

農業法人に対する投資の円滑化に関する特別措置法をここに公布する。

The Act on Special Measures for Facilitating Investment in Agricultural Corporations is hereby promulgated.

農林漁業法人等に対する投資の円滑化に関する特別措置法

Act on Special Measures for Facilitating Investment in Agricultural, Forestry, and Fisheries Corporations

(平成十四年五月二十九日法律第五十二号)

(Act No. 52 of May 29, 2002)

(目的)

(Purpose)

第一条 この法律は、農林漁業法人等に対する投資の円滑化を図るための特別の措置を講ずることにより、農林漁業及び食品産業の事業者の自己資本の充実を促進し、その健全な成長発展を図るとともに、農林漁業及び食品産業の事業者の事業の合理化、高度化その他の改善を支援する事業活動に対し資金供給を行い、もって農林漁業及び食品産業の持続的な発展に寄与することを目的とする。

Article 1 The purpose of this Act is to promote the increase in equity capital of business operators in the agriculture, forestry, fisheries, and the food industry and to achieve their sound growth and development, as well as to provide funds for business activities that support the rationalization, advancement, and any other improvement of the business of business operators in the agriculture, forestry, fisheries, and the food industry, and thereby contributing to the sustainable development of the agriculture, forestry, fisheries, and the food industry, by taking special measures to facilitate investment in agricultural, forestry, and fisheries corporations, etc.

(定義)

(Definitions)

第二条 この法律において「農林漁業法人等」とは、次に掲げる法人をいう。

Article 2 (1) The term "agricultural, forestry and fisheries corporation, etc." as used in this Act means a corporation stated as follows:

一 農事組合法人又は株式会社等（株式会社又は会社法（平成十七年法律第八十六号）第五百七十五条第一項に規定する持分会社をいう。以下同じ。）であつて、農業を営むもの

(i) an agricultural producers' cooperative corporation or a stock company, etc.

(meaning a stock company or a membership company as prescribed in Article 575, paragraph (1) of the Companies Act (Act No. 86 of 2005); the same applies below) that engages in agriculture;

二 株式会社等であって林業を営むもの

(ii) a stock company, etc. that engages in forestry;

三 株式会社等であって漁業を営むもの及び漁業生産組合

(iii) a stock company, etc. that engages in a fishery, or a fishery production cooperative;

四 農事組合法人又は株式会社等であって、農林水産物若しくは食品の製造、加工、流通、販売若しくは輸出又はこれらを飲食させる役務の提供を営むもの（前三号に掲げるものを除く。）

(iv) an agricultural producers' cooperative corporation or a stock company, etc. that engages in the manufacture, processing, distribution, sale, or export of agricultural, forestry, and fishery products or food, or in the provision of services for eating or drinking them (excluding those stated in the preceding three items);

五 農事組合法人又は株式会社等であって、農林水産物の生産又は前号に規定する事業の合理化、高度化その他の改善の支援その他の農林漁業又は食品産業の持続的な発展に寄与すると認められる事業活動として農林水産省令で定めるものを行うもの（前各号に掲げるものを除く。）

(v) an agricultural producers' cooperative corporation or a stock company, etc. that supports the rationalization, advancement, or any other improvement of the production of agricultural, forestry, and fishery products or the businesses prescribed in the preceding item, or conducts any other business activities specified by Order of the Ministry of Agriculture, Forestry and Fisheries as those that are found to contribute to the sustainable development of agriculture, forestry, and fisheries or the food industry (excluding those stated in the preceding items).

2 この法律において「農林漁業法人等投資育成事業」とは、次に掲げる事業をいう。

(2) The term "businesses that foster investment in agricultural, forestry and fisheries corporations, etc." as used in this Act means the following businesses:

一 農林漁業法人等の持分、株式、新株予約権又は新株予約権付社債等（新株予約権付社債及びこれに準ずる社債として農林水産省令で定めるものをいう。以下同じ。）の取得及び保有

(i) acquisition and holding of equity capital, shares, share options, or bonds with share options, etc. (meaning those specified by Order of the Ministry of Agriculture, Forestry and Fisheries as bonds with share options and bonds equivalent to them, the same applies below) in an agricultural, forestry, and fisheries corporation, etc.;

二 前号の規定によりその持分、株式、新株予約権又は新株予約権付社債等を保有している農林漁業法人等に対して経営又は技術の指導を行う事業

(ii) business that provides management or technical guidance to an agricultural, forestry, and fisheries corporation, etc. that holds equity capital, shares, share options, or bonds with share options, etc. pursuant to the provisions of the preceding item.

3 この法律において「投資事業有限責任組合」とは、投資事業有限責任組合契約に関する法律（平成十年法律第九十号）第二条第二項に規定する投資事業有限責任組合をいう。

(3) The term "investment limited partnership" as used in this Act means an investment limited partnership as prescribed in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998).

4 この法律において「農林水産物」には、これを原料又は材料として製造し、又は加工したもの（次項に規定するものを除く。）であつて、農林水産省令で定めるものを含むものとする。

(4) The term "agricultural, forestry and fishery products" as used in this Act includes products that are manufactured or processed by using these products as raw materials or ingredients (excluding those prescribed in the following paragraph) and specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

5 この法律において「食品」とは、全ての飲食物（医薬品、医療機器等の品質、有効性及び安全性の確保等に関する法律（昭和三十五年法律第百四十五号）第二条第一項に規定する医薬品、同条第二項に規定する医薬部外品及び同条第九項に規定する再生医療等製品を除く。）をいう。

(5) The term "food" as used in this Act means all food and drink (excluding pharmaceuticals provided in Article 2, paragraph (1) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 145 of 1960), quasi-pharmaceutical products provided for in paragraph (2) of that Article, and regenerative medicine product provided for in paragraph (9) of that Article).

（事業計画の承認）

(Approval of Business Plans)

第三条 農林漁業法人等投資育成事業を営もうとする株式会社（農林漁業法人等投資育成事業を営む株式会社を設立しようとする者を含む。）又は農林漁業法人等投資育成事業を営もうとする投資事業有限責任組合は、農林水産省令で定めるところにより、当該農林漁業法人等投資育成事業に関する計画（以下「事業計画」という。）を作成し、これを農林水産大臣に提出して、その事業計画が適当である旨の承認を受けることができる。

Article 3 (1) A stock company that intends to engage in business that fosters investment in agricultural, forestry, and fisheries corporations, etc. (including a person that intends to establish a stock company that engages in business that fosters investment in agricultural, forestry, and fisheries corporations,

etc.) or an investment limited partnership that intends to engage in business that fosters investment in agricultural, forestry, and fisheries corporations, etc. may prepare a plan concerning the business that fosters investment in agricultural, forestry, and fisheries corporations, etc. (referred to below as a "business plan"), submit it to the Minister of Agriculture, Forestry and Fisheries, and obtain approval that the business plan is appropriate, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

2 事業計画には、次に掲げる事項を記載しなければならない。

(2) A business plan must include the following matters:

一 農林漁業法人等投資育成事業を営む株式会社又は投資事業有限責任組合に関する事項

(i) matters concerning the stock company or the investment limited partnership that engages in business that foster investment in agricultural, forestry, and fisheries corporations, etc.;

二 持分、株式、新株予約権又は新株予約権付社債等の取得の対象とする農林漁業法人等が前条第一項各号に掲げる法人のいずれに該当するか

(ii) whether or not the agricultural, forestry, and fisheries corporations, etc. subject to the acquisition of equity, shares, share options, or bonds with share options, etc. fall under any of the corporations stated in the items of paragraph (1) of the preceding Article;

三 持分又は株式の取得の対象とする農林漁業法人等の選定の基準、持分又は株式の取得の際の評価の基準、持分又は株式の取得の限度、持分又は株式の保有期間及び持分又は株式の処分の方法

(iii) the criteria for selecting agricultural, forestry and fisheries corporations, etc. whose equity or shares are to be acquired; the criteria for equity or share valuation during the acquisition process; the limits for the acquisition of equity or shares; the holding period for equity or shares; the method of disposing of equity or shares;

四 新株予約権の取得の対象とする農林漁業法人等の選定の基準、新株予約権の内容に関する基準、新株予約権の取得の限度及び新株予約権の行使の時期

(iv) the criteria for selecting agricultural, forestry and fisheries corporations, etc. whose share options are to be acquired, the criteria regarding the details of share options, the limits for the acquisition of share options and the time to exercise share options;

五 新株予約権付社債等の取得の対象とする農林漁業法人等の選定の基準、新株予約権付社債等の取得の限度及び新株予約権付社債等の償還期限に関する基準並びに新株予約権付社債にあっては、当該社債に付された新株予約権の内容に関する基準及び新株予約権の行使の時期

(v) the criteria for selecting the Agricultural, Forestry and Fisheries Corporations, etc. subject to the acquisition of bonds with share options, etc.,

the criteria concerning the limits for the acquisition of bonds with share options, etc. and the due date for redemption of bonds with share options, etc., and in the case of bonds with share options, the criteria regarding the details of the share options attached to the bonds and the time to exercise the share options;

六 前条第二項第二号に掲げる事業に係る手数料

(vi) fees relating to the business stated in paragraph (2), item (ii) of the preceding Article.

3 前項第二号に規定する農林漁業法人等に前条第一項第五号に掲げる法人が含まれる場合にあっては、前項第三号から第五号までに規定する選定の基準として、当該法人が行う事業活動の内容を記載するものとする。

(3) If a corporation stated in paragraph (1), item (v) of the preceding Article is included in the agricultural, forestry, and fisheries corporations, etc. prescribed in item (ii) of the preceding paragraph, the details of the business activities conducted by the corporations are to be stated as the criteria for selection prescribed in items (iii) through (v) of the preceding paragraph.

4 第二項第二号に規定する農林漁業法人等に外国法人である農林漁業法人等が含まれる場合にあっては、同項第三号から第五号までに規定する選定の基準として、当該外国法人である農林漁業法人等が営む事業又はその行う事業活動の実施地域及び分野並びに当該外国法人である農林漁業法人等と我が国の農林漁業又は食品産業の事業者（第十二条第一項において「国内事業者」という。）との関連性を記載するものとする。

(4) If agricultural, forestry, and fisheries corporations, etc. that are foreign corporations are included in the agricultural, forestry, and fisheries corporations, etc. prescribed in paragraph (2), item (ii), the regions and fields in which the businesses operated by the agricultural, forestry, and fisheries corporations, etc. that are foreign corporations or the business activities conducted thereby are to be implemented, and the relationship between the agricultural, forestry, and fisheries corporations, etc. that are foreign corporations and Japanese business operators in the agricultural, forestry, and fisheries industry or food industry (referred to as "domestic business operators" in Article 12, paragraph (1)) are to be stated as the criteria for selection prescribed in items (iii) through (v) of the same paragraph,

5 農林水産大臣は、第一項の承認の申請があった場合において、その事業計画が次の各号のいずれにも適合するものであると認めるときは、その承認をするものとする。

(5) If an application has been filed for the approval referred to in paragraph (1) and the Minister of Agriculture, Forestry and Fisheries finds the business plan conforms to all of the following items, the minister is to approve the plan:

一 農林漁業法人等投資育成事業を営む株式会社又は投資事業有限責任組合が農林漁業法人等投資育成事業を適正かつ確実に営むことができると認められる者であること。

(i) a stock company or an investment limited partnership engaged in business that fosters investment in agricultural, forestry, and fisheries corporations, etc. is found to be capable of properly and reliably engaging in business that fosters investment in agricultural, forestry, and fisheries corporations, etc.;

二 第二項第二号に規定する農林漁業法人等に前条第一項第一号から第四号までに掲げる法人が含まれる場合にあっては、その事業計画に係る農林漁業法人等投資育成事業が当該法人の自己資本の充実を図る上で有効かつ適切なものであること。

(ii) if a corporation stated in paragraph (1), items (i) through (iv) of the preceding Article is included in agricultural, forestry, and fisheries corporations, etc. as provided for in paragraph (2), item (ii), the business that fosters investment in agricultural, forestry, and fisheries corporations, etc. under the business plan is effective and appropriate in terms of ensuring the adequacy of equity capital of the corporation;

三 その事業計画に係る農林漁業法人等投資育成事業が農林漁業又は食品産業の健全な成長発展に資するものであること。

(iii) the business that fosters investment in agricultural, forestry, and fisheries corporations, etc. relating to the business plan contributes to the sound growth and development of agriculture, forestry, and fisheries or the food industry;

四 その事業計画が当該農林漁業法人等投資育成事業を円滑かつ確実に遂行するために適切なものであること。

(iv) the business plan is appropriate to execute the business that fosters investment in agricultural, forestry, and fisheries corporations, etc. in a smooth and steady way.

五 その事業計画に第三項又は前項に規定する事項が記載されている場合にあっては、これらの事項が我が国の農林漁業又は食品産業の持続的な発展に寄与することを確保するために必要なものとして農林水産大臣が定める基準に照らして適切なものであること。

(v) if the business plan contains the matters prescribed in paragraph (3) or the preceding paragraph, these matters are appropriate in light of the criteria specified by the Minister of Agriculture, Forestry and Fisheries as being necessary for ensuring that these matters contribute to the sustainable development of agriculture, forestry, and fisheries or the food industry in Japan.

(事業計画の変更)

(Change of the Business Plans)

第四条 前条第一項の承認を受けた者（その者の設立に係る同項の株式会社を含む。）は、当該承認に係る事業計画を変更しようとするときは、農林水産大臣の承認を受けなければならない。

Article 4 (1) A person who has obtained the approval referred to in paragraph (1)

of the preceding Article (including a stock company related to the establishment by the person referred to in that paragraph) must obtain the approval from the Minister of Agriculture, Forestry and Fisheries if the person intends to change the business plan relating to the approval.

2 前条第五項の規定は、前項の承認について準用する。

(2) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis to the approval referred to in the preceding paragraph.

(報告の徴収)

(Collection of Reports)

第五条 農林水産大臣は、第三条第一項の承認を受けた株式会社（同項の承認を受けた者の設立に係る同項の株式会社を含む。以下「承認会社」という。）又は同項の承認を受けた投資事業有限責任組合（以下「承認組合」という。）の無限責任組合員に対し、農林漁業法人等投資育成事業の実施状況について報告を求めることができる。

Article 5 The Minister of Agriculture, Forestry and Fisheries may request the unlimited liability partner of a stock company that has obtained the approval referred to in Article 3, paragraph (1) (including a stock company stated in that paragraph established by a person that has obtained the approval referred to in that paragraph; referred to below as an "approved company") or an investment limited partnership that has obtained the approval referred to in the same paragraph (referred to below as an "approved partnership") to report on the implementation status of the business that fosters investment in agricultural, forestry, and fisheries corporations, etc.

(改善命令)

(Order for Improvement)

第六条 農林水産大臣は、承認会社又は承認組合が第三条第一項の承認に係る事業計画（第四条第一項の規定による変更の承認があったときは、その変更後のもの。以下「承認事業計画」という。）に従って農林漁業法人等投資育成事業を営んでいないと認めるときは、当該承認会社又は当該承認組合の無限責任組合員に対し、相当の期限を定めて、その改善に必要な措置をとるべきことを命ずることができる。

Article 6 If the Minister of Agriculture, Forestry and Fisheries finds that an approved company or an approved partnership is not engaging in business that fosters investment in agricultural, forestry, and fisheries corporations, etc. in accordance with the business plan concerning the approval referred to in Article 3, paragraph (1) (when a change has been approved under the provisions of Article 4, paragraph (1), the changed business plan; referred to below as the "approved business plan"), the Minister may order the unlimited liability partner of the approved company or the approved partnership to take necessary measures for the improvement, by setting a reasonable period of time.

(事業計画の承認の取消し)

(Revocation of Approval of Business Plans)

第七条 農林水産大臣は、承認会社又は承認組合の無限責任組合員が前条の規定による命令に違反したときは、第三条第一項の承認を取り消すことができる。

Article 7 If the unlimited liability partner of the approved company or the approved partnership violates an order under the provisions of the preceding Article, the Minister of Agriculture, Forestry and Fisheries may revoke the approval referred to in Article 3, paragraph (1).

(株式会社日本政策金融公庫法の特例)

(Special Provisions for the Japan Finance Corporation Act)

第八条 株式会社日本政策金融公庫は、株式会社日本政策金融公庫法（平成十九年法律第五十七号）第十一条に規定する業務のほか、農林漁業法人等に対する民間の投資を補完するため、承認会社又は承認組合が承認事業計画に従って農林漁業法人等投資育成事業を営むのに必要な資金の出資の業務を行うことができる。

Article 8 (1) In addition to the business provided for in Article 11 of the Japan Finance Corporation Act (Act No. 57 of 2007), in order to supplement private-sector investment in agricultural, forestry, and fisheries corporations, etc., the Japan Finance Corporation may engage in the business of contributing funds necessary for an approved company or the approved partnership to engage in business that fosters investment in agricultural, forestry, and fisheries corporations, etc. in accordance with an approved business plan.

2 前項に規定する資金の出資は、当該出資に係る農林漁業法人等投資育成事業からの配当の支払を可能とする利益の発生が確実であると認められる場合に限り、農林水産大臣及び財務大臣の認可を受けて行うことができるものとする。

(2) The contribution of funds prescribed in the preceding paragraph may be made with the approval of the Minister of Agriculture, Forestry and Fisheries and the Minister of Finance only if it is found that profits enabling the payment of dividends are certain to accrue from the business that fosters investment in agricultural, forestry, and fisheries corporations, etc. related to the contribution.

3 第一項の規定により株式会社日本政策金融公庫が行う同項に規定する資金の出資についての株式会社日本政策金融公庫法第十一条第一項第六号、第十二条第一項、第三十一条第二項第一号ロ、第四十一条第二号、第五十八条、第五十九条第一項、第六十四条第一項第四号及び第七十三条第三号の規定の適用については、同法第十一条第一項第六号中「掲げる業務」とあるのは「掲げる業務及び農林漁業法人等に対する投資の円滑化に関する特別措置法（平成十四年法律第五十二号。以下「特別措置法」という。）第八条第一項に規定する業務」と、同法第十二条第一項中「掲げる業務」とあるのは「掲げる業務及び特別措置法第八条第一項に規定する業務」と、同法第三十一条第二項第一号ロ、第四十一条第二号及び第六十四条第一項第四号中「同項第五号」

とあるのは「特別措置法第八条第一項に規定する業務並びに第十一条第一項第五号」と、同法第五十八条及び第五十九条第一項中「この法律」とあるのは「この法律、特別措置法」と、同法第七十三条第三号中「第十一条」とあるのは「第十一条及び特別措置法第八条第一項」とする。

- (3) With regard to the application of the provisions of Article 11, paragraph (1), item (vi), Article 12, paragraph (1), Article 31, paragraph (2), item (i), (b), Article 41, item (ii), Article 58, Article 59, paragraph (1), Article 64, paragraph (1), item (iv), and Article 73, item (iii) of the Japan Finance Corporation Act to the contribution of funds pursuant to the provisions of paragraph (1) by the Japan Finance Corporation under the provisions of that paragraph, the term "business listed in item (vi) of paragraph (1)" in Article 11, paragraph (1), item (vi) of that Act is deemed to be replaced with "business listed in item (vi) of paragraph (1) of this Article and business prescribed in Article 8, paragraph (1) of the Act on Special Measures to Facilitate Investment in Agricultural, Forestry, and Fisheries Corporations (Act No. 52 of 2002; referred to below as the "Act on Special Measures")"; the term "business listed in item (v) of that paragraph" in Article 12, paragraph (1) of that Act is deemed to be replaced with "business listed in item (i) of paragraph (1) of this Article and business prescribed in Article 8, paragraph (1) of the Act on Special Measures"; the term "item (v) of that paragraph" in Article 31, paragraph (2), item (i), (b), Article 41, item (ii), and Article 64, paragraph (1), item (iv) of that Act is deemed to be replaced with "business prescribed in Article 8, paragraph (1) of the Act on Special Measures and Article 11, paragraph (1), item (v); the term "this Act" in Article 58 and Article 59 of that Act is deemed to be replaced with "this Act, the Act on Special Measures"; the term "Article 11" in Article 73, item (iii) of that Act is deemed to be replaced with "Article 11 and Article 8, paragraph (1) of the Act on Special Measures".

(農業協同組合法の特例)

(Special Provisions for the Agricultural Cooperatives Act)

第九条 承認会社が承認事業計画に従って農林漁業法人等投資育成事業を営む場合における当該承認会社についての農業協同組合法（昭和二十二年法律第百三十二号）第七十二条の十三第一項の規定の適用については、同項中「次に掲げる者」とあるのは、「次に掲げる者及び当該農事組合法人に農林漁業法人等に対する投資の円滑化に関する特別措置法（平成十四年法律第五十二号）第六条に規定する承認事業計画に従って同法第二条第二項に規定する農林漁業法人等投資育成事業に係る投資を行つた同法第五条に規定する承認会社」とする。

Article 9 With regard to the application of the provisions of Article 72-13, paragraph (1) of the Agricultural Cooperatives Act (Act No. 132 of 1947) to an approved company that engages in the business that fosters investments by agricultural, forestry, and fisheries corporations, etc. in accordance with an

approved business plan, the phrase "the following persons" in the same paragraph is deemed to be replaced with "the following persons and an approved company as prescribed in Article 5 of the Act on Special Measures to Facilitate Investment in Agricultural, Forestry, and Fisheries Corporations (Act No. 52 of 2002) that has invested in the agricultural cooperative in relation to the business that fosters investments by agricultural, forestry, and fisheries corporations, etc. as prescribed in Article 2, paragraph (2) of that Act in accordance with an approved business plan as prescribed in Article 6 of the same Act".

(農地法の特例)

(Special Provisions for the Cropland Act)

第十条 承認会社であつて、地方公共団体、農業協同組合、農業協同組合連合会、農林中央金庫又は株式会社日本政策金融公庫がその総株主の議決権の過半数を有しているものが、承認事業計画に従つて農林漁業法人等投資育成事業を営む場合における当該承認会社についての農地法（昭和二十七年法律第二百二十九号）第二条第三項第二号の規定の適用については、同号中「次に掲げる者に該当する株主」とあるのは「次に掲げる者又はその法人に承認事業計画（農林漁業法人等に対する投資の円滑化に関する特別措置法（平成十四年法律第五十二号）第六条に規定する承認事業計画をいう。）に従つて農林漁業法人等投資育成事業（同法第二条第二項に規定する農林漁業法人等投資育成事業をいう。）に係る投資を行つた承認会社（同法第五条に規定する承認会社をいう。）に該当する株主」と、「次に掲げる者に該当する社員」とあるのは「次に掲げる者又は当該承認会社に該当する社員」とする。

Article 10 Regarding the application of the provisions of Article 2, paragraph (3), item (ii) of the Cropland Act (Act No. 229 of 1952) to an approved company in the case where the approved company, the majority of whose voting rights of all shareholders are held by a local government, an agricultural cooperative, a federation of agricultural cooperatives, the Norinchukin Bank, or the Japan Finance Corporation, engages in a business that fosters investment in agricultural, forestry, and fisheries corporations, etc. in accordance with an approved business plan, the phrase "shareholders who fall under any of the following categories of person" in that item is deemed to be replaced with "shareholders who fall under an approved company (meaning an approved company as prescribed in Article 5 of the Act on Special Measures to Facilitate Investment in Agricultural, Forestry, and Fisheries Corporations, etc. (Act No. 52 of 2002)) that has invested in a business that fosters investment in agricultural, forestry, and fisheries corporations, etc. (meaning a business that fosters investment in agricultural, forestry, and fisheries corporations, etc. as prescribed in Article 2, paragraph (2) of that Act) in accordance with an approved business plan (meaning an approved business plan as prescribed in Article 6 of that Act) for the following persons or their corporations" and the

phrase "members who fall under any of the following categories" is deemed to be replaced with "members who fall under any of the following categories or the approved company".

(水産業協同組合法の特例)

(Special Provisions for the Fishery Industry Cooperative Act)

第十一条 承認会社が承認事業計画に従って農林漁業法人等投資育成事業を営む場合における当該承認会社についての水産業協同組合法（昭和二十三年法律第二百四十二号）第七十九条の規定の適用については、同条中「漁民」とあるのは、「漁民及び組合に農林漁業法人等に対する投資の円滑化に関する特別措置法（平成十四年法律第五十二号）第六条に規定する承認事業計画に従って同法第二条第二項に規定する農林漁業法人等投資育成事業に係る投資を行った同法第五条に規定する承認会社」とする。

Article 11 Regarding the application of the provisions of Article 79 of the Fishery Industry Cooperative Act (Act No. 242 of 1948) to an approved company that engages in business that fosters investment in agricultural, forestry, and fisheries corporations, etc. in accordance with an approved business plan, the term "fishers" in that Article is deemed to be replaced with "fishers and an approved company as prescribed in Article 5 of the Act on Special Measures to Facilitate Investment in Agricultural, Forestry, and Fisheries Corporations (Act No. 52 of 2002) that has invested in a cooperative regarding the business that fosters investment in agricultural, forestry, and fisheries corporations, etc. as prescribed in Article 2, paragraph (2) of that Act in accordance with an approved business plan as prescribed in Article 6 of that Act".

(投資事業有限責任組合契約に関する法律の特例)

(Special Provisions for the Limited Partnership Act for Investment)

第十二条 承認組合の組合員は、当該承認組合が承認事業計画（第三条第四項に規定する事項が記載されたものに限る。）に従って農林漁業法人等投資育成事業を営む場合においては、投資事業有限責任組合契約に関する法律第三条第一項の組合契約において、同項各号に掲げる事業のほか、各当事者が共同で、外国法人である農林漁業法人等の株式、新株予約権又は新株予約権付社債等の取得及び保有（当該取得及び保有の対象とする外国法人である農林漁業法人等が国内事業者と密接な関連性を有するとともに、当該外国法人である農林漁業法人等が営む事業又はその行う事業活動が当該国内事業者の事業の発展に寄与すると認められることについて、農林水産大臣の確認を受けた場合に限る。）の事業を営むことを約することができる。

Article 12 (1) If an approved partnership engages in a business that fosters investments in agricultural, forestry, and fisheries corporations, etc. in accordance with an approved business plan (limited to a business plan that includes the matters prescribed in Article 3, paragraph (4)), the partners of the approved partnership may, under a partnership agreement referred to in Article 3, paragraph (1) of the Limited Partnership Act for Investment, promise

to jointly engage in the business of acquiring and holding shares, share options, or bonds with share options, etc. of agricultural, forestry, and fisheries corporations, etc. that are foreign corporations (limited to cases in which the person has obtained confirmation from the Minister of Agriculture, Forestry and Fisheries regarding the finding that the agricultural, forestry, and fisheries corporations, etc. that are foreign corporations subject to the acquiring and holding are closely related to a domestic business operator and that the businesses or business activities conducted by the agricultural, forestry, and fisheries corporations, etc. that are foreign corporations contribute to the development of the businesses of the domestic business operator), beyond the businesses stated in the items of the same paragraph.

- 2 前項に規定する事業を営むことを約した承認組合の組合員に対する投資事業有限責任組合契約に関する法律第七条第四項の規定の適用については、同項中「第三条第一項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び農林漁業法人等に対する投資の円滑化に関する特別措置法（平成十四年法律第五十二号）第十二条第一項に規定する事業以外の行為」と、「同項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び同法第十二条第一項に規定する事業以外の行為」とする。

- (2) Regarding the application of the provisions of Article 7, paragraph (4) of the Limited Partnership Act for Investment to partners of an approved partnership that has promised to engage in the business prescribed in the preceding paragraph, the phrase "acts other than the business activities listed in Article 3, paragraph (1)" in Article 7, paragraph (4) of the same Act is deemed to be replaced with "acts other than the business activities stated in Article 3, paragraph (1) of the Act, and those prescribed in Article 12, paragraph (1) of the Act on Special Measures to Facilitate Investment in Agricultural, Forestry, and Fishery Corporations (Act No. 52 of 2002)"; and the phrase "a business activity other than those listed in the same paragraph" in Article 7, paragraph (4) of the same Act is deemed to be replaced with "acts other than the business stated in Article 3, paragraph (1) and the business prescribed in Article 12, paragraph (1) of the Act".

（罰則）

(Penal Provisions)

第十三条 第五条の規定による報告をせず、又は虚偽の報告をした者は、三十万円以下の罰金に処する。

Article 13 (1) A person who has failed to make a report under the provisions of Article 5 or has made a false report is to be punished by a fine of not more than 300,000 yen.

- 2 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前項の違反行為をしたときは、行為者を罰するほか、その法人又

は人に対して同項の刑を科する。

- (2) If the representative of a corporation, or the agent, employee, or other worker of a corporation or an individual has committed a violation as referred to in the preceding paragraph in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the punishment referred to in that paragraph.

附 則 〔抄〕

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on a day specified by Cabinet Order within a period not exceeding three months from the date of its promulgation.

附 則 〔平成十七年七月二十六日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of July 26, 2005 Extract] [Extract]

この法律は、会社法の施行の日から施行する。

This Act comes into effect on the effective day of the Companies Act.

附 則 〔平成十九年五月二十五日法律第五十八号〕〔抄〕

Supplementary Provisions [Act No. 58 of May 25, 2007 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十年十月一日から施行する。

Article 1 This Act comes into effect on October 1, 2008.

附 則 〔平成二十一年六月二十四日法律第五十七号〕〔抄〕

Supplementary Provisions [Act No. 57 of June 24, 2009 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

附 則 〔平成二十三年五月二日法律第三十九号〕〔抄〕

Supplementary Provisions [Act No. 39 of May 2, 2011 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、第五条第一項及び第四十七条並びに附則第二十二条から第五十一条までの規定は、平成二十四年四月一日から施行する。

Article 1 This Act comes into effect on the day of its promulgation; provided, however, that the provisions of paragraph (1) of Articles 6 and 47 and the provisions of Articles 22 through 51 of the Supplementary Provisions come into effect on April 1, 2012.

附 則 〔平成二十五年十二月十三日法律第百二号〕〔抄〕

Supplementary Provisions [Act No. 102 of December 13, 2013 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the day specified respectively in those items.

一 附則第十一条の規定 公布の日

(i) the provisions of Article 11 of the Supplementary Provisions: the date of promulgation;

二 第三条及び附則第七条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(ii) the provisions of Article 3 of this Act and Article 7 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

附 則 〔平成二十七年九月四日法律第六十三号〕〔抄〕

Supplementary Provisions [Act No. 63 of September 4, 2015 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十八年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2016; provided, however, that the provisions stated in the following items come into effect on the dates specified respectively in those items:

一 附則第二十八条、第二十九条第一項及び第三項、第三十条から第四十条まで、第四十七条（都道府県農業会議及び全国農業会議所の役員に係る部分に限る。）、第五十条、第百九条並びに第百十五条の規定 公布の日（以下「公布日」という。）

(i) the provisions of Article 28, Article 29, paragraphs (1) and (3), Articles 30 through 40, Article 47 (limited to the parts relating to officers of prefectural agricultural councils and the National Chamber of Agriculture), and Article 50, Article 109, and Article 115: the date of promulgation (referred to below as the "date of promulgation").

附 則 〔令和三年四月二十八日法律第二十六号〕〔抄〕

Supplementary Provisions [Act No. 26 of April 28, 2021 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.