contract and the place to receive that payment;

八　保証契約に期限の利益の喪失の定めがあるときは、その旨及びその内容

(viii) when the guarantee contract contains provisions on acceleration, a statement confirming this and the details of those provisions;

九　貸付けの契約に基づく債権につき物的担保を供させるときは、当該担保の内容

(ix) when the provision of physical collateral for the claim under the loan contract is required, the details of the collateral;

十　貸付けに係る契約に基づく債権の一部が弁済その他の事由により消滅したときは、その事由、金額及び年月日

(x) when part of the claim under the loan contract has been extinguished upon payment or on any other grounds, the grounds, amount, and date of the extinguishment of the claim;

十一　保証契約上、保証人が保証契約を解除できるときは解除事由、解除できないときはその旨

(xi) when the guarantor can cancel the guarantee contract under the guarantee contract, the grounds for the cancellation, and if not, a statement confirming this;

十二　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(xii) the particulars specified in (a) or (b) below in accordance with the category of cases stated in each item, respectively:

イ　指定貸金業貸付媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定貸金業貸付媒介紛争解決機関の名称又は商号

(a) when there is a designated dispute resolution organization formoney lending business and loan brokerage services：the trade name or name of the designated dispute resolution organization formoney lending business and loan brokerage services , which is the counterparty to the basic contract for the implementation of procedures under which the financial service intermediary is to take measures to conclude the basic contract for the implementation of the procedures;

ロ　指定貸金業貸付媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

(b) when there are no designated dispute resolution organizations formoney lending business and loan brokerage services：the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary.

7　準用貸金業法第十六条の二第三項の規定により、保証契約の内容を説明する書面を保証人となろうとする者に交付するときは、次の各号に掲げる書面の区分に応じ、当該各号に定める事項を記載した二種類の書面を同時に交付しなければならない。

(7) When a financial service intermediary delivers documents explaining the details of a guarantee contract to a person who is to become a guarantor under Article 16-2, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis, the intermediary must simultaneously deliver two types of documents stating the particulars specified in the following items in accordance with the category of documents stated in each item:

一　当該保証契約の概要を記載した書面　準用貸金業法第十六条の二第三項第一号か

ら第三号までに掲げる事項並びに第四項第一号から第三号まで並びに前項第三号及び第四号に掲げる事項

(i) a document stating the outline of the guarantee contract: the particulars stated in Article 16-2, paragraph (3), items (i) through (iii) of the Money Lending Business Act, as applied mutatis mutandis, and the particulars stated in paragraph (4), items (i) through (iii), and in items (iii) and (iv) of the preceding paragraph;

二　当該保証契約の詳細を記載した書面（保証の対象となる貸付けに係る契約が二以上ある場合には、当該契約ごとに記載しなければならない。）　準用貸金業法第十六条の二第三項第一号から第三号まで及び第五号に掲げる事項並びに第四項各号（第一号及び第二号を除く。）並びに前項各号に掲げる事項

(ii) a document stating the details of the guarantee contract (when there are two or more loan contracts to be covered by the guarantee, statements must be made for each contract): the particulars stated in Article 16-2, paragraph (3), items (i) through (iii), and item (v) of the Money Lending Business Act, as applied mutatis mutandis, and the particulars stated in the items of paragraph (4) (excluding items (i) and (ii)), and in each item of the preceding paragraph.

８　第百二十八条第四項の規定は、金融サービス仲介業者が準用貸金業法第十六条の二第一項から第三項までの規定により交付すべき書面を作成する場合について準用する。

(8) The provisions of Article 128, paragraph (4) apply mutatis mutandis when a financial service intermediary prepares the document to be delivered under the provisions of Article 16-2, paragraphs (1) through (3) of the Money Lending Business Act, as applied mutatis mutandis.

９　準用貸金業法第十六条の二第一項から第三項までに規定する書面には、これらの規定により明らかにすべきものとされる事項を日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

(9) In the document prescribed in Article 16-2, paragraphs (1) through (3) of the Money Lending Business Act as applied mutatis mutandis, the particulars to be disclosed under these provisions must be clearly and accurately stated using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards.

１０　準用貸金業法第十六条の二第四項に規定する内閣府令で定めるものは、第二条第一項各号に掲げる方法とする。

(10) The methods specified by Cabinet Office Order, as prescribed in Article 16-2, paragraph (4) of the Money Lending Business Act, as applied mutatis mutandis, are those stated in the items of Article 2, paragraph (1).

（生命保険契約等に係る同意前の書面の交付）

(Delivery of Documents Before Obtaining Consent for a Life Insurance Policy)

第百三十一条　準用貸金業法第十六条の三第一項第二号に規定する内閣府令で定める事

項は、次に掲げる事項とする。

Article 131 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 16-3, paragraph (1), item (ii) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　金融サービス仲介業者又は貸主に支払われる保険金が貸付けの契約の相手方の債務の弁済に充てられるときは、その旨

(i) when the insurance proceeds to be paid to the financial service intermediary or the money lender will be appropriated for the performance of the counterparty's obligation under the loan contract, a statement confirming this;

二　死亡以外の保険金の支払事由

(ii) the grounds for the payment of insurance proceeds, other than death;

三　保険金が支払われない事由

(iii) the grounds on which the insurance proceeds will not be paid;

四　金融サービス仲介業者又は貸主に支払われる保険金額に関する事項

(iv) the particulars concerning the amount of insurance proceeds to be paid to the financial service intermediary or the money lender;

五　保障が継続する期間に関する事項

(v) the particulars concerning the period during which the guarantee remains in effect.

2　準用貸金業法第十六条の三第一項に規定する書面には、同項各号に掲げる事項を日本産業規格Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

(2) In the document prescribed in Article 16-3, paragraph (1) of the Money Lending Business Act as applied mutatis mutandis, the particulars stated in the items of the same paragraph must be clearly and accurately stated using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards.

（契約締結時の書面の交付）

(Delivery of Documents upon Conclusion of a Contract)

第百三十二条　準用貸金業法第十七条第一項第八号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 132 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 17, paragraph (1), item (viii) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　金融サービス仲介業者及び貸主の登録番号（貸主の登録番号の括弧書については、記載を省略することができ、極度方式貸付けに係る契約にあっては、登録番号の記載を省略することができる。）

(i) the registration numbers of the financial service intermediary and the money lender (the entry of the registration number of the money lender in

parentheses may be omitted, and in the case of a contract for a revolving credit loan, the entry of the registration number may be omitted);

二　契約の相手方の商号、名称又は氏名及び住所（極度方式貸付けに係る契約にあっては、当該契約の契約番号その他をもって代えることができる。）

(ii) the trade name or name and the address of the counterparty to the contract (in the case of a contract for a revolving credit loan, these may be substituted with the contract number or other identifying information);

三　貸付けに関し貸主が受け取る書面（極度方式貸付けに係る契約にあっては、当該極度方式貸付けに関し貸主が受け取る書面に限り、極度方式基本契約に関し貸主が受け取る書面を除く。）の内容

(iii) the details of the documents to be received by the money lender in relation to the loan (in the case of a contract for a revolving credit loan, limited to documents to be received by the money lender in relation to the revolving credit loan, and excluding documents related to a basic contract for that loan);

四　各回の返済期日及び返済金額（極度方式貸付けに係る契約にあっては、次回の返済期日及び返済金額をもって代えることができる。）（極度方式貸付けに係る契約であって当該契約と同一の極度方式基本契約に基づく返済の条件が同種の他の極度方式貸付けに係る契約の債務が残存するときは、極度方式貸付けに係る契約の各回の返済期日及び返済金額の記載に代えて、残存する債務と合わせた債務に係る将来の各回の返済期日及び返済金額を、当該契約の次回の返済期日及び返済金額の記載に代えて、残存する債務と合わせた債務に係る次回の返済期日及び返済金額を記載することができる。）

(iv) the due date for each repayment and repayment amount (in the case of a contract for a revolving credit loan, these may be substituted with the next repayment due date and repayment amount) (when there remains an obligation under a contract for a revolving credit loan, other than that contract, which is based on the same basic contract for a revolving credit loan and has the same repayment conditions, the statement of each repayment due date and repayment amount under the concluded contract may be substituted with the due dates and amounts of future repayments for the remaining obligations, and the next due date and amount under the credit facility loan contract may be substituted with those under the credit facility loan contract);

五　契約上、返済期日前の返済ができるか否か及び返済ができるときは、その内容（極度方式貸付けに係る契約にあっては、準用貸金業法第十七条第二項の規定により交付する書面に記載されているとき、又は記載されているものより契約の相手方に有利なものであるときは、記載を省略することができる。）

(v) whether repayment before the repayment due date is possible under the contract, and if so, details of that repayment (in the case of a contract for a revolving credit loan, the entry of the details may be omitted if they are

stated in the document to be delivered under Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, or if the details are more favorable to the counterparty to the contract than those stated in that document);

六　期限の利益の喪失の定めがあるときは、その旨及びその内容（極度方式貸付けに係る契約にあっては、準用貸金業法第十七条第二項の規定により交付する書面に記載されているとき、又は記載されているものより契約の相手方に有利なものであるときは、記載を省略することができる。）

(vi) when there are provisions on acceleration, a statement confirming this and the details of those provisions (in the case of a contract for a revolving credit loan, entry of those details may be omitted if they are stated in the document to be delivered under Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, or if the details are more favorable to the counterparty to the contract than those stated in that document);

七　貸付けに係る契約に基づく債権につき物的担保が供されるときは、当該担保の内容（極度方式貸付けに係る契約にあっては、準用貸金業法第十七条第二項の規定により交付する書面に記載されている物的担保については、記載を省略することができる。）

(vii) when physical collateral for claims under the loan contract is provided, the details of the collateral (in the case of a contract for a revolving credit loan, the entry of the details of the physical collateral stated in the document to be delivered pursuant to the provisions of Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, may be omitted);

八　貸付けに係る契約について保証契約が締結されるときは、保証人の商号、名称又は氏名及び住所（極度方式貸付けに係る契約にあっては、準用貸金業法第十七条第二項の規定により交付する書面に記載されている保証人については、記載を省略することができる。）

(viii) when a guarantee contract is to be concluded for the loan contract, the trade name or name and the address of the guarantor (in the case of a contract for a revolving credit loan, the entry of the guarantor's information may be omitted if it is stated in the document to be delivered pursuant to the provisions of Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis);

九　媒介手数料の計算の方法（極度方式貸付けに係る契約にあっては、準用貸金業法第十七条第二項の規定により交付する書面に記載されているとき、又は記載されているものより契約の相手方に有利なものであるときは、媒介手数料の計算の方法の記載を省略することができる。）及びその金額

(ix) the method of calculating the intermediary fee (in the case of a contract for a revolving credit loan, the description of the method of calculating the intermediary fee may be omitted if it is stated in the document to be

delivered pursuant to the provisions of Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, or if the method is more favorable to the counterparty to the contract than the method stated in the document) and its amount;

十　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(x) the particulars specified in (a) or (b) below in accordance with the category of cases stated in each item, respectively:

イ　指定貸金業貸付媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定貸金業貸付媒介紛争解決機関の名称又は商号

(a) when there is a designated dispute resolution organization formoney lending business and loan brokerage services：the name or trade name of the designated dispute resolution organizationfor money lending business and loan brokerage services , which is the counterparty to the basic contract for the implementation of procedures under which the financial service intermediary is to take measures to conclude the basic contract for the implementation of procedures;

ロ　指定貸金業貸付媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

(b) when there are no designated dispute resolution organizations formoney lending business and loan brokerage services：the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary.

2　準用貸金業法第十七条第一項後段に規定する内閣府令で定めるものは、次に掲げる事項（当該事項の変更の内容が同条第二項後段の規定により交付する書面に記載されている場合には、当該事項を除く。）とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis are as follows (excluding those particulars when the details of changes to the particulars are stated in the document to be delivered pursuant to the second sentence of paragraph (2) of the same Article,):

一　準用貸金業法第十七条第一項第四号若しくは第七号に掲げる事項又は前項第五号若しくは第六号に掲げる事項（これらの事項について貸付けの利率を引き下げる場合その他の契約の相手方の利益となる変更を加える場合には、当該事項を除く。）

(i) the particulars stated in Article 17, paragraph (1), item (iv) or (vii) of the Money Lending Business Act, as applied mutatis mutandis, or the particulars stated in item (v) or (vi) of the preceding paragraph (excluding those particulars where the loan interest rate is reduced in relation to these particulars or where other changes advantageous to the counterparty to the contract are made);

二　準用貸金業法第十七条第一項第五号に掲げる事項又は前項第四号（同号にあって

は、極度方式貸付けに係る契約である場合を除く。）、第七号若しくは第八号（同号にあっては、新たに保証契約が締結される場合に限る。）に掲げる事項

(ii) the particulars stated in Article 17, paragraph (1), item (v) of the Money Lending Business Act, as applied mutatis mutandis, or the particulars stated in item (iv) of the preceding paragraph (excluding those in the case of a contract for a revolving credit loan), in item (vii) of the same paragraph, or in item (viii) of the same paragraph (limited to the particulars when a guarantee contract is newly concluded);

三　媒介手数料の計算の方法（契約の相手方の利益となる変更を加える場合には、媒介手数料の計算の方法を除く。）

(iii) the method of calculating the intermediary fee (excluding the method of calculating the fee when a change advantageous to the counterparty to the contract is added).

3　準用貸金業法第十七条第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(3) The particulars specified by Cabinet Office Order, as prescribed in Article 17, paragraph (2), item (vii) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　金融サービス仲介業者及び貸主の登録番号（貸主の登録番号の括弧書については、記載を省略することができる。）

(i) the registration numbers of the financial service intermediary and the money lender (the entry of the registration number of the money lender in parentheses may be omitted);

二　契約の相手方の商号、名称又は氏名及び住所

(ii) the trade name or name and the address of the counterparty to the contract;

三　極度方式基本契約に関し貸主が受け取る書面の内容

(iii) the details of the documents to be received by the money lender in relation to a basic contract for a revolving credit loan;

四　各回の返済期日及び返済金額の設定の方式

(iv) the method of establishment of each repayment due date and repayment amount;

五　契約上、返済期日前の返済ができるか否か及び返済ができるときは、その内容

(v) whether repayment before the due date is possible under the contract, and if so, the details of that repayment;

六　期限の利益の喪失の定めがあるときは、その旨及びその内容

(vi) when there are provisions on acceleration, a statement confirming this and the details of those provisions;

七　貸付けに係る契約に基づく債権につき物的担保が供されるときは、当該担保の内容

(vii) when physical collateral for claims under the loan contract is provided, the

details of the collateral;

八　貸付けに係る契約について保証契約が締結されるときは、保証人の商号、名称又は氏名及び住所

(viii) when a guarantee contract is concluded for a loan contract, the trade name or name and the address of the guarantor;

九　準用貸金業法第十七条第一項の規定により交付する書面（同条第五項の規定により保証人に交付する場合にあっては、同条第四項の規定により交付する書面）又は同条第六項で規定する内閣府令で定める書面に記載する返済期間、返済回数、返済期日又は返済金額が、当該書面に記載する貸付けの後に行われる貸付けその他の事由により変動し得るときは、その旨

(ix) when the repayment period, number of repayment installments, repayment due date, or repayment amount, which are stated in the document to be delivered pursuant to Article 17, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis (in the case of delivering the document to the guarantor pursuant to paragraph (5) of the same Article, the document to be delivered pursuant to paragraph (4) of that Article), or in the documents specified by Cabinet Office Order, as prescribed in paragraph (6) of the same Article, may change due to a loan made after the loan stated in those documents or for any other reason, a statement confirming this;

十　媒介手数料の計算の方法及びその金額

(x) the method of calculating the intermediary fee and the amount of the fee;

十一　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(xi) the particulars specified in (a) or (b) below in accordance with the category of cases stated in each item, respectively：

イ　指定貸金業貸付媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定貸金業貸付媒介紛争解決機関の名称又は商号

(a) when there is a designated dispute resolution organization formoney lending business and loan brokerage services：the name or trade name of the designated dispute resolution organization for money lending business and loan brokerage services, which is the counterparty to the basic contract for the implementation of procedures under which the financial service intermediary takes measures to conclude the basic contract for the implementation of the procedures;

ロ　指定貸金業貸付媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

(b) when there are no designated dispute resolution organizations formoney lending business and loan brokerage services：the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary.

4　準用貸金業法第十七条第二項後段に規定する内閣府令で定めるものは、次に掲げる

事項とする。

(4) The particulars specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　準用貸金業法第十七条第二項第四号若しくは第六号に掲げる事項又は前項第五号若しくは第六号に掲げる事項（これらの事項について貸付けの利率を引き下げる場合その他の契約の相手方の利益となる変更を加える場合には、当該事項を除く。）

(i) the particulars stated in Article 17, paragraph (2), item (iv) or (vi) of the Money Lending Business Act as applied mutatis mutandis or the particulars stated in item (v) or (vi) of the preceding paragraph (excluding those particulars, where the loan interest rate is reduced in relation to these particulars or where other changes advantageous to the counterparty to the contract are made);

二　準用貸金業法第十七条第二項第三号若しくは第五号に掲げる事項又は前項第四号、第七号若しくは第八号（同号にあっては、新たに保証契約が締結される場合に限る。）に掲げる事項

(ii) the particulars stated in Article 17, paragraph (2), item (iii) or (v) of the Money Lending Business Act, as applied mutatis mutandis, or the particulars stated in item (iv), (vii), or (viii) of the preceding paragraph (limited to those stated in the same item when a guarantee contract is newly concluded);

三　媒介手数料の計算の方法（契約の相手方の利益となる変更を加える場合には、媒介手数料の計算の方法を除く。）

(iii) the method of calculating the intermediary fee (excluding the method of calculating the fee when changes advantageous to the counterparty to the contract are added).

5　準用貸金業法第十七条第二項後段に規定する内閣府令で定めるときは、次のいずれかのときとする。

(5) The time specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, is any of the following:

一　極度額（貸主が極度方式基本契約の相手方に対し貸付けの元本の上限として極度額を下回る額を提示する場合にあっては、当該下回る額又は極度額。次号において同じ。）を引き下げたとき。

(i) when the maximum amount (if the money lender presents to the counterparty to the basic contract for a revolving credit loan, an amount smaller than the maximum amount as the upper limit on the outstanding balance of the principal of the revolving credit loan, that smaller amount or the maximum amount; the same applies in the following item) has been decreased;

二　極度額を引き下げた後、元の額を上回らない額まで引き上げたとき。

(ii) when the maximum amount, which was previously decreased, has been increased to an amount not exceeding the original amount.

6　準用貸金業法第十七条第三項前段に規定する内閣府令で定めるものは、次に掲げる事項とする。

(6) The particulars specified by Cabinet Office Order, as prescribed in the first sentence of Article 17, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　準用貸金業法第十六条の二第三項各号に掲げる事項

(i) the particulars stated in the items of Article 16-2, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis; and

二　保証契約の契約年月日

(ii) the date of the conclusion of the guarantee contract.

7　準用貸金業法第十七条第三項後段に規定する内閣府令で定めるものは、次に掲げる事項とする。

(7) The particulars specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　準用貸金業法第十六条の二第三項第二号、第三号若しくは第五号に掲げる事項又は第百三十条第四項第三号若しくは第十四号若しくは第六項第二号、第六号、第八号若しくは第十一号に掲げる事項（これらの事項について契約の相手方の利益となる変更を加える場合には、当該事項を除く。）

(i) the particulars stated in Article 16-2, paragraph (3), item (ii), (iii), or (v) of the Money Lending Business Act, as applied mutatis mutandis, or the particulars stated in Article 130, paragraph (4), item (iii) or (xiv), or paragraph (6), item (ii), (vi), (viii), or (xi) (excluding those particulars where changes advantageous to the counterparty to the contract are made);

二　第百三十条第六項第一号、第七号又は第九号（同号にあっては、保証契約に基づく債権につき物的担保を供させるときに限る。）に掲げる事項

(ii) the particulars stated in Article 130, paragraph (6), item (i), (vii), or (ix) (in the case of these items, limited to the time when the provision of physical collateral is required due to a claim under a guarantee contract).

8　金融サービス仲介業者は、準用貸金業法第十七条第四項前段の規定により、同条第一項各号に掲げる事項について当該貸付けに係る契約の内容を明らかにする書面を保証人に交付する場合において、保証の対象となる貸付けに係る契約が二以上あるときは、当該契約ごとに当該各号に掲げる事項を記載しなければならない。

(8) When a financial service intermediary delivers to the guarantor a document disclosing the details of the loan contract concerning the particulars stated in the items of paragraph (1) of the same Article, and when two or more loan contracts are covered by the guarantee, statements must be made for each contract, pursuant to the first sentence of Article 17, paragraph (4) of the Money Lending Business Act, as applied mutatis mutandis.

９　金融サービス仲介業者は、準用貸金業法第十七条第四項前段の規定により、同条第一項各号に掲げる事項について当該貸付けに係る契約の内容を明らかにする書面を保証人に交付する場合においては、保証の対象となる貸付けに係る契約を締結するごとに、遅滞なく、当該書面を交付しなければならない。

(9) When a financial service intermediary delivers to the guarantor a document disclosing the details of the loan contract concerning the particulars stated in the items of paragraph (1) of the same Article, that document must be delivered without delay each time a loan contract covered by the guarantee is concluded, pursuant to the first sentence of Article 17, paragraph (4) of the Money Lending Business Act, as applied mutatis mutandis.

１０　準用貸金業法第十七条第四項後段に規定する内閣府令で定めるものは、第二項に定める事項（当該事項の変更の内容が同条第五項後段の規定により交付する書面に記載されている場合には、当該事項を除く。）とする。

(10) The particulars specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (4) of the Money Lending Business Act, as applied mutatis mutandis, are those specified in paragraph (2) (excluding those particulars where details of the changes to the particulars are stated in the document to be delivered pursuant to the second sentence of paragraph (5) of that Article).

１１　金融サービス仲介業者は、準用貸金業法第十七条第五項前段の規定により、同条第二項各号に掲げる事項について当該極度方式基本契約の内容を明らかにする書面を保証人に交付する場合において、保証の対象となる極度方式基本契約が二以上あるときは、当該極度方式基本契約ごとに当該各号に掲げる事項を記載しなければならない。

(11) When a financial service intermediary delivers to the guarantor a document disclosing the details of the basic contract for a revolving credit loan concerning the particulars stated in the items of paragraph (2) of the same Article, and when two or more basic contracts for revolving credit loans are covered by the guarantee, statements must be made for each contract, pursuant to the first sentence of Article 17, paragraph (5) of the Money Lending Business Act, as applied mutatis mutandis.

１２　準用貸金業法第十七条第五項後段に規定する内閣府令で定めるものは、第四項に定める事項とする。

(12) The particulars specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (5) of the Money Lending Business Act, as applied mutatis mutandis, are those specified in paragraph (4).

１３　準用貸金業法第十七条第五項後段に規定する内閣府令で定めるときは、第五項に定めるときとする。

(13) The time specified by Cabinet Office Order, as prescribed in the second sentence of Article 17, paragraph (5) of the Money Lending Business Act, as applied mutatis mutandis, is that specified in paragraph (5).

１４　第百二十八条第四項の規定は、金融サービス仲介業者が準用貸金業法第十七条第

一項から第五項までの規定により交付すべき書面を作成する場合について準用する。

(14) The provisions of Article 128, paragraph (4) apply mutatis mutandis when a financial service intermediary prepares the document to be delivered pursuant to Article 17, paragraphs (1) through (5) of the Money Lending Business Act, as applied mutatis mutandis.

１５　準用貸金業法第十七条第一項から第五項までに規定する書面には、これらに規定する事項を日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

(15) In the document prescribed in Article 17, paragraphs (1) through (5) of the Money Lending Business Act as applied mutatis mutandis, the particulars prescribed in them must be clearly and accurately stated using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards.

１６　一の貸付けに係る契約の締結について貸主が当該貸付けに係る契約の相手方に対し貸金業法第十七条第一項、第二項又は第五項の規定により第一項各号又は第三項各号に掲げる事項を記載した書面を交付したときは、金融サービス仲介業者は、第一項及び第三項の規定にかかわらず、準用貸金業法第十七条第一項、第二項又は第五項に規定する書面に第一項各号及び第三項各号に掲げる事項を記載することを要しない。

(16) When a money lender has delivered documents stating the particulars listed in the items of paragraph (1) or paragraph (3) to the counterparty to a loan contract pursuant to Article 17, paragraph (1), (2), or (5) of the Money Lending Business Act, as applied mutatis mutandis, a financial service intermediary is not required to restate those particulars in a document prescribed in Article 17, paragraph (1), (2), or (5) of the Money Lending Business Act, as applied mutatis mutandis, notwithstanding the provisions of paragraph (1) and paragraph (3).

１７　準用貸金業法第十七条第六項に規定する内閣府令で定めるものは、一月以内で金融サービス仲介業者が定める一定期間における貸付け、弁済その他の取引の状況について日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に次に掲げる事項（一定期間において貸付けに係る契約の媒介を行っていない場合にあっては第三号から第九号まで、第十一号から第十六号まで及び第二十号に掲げる事項を除き、弁済を受領していない場合にあっては第十七号から第十九号までに掲げる事項を除く。）を記載した書面とする。

(17) The document specified by Cabinet Office Order, as prescribed in Article 17, paragraph (6) of the Money Lending Business Act, as applied mutatis mutandis, is a document in which the following particulars are clearly and accurately stated, using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards, regarding a loan, payment, and any other transactions made during a period specified by a financial service intermediary within one month (when the financial service intermediary has not provided intermediary services for loan contracts during

the specified period, the particulars stated in items (iii) through (ix), (xi) through (xvi), and (xx) are excluded, and when the financial service intermediary has not received payment during the specified period, the particulars stated in items (xvii) through (xix) are excluded):

一　金融サービス仲介業者及び貸主の商号、名称又は氏名及び住所

(i) the trade names or names and the addresses of the financial service intermediary and the money lender;

二　極度方式基本契約の契約年月日

(ii) the date of conclusion of the basic contract for a revolving credit loan;

三　極度方式基本契約の極度額（貸主が極度方式基本契約の相手方に対し貸付けの元本の残高の上限として極度額を下回る額を提示している場合にあっては、当該下回る額及び極度額）

(iii) the maximum amount under the basic contract for a revolving credit loan (if the money lender presents to the counterparty a smaller amount than the maximum amount as the upper limit on the outstanding balance of the principal of the revolving credit loan, that smaller amount or the maximum amount);

四　一定期間に締結又はその媒介を行った極度方式貸付けに係る契約に係るそれぞれの契約の契約年月日

(iv) the date of the conclusion of each contract for a revolving credit loan that the financial service intermediary either concluded or acted as an intermediary in concluding during a specified period;

五　一定期間に締結又はその媒介を行った極度方式貸付けに係る契約に係るそれぞれの貸付けの金額（保証契約にあっては、保証に係る貸付けの金額）

(v) the loan amount for each contract for a revolving credit loan that the financial service intermediary either concluded or acted as an intermediary in concluding during a specified period (in the case of a guarantee contract, the loan amount related to that guarantee);

六　貸付けの利率

(vi) the loan interest rate;

七　返済の方式

(vii) the method of repayment;

八　一定期間に締結又はその媒介を行ったそれぞれの極度方式貸付けに係る契約の返済期間及び返済回数（それぞれの極度方式貸付けに係る契約の返済期間及び返済回数の記載に代えて、一定期間の最後の日における同一の極度方式基本契約に基づく残存する債務（同一の極度方式基本契約に基づく返済の条件が同種の極度方式貸付けに係る契約の債務が複数残存するときは、合わせた債務）の将来の返済期間及び返済回数を記載することができる。）

(viii) the repayment period and number of repayment installments for each contract for a revolving credit loan that the financial service intermediary either concluded or acted as an intermediary in concluding during a specified

period (in lieu of the statement of repayment period and number of repayment installments for each contract for a revolving credit loan, the future repayment period and number of repayment installments for the remaining obligation under the same basic contract for a revolving credit loan (when two or more obligations remain under a contract for a revolving credit loan that is based on the same basic contract for a revolving credit loan and has the same conditions, the combined obligation) as of the last day of that specified period may be stated);

九　賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容

(ix) when there is an agreement on the planned amount of damages (including penalties), the details of the agreement;

十　契約の相手方の商号、名称又は氏名及び住所（当該契約の契約番号その他をもって代えることができる。）

(x) the trade name or name and the address of the counterparty to the contract (these may be substituted with the contract number of that contract or other identifying information);

十一　極度方式貸付けに関し貸主が受け取る書面（極度方式基本契約に関し貸主が受け取る書面を除く。）の内容

(xi) the details of the documents to be received by the money lender in relation to the revolving credit loan (excluding those received by the money lender in relation to the basic contract for the revolving credit loan);

十二　一定期間に締結又はその媒介を行ったそれぞれの極度方式貸付けに係る契約の各回の返済期日及び返済金額又は次回の返済期日及び返済金額（当該契約と同一の極度方式基本契約に基づく返済の条件が同種の他の極度方式貸付けに係る契約の債務が残存するときは、締結又はその媒介を行った極度方式貸付けに係る契約の各回の返済期日及び返済金額の記載に代えて、残存する債務と合わせた債務に係る将来の各回の返済期日及び返済金額を、当該契約の次回の返済期日及び返済金額の記載に代えて、残存する債務と合わせた債務に係る次回の返済期日及び返済金額を記載することができる。）（それぞれの極度方式貸付けに係る契約の各回の返済期日及び返済金額又は次回の返済期日及び返済金額の記載に代えて、一定期間の最後の日における残存する債務（同一の極度方式基本契約に基づく返済の条件が同種の極度方式貸付けに係る契約の債務が複数残存するときは、合わせた債務）の将来の各回の返済期日及び返済金額又は次回の返済期日及び返済金額を記載することができる。）

(xii) the due date of each repayment and the repayment amount, or the next repayment due date and the repayment amount, for each contract for a revolving credit loan that the financial service intermediary either concluded or acted as an intermediary in concluding during a specified period (when an obligation remains under another contract for a revolving credit that is based on the same basic contract for a revolving credit loan and has the same conditions of repayment as the contract, then, in lieu of the statement of each

repayment due date and repayment amount under the contract for a revolving credit loan that the financial service intermediary either concluded or acted as an intermediary in concluding, each repayment due date and repayment amount in the future for the obligations including the remaining obligation may be stated; and in lieu of the statement of the next repayment due date and repayment amount under the contract, the next repayment due date and repayment amount for the obligations including the remaining obligation may be stated) (in lieu of the statement of each repayment due date and repayment amount or the next repayment due date and repayment amount for each contract for a revolving credit loan, each repayment due date and repayment amount, or next repayment due date and repayment amount in the future, under the remaining obligation (when there remain two or more obligations under a contract for a revolving credit loan that is based on the same basic contract for a revolving credit loan and has the same conditions of repayment, such obligations combined with the remaining obligation) as of the last day of the specified period, may be stated);

十三　契約上、返済期日前の返済ができるか否か及び返済ができるときは、その内容（準用貸金業法第十七条第二項の規定により交付する書面に記載されているとき、又は記載されているものより契約の相手方に有利なものであるときは、記載を省略することができる。）

(xiii) whether repayment before the repayment due date is possible under the contract, and if so, the details of that repayment (the entry of such details may be omitted if they are stated in the document to be delivered pursuant to Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, or if the details are more favorable to the counterparty to the contract than those stated in the document);

十四　期限の利益の喪失の定めがあるときは、その旨及びその内容（準用貸金業法第十七条第二項の規定により交付する書面に記載されているとき、又は記載されているものより契約の相手方に有利なものであるときは、記載を省略することができる。）

(xiv) when there are provisions on acceleration, a statement confirming this and the details of those provisions (the entry of the details may be omitted if they are stated in the document to be delivered pursuant to Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis, or if the details are more favorable to the counterparty to the contract than those stated in the document);

十五　貸付けに係る契約に基づく債権につき物的担保が供されるときは、当該担保の内容（準用貸金業法第十七条第二項の規定により交付する書面に記載されている物的担保については、記載を省略することができる。）

(xv) when physical collateral for claims under the loan contract is provided, the details of the collateral (the entry of the details of the physical collateral

stated in the document to be delivered pursuant to Article 17, paragraph (2) of the Money Lending Business Act as applied mutatis mutandis, may be omitted);

十六　貸付けに係る契約について保証契約が締結されるときは、保証人の商号、名称又は氏名及び住所（準用貸金業法第十七条第二項の規定により交付する書面に記載されている保証人については、記載を省略することができる。）

(xvi) when a guarantee contract is concluded for the loan contract, the trade name or name and the address of the guarantor (the entry of the guarantor's information may be omitted if it is stated in the document to be delivered pursuant to Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis);

十七　一定期間に受領したそれぞれの弁済に係る貸付けの金額（保証契約にあっては、保証に係る貸付けの金額）（当該弁済に係る貸付けが複数あるときは、弁済に係る貸付けの金額に代えて、最後の貸付けに係る貸付けの金額とその時点において残存する当該貸付けと同一の極度方式基本契約に基づく他の返済の条件が同種の極度方式貸付けの債務の合計額を記載することができる。）

(xvii) the loan amount for each payment received during a specified period (in the case of a guarantee contract, the loan amount related to the guarantee) (when there are two or more loans related to the payment, in lieu of the loan amount related to the payment, the total loan amount under the most recent loan and the obligation under a revolving credit loan based on the same basic contract for a revolving credit loan, with the same repayment conditions as the remaining loan at that time, may be stated);

十八　一定期間に受領したそれぞれの弁済に係る受領金額（当該書面の交付を受ける者以外の者が債務の弁済をした場合には、その受領金額及びその旨）及び利息、賠償額の予定（違約金を含む。）に基づく賠償金又は元本への充当額

(xviii) the amount received for each payment made during a certain period (when a person other than the recipient of the documents has made the performance of the obligation, the amount received and a statement confirming this), as well as the interest, and the amount of damages based on the planned amount of damages (including penalties), or the amount applied to the principal;

十九　一定期間に受領したそれぞれの弁済に係る受領年月日

(xix) the date of receipt for each payment made during a specified period;

二十　媒介手数料の計算の方法（準用貸金業法第十七条第二項の規定により交付する書面に記載されているとき、又は記載されているものより契約の相手方に有利なものであるときは、記載を省略することができる。）及びその金額

(xx) the method of calculating the intermediary fee (the entry of the method may be omitted if it is stated in the document to be delivered pursuant to Article 17, paragraph (2) of the Money Lending Business Act as applied mutatis mutandis, or if the method is more favorable to the counterparty to

the contract than the one stated in the documents) and its amount;

二十一　次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項

(xxi) the particulars specified in (a) or (b) below in accordance with the category of cases stated in each item, respectively:

イ　指定貸金業貸付媒介紛争解決機関が存在する場合　当該金融サービス仲介業者が手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定貸金業貸付媒介紛争解決機関の名称又は商号

(a) when there is a designated dispute resolution organization for money lending business and loan brokerage services: the name or trade name of the designated dispute resolution organization formoney lending business and loan brokerage services , which is the counterparty to the basic contract for the implementation of procedures under which the financial service intermediary is to take measures to conclude the basic contract for the implementation of the procedures;

ロ　指定貸金業貸付媒介紛争解決機関が存在しない場合　当該金融サービス仲介業者の苦情処理措置及び紛争解決措置の内容

(b) when there are no designated dispute resolution organizations formoney lending business and loan brokerage services：the details of the complaint processing measuresand dispute resolution measures of the financial service intermediary.

１８　前項の書面は、一定期間において貸付けに係る契約の媒介を行ったとき又は弁済を受領したときに、当該一定期間について当該一定期間の最後の日から一月以内に交付する（電磁的方法により提供する場合にあっては、送信し、閲覧に供し、又は交付する）ものとする。

(18) When a financial service intermediary has concluded, or has provided intermediary services for the conclusion of a loan contract, or has received payment during a specified period, the financial service intermediary is to deliver the documents stated in the preceding paragraph (in the case of providing the documents by electronic or magnetic means, they are to be sent, offered for inspection, or delivered) for that specified period within one month from the last day of that period.

１９　第百二十八条第四項の規定は、金融サービス仲介業者が第十七項の書面を作成する場合について準用する。

(19) The provisions of Article 128, paragraph (4) apply mutatis mutandis when a financial service intermediary prepares the documents referred to in paragraph (17).

（受取証書の交付）

(Delivery of Receipt)

第百三十三条　準用貸金業法第十八条第一項第六号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 133 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 18, paragraph (1), item (vi) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　弁済を受けた旨を示す文字

(i) characters or letters indicating the receipt of payment;

二　金融サービス仲介業者の登録番号

(ii) the registration number of the financial service intermediary;

三　債務者の商号、名称又は氏名

(iii) the trade name or name and the address of the obligor;

四　債務者（貸付けに係る契約について保証契約を締結したときにあっては、主たる債務者）以外の者が債務の弁済をした場合においては、その者の商号、名称又は氏名

(iv) when a person other than the obligor (or, in the case where a guarantee contract for a loan contract has been concluded, the principal obligor) has made the performance of an obligation, the trade name or name of that person.

2　前項第二号及び第三号に掲げる事項については、弁済を受けた債権に係る貸付けの契約を契約番号その他により明示することをもって、当該事項の記載に代えることができる。

(2) Regarding the particulars stated in items (ii) and (iii) of the preceding paragraph, these particulars may be substituted by clearly indicating the loan contract related to the claim for which payment was made, along with its contract number or other identifying information.

3　準用貸金業法第十八条第一項に規定する書面には、同項各号に規定する事項を日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

(3) In the document prescribed in Article 18, paragraph (1) of the Money Lending Business Act as applied mutatis mutandis, the particulars prescribed in the items of the same paragraph must be clearly and accurately stated using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards.

4　準用貸金業法第十八条第三項に規定する内閣府令で定めるものは、一月以内で金融サービス仲介業者が定める一定期間における貸付け、弁済その他の取引の状況について日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に前条第十七項各号に掲げる事項（貸金業貸付媒介業務に係るものに限り、一定期間において貸付けに係る契約を締結していない場合にあっては同項第三号から第九号まで、第十一号から第十六号まで及び第二十号に掲げる事項を除き、弁済を受領していない場合にあっては同項第十七号から第十九号までに掲げる事項を除く。）を記載した書面とする。

(4) The document specified by Cabinet Office Order, as prescribed in Article 18, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis,

is a document in which the particulars stated in the items of paragraph (17) of the preceding Article are clearly and accurately stated, using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards, regarding a loan, payment, and any other transactions made during a period specified by a financial service intermediary within one month (the particulars are limited to those relating to loan intermediary business operations, and when the financial service intermediary has not concluded a loan contract during the specified period, the particulars stated in items (iii) through (ix), (xi) through (xvi), and (xx) of the same paragraph are excluded, and when the financial service intermediary has not received payment during the specified period, the particulars stated in items (xvii) through (xix) of the same paragraph are excluded).

5　前項の書面は、一定期間において貸付けに係る契約を締結したとき又は弁済を受領したときに、当該一定期間について当該一定期間の最後の日から一月以内に交付する（電磁的方法により提供する場合にあっては、送信し、閲覧に供し、又は交付する）ものとする。

(5) When a financial service intermediary has concluded or has provided intermediary services for the conclusion of a loan contract, or has received payment during a specified period, the financial service intermediary is to deliver the documents stated in the preceding paragraph (in the case of providing the documents by electronic or magnetic means, they are to be sent, offered for inspection, or delivered) for that specified period within one month from the last day of that period.

6　第百二十八条第四項の規定は、金融サービス仲介業者が第三項の書面を作成する場合について準用する。

(6) The provisions of Article 128, paragraph (4) apply mutatis mutandis when a financial service intermediary prepares the document referred to in paragraph (3).

（帳簿書類の閲覧等請求権者）

(Persons Entitled to Request the Inspection of Books and Documents)

第百三十四条　準用貸金業法第十九条の二に規定する内閣府令で定める者は、次に掲げる者とする。

Article 134 The persons specified by Cabinet Office Order, as prescribed in Article 19-2 of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　債務者等（法第二十八条第二項に規定する債務者等をいう。以下この款及び第百三十九条第五項第八号において同じ。）又は債務者等であった者の法定代理人、後見監督人、保佐人、保佐監督人、補助人若しくは補助監督人

(i) a legal representative, guardian's supervisor, curator, curator's supervisor, assistant, or assistant's supervisor of the obligor, etc. (meaning the obligor,

etc. as prescribed in Article 28, paragraph (2) of the Act; the same applies below in this Subsection and in Article 139, paragraph (5), item (viii)), or a person who was formerly an obligor, etc.;

二　債務者等又は債務者等であった者の相続人

(ii) an heir of the obligor, etc. or a person who was formerly an obligor, etc.;

三　債務者等若しくは債務者等であった者のために又は債務者等若しくは債務者等であった者に代わって弁済をした者

(iii) a person who has made payment on behalf of or in lieu of the obligor, etc. or a person who was formerly an obligor, etc.;

四　債務者等若しくは債務者等であった者又は前三号に掲げる者から準用貸金業法第十九条の二の請求について代理権を付与された者

(iv) a person who has been granted the right of representation for a request stated in Article 19-2 of the Money Lending Business Act, as applied mutatis mutandis, by the obligor, etc., or a person who was formerly an obligor, etc., or any of the persons stated in the preceding three items.

（帳簿書類の閲覧方法）

(Method of Inspection of Books and Documents)

第百三十五条　金融サービス仲介業者は、法第三十三条に規定する帳簿書類（第百三十八条第五号に掲げるものに限る。）をその営業所又は事務所ごとに備え置き、準用貸金業法第十九条の二に規定するときを除くほか、その営業時間内に、請求者の請求に応じて閲覧又は謄写をさせなければならない。

Article 135　A financial service intermediary must keep the books and documents prescribed in Article 33 of the Act (limited to those stated in Article 138, item (v)) at each of its places of business or offices, and must allow any person requesting to inspect or copy them to do so during business hours, except in the cases prescribed in Article 19-2 of the Money Lending Business Act, as applied mutatis mutandis.

（特定公正証書の作成に係る説明事項）

(Particulars to be Explained Regarding the Preparation of Specified Notarized Deeds)

第百三十六条　準用貸金業法第二十条第三項第二号に規定する内閣府令で定めるものは、特定公正証書（同条第一項に規定する特定公正証書をいう。以下この項において同じ。）に記載された内容の債務の不履行の場合には、金融サービス仲介業者は、訴訟の提起を行わずに、特定公正証書により債務者等の財産に対する強制執行をすることができる旨とする。

Article 136　(1) Cabinet Office Order, as prescribed in Article 20, paragraph (3), item (ii) of the Money Lending Business Act, as applied mutatis mutandis, specifies that in the case of a default stated in a specified notarized deed (meaning the specified notarized deed prescribed in paragraph (1) of the same

Article; the same applies below in this paragraph), a financial service intermediary may carry out compulsory execution against the assets of the obligor, etc., based on the specified notarized deed, without filing a lawsuit.

２　準用貸金業法第二十条第三項に規定する書面には、同項各号に掲げる事項を日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

(2) In the document prescribed in Article 20, paragraph (3) of the Money Lending Business Act as applied mutatis mutandis, the particulars prescribed in the items of the same paragraph must be clearly and accurately stated using letters and numerical characters larger than 8-point, as prescribed in Z8305 of the Japanese Industrial Standards.

（取立て行為の規制）

(Restriction of Acts of Collection)

第百三十七条　準用貸金業法第二十一条第一項第一号に規定する内閣府令で定める時間帯は、午後九時から午前八時までの間とする。

Article 137 (1) The hours specified by Cabinet Office Order, as prescribed in Article 21, paragraph (1), item (i) of the Money Lending Business Act, as applied mutatis mutandis, are between 9 p.m. and 8 a.m.

２　金融サービス仲介業者又は金融サービス仲介業者の貸付けの契約に基づく債権の取立てについて金融サービス仲介業者その他の者から委託を受けた者は、準用貸金業法第二十一条第二項の規定により、債務者等に対し、支払を催告するために書面又はこれに代わる電磁的記録を送付するときは、当該書面に封をする方法、本人のみが使用していることが明らかな電子メールアドレスに電子メールを送付する方法その他の債務者の借入れに関する事実が債務者等以外の者に明らかにならない方法により行わなければならない。

(2) When sending documents demanding payment or electronic or magnetic records in lieu of the documents to the obligor, etc., a financial service intermediary, or a person entrusted by the financial service intermediary, or any other person involved in the collection of claims under the financial service intermediary's loan contract, must use a method that ensures the confidentiality of the obligor's borrowing details. These methods include sealing the documents in an envelope, sending an email to an email address that is evidently used only by the obligor, etc., or any other method that would prevent the disclosure of the obligor's borrowing details to anyone other than the obligor, etc. pursuant to Article 21, paragraph (2) of the Money Lending Business Act as applied mutatis mutandis.

３　準用貸金業法第二十一条第二項第八号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(3) The particulars specified by Cabinet Office Order, as prescribed in Article 21, paragraph (2), item (viii) of the Money Lending Business Act, as applied

mutatis mutandis, are as follows:

一　支払の催告時における当該催告に係る残存債務の額

(i) the amount of remaining obligations at the time of the demand for payment;

二　支払を催告する金額の内訳（媒介手数料及び債務の不履行による賠償額の別をいう。）

(ii) a breakdown of the amount demanded for payment (meaning the information on the composition of the outstanding balance, such as the intermediary fee and damages due to default);

三　書面又はこれに代わる電磁的記録を保証人に対し送付する場合にあっては、保証契約の契約年月日及び保証債務の極度額その他の保証人が負担する債務の範囲

(iii) when sending documents or electronic or magnetic records in lieu of documents to the guarantor, the date of the conclusion of the guarantee contract, the maximum amount of the guarantee obligation, and the scope of obligation to be borne by the guarantor.

4　準用貸金業法第二十一条第二項に規定する書面には、同項各号に掲げる事項を日本産業規格Ｚ八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

(4) In the document prescribed in Article 21, paragraph (2) of the Money Lending Business Act as applied mutatis mutandis, the particulars prescribed in the items of the same paragraph must be clearly and accurately stated using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards.

5　準用貸金業法第二十一条第三項に規定する内閣府令で定める事項は、次に掲げる事項とする。

(5) The particulars specified by Cabinet Office Order, as prescribed in Article 21, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis, are as follows:

一　取立てを行う者の弁済受領権限の基礎となる事実

(i) facts serving as the basis for the authority of the person conducting the collection to receive payment;

二　取り立てる債権に係る準用貸金業法第十七条第一項各号（第一号を除く。）に掲げる事項（極度方式貸付けに係る契約に基づくものであるときは次号に掲げる事項と同一の内容のものを除く。）

(ii) the particulars stated in the items (excluding item (i)) of Article 17, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis, relating to the claim to be collected (when the claim to be collected is under a contract for a revolving credit loan, excluding the particulars that are the same as those stated in the following item);

三　取り立てる債権が極度方式貸付けに係る契約に基づくものであるときは、当該契約の基本となる極度方式基本契約に係る準用貸金業法第十七条第二項各号（第一号を除く。）に掲げる事項

(iii) when the claim to be collected is under a contract for a revolving credit loan, the particulars stated in the items (excluding item (i)) of Article 17, paragraph (2) of the Money Lending Business Act as applied mutatis mutandis, relating to the basic contract for the revolving credit loan that forms the basis of the contract;

四　債務者等に対し取立てをするときは、次に掲げる事項

(iv) when collecting claims from the obligor, etc., the following particulars:

イ　準用貸金業法第二十一条第二項第六号及び第七号に掲げる事項

(a) the particulars stated in Article 21, paragraph (2), items (vi) and (vii) of the Money Lending Business Act, as applied mutatis mutandis;

ロ　第三項第一号及び第二号に掲げる事項

(b) the particulars stated in paragraph (3), items (i) and (ii);

五　保証人に対し取立てをするときは、準用貸金業法第十七条第三項に規定する事項

(v) when collecting claims from the guarantor, the particulars prescribed in Article 17, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis.

6　準用貸金業法第二十一条第三項に規定する内閣府令で定める方法は、前項各号に掲げる事項を日本産業規格Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載した書面を交付又は送付する方法とする。ただし、金融サービス仲介業者又は金融サービス仲介業者の貸付けの契約に基づく債権の取立てについて金融サービス仲介業者その他の者から委託を受けた者の従業者であって、当該金融サービス仲介業者の商号、名称若しくは氏名又は当該従業者の氏名を明らかにするよう相手方の請求があった場合は、準用貸金業法第十二条の四第一項に規定する証明書の提示によることができる。

(6) The method specified by Cabinet Office Order, as prescribed in Article 21, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis, is the method of delivering or sending documents in which the particulars stated in the items of the preceding paragraph are clearly and accurately stated, using letters and numerical characters larger than 8-point as prescribed in Z8305 of the Japanese Industrial Standards; provided, however, that when an employee of a financial service intermediary, or a person entrusted by the financial service intermediary or any other person with the collection of claims under the financial service intermediary's loan contract, is requested by the counterparty to disclose the trade name or name of the financial service intermediary or the name of the employee, the employee may disclose such information by presenting the certificate prescribed in Article 12-4, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis.

第三節　経理等

Section 3 Accounting

（業務に関する帳簿書類）

(Books and Documents Related to Business Operations)

第百三十八条　金融サービス仲介業者は、法第三十三条の規定により、次の各号に掲げる帳簿書類を作成し、当該各号に定める期間保存しなければならない。

Article 138 A financial service intermediary must prepare the books and documents stated in the following items and preserve them for the period specified in each item, pursuant to Article 33 of the Act:

一　法第十一条第二項各号に掲げる媒介に係る記録　その作成の日から五年間

(i) records relating to the intermediary service stated in the items of Article 11, paragraph (2) of the Act: for five years from the day on which they are prepared;

二　法第十一条第三項に規定する媒介に係る記録　保険契約が消滅した日から五年間

(ii) records relating to the intermediary service prescribed in Article 11, paragraph (3) of the Act: for five years from the day on which the insurance policy is extinguished;

三　法第十一条第四項第一号から第三号までに掲げる行為に係る記録　その作成の日から七年間

(iii) records relating to the acts stated in Article 11, paragraph (4), items (i) through (iii) of the Act: for seven years from the day on which they are prepared;

四　法第十一条第四項第四号に掲げる媒介に係る記録　その作成の日から十年間

(iv) records relating to the intermediary service stated in Article 11, paragraph (4), item (iv) of the Act: for ten years from the day on which they are prepared;

五　法第十一条第五項に規定する媒介に係る記録　貸付けの契約に定められた最終の支払期日（当該契約に基づく債権が弁済その他の事由により消滅したときにあっては、当該債権の消滅した日）から少なくとも十年間（極度方式基本契約を締結した場合にあっては、当該極度方式基本契約及び当該極度方式基本契約に基づく全ての極度方式貸付けに係る契約について、当該極度方式基本契約の解除の日又はこれらの契約に定められた最終の支払期日のうち最後のもの（これらの契約に基づく債権の全てが弁済その他の事由により消滅したときにあっては、その消滅した日）のうちいずれか遅い日から少なくとも十年間）

(v) records relating to the intermediary service prescribed in Article 11, paragraph (5) of the Act: for at least ten years from the final repayment due date specified in the loan contract (or, if the claim under the loan contract has been extinguished upon repayment or on any other grounds, from the day the claim is extinguished) (if a basic contract for a revolving credit loan has been concluded, for at least ten years from the day the basic contract is canceled, or from the last of the final repayment due dates specified in all the contracts for revolving credit loans under the basic contract, whichever

comes later (if all claims under these contracts have been extinguished upon payment or on any other grounds, the ten-year period begins from the day the claims are extinguished)).

（業務に関する帳簿書類の記載事項）

(Particulars to Be Stated in Books and Documents Related to Business Operations)

第百三十九条　前条第一号の帳簿書類には、次に掲げる事項を記載しなければならない。

Article 139 (1) The following particulars must be stated in the books and documents referred to in item (i) of the preceding Article:

一　媒介を行った年月日

(i) the date on which the intermediary service was provided;

二　顧客及び相手方金融機関の氏名、商号又は名称

(ii) the names or trade names of the customer and the counterparty financial institution;

三　媒介に関して顧客が金融サービス仲介業者に支払うべき手数料等の額

(iii) the amount of the fees, etc. payable by the customer to the financial service intermediary in connection with the intermediary service;

四　顧客の口座番号

(iv) the account number of the customer;

五　顧客の口座が開設されている相手方金融機関及び店舗の名称

(v) the names of the counterpart financial institution and its relevant branch where the customer's account has been opened;

六　法第十一条第二項第一号に規定する契約の締結の媒介を行う場合にあっては、次に掲げる事項

(vi) when acting as an intermediary for the conclusion of a contract prescribed in Article 11, paragraph (2), item (i) of the Act, the following particulars:

イ　預金等の種別

(a) the type of deposit, etc.;

ロ　預入金額、預入年月日及び利率並びに払戻しの期限がある場合にあっては当該期限

(b) the deposit amount, the date of the deposit, etc., the interest rate, and when applicable, the due date for a refund;

七　法第十一条第二項第二号に規定する契約の締結の媒介を行う場合にあっては、次に掲げる事項

(vii) when acting as an intermediary for the conclusion of a contract prescribed in Article 11, paragraph (2), item (ii) of the Act, the following particulars:

イ　貸付けの金額

(a) the loan amount;

ロ　貸付けの利率

(b) the loan interest rate;

ハ　返済の方式

(c) the method of repayment;

ニ　返済期間及び返済回数

(d) the repayment period and number of repayment installments;

ホ　賠償額の予定（違約金を含む。）に関する定めがあるときは、その内容

(e) when there is an agreement on the planned amount of damages (including penalties), the details of such an agreement;

八　法第十一条第二項第三号に規定する契約の締結の媒介を行う場合にあっては、次に掲げる事項

(viii) when acting as an intermediary for the conclusion of a contract prescribed in Article 11, paragraph (2), item (iii) of the Act, the following particulars:

イ　振込先の氏名又は名称

(a) the name of the person to whom the transfer is to be made;

ロ　振込先の口座番号

(b) the account number to which the transfer is to be made;

ハ　振込先の口座が開設されている銀行その他の金融機関及び店舗の名称

(c) the names of the bank or other financial institution and its relevant branch where the account to which the transfer is to be made is held;

ニ　取引金額

(d) the transaction amount.

2　前条第二号の帳簿書類には、次に掲げる事項を記載しなければならない。

(2) The following particulars must be stated in the books and documents referred to in item (ii) of the preceding Article:

一　媒介を行った年月日

(i) the date on which the intermediary service was provided;

二　顧客及び相手方金融機関の氏名、商号又は名称

(ii) the names or trade names of the customer and the counterparty financial institution;

三　媒介に関して顧客が金融サービス仲介業者に支払うべき手数料等の額

(iii) the amount of the fees, etc. payable by the customer to the financial service intermediary in connection with the intermediary service;

四　被保険者及び保険金額を受け取るべき者の商号、名称又は氏名

(iv) the trade names or names of the insured and the beneficiaries of the insurance proceeds;

五　保険契約の種類及びその内容

(v) the type of insurance policy and its details;

六　保険の目的及びその価額

(vi) the purpose and value of the insurance;

七　保険金額

(vii) the insured amount;

八　保険期間の始期及び終期

(viii) the start and end of the insurance period;

九　保険契約に係る保険料

(ix) the insurance premiums relating to the insurance policy;

十　保険契約が自己契約（準用保険業法第二百九十五条第一項に規定する自己契約をいう。）であるときは、その旨

(x) when the insurance policy is a self-contract (meaning the self-contract prescribed in Article 295, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis), a statement confirming this;

十一　保険契約者に対して行った保険契約の締結の媒介の内容

(xi) the details of the intermediary service provided to the policyholder for the conclusion of the insurance policy.

3　前条第三号の帳簿書類には、次に掲げる事項を記載しなければならない。ただし、同一日において価格が変動しない投資信託受益証券等（投資信託若しくは外国投資信託の受益証券、投資証券又は外国投資証券で投資証券に類する証券をいう。）については、当該事項に代えて、顧客の氏名又は名称、銘柄（取引の対象となる金融商品若しくは金融指標又は取引の条件を記載した契約書に記載されている契約番号その他取引の対象を特定するものを含む。第五号において同じ。）、売付け又は買付けの別、申込みを受けた数量、約定数量、申込みを受けた日及び約定日を記載することができる。

(3) The following particulars must be stated in the books and documents referred to in item (iii) of the preceding Article; provided, however, that with regard to investment trust beneficiary certificates, etc. (meaning the beneficiary certificates of an investment trust or a foreign investment trust, investment securities or foreign investment securities similar to investment securities) with no price fluctuation on the same day, the following particulars may be stated in lieu of those specified below: the customer's name, the issues (including financial instruments or financial indicators that are the subject of transactions, or any information that identifies transaction subjects, including contract numbers stated in a written contract in which transaction conditions are stated; the same applies in item (v)), whether it is a sale or purchase transaction, the volume of the order received, the agreed volume, the date of receipt of the order, and the contract date:

一　相手方金融機関の自己又は委託の別

(i) whether the transaction is with the counterparty financial institution itself or based on the customer's entrustment;

二　顧客及び相手方金融機関の氏名、商号又は名称

(ii) the names or trade names of the customer and the counterparty financial institution;

三　法第十一条第四項第一号から第三号までに掲げる行為に関して顧客が金融サービス仲介業者に支払うべき手数料等の額

(iii) the amount of the fees, etc. payable by the customer to the financial

service intermediary in connection with any of the acts stated in Article 11, paragraph (4), items (i) through (iii) of the Act;

四　取引の種類

(iv) the type of transaction;

五　銘柄

(v) the issues;

六　売付け又は買付けの別

(vi) whether the transaction is a sale or a purchase;

七　申込みを受けた数量

(vii) the volume of the order received;

八　約定数量

(viii) the agreed volume;

九　指値又は成行の別（指値の場合にあっては、その価格及び注文の有効期限（当該有効期限が当日中であるものを除く。）を含む。）

(ix) whether it is a limit order or a market order (in the case of a limit order, including the price and valid period of the order (excluding any order where the valid period is the same day as the order));

十　申込みを受けた日時

(x) the date and time of the receipt of the application;

十一　約定日時

(xi) the contract date and time;

十二　約定価格

(xii) the contract price.

4　前条第四号の帳簿書類には、次に掲げる事項を記載しなければならない。

(4) The following particulars must be stated in the books and documents referred to in item (iv) of the preceding Article:

一　媒介を行った年月日

(i) the date on which the intermediary service was provided;

二　顧客及び相手方金融機関の氏名、商号又は名称

(ii) the names or trade names of the customer and the counterparty financial institution;

三　媒介に関して顧客が金融サービス仲介業者に支払うべき手数料等の額

(iii) the amount of the fees, etc. payable by the customer to the financial service intermediary in connection with the intermediary service;

四　媒介の内容

(iv) the details of the intermediary service.

5　前条第五号の帳簿書類には、次に掲げる事項を記載しなければならない。

(5) The following particulars must be stated in the books and documents referred to in item (v) of the preceding Article:

一　媒介を行った年月日

(i) the date on which the intermediary service was provided;

二　顧客及び貸主（保証契約にあっては主たる債務者及び保証人）の商号、名称又は氏名及び住所（極度方式貸付けに係る契約にあっては、当該契約の契約番号その他をもって代えることができる。）

(ii) the trade names or names and the addresses of the customer and the money lender (or, in the case of a guarantee contract, the principal obligor and guarantor) (for a contract for a revolving credit loan, these may be substituted by the contract number of that contract or other identifying information);

三　媒介に関して顧客が金融サービス仲介業者に支払うべき手数料等の額

(iii) the amount of fees, etc. payable by the customer to the financial service intermediary in connection with the intermediary service;

四　準用貸金業法第十七条第一項第三号から第八号までに掲げる事項（第百三十二条第一項第一号、第二号、第九号及び第十号に掲げる事項を除き、極度方式貸付けに係る契約にあっては次号に掲げる事項と同一の内容のものを除く。）

(iv) the particulars stated in Article 17, paragraph (1), items (iii) through (viii) of the Money Lending Business Act, as applied mutatis mutandis (excluding the particulars stated in Article 132, paragraph (1), items (i), (ii), (ix), and (x), and, in the case of a contract for a revolving credit loan, excluding the particulars that are the same as those stated in the following item);

五　準用貸金業法第十七条第二項第二号から第七号までに掲げる事項（第百三十二条第三項第一号、第二号及び第九号から第十一号までに掲げる事項を除く。）

(v) the particulars stated in Article 17, paragraph (2), items (ii) through (vii) of the Money Lending Business Act, as applied mutatis mutandis (excluding the particulars stated in Article 132, paragraph (3), items (i), (ii), and (ix) through (xi));

六　貸付けに係る契約について保証契約を締結したときは、準用貸金業法第十七条第三項に規定する事項（第百三十条第四項第十五号並びに第六項第四号、第七号及び第十二号に掲げる事項を除く。）

(vi) when a guarantee contract for a loan contract has been concluded, the particulars stated in Article 17, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis (excluding the particulars stated in Article 130, paragraph (4), item (xv), and paragraph (6), items (iv), (vii), and (xii));

七　貸付けの契約に基づく債権の全部又は一部について弁済を受けたときは、各回の弁済に係る受領金額及び受領年月日

(vii) when payment has been received for all or part of the claims under the loan contract, the amount received for each payment and the date of receipt;

八　貸付けの契約に基づく債権に関する債務者等その他の者との交渉の経過の記録

(viii) a record of the course of negotiation with the obligor, etc. or any other person regarding the claim under the loan contract.

6　前条各号の帳簿書類は、次に掲げるところにより作成しなければならない。

(6) The books and documents referred to in the items of the preceding Article must be prepared in accordance with the following:

一　原則として顧客から取引の申込みを受けたときに作成すること。

(i) they are to be prepared upon receipt of an order from a customer, in principle;

二　相手方金融機関（準用銀行法第五十二条の四十五第四号に規定する相手方金融機関、準用保険業法第三百条第一項第八号に規定する相手方金融機関、準用金融商品取引法第三十七条の三第一項第一号に規定する相手方金融機関又は貸主をいう。）ごとに作成すること。

(ii) they are to be prepared for each counterparty financial institution (meaning the counterparty financial institution prescribed in Article 52-45, item (iv) of the Banking Act, as applied mutatis mutandis; the counterparty financial institution prescribed in Article 300, paragraph (1), item (viii) of the Insurance Business Act, as applied mutatis mutandis; the counterparty financial institution prescribed in Article 37-3, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis; or the money lender);

三　日付順に記載して保存すること。

(iii) they are to be prepared and preserved in chronological order;

四　約定されなかったものに係る記載部分についても保存すること。

(iv) any portion of the statements that refer to transactions not contracted is also to be preserved;

五　取引の内容に係る部分については、金融サービス仲介業者が知り得た事項について記載すること。

(v) in the portion relating to the details of the transaction, information is to be provided regarding the particulars that have come to the knowledge of the financial service intermediary;

六　前条第三号の帳簿書類を電磁的記録により作成する場合は、前各号に掲げるところによるほか、次に掲げるところにより作成すること。

(vi) when the books and documents referred to in item (iii) of the preceding Article are prepared through electronic or magnetic records, they are to be prepared in accordance with the following, in addition to what is stated in the preceding items:

イ　第三項各号（第八号、第十一号及び第十二号を除く。）に掲げる事項は、申込みを受けたときに電子計算機へ入力すること。

(a) the particulars stated in the items of paragraph (3) (excluding items (viii), (xi), and (xii)) are to be entered into a computer upon receipt of an application;

ロ　申込み内容を電子計算機へ入力した日付及び時刻が自動的に記録されること。

(b) the date and time at which the details of the customer's application are entered into a computer are to be automatically recorded;

7　前項の規定にかかわらず、同項第六号の規定により電磁的記録により作成されている事項については、当該電磁的記録により作成されている事項を電子計算機の映像面へ表示し、又は書面へ出力する場合においては、一覧表により表示し、又は出力することをもって代えることができる。

(7) Notwithstanding the provisions of the preceding paragraph, with regard to the particulars prepared through electronic or magnetic records pursuant to item (vi) of the same paragraph, the statement of those particulars may be substituted by displaying them on a computer screen or, when printed on paper, by displaying or printing them in the form of a list.

8　第百二十八条第四項の規定は、金融サービス仲介業者（貸金業貸付媒介業務を行う者に限る。）が前条第五号の帳簿書類を作成する場合について準用する。

(8) The provisions of Article 128, paragraph (4) apply mutatis mutandis when a financial service intermediary (limited to persons engaged in loan intermediary business operations) prepares the books and documents referred to in item (v) of the preceding Article.

9　前条第五号の帳簿書類を作成するときは、次の各号に掲げる書面の写しを保存することをもって、当該各号に定める事項の記載に代えることができる。

(9) When a financial service intermediary prepares the books and documents referred to in item (v) of the preceding Article, the statements of the particulars specified in the following items may be substituted by preserving copies of the documents respectively stated in each item:

一　準用貸金業法第十七条第一項の規定により交付すべき書面　第五項第四号に掲げる事項

(i) the document to be delivered pursuant to Article 17, paragraph (1) of the Money Lending Business Act, as applied mutatis mutandis: the particulars stated in paragraph (5), item (iv);

二　準用貸金業法第十七条第二項の規定により交付すべき書面　第五項第五号に掲げる事項

(ii) the document to be delivered pursuant to Article 17, paragraph (2) of the Money Lending Business Act, as applied mutatis mutandis: the particulars stated in paragraph (5), item (v);

三　準用貸金業法第十七条第三項の規定により交付すべき書面　第五項第六号に掲げる事項

(iii) the document to be delivered pursuant to Article 17, paragraph (3) of the Money Lending Business Act, as applied mutatis mutandis: the particulars stated in paragraph (5), item (vi);

四　準用貸金業法第十七条第六項に規定する内閣府令で定める書面　第五項第四号に掲げる事項（当該書面に記載された一定期間に締結又はその媒介を行った極度方式貸付けに係る契約に係る部分に限る。）

(iv) the documents specified by Cabinet Office Order, as prescribed in Article 17, paragraph (6) of the Money Lending Business Act, as applied mutatis

mutandis: the particulars stated in paragraph (5), item (iv) (limited to the portions of the statements in the documents relating to contracts for revolving credit loans that the financial service intermediary has either concluded or acted as an intermediary in concluding during a specified period).

（事業報告書の様式等）

(Business Report Form)

第百四十条　法第三十四条第一項の規定により金融サービス仲介業者が提出する報告書は、別紙様式第七号により作成しなければならない。

Article 140 (1) The report submitted by a financial service intermediary pursuant to Article 34, paragraph (1) of the Act must be prepared in accordance with Appended Form 7.

２　法第三十四条第二項の規定により金融サービス仲介業者は、毎事業年度経過後四月を経過した日から一年間、前項の報告書の写し又は電磁的記録を金融サービス仲介業を行う全ての営業所若しくは事務所に備え置く方法その他の方法により同条第二項の書面を公衆の縦覧に供し、又はインターネットの利用その他の方法により、顧客が常に容易に閲覧することができるよう公表しなければならない。

(2) Pursuant to Article 34, paragraph (2) of the Act, a financial service intermediary must make public the documents referred to in the same paragraph in a manner that allows customers easy access at any time, by making those documents available for public inspection—either by keeping a copy or a record in electronic or magnetic form of the report stated in the preceding paragraph at all of its places of business or offices used for its financial service intermediary business or other means, or by using the internet or other means—for one year from the day on which four months have passed from the end of each business year.

３　法第三十四条第二項に規定する内閣府令で定めるものは、第一項の報告書に記載されている事項とする。

(3) The particulars specified by Cabinet Office Order, as prescribed in Article 34, paragraph (2) of the Act, are those stated in the report referred to in paragraph (1).

（登録の取消しの公告）

(Public Notice of Registration Revocation)

第百四十一条　法第三十八条第四項に規定する公告は、官報によるものとする。

Article 141 The public notice prescribed in Article 38, paragraph (4) of the Act is to be given in the Official Gazette.

第三章　認定金融サービス仲介業協会

Chapter III Certified Financial Service Intermediary Business Associations

（認定の申請書の添付書類）

(Documents to Attach to a Written Application for Certification)

第百四十二条　令第三十九条第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 142 The documents specified by Cabinet Office Order, as prescribed in Article 39, paragraph (2) of the Order, are as follows:

一　認定業務（法第四十条に規定する認定業務をいう。次号において同じ。）の実施の方法を記載した書面

(i) a document stating the method of implementing the certified business (meaning the certified business prescribed in Article 40 of the Act; the same applies in the following item);

二　認定業務を適正かつ確実に行うに足りる知識及び能力を有することを明らかにする書面

(ii) a document demonstrating that the applicant possesses sufficient knowledge and ability to carry out the certified business properly and reliably;

三　最近の事業年度（申請の日の属する事業年度に設立された法人にあっては、その設立の時）における財産目録その他の財産的基礎を有することを明らかにする書面

(iii) an inventory of assets for the most recent business year (or, in the case of a corporation established during the business year that includes the date of the application, as of the date of its establishment) or another document demonstrating that the corporation has a financial basis;

四　役員（役員が法人である場合にあっては、その職務を行うべき者を含む。次号において同じ。）の履歴書（役員が法人である場合にあっては、当該役員の沿革を記載した書面）

(iv) resumes of the officers (if an officer is a corporation, including a person performing their duties; the same applies in the following item) (if an officer is a corporation, a document stating the officer's career background);

五　役員の住民票の抄本（役員が法人である場合にあっては、当該役員の登記事項証明書）又はこれに代わる書面

(v) an extract of the resident record of the officer (or, if the officer is a corporation, a certificate of registered information for the officer), or any other document serving in lieu of the extract or certificate;

六　役員の旧氏及び名を当該役員の氏名に併せて令第三十九条第一項の申請書に記載した場合において、前号に掲げる書面が当該役員の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(vi) if the former surname and given name of an officer are stated together with their current full name in a written application referred to in Article 39, paragraph (1) of the Order, and if the document referred to in the preceding item does not certify the former surname and given name, a document

certifying those names;

七　その他参考となるべき事項を記載した書面

(vii) a document stating any other particulars that may be of useful reference.

（顧客を保護するために必要な会員に係る情報）

(Information on Members Necessary for Customer Protection)

第百四十三条　法第四十四条第一項に規定する内閣府令で定めるものは、次に掲げる情報とする。

Article 143 The information specified by Cabinet Office Order, as prescribed in Article 44, paragraph (1) of the Act, is as follows:

一　法第十二条の登録を受けないで金融サービス仲介業を行っている者を知ったときは、当該者の氏名、住所及び電話番号（法人にあっては、商号又は名称、住所、電話番号及び代表者の氏名）その他の当該者に関する情報並びに当該者が行う金融サービス仲介業に係る業務に関する情報

(i) upon becoming aware of a person who has engaged in the financial service intermediary business without obtaining the registration referred to in Article 12 of the Act, the name, address, and telephone number of that person (or, in the case of a corporation, its trade name or name, address, telephone number, and the name of its representative) and other relevant information about that person, as well as information on the business operations related to the financial service intermediary business being conducted by that person;

二　その他顧客を保護するために認定金融サービス仲介業協会が必要と認める情報

(ii) other information that a certified financial service intermediary business association deems necessary to protect customers.

第四章　指定紛争解決機関

Chapter IV Designated Dispute Resolution Organizations

第一節　通則

Section 1 General Rules

（心身の故障のため紛争解決等業務に係る職務を適正に執行することができない者）

(Persons Unable to Properly Perform Duties Related to Dispute Resolution Services Due to Mental or Physical Disorders)

第百四十四条　法第五十一条第一項第四号イに規定する内閣府令で定める者は、精神の機能の障害のため紛争解決等業務に係る職務を適正に執行するに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 144 The person specified by Cabinet Office Order, as prescribed in Article 51, paragraph (1), item (iv), (a) of the Act, is a person who is unable to adequately perform the cognition, decision-making, and communication required for the properly execution of duties related to dispute resolution

services due to a mental disorder.

（割合の算定）

(Calculation of the Proportion)

第百四十五条　法第五十一条第一項第八号の割合の算定は、同項の申請をしようとする者に対して業務規程（同項第七号に規定する業務規程をいう。以下この章において同じ。）の内容についての異議の有無並びに異議がある場合にはその内容及び理由を記載した書面（次条において「意見書」という。）を提出して手続実施基本契約の解除に関する事項その他の手続実施基本契約の内容（法第五十六条第二項各号に掲げる事項を除く。）その他の業務規程の内容（法第五十六条第三項の規定によりその内容とするものでなければならないこととされる事項並びに同条第四項各号及び第五項第一号に掲げる基準に適合するために必要な事項を除く。）について異議（合理的な理由が付されたものに限る。）を述べた金融サービス仲介業者（当該申請により法第五十一条第一項の規定による指定を受けようとする紛争解決等業務の種別に係るものに限る。以下この章において同じ。）の数を当該申請をしようとする者が次条第一項第二号に規定する業務規程等を交付し、又は送付した日（二以上の日にわたって交付し、又は送付した場合には、最も遅い日）に金融庁長官等により公表されている金融サービス仲介業者（同条第一項及び第二項並びに第百四十八条第二項第一号及び第二号において「全ての金融サービス仲介業者」という。）の数で除して行うものとする。

Article 145　The calculation of the portion referred to in Article 51, paragraph (1), item (viii) of the Act is made by dividing the number of financial service intermediaries that have raised objections (limited to objections based on reasonable grounds) regarding the particulars concerning the cancellation of the basic contract for the implementation of procedures, other details of that contract (excluding those particulars stated in the items of Article 56, paragraph (2) of the Act), or other details of the operational rules (meaning the operational rules prescribed in Article 51, paragraph (1), item (vii) of the Act; the same applies below in this Chapter) (excluding the particulars that must be contained in the operational rules pursuant to Article 56, paragraph (3) of the Act, as well as the particulars necessary for compliance with the standards stated in the items of paragraph (4) and item (i) of paragraph (5) of the same Article). This is done by submitting to the person intending to file an application referred to in Article 51, paragraph (1) of the Act, documents stating whether they have any objections regarding the details of the operational rules, and if objections exist, the details of those objections and the reasons for them (these documents are referred to as "written opinions" in the following Article) (the financial service intermediaries raising objections are limited to those relating to the category of dispute resolution services, etc., for which the person seeks to obtain designation under Article 51, paragraph (1) of the Act by the application). The resulting calculation is then divided by the number of financial service intermediaries publicly disclosed by the

Commissioner of the Financial Services Agency, etc. (referred to as "all financial service intermediaries" in paragraphs (1) and (2) of the following Article, and in Article 148, paragraph (2), items (i) and (ii)), as of the day on which the person intending to file the application delivered or sent the operational rules, etc. prescribed in paragraph (1), item (ii) of the following Article (or, in the case of delivery or sending over two or more days, as of the latest day).

（金融サービス仲介業者に対する意見聴取等）

(Hearing Opinions from Financial Service Intermediaries)

第百四十六条　法第五十一条第一項の申請をしようとする者は、同条第二項の規定により、金融サービス仲介業者に対し、業務規程の内容を説明し、これについて異議がないかどうかの意見（異議がある場合には、その理由を含む。）を聴取する場合には、次に定めるところにより、説明会を開催してしなければならない。

Article 146 (1) A person who intends to file the application prescribed in Article 51, paragraph (1) of the Act must explain the details of the operational rules to the financial service intermediaries pursuant to the provisions of paragraph (2) of that Article. If the person wishes to seek opinions regarding any objections to those details (including the grounds for such objections), an explanatory meeting must be held with the financial service intermediaries as specified below:

一　説明会を開催する日時及び場所は、全ての金融サービス仲介業者の参集の便を考慮して定めること。

(i) the date and place of the explanatory meeting is to be decided, taking into consideration the convenience of all financial service intermediaries in attending;

二　当該申請をしようとする者は、全ての金融サービス仲介業者に対し、説明会の開催日（二以上の説明会を開催する場合には、その最初の説明会の開催日）の二週間前までに、次に掲げる事項を記載した書面及び業務規程（第四項、次条及び第百四十八条第二項において「業務規程等」という。）を交付し、又は送付すること。

(ii) the person seeking to file the application is to deliver or send a document to all financial service intermediaries containing the following particulars and the operational rules (collectively referred to as the "operational rules, etc." in paragraph (4), the following Article, and Article 148, paragraph (2)) at least two weeks before the date of the explanatory meeting (or, in the case of multiple explanatory meetings, the date of the first meeting):

イ　当該申請をしようとする者の名称又は商号、主たる営業所又は事務所の所在地及び電話番号その他の連絡先

(a) the name or trade name, the location of the principal place of business or office, and the telephone number or other contact information of the person seeking to file the application;

ロ　説明会の開催年月日時及び場所

(b) the date, time, and venue of the explanatory meeting;

ハ　金融サービス仲介業者は当該申請をしようとする者に対し説明会の開催日（二以上の説明会を開催する場合には、その最後の説明会の開催日）から一定の期間内に意見書を提出しなければならない旨

(c) the requirement that financial service intermediaries submit a written opinion to the person seeking to file the application within a specified period from the date of the explanatory meeting (or, in the case of multiple explanatory meetings, from the date of the last meeting);

三　前号ハの一定の期間が、二週間を下らないものであること。

(iii) the specified period referred to in (c) of the preceding item must be no shorter than two weeks.

2　法第五十一条第二項に規定する結果を記載した書類には、次に掲げる事項の全てを記載しなければならない。

(2) All of the following particulars must be stated in the document outlining the results prescribed in Article 51, paragraph (2) of the Act:

一　全ての説明会の開催年月日時及び場所

(i) the dates, times, and venues of all explanatory meetings;

二　全ての金融サービス仲介業者の説明会への出席の有無

(ii) the status of attendance of all financial service intermediaries at the explanatory meeting;

三　全ての金融サービス仲介業者の意見書の提出の有無

(iii) the status of the submission of written opinions by all financial service intermediaries;

四　提出を受けた意見書における異議の記載の有無

(iv) whether objections are stated in the submitted written opinions;

五　提出を受けた意見書に法第五十一条第一項第八号に規定する異議に該当しない異議の記載がある場合には、その旨及び同号に規定する異議に該当しないと判断した理由

(v) when an objection not falling under those prescribed in Article 51, paragraph (1), item (viii) of the Act is stated in a submitted written opinion, a statement confirming this, along with the reasons why the objection was judged not to fall under the same item.

3　前項の書類には、金融サービス仲介業者から提出を受けた全ての意見書を添付するものとする。

(3) All written opinions submitted by financial service intermediaries are to be attached to the document referred to in the preceding paragraph.

4　業務規程等の交付若しくは送付又は意見書の提出については、当該業務規程等又は意見書が電磁的記録で作成されている場合には、電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であって次に掲げるものをもって行うことができる。

(4) When the operational rules, etc. or written opinions are prepared in the form of an electronic or magnetic record, any of the methods of using an electronic data processing system or of using other information and communications technology as listed below, may be employed for delivering or sending the operational rules, etc., or submitting the written opinions:

一　電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) either of the methods of using an electronic data processing system as stated in (a) or (b) below:

イ　送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) the method of transmitting information via a telecommunications line connecting a computer used by the sender and a computer used by the recipient, and recording the information in a file stored on a computer used by the recipient;

ロ　送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報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に当該情報を記録する方法

(b) a method of making the details of the information—which is recorded in a file stored on a computer used by the sender—available for inspection by the recipient of the information via a telecommunications line, and recording that information in a file stored on a computer used by the recipient;

二　電磁的記録媒体をもって調製するファイルに情報を記録したものを交付する方法

(ii) a method of delivering a file containing the information, prepared using an electronic or magnetic recording medium.

5　前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(5) The methods stated in the items of the preceding paragraph must enable the recipient to prepare a document by printing the information recorded in the files.

（指定申請書の提出）

(Submission of Written Applications for Designation)

第百四十七条　法第五十二条第一項の指定申請書は、業務規程等を交付し、又は送付した日（二以上の日にわたって交付し、又は送付した場合には、最も遅い日）から起算して三月以内に提出しなければならない。

Article 147　A written application for designation referred to in Article 52, paragraph (1) of the Act must be submitted within three months from the day on which the operational rules, etc. were delivered or sent (or, in the case of

delivery or sending over two or more days, from the latest day).

（指定申請書の添付書類）

(Documents to Be Attached to a Written Application for Designation)

第百四十八条　法第五十二条第二項第五号に規定する内閣府令で定めるものは、次に掲げる書類とする。

Article 148 (1) The documents specified by Cabinet Office Order, as prescribed in Article 52, paragraph (2), item (v) of the Act, are as follows:

一　法第五十一条第一項の申請の日の属する事業年度の前事業年度の貸借対照表（関連する注記を含む。）、収支計算書若しくは損益計算書（関連する注記を含む。）及び当該事業年度末の財産目録又はこれらに準ずるもの（同項の規定による指定を受けようとする者（第三項第一号及び第二号において「申請者」という。）が当該申請の日の属する事業年度に設立された法人（同条第一項第一号に規定する法人をいう。第百五十四条第三項第三号において同じ。）である場合には、その設立時における財産目録又はこれに準ずるもの）

(i) the balance sheet (including related notes), and income and expenditure statement or profit and loss statement (including related notes) for the business year preceding the business year that includes the date of the application referred to in Article 51, paragraph (1) of the Act, and an inventory of property as of the end of that business year or documents equivalent to that property (when the person seeking designation under the same paragraph (referred to as the "applicant" in paragraph (3), items (i) and (ii)) is a corporation (meaning the corporation prescribed in Article 51, paragraph (1), item (i) of the Act; the same applies in Article 154, paragraph (3), item (iii)) established in the business year that includes the application date, the inventory of property as of the time of its establishment or documents equivalent to that property);

二　法第五十一条第一項の規定による指定後における収支の見込みを記載した書面

(ii) a document stating the expected income and expenditures following the designation under Article 51, paragraph (1) of the Act.

2　法第五十二条第二項第六号に規定する内閣府令で定めるものは、次に掲げる書類とする。

(2) The documents specified by Cabinet Office Order, as prescribed in Article 52, paragraph (2), item (vi) of the Act, are as follows:

一　第百四十六条第一項第二号の規定により全ての金融サービス仲介業者に対して交付し、又は送付した業務規程等

(i) the operational rules, etc. delivered or sent to all financial service intermediaries pursuant to Article 146, paragraph (1), item (ii);

二　全ての金融サービス仲介業者に対して業務規程等を交付し、又は送付した年月日及び方法を証する書面

(ii) a document certifying the date and method by which the business

regulations, etc. were issued or sent to all financial service intermediaries;

三　金融サービス仲介業者に対して業務規程等を送付した場合には、当該金融サービス仲介業者に対する業務規程等の到達の有無及び到達に係る事実として、次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項を証する書面

(iii) where the applicant has sent the operational rules, etc. to a financial service intermediary, a document certifying the particulars specified in (a) or (b) below, according to the category of cases stated in each item, as information concerning whether the operational rules, etc. have reached the financial service intermediary and the facts relating to their receipt:

イ　到達した場合　到達した年月日

(a) when the operational rules, etc. have arrived: the date of arrival;

ロ　到達しなかった場合　通常の送付方法によって到達しなかった原因

(b) when the operational rules, etc. have not arrived: the cause of the failure of arrival by ordinary methods of sending.

3　法第五十二条第二項第七号に規定する内閣府令で定める書類は、次に掲げる書類とする。

(3) The documents specified by Cabinet Office Order, as prescribed in Article 52, paragraph (2), item (vii) of the Act, are as follows:

一　申請者の総株主等の議決権の百分の五以上の議決権を保有している者の氏名又は商号若しくは名称、住所又は主たる営業所若しくは事務所の所在地及びその保有する議決権の数を記載した書面

(i) a document stating the trade names or names and the locations of the principal places of business or offices of a person holding 5percent or more of the voting rights held by all shareholders, etc. of the applicant, as well as the number of voting rights held by that person;

二　申請者の親法人（申請者の総株主等の議決権の過半数を保有している法人その他の団体をいう。）及び子法人（申請者が総株主等の議決権の過半数を保有している法人その他の団体をいう。）の商号又は名称、主たる営業所又は事務所の所在地及び事業の内容を記載した書面

(ii) a document stating the trade names or names and the locations of the principal places of business or offices, and the details of the businesses of the applicant's parent corporation (meaning a corporation or other organization that holds the majority of the voting rights of all shareholders, etc. of the applicant) and subsidiary corporations (meaning corporations or other organizations in which the applicant holds the majority of the voting rights of all shareholders, etc.);

三　役員（役員が法人である場合にあっては、その職務を行うべき者を含む。以下この項において同じ。）の住民票の抄本（役員が法人である場合にあっては、当該役員の登記事項証明書）又はこれに代わる書面

(iii) an extract of the resident record of an officer (or, if the officer is a corporation, including its executive members, a certificate of registered

information for the officer), or any other document serving in lieu of the extract or certificate;

四　役員の旧氏及び名を当該役員の氏名に併せて法第五十二条第一項の指定申請書に記載した場合において、前号に掲げる書面が当該役員の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(iv) if the former surname and given name of an officer are stated together with their current full name in a written application for designation referred to in Article 52, paragraph (1) of the Act, and if the document stated in the preceding item does not certify the former surname and given name of that officer, a document certifying those names;

五　役員が法第五十一条第一項第四号ロに該当しない旨の官公署の証明書（役員が日本の国籍を有しない場合には、同号ロに該当しない者であることを当該役員が誓約する書面）

(v) a certificate issued by a public agency confirming that an officer does not fall under the category of persons referred to in Article 51, paragraph (1), item (iv), (b) of the Act (if the officer does not have Japanese nationality, a document in which the officer pledges that they do not fall under the category described in (b) of the same item);

六　役員の履歴書（役員が法人である場合にあっては、当該役員の沿革を記載した書面）

(vi) resumes of the officers (if the officer is a corporation, a document stating the officer's career background);

七　紛争解決委員（法第五十三条第一項に規定する紛争解決委員をいう。第百五十五条第三項第三号において同じ。）の候補者並びに紛争解決等業務に関する知識及び経験を有する役員及び職員（以下この号及び次号並びに第百五十七条第一項及び第二項において「役員等」という。）の確保の状況並びに当該役員等の配置の状況を記載した書面

(vii) a document stating the status of securing candidates for dispute resolution mediators (meaning the dispute resolution mediator prescribed in Article 53, paragraph (1) of the Act; the same applies in Article 155, paragraph (3), item (iii)), as well as officers and employees (collectively referred to below as "officers, etc." in this item, the following item, and in Article 157, paragraphs (1) and (2)) who possess knowledge and experience in dispute resolution services, and the allocation status of those officers, etc.;

八　役員等が、暴力団員等（暴力団員（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）第二条第六号に規定する暴力団員をいう。以下この号において同じ。）又は暴力団員でなくなった日から五年を経過しない者をいう。第百五十七条第一項第二号において同じ。）でないことを当該役員等が誓約する書面

(viii) a document in which the officers, etc. pledge that they are not members, etc. of an organized crime group (meaning an organized crime group member

(meaning the organized crime group member prescribed in Article 2, item (vi) of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991); the same applies below in this item) or a person for whom five years have not yet passed since the day on which that person ceased to be a member of an organized crime group; the same applies in Article 157, paragraph (1), item (ii));

九　その他参考となるべき事項を記載した書面

(ix) a document stating any other particulars that may be of useful reference.

第二節　業務

Section 2 Business Operations

（業務規程で定めるべき事項）

(Particulars to Be Specified in the Operational Rules)

第百四十九条　法第五十六条第一項第八号に規定する内閣府令で定めるものは、次に掲げる事項とする。

Article 149 The particulars specified by Cabinet Office Order, as prescribed in Article 56, paragraph (1), item (viii) of the Act, are as follows:

一　紛争解決等業務を行う時間及び休日に関する事項

(i) the particulars concerning the hours during which dispute resolution services are provided, and the holidays on which those services are not available;

二　営業所又は事務所の名称及び所在地並びにその営業所又は事務所が紛争解決等業務を行う区域に関する事項

(ii) the name and location of the place of business or office, as well as the particulars concerning the area in which it provides dispute resolution services;

三　紛争解決等業務を行う職員の監督体制に関する事項

(iii) the particulars concerning the system for supervising employees engaged in dispute resolution services;

四　苦情処理手続又は紛争解決手続の業務を委託する場合には、その委託に関する事項

(iv) if business operations for complaint processing procedures or dispute resolution procedures are entrusted, the particulars concerning such entrustment; and

五　その他紛争解決等業務に関し必要な事項

(v) other particulars necessary for dispute resolution services.

（手続実施基本契約の内容）

(Details of the Basic Contract for the Implementation of Procedures)

第百五十条　法第五十六条第二項第十一号に規定する内閣府令で定める事項は、指定紛

争解決機関は、当事者である加入金融サービス仲介業者（法第五十四条第二項に規定する加入金融サービス仲介業者をいう。以下この章において同じ。）の顧客等の申出があるときは、紛争解決手続における和解で定められた義務の履行状況を調査し、当該加入金融サービス仲介業者に対して、その義務の履行を勧告することができることとする。

Article 150 The particular specified by Cabinet Office Order, as prescribed in Article 56, paragraph (2), item (xi) of the Act, is the case where, upon request by a customer, etc. of a member financial service intermediary (meaning a member financial service intermediary as prescribed in Article 54, paragraph (2) of the Act; the same applies below in this Chapter), which is a party to the settlement, a designated dispute resolution organization may investigate the status of performance of the obligations specified in the settlement through dispute resolution procedures, and may recommend that the member financial service intermediary perform those obligations.

（実質的支配者等）

(Substantial Controller)

第百五十一条　法第五十六条第四項第三号に規定する指定紛争解決機関の株式の所有、指定紛争解決機関に対する融資その他の事由を通じて指定紛争解決機関の事業を実質的に支配し、又はその事業に重要な影響を与える関係にあるものとして内閣府令で定める者は、次に掲げる者であって、事業上の関係に照らして指定紛争解決機関の事業の方針の決定を支配すること及びその事業に重要な影響を与えることができないことが明らかでないと認められる者とする。

Article 151 The person specified by Cabinet Office Order, as prescribed in Article 56, paragraph (4), item (iii) of the Act, as one who substantially controls the business of the designated dispute resolution organization or has a material impact on its business—through holding shares in the organization, providing loans to the organization, or any other circumstances—is the following persons who are not found to be clearly incapable of controlling the business policy decisions of the designated dispute resolution organization and of having a material impact on its business, considering their business relationship:

一　特定の者が自己の計算において所有している議決権と当該特定の者と出資、人事、資金、技術、取引等において緊密な関係があることにより当該特定の者の意思と同一の内容の議決権を行使すると認められる者及び当該特定の者の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、指定紛争解決機関の議決権の三分の一以上を占めている場合（当該特定の者が自己の計算において議決権を所有していない場合を含む。）における当該特定の者

(i) when the voting rights held by a specific person on their own account, together with the voting rights held by any person who is likely to exercise their voting rights in accordance with the will of the specific person—due to

a close relationship in terms of equity, personnel affairs, funding, technology, business transactions, etc.—and any person who has consented to exercise their voting rights in accordance with the will of the specific person, constitute one-third or more of the voting rights of the designated dispute resolution organization (including cases where the specific person does not hold voting rights on their own account);

二　指定紛争解決機関の役員（役員が法人である場合にあっては、その職務を行うべき者を含む。以下この条において同じ。）又は役員であった者

(ii) an officer (or, when an officer is a corporation, including its executive members) of the designated dispute resolution organization, or a person who was formerly an officer of the organization;

三　指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship to an officer of the designated dispute resolution organization;

四　前二号に掲げる者を代表者（法人でない団体で代表者又は管理人の定めのあるものの代表者又は管理人を含む。次条第四号において同じ。）とする者

(iv) a person that has a representative referred to in the preceding two items (including a representative or administrator of an organization without legal personality for which such a representative or administrator has been designated; the same applies in item (iv) of the following Article);

五　指定紛争解決機関の役員の三分の一以上が役員若しくは使用人である者又は役員若しくは使用人であった者

(v) a person for whom one-third or more of the officers of the designated dispute resolution organization serve or have served as officers or employees;

六　指定紛争解決機関との間で指定紛争解決機関の事業の方針の決定を支配する契約を締結している者

(vi) a person that has concluded a contract with the designated dispute resolution organization to control business policy decisions of the organization;

七　指定紛争解決機関の資金調達額（貸借対照表の負債の部に計上されているものに限る。以下この号及び次条第七号において同じ。）の総額の三分の一以上について特定の者が融資（債務の保証及び担保の提供を含む。以下この号及び同条第七号において同じ。）を行っている場合（当該特定の者と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。）における当該特定の者

(vii) when a specific person has provided loans (including a guarantee of obligations and the provision of collateral; the same applies below in this item and in item (vii) of the following Article) amounting to one-third or more of the total funds procured by the designated dispute resolution organization (limited to amounts recorded in the liabilities section of the balance sheet; the same applies below in this item and item (vii) of the same Article)

(including cases where the total amount financed by the specific person and by any person closely related to the specific person in terms of equity, personnel affairs, funding, technology, or business transactions, etc., constitutes one-third or more of the total procured funds);

八　前各号に掲げる者のほか、指定紛争解決機関の事業の方針の決定を支配していることが推測される事実が存在する者

(viii) in addition to the persons mentioned in the preceding items, any person whose circumstances suggest that they have control over the business policy decisions of the designated dispute resolution organization;

九　特定の者が前各号に掲げる者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する前各号に掲げる者の指定紛争解決機関に対する関係と同様の関係を有する場合における当該特定の者

(ix) when the relationship of a specific person to the persons mentioned in the preceding items is the same as the relationship of those persons (excluding items (ii) through (iv); the same applies below in this item) to the designated dispute resolution organization, as prescribed in the preceding items, that specific person;

十　第一号から第八号までに掲げる者が特定の者に対して、次条第一号又は第五号から第八号までに規定する指定紛争解決機関の同条第一号又は第五号から第八号までに掲げる者に対する関係と同様の関係を有する場合における当該特定の者

(x) when the relationship of the persons listed in items (i) through (viii) with a specific person is the same as the relationship of the designated dispute resolution organization with the persons listed in item (i) or items (v) through (viii) of the following Article, as prescribed in item (i) or items (v) through (viii) of the same Article, that specific person.

（子会社等）

(Subsidiary Companies)

第百五十二条　法第五十六条第四項第三号に規定する指定紛争解決機関が株式の所有その他の事由を通じてその事業を実質的に支配する関係にあるものとして内閣府令で定める者は、次の各号に掲げる者であって、事業上の関係に照らして指定紛争解決機関が当該各号に掲げる者の事業の方針の決定を支配することができないことが明らかでないと認められる者とする。

Article 152　The persons specified by Cabinet Office Order, as prescribed in Article 56, paragraph (4), item (iii) of the Act, as being in a relationship where a designated dispute resolution organization substantially controls the business, through holding shares or any other circumstances, are those persons listed in the following items, for whom the designated dispute resolution organization is not found to be clearly incapable of controlling their business policy decisions, considering their business relationship;

一　指定紛争解決機関が自己の計算において所有している議決権と指定紛争解決機関

と出資、人事、資金、技術、取引等において緊密な関係があることにより指定紛争解決機関の意思と同一の内容の議決権を行使すると認められる者及び指定紛争解決機関の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、他の法人又は法人でない団体で代表者又は管理人の定めのあるもの（以下この号及び第五号において「法人等」という。）の議決権の三分の一以上を占めている場合（指定紛争解決機関が自己の計算において議決権を所有していない場合を含む。）における当該他の法人等

(i) when the voting rights held by the designated dispute resolution organization on its own account, together with the voting rights held by any person likely to exercise their voting rights in accordance with the will of the designated dispute resolution organization due to a close relationship in terms of equity, personnel affairs, funding, technology, or business transactions, etc., and those held by any person who has consented to exercise their voting rights in accordance with the will of the designated dispute resolution organization, constitute one-third or more of the voting rights of another corporation or an organization without legal personality for which a representative or administrator has been designated (referred to below as a "corporation, etc." in this item and item (v)) (including cases where the designated dispute resolution organization does not hold voting rights on its own account);

二　指定紛争解決機関の役員（役員が法人である場合にあっては、その職務を行うべき者を含む。以下この条において同じ。）若しくは指定紛争解決機関の使用人又はこれらであった者

(ii) an officer (or, when the officer is a corporation, including its executive members; the same applies below in this Article) or an employee of the designated dispute resolution organization, or a person who was formerly an officer or employee of the organization;

三　指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship to an officer of the designated dispute resolution organization;

四　前二号に掲げる者を代表者とする者

(iv) a person whose representative is any of the persons listed in the preceding two items;

五　第二号に掲げる者が他の法人等の役員である者の三分の一以上を占めている場合における当該他の法人等

(v) when the persons listed in item (ii) constitute one-third or more of the officers of another corporation, etc., that other corporation, etc.;

六　指定紛争解決機関が特定の者との間に当該特定の者の事業の方針の決定を支配する契約を締結している場合における当該特定の者

(vi) when the designated dispute resolution organization has concluded a contract with a specific person to control the business policy decisions of that

person, that specific person;

七　特定の者の資金調達額の総額の三分の一以上について指定紛争解決機関が融資を行っている場合（指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。）における当該特定の者

(vii) when the designated dispute resolution organization has provided loans for one-third or more of the total amount of funds procured by a specific person (including cases where the total amount financed by the designated dispute resolution organization and by any person closely related to it in terms of equity, personnel affairs, funding, technology, or business transactions, etc. constitutes one-third or more of the total procured funds), that specific person;

八　前各号に掲げる者のほか、指定紛争解決機関が特定の者の事業の方針の決定を支配していることが推測される事実が存在する場合における当該特定の者

(viii) in addition to the persons listed in the preceding items, when there is any circumstance suggesting that the designated dispute resolution organization has control over the business policy decisions of a specific person, the specific person;

九　前各号に掲げる者が特定の者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する指定紛争解決機関の前各号に掲げる者に対する関係と同様の関係を有する場合における当該特定の者

(ix) when the relationship of the persons listed in the preceding items with a specific person is the same as the relationship of the designated dispute resolution organization with the persons listed in the preceding items (excluding items (ii) through (iv); the same applies below in this item), as prescribed in the preceding items, that specific person.

（苦情処理手続に関する記録の記載事項等）

(Particulars to Be Stated in the Records on the Complaint Processing Procedures)

第百五十三条　法第六十条の規定により、指定紛争解決機関は、その実施した苦情処理手続に関し、次に掲げる事項を記載した記録を作成しなければならない。

Article 153 (1) Pursuant to Article 60 of the Act, a designated dispute resolution organization must prepare a record containing the following particulars regarding the complaint processing procedures it has implemented:

一　加入金融サービス仲介業者の顧客等が金融サービス仲介業務関連苦情の解決の申立てをした年月日及びその内容

(i) the date on which a customer, etc. of a member financial service intermediary filed an application for the settlement of a complaint related to the intermediary's business operations, along with the details of the complaint;

二　前号の申立てをした加入金融サービス仲介業者の顧客等及びその代理人の氏名、商号又は名称並びに当該加入金融サービス仲介業者の商号、名称又は氏名

(ii) the names or trade names of the customer of the member financial service intermediary who filed the application referred to in the preceding item, and of its agent, as well as the trade name or name of the related financial service intermediary;

三　苦情処理手続の実施の経緯

(iii) the historical background of the implementation of the complaint prcessing procedures;

四　苦情処理手続の結果（苦情処理手続の終了の理由及びその年月日を含む。）

(iv) the results of the complaint processing procedures (including the reasons for the termination of the procedures and the date of termination).

２　指定紛争解決機関は、前項に規定する事項を記載した記録を、その実施した苦情処理手続が終了した日から少なくとも五年間保存しなければならない。

(2) A designated dispute resolution organization must a record containing the particulars prescribed in the preceding paragraph for at least five years from the date on which the complaint processing procedures it implemented were completed.

（紛争解決委員の利害関係等）

(Interests of Dispute Resolution Mediators)

第百五十四条　法第六十二条第三項に規定する同条第一項の申立てに係る法第五十六条第一項第五号に規定する当事者（以下この項において単に「当事者」という。）と利害関係を有する者とは、次に掲げる者のいずれかに該当する者とする。

Article 154 (1) A person with an interest in the party prescribed in Article 56, paragraph (1), item (v) of the Act, in relation to an application referred to in Article 62, paragraph (1) of the Act, as prescribed in paragraph (3) of the same Article (simply referred to below as the "party" in this paragraph), is any of the following:

一　当事者の配偶者又は配偶者であった者

(i) the spouse or a person who was formerly the spouse of the party;

二　当事者の四親等内の血族、三親等内の姻族若しくは同居の親族又はこれらであった者

(ii) a blood relative within the fourth degree of kinship, a relative by marriage within the third degree of kinship, a cohabiting relative of the party, or a person who formerly fell into any of these categories;

三　当事者の後見人、後見監督人、保佐人、保佐監督人、補助人又は補助監督人

(iii) the guardian of the party, the guardianship supervisor, the curator, the curatorship supervisor, the assistant, or the assistantship supervisor;

四　当該申立てに係る金融サービス仲介業務関連紛争について当事者の代理人若しくは補佐人又はこれらであった者

(iv) a person who is or was formerly an agent or assistant in court for the party in relation to an application regarding a dispute related to financial service intermediary business operations;

五　当事者から役務の提供により収入を得ている者又は得ないこととなった日から三年を経過しない者

(v) a person who earns an income from the party through the provision of services, or a person for whom three years have not yet passed since the day on which that person ceased to earn that income.

2　法第六十二条第三項第三号に規定する内閣府令で定める者は、次に掲げるいずれかの資格を有し、かつ、消費生活相談（消費者契約法（平成十二年法律第六十一号）第十三条第三項第五号イに規定する消費生活相談をいう。）に応ずる業務に従事した期間が通算して五年以上である者とする。

(2) The person specified by Cabinet Office Order, as prescribed in Article 62, paragraph (3), item (iii) of the Act, is a person who possesses any of the following qualifications and has been engaged in the business of responding to consumer affairs consultations (meaning the consumer affairs consultations prescribed in Article 13, paragraph (3), item (v), (a) of the Consumer Contract Act (Act No. 61 of 2000)) for a total of five years or more:

一　独立行政法人国民生活センターが付与する消費生活専門相談員の資格

(i) the consumer-specialized counselor qualification granted by the National Consumer Affairs Center of Japan;

二　一般財団法人日本産業協会が付与する消費生活アドバイザーの資格

(ii) the consumer advisor qualification granted by the Japan Industrial Association;

三　一般財団法人日本消費者協会が付与する消費生活コンサルタントの資格

(iii) the consumer consultant qualification granted by the Japan Consumer's Association.

3　法第六十二条第三項第五号に規定する内閣府令で定める者は、次に掲げる者とする。

(3) The persons specified by Cabinet Office Order, as prescribed in Article 62, paragraph (3), item (v) of the Act, are as follows:

一　次に掲げる職の一又は二以上にあってその年数が通算して五年以上である者

(i) a person who has held one or more of the following positions for a total of five years or more:

イ　判事

(a) a judge;

ロ　判事補

(b) an assistant judge;

ハ　検事

(c) a prosecutor;

ニ　弁護士

(d) an attorney;

ホ　学校教育法（昭和二十二年法律第二十六号）による大学の学部、専攻科又は大学院の法律学に属する科目の教授又は准教授

(e) a professor or associate professor who specializes in subjects within the field of law in undergraduate programs, university courses for law majors, or graduate programs accredited under the School Education Act (Act No. 26 of 1947);

二　次に掲げる職の一又は二以上にあってその年数が通算して五年以上である者

(ii) a person who has held one or more of the following positions for a total of five years or more:

イ　公認会計士

(a) a certified public accountant;

ロ　税理士

(b) a certified public tax accountant;

ハ　学校教育法による大学の学部、専攻科又は大学院の経済学又は商学に属する科目の教授又は准教授

(c) a professor or associate professor who specializes in subjects within the field of economics or commercial science in undergraduate programs, university courses for students majoring in this field, or graduate programs accredited under the School Education Act;

三　金融サービス仲介業務関連苦情を処理する業務又は金融サービス仲介業務関連苦情の処理に関する業務を行う法人において、顧客等の保護を図るため必要な調査、指導、勧告、規則の制定その他の業務に従事した期間が通算して十年以上である者

(iii) a person who has engaged in the business operations of processing complaints related to financial service intermediary business operations, or has engaged in investigations, guidance, recommendation, enactment of rules or other business operations necessary for the protection of customers, etc. at a corporation conducting business operations concerning the prcessingof complaints related to financial service intermediary business operations, for a total of 10 years or more;

四　金融庁長官が前三号に掲げる者のいずれかに該当する者と同等以上の知識及び経験を有すると認めた者

(iv) a person found by the Commissioner of the Financial Services Agency to have knowledge and experience equivalent to or greater than that of the persons referred to in any of the preceding three items.

（金融サービス仲介業務関連紛争の当事者である加入金融サービス仲介業者の顧客等に対する説明）

(Explanation to a Customer, etc. of a Member Financial Service Intermediary Involved in a Dispute Related to Financial Service Intermediary Business Operations)

第百五十五条　指定紛争解決機関は、法第六十二条第八項に規定する説明をするに当た

り金融サービス仲介業務関連紛争の当事者である加入金融サービス仲介業者の顧客等から書面の交付を求められたときは、書面を交付して説明をしなければならない。

Article 155 (1) When a designated dispute resolution organization receives a request for a written explanation from a customer, etc. of a member financial service intermediary who is a party to the dispute related to financial service intermediary business operations, as prescribed in Article 62, paragraph (8) of the Act, the designated dispute resolution organization must . deliver the document and make an explanation.

2　法第六十二条第八項に規定する内閣府令で定めるものは、電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。

(2) The records specified by Cabinet Office Order, as prescribed in Article 62, paragraph (8) of the Act, are prepared in an electronic form, magnetic form, or any other form that cannot be recognized through human perception and is used for information processing by computers.

3　法第六十二条第八項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(3) The particulars specified by Cabinet Office Order, as prescribed in Article 62, paragraph (8), item (iii) of the Act, are as follows:

一　紛争解決手続において陳述される意見若しくは提出され、若しくは提示される資料に含まれ、又は法第六十二条第九項に規定する手続実施記録（次条第一項において「手続実施記録」という。）に記載されている金融サービス仲介業務関連紛争の当事者及び第三者の秘密の取扱いの方法

(i) the method of handling the confidential information of a party to the dispute related to financial service intermediary business operations, and of a third party, when such information is included in the opinions to be stated, materials to be submitted or presented in the dispute resolution procedures, or contained in the dispute resolution procedures record prescribed in Article 62, paragraph (9) of the Act (referred to as a "dispute resolution procedures record" in paragraph (1) of the following Article);

二　金融サービス仲介業務関連紛争の当事者が紛争解決手続を終了させるための要件及び方式

(ii) the requirements and method for a party involved in a dispute related to financial service intermediary business operations to terminate the dispute resolution procedures;

三　紛争解決委員が紛争解決手続によっては金融サービス仲介業務関連紛争の当事者間に和解が成立する見込みがないと判断したときは、速やかに当該紛争解決手続を終了し、その旨を当該金融サービス仲介業務関連紛争の当事者に通知すること。

(iii) when the dispute resolution mediator determines that there is no prospect of reaching a settlement between the parties to the dispute concerning financial service intermediary business operations through dispute

resolution procedures, the mediator will promptly terminate those procedures and notify the parties accordingly;

四　金融サービス仲介業務関連紛争の当事者間に和解が成立した場合に作成される書面の有無及び書面が作成される場合には作成者、通数その他当該書面の作成に係る概要

(iv) whether a document is prepared when a settlement has been reached between the parties to a dispute related to financial service intermediary business operations, and, if so, the person responsible for preparing the document, the number of copies to be prepared, and an overview of any other details related to the preparation of the document.

（手続実施記録の保存及び作成）

(Preservation and Preparation of Records of Dispute Resolution Procedures)

第百五十六条　指定紛争解決機関は、手続実施記録を、その実施した紛争解決手続が終了した日から少なくとも十年間保存しなければならない。

Article 156 (1) A designated dispute resolution organization must preserve a record of dispute resolution procedures for at least ten years from the date on which the procedures it implemented were completed.

２　法第六十二条第九項第六号に規定する内閣府令で定めるものは、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order, as prescribed in Article 62, paragraph (9), item (vi) of the Act, are as follows:

一　紛争解決手続の申立ての内容

(i) the details of the application for dispute resolution procedures;

二　紛争解決手続において特別調停案（法第五十六条第六項に規定する特別調停案をいう。）が提示された場合には、当該特別調停案の内容及びその提示の年月日

(ii) if a special conciliation proposal (meaning the special conciliation proposal prescribed in Article 56, paragraph (6) of the Act) has been presented during the dispute resolution procedures, the details of the proposal and the date of its presentation; and

三　紛争解決手続の結果が和解の成立である場合には、当該和解の内容

(iii) if the dispute resolution procedures have resulted in a settlement, the details of the settlement.

第三節　監督
Section 3 Supervision

（届出事項）

(Particulars to Be Notified)

第百五十七条　指定紛争解決機関は、法第六十八条の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項（次の各号に掲げる場合にあっては、

当該各号に定める事項を含む。）を記載した書類を添付して金融庁長官に提出しなければならない。

Article 157 (1) When a designated dispute resolution organization intends to file a notification under Article 68 of the Act, it must submit a written notification to the Commissioner of the Financial Services Agency, along with a written statement of reasons and any other documents containing particulars that may be of useful reference (including the particulars specified in the following items, as applicable in each case):

一　法第六十八条第一号に掲げる場合　手続実施基本契約を締結し、又は終了した年月日及び金融サービス仲介業者の商号、名称又は氏名

(i) in the case stated in Article 68, item (i) of the Act: the date on which the basic contract for the implementation of procedures was concluded or canceled, and the trade name or name of the financial service intermediary;

二　次項第六号に掲げる場合　指定紛争解決機関の役員等となった者が暴力団員等でないことの当該役員等となった者による誓約

(ii) in the case stated in item (vi) of the following paragraph: a pledge by any person who has become an officer, etc. of the designated dispute resolution organization, stating that they are not a member, etc. of an organized crime group;

三　次項第七号に掲げる場合　金融サービス仲介業者が手続実施基本契約に係る債務その他の紛争解決等業務の実施に関する義務を履行することが確実でないと見込まれる理由及び当該金融サービス仲介業者の商号、名称又は氏名

(iii) in the case stated in item (vii) of the following paragraph: the reasons why it is expected that the financial service intermediary will be unable to perform the obligations under the basic contract for the implementation of procedures or any other obligations related to the provision of dispute resolution services, and the trade name or name of the financial service intermediary;

四　次項第八号又は第九号に掲げる場合　次に掲げる事項

(iv) in the case stated in item (viii) or (ix) of the following paragraph: the following particulars:

イ　行為が発生した営業所又は事務所の名称

(a) the name of the place of business or office where the act took place;

ロ　行為をした役員等の氏名又は名称若しくは商号及び役職名

(b) the name or trade name and the title of the officer, etc. who conducted the act;

ハ　行為の概要

(c) the outline of the act;

ニ　改善策

(d) remedial measures.

2　法第六十八条第二号に規定する内閣府令で定めるときは、次に掲げるときとする。

(2) The time specified by Cabinet Office Order, as prescribed in Article 68, item (ii) of the Act, is as follows:

一　定款又はこれに準ずる定めを変更したとき。

(i) when the designated dispute resolution organization has amended its articles of incorporation or provisions equivalent to the articles;

二　親法人（指定紛争解決機関の総株主等の議決権の過半数を保有している法人その他の団体をいう。次号において同じ。）又は子法人（指定紛争解決機関が総株主等の議決権の過半数を保有している法人その他の団体をいう。第四号において同じ。）が商号若しくは名称、主たる営業所若しくは事務所の所在地又は事業の内容を変更したとき。

(ii) when the parent corporation of the designated dispute resolution organization (meaning a corporation or any other organization that holds the majority of the voting rights held by all shareholders, etc. of the designated dispute resolution organization; the same applies in the following item) or its subsidiary corporation (meaning a corporation or any other organization in which the designated dispute resolution organization holds the majority of the voting rights held by all shareholders, etc. of that organization; the same applies in item (iv)) changes its trade name or name, the location of its principal place of business or office, or the details of its business;

三　親法人が親法人でなくなったとき。

(iii) when the parent corporation is no longer the parent corporation;

四　子法人が子法人でなくなったとき、又は子法人の議決権を取得し、若しくは保有したとき。

(iv) when a subsidiary corporation is no longer a subsidiary corporation, or when the designated dispute resolution organization has acquired or taken possession of the voting rights of a subsidiary corporation;

五　総株主等の議決権の百分の五を超える議決権が一の者により取得され、又は保有されることとなったとき。

(v) when voting rights exceeding 5 percent of the voting rights of all shareholders, etc. have been acquired or held by a single person;

六　法第五十二条第一項の指定申請書を提出後、新たに指定紛争解決機関の役員等となった者がいるとき。

(vi) when a person has newly become an officer, etc. of the designated dispute resolution organization after the submission of the written application for designation referred to in Article 52, paragraph (1) of the Act;

七　金融サービス仲介業者から手続実施基本契約の締結の申込みがあった場合であって、当該申込みを拒否したとき。

(vii) when the designated dispute resolution organization has received an application from a financial service intermediary for the conclusion of a basic contract for the implementation of procedures, and has rejected the application;

八　指定紛争解決機関又はその業務の委託先の役員等が紛争解決等業務（業務の委託先にあっては、当該指定紛争解決機関が委託する業務に係るものに限る。）を遂行するに際して法令又は当該指定紛争解決機関の業務規程に反する行為が発生した事実を知ったとき。

(viii) when the designated dispute resolution organization or an officer, etc. of the entity entrusted with the designated dispute resolution organization's business operations becomes aware of any act violating laws and regulations or the operational rules of the designated dispute resolution organization in the performance of dispute resolution services (in the case of the entity entrusted with business operations, limited to those related to the dispute resolution services entrusted by the designated dispute resolution organization);

九　加入金融サービス仲介業者又はその役員等が指定紛争解決機関の業務規程に反する行為を行った事実を知ったとき。

(ix) when the designated dispute resolution organization becomes aware that a member financial service intermediary or its officer, etc. has engaged in any act in violation of the operational rules of the designated dispute resolution organization.

3　前項第八号又は第九号に該当するときの届出は、これらの規定に規定する事実を指定紛争解決機関が知った日から一月以内に行わなければならない。

(3) In the case falling under item (viii) or (ix) of the preceding paragraph, a notification must be filed within one month from the day on which the designated dispute resolution organization became aware of the facts prescribed in those provisions.

（紛争解決等業務に関する報告書の提出）

(Submission of a Report on the Dispute Resolution Services)

第百五十八条　法第六十九条第一項の規定による指定紛争解決機関が作成すべき紛争解決等業務に関する報告書は、別紙様式第八号により作成し、事業年度経過後三月以内に金融庁長官に提出しなければならない。

Article 158 (1) A report on the dispute resolution services, to be prepared by a designated dispute resolution organization under Article 69, paragraph (1) of the Act, must be prepared in accordance with Appended Form 8 and submitted to the Commissioner of the Financial Services Agency within three months after the end of the business year.

2　前項の報告書には、最終事業年度に係る財産目録、貸借対照表（関連する注記を含む。）及び収支計算書若しくは損益計算書（関連する注記を含む。）又はこれらに準ずるものを添付しなければならない。

(2) An inventory of property, a balance sheet (including related notes), and an income and expenditure statement or profit and loss statement (including related notes) for the most recent business year, or equivalent documents must

be attached to the report referred to in the preceding paragraph.

3　指定紛争解決機関は、やむを得ない理由により第一項に規定する期間内に同項の報告書の提出をすることができない場合には、あらかじめ金融庁長官の承認を受けて、当該提出を延期することができる。

(3) When a designated dispute resolution organization is unable to submit the report referred to in paragraph (1) within the period prescribed in that paragraph due to unavoidable circumstances, it may postpone the submission by obtaining prior approval from the Commissioner of the Financial Services Agency.

4　指定紛争解決機関は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

(4) When a designated dispute resolution organization seeks approval under the preceding paragraph, it must submit a written application for approval to the Commissioner of the Financial Services Agency, along with a written statement of reasons.

5　金融庁長官は、前項の規定による承認の申請があったときは、当該申請をした指定紛争解決機関が第三項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(5) When an application for approval under the preceding paragraph has been filed, the Commissioner of the Financial Services Agency is to examine whether there is a compelling reason for the designated dispute resolution organization that made the application to postpone the submission under paragraph (3).

第五章　雑則
Chapter V Miscellaneous Provisions

（保険契約の締結の媒介を行う役員又は使用人の届出）

(Notification of an Officer or Employee Acting as an Intermediary for the Conclusion of Insurance Policies)

第百五十九条　金融サービス仲介業者は、法第七十四条の規定による届出をしようとするときは、別紙様式第九号により作成した届出書を金融庁長官等に提出しなければならない。

Article 159　When a financial service intermediary intends to file a notification under Article 74 of the Act, it must submit a written notification form, prepared in accordance with Appended Form 9, to the Commissioner of the Financial Services Agency, etc.

（外務員登録原簿の記載事項）

(Particulars to Be Stated in the Sales Representatives Register)

第百六十条　法第七十五条第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 160 The particulars specified by Cabinet Office Order, as prescribed in Article 75, paragraph (1) of the Act, are as follows:

一　法第七十五条第一項の登録を受けようとする金融サービス仲介業者の商号、名称又は氏名

(i) the trade name or name of the financial service intermediary seeking registration, as referred to in Article 75, paragraph (1) of the Act;

二　外務員（法第七十五条第一項に規定する外務員をいう。以下この章において同じ。）についての次に掲げる事項

(ii) the following particulars regarding a sales representative (meaning a sales representative as prescribed in Article 75, paragraph (1) of the Act; the same applies below in this Chapter):

イ　役員（外国法人にあっては、国内における営業所又は事務所に駐在する役員（取締役、会計参与、監査役及び執行役又はこれらに類する役職にある者を含む。））又は使用人の別

(a) whether the sales representative is an officer (in the case of a foreign corporation, an officer stationed at a place of business or office in Japan (including a director, accounting advisor, company auditor, executive officer, or a person holding an equivalent position)) or an employee;

ロ　法第七十七条において準用する金融商品取引法（以下この章において「準用金融商品取引法」という。）第六十四条の五第一項の規定により職務の停止を命ぜられたときは、その処分の日、理由及び期間

(b) when the sales representative has been ordered to suspend duties pursuant to the provisions of Article 64-5, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 77 of the Act (referred to below as the "Financial Instruments and Exchange Act as applied mutatis mutandis" in this Chapter), the date on which the disposition was issued, the reasons for the disposition, and the duration of the disposition.

（外務員登録原簿を備える場所）

(Location of the Sales Representatives Register)

第百六十一条　法第七十五条第一項に規定する内閣府令で定める場所は、財務局又は福岡財務支局（法第七十八条第一項又は第二項の規定により、登録事務（同条第一項に規定する登録事務をいう。以下この章において同じ。）を認定金融サービス仲介業協会に行わせることとする金融サービス仲介業者の外務員に係る登録原簿については、当該認定金融サービス仲介業協会）とする。

Article 161 The location specified by Cabinet Office Order, as prescribed in Article 75, paragraph (1) of the Act, is either a Local Finance Bureau or the Fukuoka Local Finance Branch Bureau (in the case of a register for sales representatives of a financial service intermediary whose registration work (meaning the registration work prescribed in Article 78, paragraph (1) of the

Act; the same applies below in this Chapter) is carried out by a certified financial service intermediary business association pursuant to the provisions of paragraph (1) or (2) of the same Article, the certified financial service intermediary business association).

（登録の申請）

(Application for Registration)

第百六十二条　法第七十五条第一項の登録を受けようとする金融サービス仲介業者は、別紙様式第十号により作成した準用金融商品取引法第六十四条第三項の登録申請書に、同条第四項の規定により当該登録申請書に添付すべき書類を添付して、金融庁長官等に提出しなければならない。

Article 162 A financial service intermediary seeking registration referred to in Article 75, paragraph (1) of the Act must submit the registration application form referred to in Article 64, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, prepared in accordance with Appended Form 10, to the Commissioner of the Financial Services Agency, etc., along with the documents required to be attached to the application form pursuant to paragraph (4) of the same Article.

（登録申請書の記載事項）

(Particulars to Be Stated in a Registration Application Form)

第百六十三条　準用金融商品取引法第六十四条第三項第四号に規定する内閣府令で定める事項は、登録の申請に係る外務員についての金融商品取引業を行ったことの有無及び金融商品取引業を行ったことのある者については、その行った期間とする。

Article 163 The particulars specified by Cabinet Office Order, as prescribed in Article 64, paragraph (3), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are whether the sales representative for whom registration is sought has engaged in any financial instruments business, and, if so, the period during which the sales representative engaged in such business.

（登録申請書の添付書類）

(Documents to Be Attached to a Registration Application Form)

第百六十四条　準用金融商品取引法第六十四条第四項に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 164 The documents specified by Cabinet Office Order, as prescribed in Article 64, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, are as follows:

一　登録の申請に係る外務員の住民票の抄本又はこれに代わる書面

(i) an extract of the resident record of the sales representative for whom registration is sought, or any other document serving in lieu of that extract;

二　登録の申請に係る外務員の旧氏及び名を当該外務員の氏名に併せて別紙様式第十号により作成した登録申請書に記載した場合において、前号に掲げる書面が当該外務員の旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(ii) if the former surname and given name of the sales representative for whom the registration is sought are stated together with their current full name in a registration application form, prepared in accordance with Appended Form 10, and if the document stated in the preceding item does not certify the former surname and given name of that representative, a document certifying those names;

三　登録の申請に係る外務員が準用金融商品取引法第六十四条の二第一項各号のいずれにも該当しない者であることを当該登録を受けようとする金融サービス仲介業者及び当該外務員が誓約する書面

(iii) a document in which the financial service intermediary seeking registration and the sales representative for whom the registration is sought pledge that the sales representative does not fall under any of the persons referred to in the items of Article 64-2, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis.

（登録事項の変更等の届出）

(Notification of Changes to Registered Particulars)

第百六十五条　準用金融商品取引法第六十四条の四（第一号に係る部分に限る。）の規定により届出を行う金融サービス仲介業者は、別紙様式第十一号により作成した変更届出書を金融庁長官等に提出しなければならない。

Article 165 (1) A financial service intermediary filing a notification pursuant to Article 64-4 (limited to the portion relating to item (i)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, must submit a written notification of change, prepared in accordance with Appended Form 11, to the Commissioner of the Financial Services Agency, etc.

２　準用金融商品取引法第六十四条の四（第二号から第四号までに係る部分に限る。）の規定により届出を行う金融サービス仲介業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める事項を記載した届出書を金融庁長官等に提出しなければならない。

(2) A financial service intermediary filing a notification pursuant to Article 64-4 (limited to the portion relating to items (ii) through (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, must submit a written notification, stating the particulars specified in the following items, in accordance with the category of cases stated in each item, to the Commissioner of the Financial Services Agency, etc.:

一　準用金融商品取引法第六十四条の四第二号に該当する場合　次に掲げる事項

(i) in the case falling under Article 64-4, item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis: the following particulars:

イ　該当することとなった者の氏名

(a) the name of the sales representative who has become subject to the provisions;

ロ　該当することとなった年月日及び理由

(b) the date on which the sales representative became subject to the provisions and the reasons why;

二　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ロに該当することとなった場合に限る。）　次に掲げる事項

(ii) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to the case that has become subject to Article 15, item (ii), (b) of the Act): the following particulars:

イ　該当することとなった者の氏名

(a) the name of the sales representative who has become subject to the provisions;

ロ　破産手続開始の決定を受けた年月日

(b) the date on which the sales representative became subject to an order to initiate bankruptcy proceedings;

三　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ハ又はヘ（同条第一号ワに係る部分に限る。）に該当することとなった場合に限る。）　次に掲げる事項

(iii) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to cases that have become subject to Article 15, item (ii), (c) or (f) of the Act (limited to the portion relating to item (i), (m) of the same Article)): the following particulars:

イ　該当することとなった者の氏名

(a) the name of the sales representative who has become subject to the provisions;

ロ　刑の確定した年月日及び刑の種類

(b) the date on which the punishment became final and binding, and the type of punishment imposed;

四　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ニ又はヘ（同条第一号イからヲまでに係る部分に限る。）に該当することとなった場合に限る。）　次に掲げる事項

(iv) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to cases that have become subject to Article 15, item (ii), (d) or (f) of the Act (limited to the portion relating to item (i), (a) through (l) of the same Article)): the following particulars:

イ　該当することとなった者の氏名

(a) the name of the sales representative who has become subject to the provisions;

ロ　取り消され、命ぜられ、又は拒否された年月日及び理由

(b) the date on which the sales representative became subject to the revocation, an order or refusal, and the reasons for that;

五　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ホに該当することとなった場合に限る。）　次に掲げる事項

(v) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to cases that have become subject to Article 15, item (ii), (e) of the Act): the following particulars:

イ　該当することとなった者の氏名

(a) the name of the sales representative who has become subject to the provisions;

ロ　解任、改選、改任又は解職を命ぜられた年月日及び理由

(b) the date on which the sales representative became subject to dismissal, reelection, replacement, or removal, and the reasons for that;

六　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ヘ（同条第一号カに係る部分に限る。）に該当することとなった場合に限る。）　次に掲げる事項

(vi) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to cases that have become subject to Article 15, item (ii), (f) of the Act (limited to the portion relating to item (i), (n) of the same Article)): the following particulars:

イ　該当することとなった者の氏名

(a) the name of the sales representative who has become subject to the provisions;

ロ　行政手続法第十五条の規定による通知があった年月日及びその理由並びに法第十六条第三項、金融商品取引法第五十条の二第一項、第六十条の七（同法第六十条の十四第二項において準用する場合を含む。）、第六十三条の二第二項、第三項（同法第六十三条の三第二項において準用する場合を含む。）若しくは第四項、第六十六条の十九第一項、第六十六条の四十第一項若しくは第六十六条の六十一第一項若しくは貸金業法第十条第一項の規定による届出をし、又は法第三十八条第三項若しくは貸金業法第二十四条の六の四第二項の規定により解任を命ぜられた役員が退任した年月日及びその理由

(b) the date on which a notice pursuant to Article 15 of the Administrative Procedure Act was given, and the reasons for that; and the date on which a notification was filed under Article 16, paragraph (3) of the Act, Article 50-2, paragraph (1), and Article 60-7 of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article

60-14, paragraph (2) of that Act), Article 63-2, paragraph (2), paragraph (3) (including as applied mutatis mutandis pursuant to Article 63-3, paragraph (2) of that Act), or paragraph (4), Article 66-19, paragraph (1), Article 66-40, paragraph (1), or Article 66-61, paragraph (1) of that Act, or in Article 10, paragraph (1) of the Money Lending Business Act; or the date on which an officer whose dismissal was ordered under Article 38, paragraph (3) of the Act or Article 24-6-4, paragraph (2) of the Money Lending Business Act resigned, and the reasons for that;

七　準用金融商品取引法第六十四条の四第四号に該当する場合　次に掲げる事項

(vii) in the case falling under Article 64-4, item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis: the following particulars:

イ　職務を行わないこととなった者の氏名

(a) the name of the sales representative who has ceased performing their duties;

ロ　外務員の職務（法第七十五条第二項に規定する外務員の職務をいう。第四項において同じ。）を行わないこととなった理由

(b) the reason the sales representative has ceased performing their duties (meaning the duties of a sales representative prescribed in Article 75, paragraph (2) of the Act; the same applies in paragraph (4)).

3　準用金融商品取引法第六十四条の四（第二号から第四号までに係る部分に限る。）の規定により届出を行う金融サービス仲介業者は、次の各号に掲げる場合の区分に該当する場合には、前項の届出書に、当該各号に定める書類を添付しなければならない。

(3) In the case falling under any of the categories of cases stated in the following items, a financial service intermediary that files a notification pursuant to Article 64-4 (limited to the portion relating to items (ii) through (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, must attach the documents respectively specified in the following items to the written notification referred to in the preceding paragraph:

一　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ロに該当することとなった場合に限る。）　破産手続開始の決定の裁判書の写し又は破産手続開始の決定の内容を記載した書面

(i) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to cases that have come under Article 15, item (ii), (b) of the Act): a copy of the written judgment ordering the commencement of bankruptcy proceedings, or a document stating the details of such order;

二　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ハ又はヘ（同条第一号ワに係る部分に限る。）に該当することとなった場合に限る。）　確定判決の判決書の写し又は確定判決の内容を記載した書面

(ii) in the case falling under Article 64-4, item (iii) of the Financial

Instruments and Exchange Act, as applied mutatis mutandis (limited to cases that have come under Article 15, item (ii), (c) or (f) of the Act (limited to the portion related to item (i), (m) of the same Article)): a copy of the judgment document concerning the final and binding judgment, or a document stating the details of the final and binding judgment;

三　準用金融商品取引法第六十四条の四第三号に該当する場合（法第十五条第二号ニ又はヘ（同条第一号イからヲまでに係る部分に限る。）に該当することとなった場合で、外国において取り消され、命ぜられ又は拒否された場合に限る。）　取消し若しくは更新の拒否を行う旨を記載した書面の写し若しくは解散若しくは廃止を命ずる書面の写し又はこれらに代わる書面並びに取消し、解散、廃止又は更新の拒否の根拠となる外国の法令及びその訳文

(iii) in the case falling under Article 64-4, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis (limited to cases falling under Article 15, item (ii), (d) or (f) of the Act (limited to the portion related to item (i), (a) through (l) of the same Article), where the sales representative has become subject to revocation, an order or a refusal in a foreign state): a copy of a document stating that the registration is to be revoked or that renewal is to be refused; a copy of a document ordering the dissolution or discontinuation of business, or any documents in lieu of them; and a copy of the laws and regulations of the foreign state that served as the basis for the revocation, dissolution, discontinuation of business, or refusal of renewal, along with their translation;

4　準用金融商品取引法第六十四条の四第二号に規定する内閣府令で定める場合は、精神の機能の障害を有する状態となり外務員の職務の継続が著しく困難となった場合とする。

(4) The case specified by Cabinet Office Order, as prescribed in Article 64-4, item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, is a case where a person has developed a mental disorder, making it extremely difficult for the person to continue performing the duties of a sales representative.

（外務員が退職する際の届出）

(Notification to Be Filed Upon Retirement of a Sales Representative)

第百六十六条　準用金融商品取引法第六十四条の四（第四号に係る部分に限る。）の規定により届出を行おうとする金融サービス仲介業者は、当該外務員に準用金融商品取引法第六十四条の五第一項第二号に該当する事実がある場合には、当該届出の前に法第十六条第三項の規定に基づき、当該事実の詳細を記載した書面を金融庁長官等に届け出なければならない。

Article 166　When a financial service intermediary intends to file a notification pursuant to Article 64-4 (limited to the portion related to item (iv)) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, and a

fact exists that falls under Article 64-5, paragraph (1), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis, with respect to the sales representative, the financial service intermediary must, pursuant to the provisions of Article 16, paragraph (3) of the Act, submit a document stating the details of that fact to the Commissioner of the Financial Services Agency, etc. before filing of the notification.

（認定金融サービス仲介業協会の届出受理事務等）

(Notification Receipt Work of Certified Financial Service Intermediary Business Associations)

第百六十七条　金融庁長官は、法第七十八条第一項の規定に基づき、金融庁長官が定める届出受理事務（同項に規定する届出受理事務をいう。以下この章において同じ。）又は登録事務であって、認定金融サービス仲介業協会に所属する金融サービス仲介業者の保険契約の締結の媒介を行う役員若しくは使用人又は外務員に係るものを当該認定金融サービス仲介業協会に行わせるものとする。

Article 167 (1) Pursuant to the provisions of Article 78, paragraph (1) of the Act, the Commissioner of the Financial Services Agency is to have a certified financial service intermediary business association carry out notification receipt work specified by the Commissioner (meaning notification receipt work prescribed in the same paragraph; the same applies below in this Chapter), or registration work related to officers, employees, or sales representatives who provide intermediary services for the conclusion of insurance policies on behalf of a financial service intermediary that belongs to the certified financial service intermediary business association.

２　金融庁長官は、法第七十八条第二項の規定に基づき、金融庁長官が定める届出受理事務又は登録事務であって、認定金融サービス仲介業協会に所属しない金融サービス仲介業者の保険契約の締結の媒介を行う役員若しくは使用人又は外務員に係るものを同項の規定により金融庁長官が定める認定金融サービス仲介業協会に行わせるものとする。

(2) Pursuant to the provisions of Article 78, paragraph (2) of the Act, the Commissioner of the Financial Services Agency is to have a certified financial service intermediary business association, specified by the Commissioner, carry out any notification receipt work specified by the Commissioner, or registration work related to officers, employees, or sales representatives who provide intermediary services for the conclusion of insurance policies on behalf of a financial service intermediary that does not belong to any certified financial service intermediary business association.

（届出受理事務等に係る届出）

(Notification Regarding Notification Receipt Work)

第百六十八条　法第七十八条第五項の規定により届出受理事務に係る届出を行う認定金

融サービス仲介業協会は、次に掲げる事項を記載した届出書を、金融庁長官等に提出しなければならない。

Article 168 (1) A certified financial service intermediary business association that files a notification relating to notification receipt work pursuant to Article 78, paragraph (5) of the Act must submit a written notification to the Commissioner of the Financial Services Agency, etc., stating the following particulars:

一　届出受理事務に係る役員又は使用人の所属する金融サービス仲介業者の商号、名称又は氏名

(i) the trade name or name of the financial service intermediary to which the officer or employee responsible for the notification receipt work belongs;

二　届出受理事務に係る役員又は使用人の氏名及び生年月日

(ii) the name and date of birth of the officer or employee responsible for the notification receipt work;

三　処理した届出受理事務の内容及び処理した年月日

(iii) the details of the notification receipt work processed and the date on which the work was processed.

2　法第七十八条第五項の規定により登録事務に係る届出を行う認定金融サービス仲介業協会は、次に掲げる事項を記載した届出書を、金融庁長官等に提出しなければならない。

(2) A certified financial service intermediary business association that files a notification relating to registration work pursuant to Article 78, paragraph (5) of the Act must submit a written notification to the Commissioner of the Financial Services Agency, etc., stating the following particulars:

一　登録事務に係る外務員の所属する金融サービス仲介業者の商号、名称又は氏名

(i) the trade name or name of the financial service intermediary to which the sales representative responsible for the registration work belongs;

二　登録事務に係る外務員の氏名及び生年月日

(ii) the name and date of birth of the sales representative responsible for the registration work;

三　処理した登録事務の内容及び処理した年月日

(iii) the details of the registration work processed and the date on which the work was processed;

四　前号の登録事務の内容が職務の停止の命令又は登録の抹消である場合には、その理由

(iv) when the details of the registration work referred to in the preceding item involve an order for suspension of duties or deletion of registration, the reasons for such suspension or deletion.

（登録手数料の額）

(Amount of Registration Fees)

第百六十九条　令第四十三条第一項に規定する内閣府令で定める額は、千円とする。
Article 169 The amount specified by Cabinet Office Order, as prescribed in Article 43, paragraph (1) of the Order, is 1,000 yen.

（経由官庁等）
(Government Agencies through Which Submission Is Made)

第百七十条　金融サービス仲介業者は、法第十三条第一項の申請書その他法、令及びこの府令に規定する書類（以下この項及び次項において「申請書等」という。）を金融庁長官に提出するときは、当該金融サービス仲介業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあっては福岡財務支局長、当該金融サービス仲介業者が国内に営業所又は事務所を有しない場合にあっては関東財務局長、当該所在地が財務事務所、小樽出張所又は北見出張所の管轄区域内にある場合にあっては財務事務所長、小樽出張所長又は北見出張所長（次項において「財務事務所長等」という。））を経由して提出しなければならない。ただし、令第四十七条第五項の規定により金融庁長官が指定するものに係る申請書等については、この限りでない。
Article 170 (1) When submitting the registration application form referred to in Article 13, paragraph (1) of the Act, or any other document prescribed in the Act, the Order, and this Cabinet Office Order (referred to below as a "written application, etc." in this paragraph and the following paragraph) to the Commissioner of the Financial Services Agency, a financial service intermediary must submit it via the Director-General of the Local Finance Bureau having jurisdiction over the locality of its principal place of business or office (if the locality falls within the jurisdictional district of the Fukuoka Local Finance Branch Bureau (excluding the jurisdictional district of a local finance office), then via the Director-General of the Fukuoka Local Finance Branch Bureau; if the financial service intermediary has no place of business or office in Japan, then via the Director-General of the Kanto Finance Bureau; and if the locality is within the jurisdictional district of a local finance office, the Otaru Sub-Office, or the Kitami Sub-Office, then via the head of the local finance office, the head of the Otaru Sub-Office, or the head of the Kitami Sub-Office, respectively (collectively referred to as the "head of the local finance office, etc." in the following paragraph)); provided, however, that this does not apply to a written application, etc. for what is designated by the Commissioner of the Financial Services Agency under Article 47, paragraph (5) of the Order.

２　金融サービス仲介業者は、申請書等を財務局長又は福岡財務支局長に提出する場合において、当該金融サービス仲介業者の主たる営業所又は事務所の所在地を管轄する財務事務所長等があるときは、当該財務事務所長等を経由して提出しなければならない。
(2) When a financial service intermediary submits a written application, etc. to the Director-General of a Local Finance Bureau or the Director-General of the

Fukuoka Local Finance Branch Bureau, and when the Director-General of the local finance office, etc. has jurisdiction over the locality of the intermediary's principal place of business or office, the financial service intermediary must submit the written application through that Director-General of the local finance office, etc.

3　前二項の規定にかかわらず、法第七十八条第一項又は第二項の規定により、届出受理事務又は登録事務を認定金融サービス仲介業協会に行わせる場合は、第百五十九条に規定する届出書、準用金融商品取引法第六十四条第三項に規定する登録申請書、同条第四項の規定により当該登録申請書に添付すべき書類並びに第百六十五条第一項及び第二項並びに第百六十六条の規定による届出書の提出先は、当該認定金融サービス仲介業協会とする。

(3) Notwithstanding the provisions of the preceding two paragraphs, when the notification receipt or registration work is entrusted to a certified financial service intermediary business association pursuant to Article 78, paragraph (1) or (2) of the Act, the following documents are to be submitted to that certified financial service intermediary business association: a written notification prescribed in Article 159, a registration application form prescribed in Article 64, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis, the documents required to be attached to the registration application form pursuant to the provisions of paragraph (4) of the same Article, and a written notification under Article 165, paragraphs (1) and (2), and Article 166.

（外国に主たる営業所又は事務所を有する金融サービス仲介業者に対する府令の適用関係）

(Application of a Cabinet Office Order to Financial Service Intermediaries Whose Principal Place of Business or Office is Located in a Foreign State)

第百七十一条　外国に主たる営業所又は事務所を有する金融サービス仲介業者に対するこの府令の規定の適用については、当該金融サービス仲介業者の国内における主たる営業所又は事務所を主たる営業所又は事務所とみなす。

Article 171　With regard to the application of the provisions of this Cabinet Office Order to a financial service intermediary whose principal place of business or office is located in a foreign state, its principal place of business or office in Japan is deemed its principal place of business or office.

（予備審査）

(Preliminary Examination)

第百七十二条　法又は令の規定による承認又は認可を受けようとする者は、当該承認又は認可を受けようとするときは、当該承認又は認可を申請する際に提出すべき書類に準じた書類を金融庁長官等に提出して予備審査を求めることができる。

Article 172　When intending to obtain approval or authorization under the Act or

the Order, the person may request a preliminary examination by submitting documents equivalent to those to be submitted when applying for approval or authorization to the Commissioner of the Financial Services Agency, etc.

（標準処理期間）

(Standard Processing Period)

第百七十三条　金融庁長官等は、法、令又はこの府令の規定による登録、承認、確認、認定、認可又は指定に関する申請（予備審査に係るものを除く。以下この項において「登録等の申請」という。）がその事務所に到達してから三十日以内に、当該申請に対する処分をするよう努めるものとする。ただし、次の各号に掲げる登録等の申請に対する処分は、当該各号に定める期間内にするよう努めるものとする。

Article 173 (1) The Commissioner of the Financial Services Agency, etc. is to endeavor to process an application for registration, approval, confirmation, certification, authorization, or designation under the Act, the Order, or this Cabinet Office Order (excluding applications related to preliminary examinations; referred to below as an "application for registration, etc." in this paragraph) within 30 days from the date of receipt of the application at its office; provided, however, that the Commissioner of the Financial Services Agency, etc. is to endeavor to process an application for registration, etc. as stated in the following items within the period specified in each item:

一　法第十三条第一項の規定による登録及び法第五十一条第一項の規定による指定　六十日

(i) the registration under Article 13, paragraph (1) of the Act and the designation under Article 51, paragraph (1) of the Act: 60 days;

二　法第二十二条第十項及び第二十三条第一項並びに令第二十七条第二号及び第二十九条第一項第四号の規定による承認　二十日

(ii) the approval under Article 22, paragraph (10), and Article 23, paragraph (1) of the Act, and Article 27, item (ii), and Article 29, paragraph (1), item (iv) of the Order: 20 days.

２　前項に規定する期間には、次に掲げる期間を含まないものとする。

(2) The period prescribed in the preceding paragraph does not include the following periods:

一　当該申請を補正するために要する期間

(i) the period necessary for correcting the application;

二　当該申請をした者が当該申請の内容を変更するために要する期間

(ii) the period necessary for the applicant to change the details of the application;

三　当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) the period necessary for the applicant to add materials to their application deemed necessary for the examination of the application.

別表（第百二十八条関係）

Appended Table (Re. Article 128)

算式一

Formula 1

$\sum_{i=1}^{n} U_i \cdot T_i$

$\sum_{i=1}^{n} U_i \cdot T_i$

算式二　（Ｕ１＋Ｆ）・Ｔ１

Formula 2 (Ui + F) * Ti

ｎは、返済回数

"n" means the number of repayment installments.

Ｔ１は、年を単位として表した次の期間

"Ti" means the following period, with one year as the unit of time:

イ　ｉが１のときは、金銭を交付した日から第一回の弁済日の前日までの期間

(a) when "i" is one, the period from the date of delivery of the money to the day before the first payment date;

ロ　ｉが２以上のときは、直前の弁済日から第ｉ回の弁済日の前日までの期間

(b) when "i" is two or more, the period from the latest payment date to the day before the "i"-th payment date.

Ｕｉは、次の値

"Ui" is the following amount:

イ　ｉが１のときは、実際に利用可能な貸付け（第百二十二条第一号に規定する貸付けをいう。）の金額

(a) when "i" is one, the loan amount (meaning the loan prescribed in Article 122, item (i)) that is actually available;

ロ　ｉが２以上のときは、次式により算出する未返済金の額

(b) when "i" is two or more, the repayment amount yet to be paid, calculated pursuant to the following formula:

Ｕｉ＝Ｕｉ－１－（Ｐｉ－１－Ｒ・Ｕｉ－１・Ｔｉ－１）

Ui = U(i - 1) - (P(i - 1) - R*U(i - 1) * T(i - 1))

Ｐｉは、第ｉ回の弁済の金額とする。

"Pi" is the amount of the "i"-th payment.

Ｒは、法第三十二条において準用する貸金業法第十四条第一項第一号に規定する貸付けの利率

"R" is the loan interest rate as prescribed in Article 14, paragraph (1), item (i) of the Money Lending Business Act, as applied mutatis mutandis pursuant to Article 32 of the Act.

Ｆは、法第三十二条において準用する貸金業法第十四条第一項第一号に規定する利息及びみなし利息

"F" is the interest and the payment regarded as interest, as prescribed in Article 14, paragraph (1), item (i) of the Money Lending Business Act as

applied mutatis mutandis pursuant to Article 32 of the Act.