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中小企業等協同組合法（昭和二十四年六月一日法律第一八一号） Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of June 1, 1949)

第一章 総則

Chapter I General Provisions

第一条 （法律の目的）

Article 1 (Purpose of the Act)

この法律は、中小規模の商業、工業、鉱業、運送業、サービス業その他の事業を行う者、勤労者その他の者が相互扶助の精神に基づき協同して事業を行うために必要な組織について定め、これらの者の公正な経済活動の機会を確保し、もつてその自主的な経済活動を促進し、且つ、その経済的地位の向上を図ることを目的とする。

The purpose of this Act is to provide for the organizations necessary for persons engaged in a small and medium-sized commercial business, industrial business, mining business, transport business, service business or any other business and other persons, such as workers, to engage in business in a cooperative manner based on the spirit of mutual support, and to secure the opportunity for these people to conduct fair economic activities, thereby promoting their voluntary economic activities and achieving an improvement in their economic status.

第二条 削除

Article 2 Deleted

第二章 中小企業等協同組合

Chapter II Small and Medium-Sized Enterprise Cooperatives

第一節 通則

Section 1 General Rules

第三条 (種類)

Article 3 (Types)

中小企業等協同組合（以下「組合」という。）は、左の各号に掲げるものとする。

A small and medium-sized enterprise cooperative (hereinafter referred to as "cooperative") shall be any of the following:

一 事業協同組合

(i) A business cooperative

一の二 事業協同小組合

(i)-2 A minor business cooperative

一の三 火災共済協同組合

(i)-3 A fire mutual aid cooperative

二 信用協同組合

(ii) A credit cooperative

三 協同組合連合会

(iii) A federation of cooperatives

四 企業組合

(iv) A joint enterprise cooperative

第四条 (人格及び住所)

Article 4 (Personality and Domicile)

1 組合は、法人とする。

(1) A cooperative shall be a juridical person.

2 組合の住所は、その主たる事務所の所在地にあるものとする。

(2) The domicile of a cooperative shall be at the location of its principal office.

第五条 (基準及び原則)

Article 5 (Standards and Fundamental Principles)

1 組合は、この法律に別段の定めがある場合のほか、次の各号に掲げる要件を備えなければならない。

(1) A cooperative shall satisfy the following requirements, except as otherwise provided by this Act:

一 組合員又は会員（以下「組合員」と総称する。）の相互扶助を目的とすること。

(i) The purpose of the cooperative shall be mutual support among partner of the cooperative or partner of the federation (hereinafter collectively referred to as "partner").

二 組合員が任意に加入し、又は脱退することができること。

(ii) Partner shall be able to join or withdraw from the cooperative voluntarily.

三 組合員の議決権及び選挙権は、出資口数にかかわらず、平等であること。

(iii) Partner shall have equal voting rights and rights to elect, irrespective of the number of units of contribution they have offered.

四 組合の剰余金の配当は、主として組合事業の利用分量に応じてするものとし、出資額に応じて配当をするときは、その限度が定められていること。

(iv) The cooperative shall distribute its surplus mainly in accordance with the amount of use of the cooperative's businesses, and in the case of distributing the surplus in accordance with the amount of contribution; it shall have rules on the limits of such distribution.

2 組合は、その行う事業によつてその組合員に直接の奉仕をすることを目的とし、特定の組合員の利益のみを目的としてその事業を行つてはならない。

(2) A cooperative shall have the purpose to directly serve its partner through its activities, and it shall not conduct any activities for the purpose of only benefiting specific partner.

3 組合は、特定の政党のために利用してはならない。

(3) A cooperative shall not be utilized for any specific political party.

第六条 (名称)

Article 6 (Name)

1 組合は、その名称中に、次の文字を用いなければならない。

(1) A cooperative shall use the following words in its name:

一 事業協同組合にあつては、協同組合（第九条の二第七項に規定する特定共済組合に該当するものにあつては、共済協同組合）

(i) In the case of a business cooperative, "cooperative" (if the cooperative is a provided mutual aid association provided in Article 9-2(7), "mutual aid cooperative")

一の二 事業協同小組合にあつては、協同小組合（第九条の二第七項に規定する特定共済組合に該当するものにあつては、共済協同小組合）

(i)-2 In the case of a minor business cooperative, "minor cooperative" (if the cooperative is a provided mutual aid association provided in Article 9-2(7), "minor mutual aid cooperative")

一の三 火災共済協同組合にあつては、火災共済協同組合

(i)-3 In the case of a fire mutual aid cooperative, "fire mutual aid cooperative"

二 信用協同組合にあつては、信用協同組合又は信用組合

(ii) In the case of a credit cooperative, "credit cooperative" or "credit association"

三 協同組合連合会にあつては、その種類に従い、協同組合、協同小組合、火災共済協同組合又は信用協同組合のうちのいずれかを冠する連合会（第九条の九第四項に規定する特定共済組合連合会に該当するものにあつては、その種類に従い、共済協同組合又は共済協同小組合のうちのいずれかを冠する連合会）

(iii) In the case of a federation of cooperatives, "federation" in combination with any one of "cooperatives," "minor cooperatives," "fire mutual aid cooperative," or "credit cooperative" according to its type (if the federation is a provided federation of mutual aid associations provided in Article 9-9(4), "federation" in combination with either "mutual aid cooperatives" or "minor mutual aid cooperative" according to its type)

四 企業組合にあつては、企業組合

(iv) In the case of a joint enterprise cooperative, "joint enterprise cooperative"

2 この法律によつて設立された組合又は他の特別の法律によつて設立された協同組合若しくはその連合会以外の者は、その名称中に、事業協同組合、事業協同小組合、火災共済協同組合、信用協同組合、協同組合連合会又は企業組合であることを示す文字を用いてはならない。

(2) No person other than a cooperative established pursuant to this Act or a cooperative or federation established pursuant to other special Acts shall use in its name a word indicating that he/she/it is a business cooperative, minor business cooperative, fire mutual aid cooperative, credit cooperative, federation of cooperatives, or joint enterprise cooperative.

3 組合の名称については、会社法（平成十七年法律第八十六号）第八条（会社と誤認させる名称等の使用の禁止）の規定を準用する。

(3) With regard to the name of a cooperative, the provisions of Article 8 (No Use of Name, etc. which is Likely to be Mistaken for a Company) of the Companies Act (Act No. 86 of 2005) shall apply mutatis mutandis.

第七条（私的独占の禁止及び公正取引の確保に関する法律との関係）

Article 7 (Relationship with the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade)

1 次の組合は、私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号。以下「私的独占禁止法」という。）の適用については、同法第二十二条第一号の要件を備える組合とみなす。

(1) With regard to the application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947; hereinafter referred to as "Antimonopoly Act"), each of the following cooperatives shall be deemed to be a cooperative which satisfies the requirement set forth in Article 22(i) of the same Act:

一 事業協同組合、火災共済協同組合又は信用協同組合であつて、その組合員たる事業者が次のいずれかに掲げる者であるもの

(i) A business cooperative, fire mutual aid cooperative or credit cooperative, whose partner consist only of entrepreneurs falling under any of the following categories:

イ 資本金の額又は出資の総額が三億円（小売業又はサービス業を主たる事業とす

る事業者については五千万円、卸売業を主たる事業とする事業者については一億円) を超えない法人たる事業者

(a) An entrepreneur who is a juridical person and whose amount of stated capital or total amount of contribution is not more than three hundred million yen (or fifty million yen in the case of an entrepreneur who operates, as its principal business, a retail business or service business, or one hundred million yen in the case of an entrepreneur who operates, as its principal business, a wholesale business)

ロ 常時使用する従業員の数が三百人（小売業を主たる事業とする事業者については五十人、卸売業又はサービス業を主たる事業とする事業者については百人）を超えない事業者

(b) An entrepreneur whose number of regular employees is not more than three hundred (or fifty in the case of an entrepreneur who operates, as its principal business, a retail business, or one hundred in the case of an entrepreneur who operates, as its principal business, a wholesale business or service business)

二 事業協同小組合

(ii) A minor business cooperative

三 前二号に掲げる組合をもつて組織する協同組合連合会

(iii) A federation of cooperatives composed of cooperatives listed in any of the preceding two items

2 事業協同組合又は信用協同組合であつて、前項第一号イ又はロに掲げる者以外の事業者を組合員に含むものがあるときは、その組合が私的独占禁止法第二十二条第一号の要件を備える組合に該当するかどうかの判断は、公正取引委員の権限に属する。

(2) With respect to a business cooperative or a credit cooperative which has a member who falls outside of the categories of entrepreneur listed in item (i) (a) and (b) of the preceding paragraph, the Fair Trade Board Member shall have the authority to determine whether or not the cooperative falls under the category of cooperative that satisfies the requirement set forth in Article 22, item (i) of the Antimonopoly Act.

3 前項に掲げる組合は、第一項第一号イ又はロに掲げる者以外の事業者が組合に加入した日又は事業者たる組合員が同号イ又はロに掲げる者でなくなつた日から三十日以内に、その旨を公正取引委員に届け出なければならない。

(3) A cooperative referred to in the preceding paragraph shall, where an entrepreneur outside of the categories of entrepreneur listed in paragraph (1), item (i), (a) or (b) has joined therein or where any of its partner has come to fall outside of the categories of entrepreneur listed in paragraph (1), item (i), (a) or (b), notify the Fair Trade Board Member to that effect within thirty days.

第八条 (組合員の資格等)

Article 8 (Qualifications of Partner, etc.)

- 1 事業協同組合の組合員たる資格を有する者は、組合の地区内において商業、工業、鉱業、運送業、サービス業その他の事業を行う前条第一項若しくは第二項に規定する小規模の事業者又は事業協同小組合で定款で定めるものとする。

(1) A person who is qualified to be a member of a business cooperative shall be a small-scale entrepreneur or a minor business cooperative provided in paragraph (1) or paragraph (2) of the preceding Article who is engaged in a commercial business, industrial business, mining business, transport business, service business or any other business within the district of the cooperative and who is provided by the articles of association.
- 2 事業協同小組合の組合員たる資格を有する者は、組合の地区内において主として自己の勤労によつて商業、工業、鉱業、運送業、サービス業その他の事業を行う事業者であつて、おおむね常時使用する従業員の数が五人（商業又はサービス業を主たる事業とする事業者については二人）を超えないもので定款で定めるものとする。

(2) A person who is qualified to be a member of a minor business cooperative shall be an entrepreneur who is engaged in a commercial business, industrial business, mining business, transport business, service business or any other business within the district of the cooperative mainly through his/her own work and whose number of regular employees is not more than about five (in the case of an entrepreneur whose principal business is a commercial business or service business, two), and who is specified by the articles of association.
- 3 火災共済協同組合の組合員たる資格を有する者は、組合の地区内において商業、工業、鉱業、運送業、サービス業その他主務省令で定める事業を行う前条第一項又は第二項に規定するすべての小規模の事業者（その地区が全国にわたる組合にあつては、これらの事業者のうち、定款で定める一の業種に属する事業を行うもの）とする。

(3) A person who is qualified to be a member of a fire mutual aid cooperative shall be any small-scale entrepreneur provided in paragraph (1) or paragraph (2) of the preceding Article who is engaged in a commercial business, industrial business, mining business, transport business, service business or other business provided by an ordinance of the competent ministry within the district of the cooperative (in the case of a cooperative whose district is nationwide, any such entrepreneur who is engaged in a business that belongs to one of the business types provided by the articles of association).
- 4 信用協同組合の組合員たる資格を有する者は、組合の地区内において商業、工業、鉱業、運送業、サービス業その他の事業を行う前条第一項若しくは第二項に規定する小規模の事業者、組合の地区内に住所若しくは居所を有する者又は組合の地区内において勤労に従事する者その他これらに準ずる者として内閣府令で定める者で定款で定めるものとする。

(4) A person who is qualified to be a member of a credit cooperative shall be a small-scale entrepreneur provided in paragraph (1) or paragraph (2) of the preceding Article who is engaged in a commercial business, industrial business,

mining business, transport business, service business or any other business within the district of the cooperative, a person who has his/her domicile or residence within the district of the cooperative, a person who is engaged in work within the district of the cooperative, or a person who is provided by a Cabinet Office Ordinance as a person equivalent thereto, and who is provided by the articles of association.

5 協同組合連合会の会員たる資格を有する者は、次に掲げる者であつて定款で定めるものとする。

(5) A person who is qualified to be a member of a federation of cooperatives shall be either of the following persons and one who is specified by the articles of association:

一 連合会の地区の全部又は一部を地区とする組合（企業組合を除く。）

(i) A cooperative whose district coincides with all or part of the district of the federation (excluding a joint enterprise cooperative)

二 連合会の地区の全部又は一部を地区として他の法律に基づいて設立された協同組合

(ii) A cooperative established under another Act and whose district coincides with all or part of the district of the federation

6 企業組合の組合員たる資格を有する者は、次に掲げる者であつて定款で定めるものとする。

(6) A person who is qualified to be a member of a joint enterprise cooperative shall be any of the following persons and one who is specified by the articles of association:

一 個人

(i) An individual

二 次のいずれかに該当する者（前号に掲げる者を除く。）であつて政令で定めるもの

(ii) Any of the following persons (excluding the person set forth in the preceding item) and who is specified by a Cabinet Order:

イ 当該企業組合に対し、その事業活動に必要な物資の供給若しくは役務の提供又は施設、設備若しくは技術の提供を行う者

(a) A person who provides the joint enterprise cooperative with the goods, services, facilities, equipment or technology necessary for the business activities of the joint enterprise cooperative

ロ 当該企業組合からその事業に係る物資の供給若しくは役務の提供又は技術の提供を受ける者

(b) A person who receives from the joint enterprise cooperative the provision of goods, services, or technology pertaining to its business

ハ イ又はロに掲げるもののほか、当該企業組合の事業の円滑化に寄与する者

(c) In addition to what is listed in (a) and (b), a person who contributes to facilitating the business of the joint enterprise cooperative

三 投資事業有限責任組合契約に関する法律（平成十年法律第九十号）第二条第二項に規定する投資事業有限責任組合であつて中小企業者（中小企業基本法（昭和三十八年法律第百五十四号）第二条第一項各号に掲げるものをいう。）の自己資本の充実に寄与するものとして政令で定めるもの

(iii) An investment limited partnership provided in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998) that is provided by a Cabinet Order as one that contributes to enhancing the equity capital of small and medium-sized enterprises (which mean those listed in the items of Article 2, paragraph (1) of the Small and medium sized enterprise operator Basic Act [Act No. 154 of 1963])

第八条の二

Article 8-2

前条第六項第二号又は第三号の組合員（以下「特定組合員」という。）は、企業組合の総組合員の四分の一を超えてはならない。

The member set forth in item (ii) or (iii) of paragraph (6) of the preceding Article (hereinafter referred to as "specified member") shall not exceed one-quarter of all partner of a joint enterprise cooperative.

第九条（事業利用分量配当の課税の特例）

Article 9 (Exception to Taxation on the Surplus Distributed in Accordance with the Amount of Use of Businesses)

組合が組合事業の利用分量に応じて配当した剰余金の額に相当する金額は、法人税法（昭和四十年法律第三十四号）の定めるところにより、当該組合の同法に規定する各事業年度の所得の金額又は各連結事業年度の連結所得の金額の計算上、損金の額に算入する。

The amount equivalent to the amount of surplus that a cooperative has distributed in accordance with the amount of use of the cooperative's businesses shall, pursuant to the provisions of the Juridical Person Tax Act (Act No. 34 of 1965), be included in the amount of loss when calculating the amount of income for each business year or the amount of consolidated income for each consolidated business year under the provisions of the same Act with regard to said cooperative.

第二節 事業

Section 2 Activities

第九条の二（事業協同組合及び事業協同小組合）

Article 9-2 (Business Cooperatives and Minor Business Cooperatives)

1 事業協同組合及び事業協同小組合は、次の事業の全部又は一部を行うことができる。

(1) A business cooperative or a minor business cooperative may conduct all or part of

the following activities:

- 一 生産、加工、販売、購買、保管、運送、検査その他組合員の事業に関する共同事業
(i) Production, processing, sales, purchasing, storage, transport, inspection and other joint activities related to the business of partner
 - 二 組合員に対する事業資金の貸付け（手形の割引を含む。）及び組合員のためにするその借入れ
(ii) Loan of business funds (including discounting of negotiable instruments) to partner and borrowing of such funds for partner
 - 三 組合員の福利厚生に関する事業
(iii) Activities related to the welfare of partner
 - 四 組合員の事業に関する経営及び技術の改善向上又は組合事業に関する知識の普及を図るための教育及び情報の提供に関する事業
(iv) Activities related to the education and offer of information for achieving an improvement of the management and technology concerning the business of partner and the dissemination of knowledge concerning the cooperative's activities
 - 五 組合員の新たな事業の分野への進出の円滑化を図るための新商品若しくは新技術の研究開発又は需要の開拓に関する事業
(v) Activities related to research and development with regard to new goods or new technology or the cultivation of a demand for facilitating partner to advance into new business fields
 - 六 組合員の経済的地位の改善のためにする団体協約の締結
(vi) Conclusion of collective agreements for improving the economic status of partner
 - 七 前各号の事業に附帯する事業
(vii) Activities incidental to the activities set forth in the preceding items
- 2 事業協同組合及び事業協同小組合は、前項第三号の規定により締結する共済契約であつて、火災により又は火災及び第九条の七の二第一項第一号の主務省令で定める偶然な事故の全部若しくは一部を一括して共済事故としこれらのもののいずれかにより財産に生ずることのある損害をうめるためのものにおいては、共済契約者一人につきこれらの共済契約に係る共済金額の総額を主務省令で定める金額を超えるものと定めなければならない。
- (2) In mutual aid contracts concluded pursuant to the provisions of item (iii) of the preceding paragraph for covering damages that may be caused to property by a fire or by any of the mutual aid incidents when collectively deeming a fire and all or part of the accidental incidents specified by an ordinance of the competent ministry under Article 9-7-2, paragraph (1), item (i) to be mutual aid incidents, a business cooperative or a minor business cooperative shall not set the total amount of mutual aid money pertaining to said mutual aid contracts per mutual aid

contractor to be in excess of the amount specified by an ordinance of the competent ministry.

3 事業協同組合及び事業協同小組合は、組合員の利用に支障がない場合に限り、組合員以外の者にその事業を利用させることができる。ただし、一事業年度における組合員以外の者の事業の利用分量の総額は、その事業年度における組合員の利用分量の総額の百分の二十を超えてはならない。

(3) A business cooperative or a minor business cooperative may have non-partner utilize its businesses, so long as it does not hinder utilize by its partner; provided, however, that the total value of the amount of the utilize of businesses by non-partner during a single business year shall not exceed twenty percent of the total value of the amount of utilize by its partner during said business year.

4 前項ただし書の規定にかかわらず、事業協同組合及び事業協同小組合は、次の各号に掲げる事業については、当該各号に定める期間に限り、一事業年度における組合員以外の者の事業の利用分量の総額の当該事業年度における組合員の利用分量の総額に対する割合が当該各号ごとに百分の百を超えない範囲内において政令で定める割合を超えない範囲内において、組合員以外の者に利用させることができる。

(4) Notwithstanding the provisions of the proviso to the preceding paragraph, a business cooperative or a minor business cooperative may have non-partner utilize the businesses listed in the following items, only during the periods respectively prescribed in those items, to the extent that the percentage of the total value of the amount of utilize of businesses by non-partner during a single business year to the total value of the volume of utilize by its partner during said business year does not exceed the percentage specified by a Cabinet Order not exceeding one hundred percent for each of those items:

一 事業協同組合又は事業協同小組合の作成する計画に基づき工場又は事業場（以下「工場等」という。）を集団して設置する組合員の利用に供する当該事業協同組合又は事業協同小組合の事業をその工場等の設置に相当の期間を要する一部の組合員がその間に利用することが困難であるため、当該事業の運営に支障が生ずる場合における当該事業 当該計画に基づく工場等の設置が完了した日のうち最も早いものを含む事業年度終了の日から起算して三年を超えない範囲内において政令で定める期間

(i) Businesses of the business cooperative or the minor business cooperative to be provided for the utilize of partner who will collectively establish factories or workplaces (hereinafter referred to as "factories, etc.") based on a plan prepared by the business cooperative or the minor business cooperative, in the case where the administration of said Businesses will be hindered due to some partner who require a considerable period of time for establishing said factories, etc. finding it difficult to utilize the Businesses during that time-The period specified by a Cabinet Order not exceeding three years from the final day of the business year containing the earliest of the dates of termination of the establishment of

factories, etc. based on said plan

- 二 組合員が脱退したため、当該組合員の利用に係る事業協同組合又は事業協同小組合の事業の運営に支障が生ずる場合における当該事業 当該組合員が脱退した日を含む事業年度終了の日から起算して二年を超えない範囲内において政令で定める期間
- (ii) Businesses of the business cooperative or the minor business cooperative pertaining to use by a member in the case where the administration of said Businesses will be hindered due to withdrawal of said member-The period specified by a Cabinet Order not exceeding two years from the final day of the business year containing the date of withdrawal of said member
- 5 第三項ただし書の規定は、事業協同組合及び事業協同小組合がその所有する施設のうち体育施設その他の施設で組合員の利用に供することのほか併せて一般公衆の利用に供することが適当であるものとして政令で定めるものに該当するものを一般公衆に利用させる場合には、適用しない。
- (5) The provisions of the proviso to paragraph (3) shall not apply when a business cooperative or a minor business cooperative has the general public utilize a facility for physical exercise or any other facility, among the facilities it owns, that falls into the category of facilities specified by a Cabinet Order as those that are appropriate to be provided for utilize by the general public in addition to being provided for the utilize of partner.
- 6 事業協同組合及び事業協同小組合は、組合員のために、保険会社（保険業法（平成七年法律第百五号）第二条第二項に規定する保険会社をいう。以下同じ。）その他これに準ずる者として主務省令で定めるものの業務の代理又は事務の代行（保険募集（同条第二十六項に規定する保険募集をいう。以下同じ。）及びこれに関連する事務として主務省令で定めるものに限る。）を行うことができる。
- (6) A business cooperative or a minor business cooperative may, on behalf of its partner, act as an agent in carrying out businesses or processing businesses (limited to insurance solicitation [which means insurance solicitation provided in Article 2, paragraph (26) of the Insurance Business Act (Act No. 105 of 1995); the same shall apply hereinafter] and businesses that are provided by an ordinance of the competent ministry as those associated therewith) of an insurance company (which means an insurance company provided in paragraph (2) of the same Article; the same shall apply hereinafter) or any person provided by an ordinance of the competent ministry as one equivalent thereto.
- 7 第一項第三号の規定により共済事業（組合員その他の共済契約者から共済掛金の支払を受け、共済事故の発生に関し、共済金を交付する事業であつて、共済金額その他の事項に照らして組合員その他の共済契約者の保護を確保することが必要なものとして主務省令で定めるものをいう。以下同じ。）を行う事業協同組合若しくは事業協同小組合であつてその組合員の総数が政令で定める基準を超えるもの又は組合員たる組合が共済事業を行うことによつて負う共済責任の再共済若しくは再共済責任の再再共

済の事業を行う事業協同組合（以下「特定共済組合」という。）は、同項の規定にかかわらず、共済事業及びこれに附帯する事業並びに前項に規定する事業のほか、他の事業を行うことができない。ただし、主務省令で定めるところにより、行政庁の承認を受けたときは、この限りでない。

(7) A business cooperative or a minor business cooperative engaged in mutual aid activities (which mean activities where the cooperative receives a payment of mutual aid premiums from its partner and any other mutual aid contractors, and delivers mutual aid money on the occurrences of mutual aid incidents and which are specified by an ordinance of the competent ministry as those for which the protection of partner and any other mutual aid contractors needs to be secured in light of the amount of mutual aid money and other matters; the same shall apply hereinafter) pursuant to the provisions of paragraph (1), item (iii) whose total number of partner exceeds the standard specified by a Cabinet Order, or a business cooperative engaged in the activities of the reinsurance of mutual aid liabilities or the retrocession of reinsurance liabilities borne by member cooperatives in the course of mutual aid activities (hereinafter referred to as "specified mutual aid association") may not conduct activities other than mutual aid activities and activities incidental thereto and the activities prescribed in the preceding paragraph, notwithstanding the provisions of paragraph (1); provided, however, that this shall not apply when the cooperative has obtained the approval of an administrative agency pursuant to the provisions of an ordinance of the competent ministry.

8 行政庁は、前項ただし書の承認の申請があつたときは、当該申請に係る事業が当該特定共済組合の業務の健全かつ適正な運営を妨げるおそれがないと認める場合でなければ、これを承認してはならない。

(8) When an administrative agency has received an application for approval under the proviso to the preceding paragraph, it shall not grant its approval unless it finds that the activities pertaining to said application involve no risk of hindering the sound and appropriate administration of the operations of said specified mutual aid association.

9 共済事業及び第六項に規定する事業における事業協同組合についての第三項の規定の適用については、同項ただし書中「組合員」とあるのは「組合員並びに組合員と生計を一にする親族及び組合員たる組合を直接又は間接に構成する者であつて小規模の事業者であるもの」とし、事業協同小組合についての同項の規定の適用については、同項ただし書中「組合員」とあるのは「組合員及び組合員と生計を一にする親族」とする。

(9) With regard to the application of the provisions of paragraph (3) to a business cooperative in mutual aid activities and activities provided in paragraph (6), the term "partner" in the proviso to the same paragraph shall be deemed to be replaced with "partner, relatives who share the same livelihood with partner, and

small-scale entrepreneurs who directly or indirectly constitute member cooperatives"; and with regard to the application of the provisions of the same paragraph to a minor business cooperative, the term "partner" in the proviso to the same paragraph shall be deemed to be replaced with "partner and relatives who share the same livelihood with partner."

1 0 事業協同組合及び事業協同小組合は、定款で定める金融機関に対して組合員の負担する債務を保証し、又はその金融機関の委任を受けてその債権を取り立てることができる。

(10) A business cooperative or a minor business cooperative may guarantee obligations borne by its member against a financial institution prescribed in the articles of association or collect the claim with authority from said financial institution.

1 1 事業協同組合及び事業協同小組合は、前項の規定によるほか、定款の定めるところにより、組合員が金融機関以外の者に対して負担する当該組合員の事業に関する債務を保証することができる。

(11) A business cooperative or a minor business cooperative may, pursuant to the provisions of the articles of association, guarantee obligations concerning the business of a member that are borne by the member against a person other than a financial institution.

1 2 事業協同組合又は事業協同小組合の組合員と取引関係がある事業者（小規模の事業者を除く。）は、その取引条件について事業協同組合又は事業協同小組合の代表者（これらの組合が会員となつている協同組合連合会の代表者を含む。）が政令の定めるところにより団体協約を締結するため交渉をしたい旨を申し出たときは、誠意をもつてその交渉に応ずるものとする。

(12) An entrepreneur (excluding a small-scale entrepreneur) who has a business relationship with a business cooperative or a minor business cooperative shall respond to negotiations with sincerity when the representative person of the business cooperative or minor business cooperative (including the representative person of a federation of cooperatives of which said cooperative is a member) has indicated a desire to conduct negotiations for concluding a collective agreement pursuant to the provisions of a Cabinet Order.

1 3 第一項第六号の団体協約は、あらかじめ総会の承認を得て、同号の団体協約であることを明記した書面をもつてすることによつて、その効力を生ずる。

(13) A collective agreement under paragraph (1), item (vi) shall take effect by being concluded by a document clearly stating that the agreement is a collective agreement under the same item.

1 4 第一項第六号の団体協約は、直接に組合員に対してその効力を生ずる。

(14) A collective agreement under paragraph (1), item (vi) shall take effect directly against partner.

1 5 組合員の締結する契約であつて、その内容が第一項第六号の団体協約に定める基

準に違反するものについては、その基準に違反する契約の部分は、その基準によつて契約したものとみなす。

- (15) With regard to a contract concluded by a member of which the contents violate the standards prescribed in a collective contract under paragraph (1), item (vi), the portion of the contract that violates said standards shall be deemed to have been concluded in accordance with said standards.

第九条の二の二 (あつせん又は調停)

Article 9-2-2 (Mediation or Conciliation)

- 1 前条第十二項の交渉の当事者の双方又は一方は、当該交渉ができないとき又は団体協約の内容につき協議が調わないときは、行政庁に対し、そのあつせん又は調停を申請することができる。
- (1) Both parties or either party of the negotiations under paragraph (12) of the preceding Article may, when said negotiations cannot be held or when no agreement is reached with regard to the contents of the collective agreement, file an application for mediation or conciliation with an administrative agency.
- 2 行政庁は、前項の申請があつた場合において経済取引の公正を確保するため必要があると認めるときは、すみやかにあつせん又は調停を行うものとする。
- (2) When an administrative agency receives an application set forth in the preceding paragraph and finds it to be necessary for securing the fairness of economic transactions, it shall carry out the mediation or conciliation promptly.
- 3 行政庁は、前項の規定により調停を行う場合においては、調停案を作成してこれを関係当事者に示しその受諾を勧告するとともに、その調停案を理由を付して公表することができる。
- (3) In the case where an administrative agency carries out a conciliation pursuant to the provisions of the preceding paragraph, it may prepare a conciliation proposal and, by indicating it to the parties concerned, recommend them to accept it, and publicize the conciliation proposal together with the reason therefor.
- 4 行政庁は、前二項のあつせん又は調停については、中小企業政策審議会又は都道府県中小企業調停審議会に諮問しなければならない。
- (4) With regard to mediation or conciliation under the preceding two paragraphs, an administrative agency shall consult with the Small and Medium Enterprise Policy Making Council or the Prefectural Small and Medium Enterprise Conciliation Council.

第九条の二の三 (組合員以外の者の事業の利用の特例)

Article 9-2-3 (Exception on Use of Services by Non-Partner)

- 1 事業協同組合及び事業協同小組合は、その所有する施設を用いて行っている事業について、組合員の脱退その他のやむを得ない事由により組合員の利用が減少し、当該事業の運営に著しい支障が生ずる場合において、主務省令で定めるところにより、第

九条の二第三項ただし書に規定する限度を超えて組合員以外の者に当該事業を利用させることが当該事業の運営の適正化を図るために必要かつ適切なものとして、期間を定めて行政庁の認可を受けたときは、同項ただし書の規定にかかわらず、一事業年度における組合員以外の者の事業の利用分量の総額の当該事業年度における組合員の利用分量の総額に対する割合が百分の二百を超えない範囲内において、組合員以外の者に当該事業を利用させることができる。

(1) A business cooperative or a minor business cooperative may, when the administration of services that are provided using its own facility is hindered to an extreme degree due to a decrease in the utilize of said services by its partner resulting from the withdrawal of partner or any other unavoidable circumstances, have non-partner utilize said services to the extent that the total value of the amount of utilize of services by non-partner during a single business year shall not exceed two hundred percent of the total value of the amount of utilize by its partner during said business year, notwithstanding the provisions of the proviso to Article 9-2, paragraph (3), if it has specified a period and obtained the approval of an administrative agency that it is necessary and appropriate for achieving normalization of the administration of said services to have non-partner utilize said services in excess of the limit prescribed in the proviso to the same paragraph, pursuant to the provisions of an ordinance of the competent ministry.

2 行政庁は、前項の認可に係る事業について、第九条の二第三項ただし書に規定する限度を超えて組合員以外の者に当該事業を利用させることが当該事業の運営の適正化を図るために必要かつ適切なものでなくなつたと認めるときは、当該認可を取り消すことができる。

(2) With regard to services pertaining to the approval under the preceding paragraph, when an administrative agency finds that it is no longer necessary and appropriate for achieving normalization of the administration of said services to have non-partner utilize said services in excess of the limit prescribed in the proviso to Article 9-2, paragraph (3), it may rescind said approval.

第九条の三 (倉荷証券の発行)

Article 9-3 (Issuance of Warehouse Receipts)

1 保管事業を行う事業協同組合は、国土交通大臣の許可を受けて、組合員の寄託物について倉荷証券を発行することができる。

(1) A business cooperative engaged in a storage business may, by obtaining the approval of the Minister of Land, Infrastructure and Transport, issue warehouse receipts for the goods deposited by its partner.

2 前項の許可を受けた事業協同組合は、組合員たる寄託者の請求により、寄託物の倉荷証券を交付しなければならない。

(2) A business cooperative which has received the approval set forth in the preceding paragraph shall deliver a warehouse receipt for goods deposited, based on a request

from a member depositor.

3 第一項の倉荷証券については、商法（明治三十二年法律第四十八号）第六百二十七条第二項（預証券の規定の準用）及び第六百二十八条（倉荷証券による質入）の規定を準用する。

(3) With regard to warehouse receipts under paragraph (1), the provisions of Article 627, paragraph (2) (Application Mutatis Mutandis of the Provisions on Deposit Receipts) and Article 628 (Pledge of Warehouse Receipts) of the Commercial Code (Act No. 48 of 1899) shall apply mutatis mutandis.

4 第一項の場合については、倉庫業法（昭和三十一年法律第二百一十一号）第八条第二項、第十二条、第二十二條及び第二十七條（監督）の規定を準用する。この場合において、同法第十二条中「第六条第一項第四号の基準」とあるのは、「国土交通省令で定める基準」と読み替えるものとする。

(4) With regard to the case under paragraph (1), the provisions of Article 8, paragraph (2), Article 12, Article 22 and Article 27 (Supervision) of the Warehousing Business Act (Act No. 121 of 1956) shall apply mutatis mutandis. In this case, the term "standards set forth in Article 6, paragraph (1), item (iv)" in Article 12 of the same Act shall be deemed to be replaced with "standards specified by an Ordinance of the Ministry of Land, Infrastructure and Transport."

第九条の四

Article 9-4

前条第一項の許可を受けた事業協同組合の作成する倉荷証券には、その事業協同組合の名称を冠する倉庫証券という文字を記載しなければならない。

A warehouse receipt prepared by a business cooperative, which has been approved under paragraph (1) of the preceding Article, shall indicate the word "warehouse receipt" in combination with the name of said business cooperative.

第九条の五

Article 9-5

1 事業協同組合が倉荷証券を発行した寄託物の保管期間は、寄託の日から六月以内とする。

(1) The storage period of goods deposited for which a business cooperative has issued a warehouse receipt shall be within six months from the date of deposit.

2 前項の寄託物の保管期間は、六月を限度として更新することができる。ただし、更新の際の証券の所持人が組合員でないときは、組合員の利用に支障がない場合に限る。

(2) The storage period of goods deposited set forth in the preceding paragraph may be renewed for up to six months; provided, however, that this shall be limited to the case where the renewal does not hinder use by partner, if the holder of the receipt at the time of the renewal is not a member.

第九條の六

Article 9-6

事業協同組合が倉荷証券を発行した場合については、商法第六百十六條から第六百十九條まで及び第六百二十四條から第六百二十六條まで（寄託者又は証券の所持人の権利及び倉庫業者の責任）の規定を準用する。

With regard to the case where a business cooperative has issued a warehouse receipt, the provisions of Articles 616 to 619 and Articles 624 to 626 (Rights of the Depositor or the Holder of the Receipt and the Responsibilities of the Warehouse Business Operator) of the Commercial Code shall apply mutatis mutandis.

第九條の六の二（共済規程）

Article 9-6-2 (Mutual Aid Rules)

- 1 事業協同組合及び事業協同小組合が、共済事業を行おうとするときは、主務省令で定めるところにより、共済規程を定め、行政庁の認可を受けなければならない。
 - (1) When a business cooperative or a minor business cooperative intends to engage in mutual aid activities, it shall establish mutual aid rules and obtain the approval of an administrative agency, pursuant to the provisions of an ordinance of the competent ministry.
 - 2 共済規程には、共済事業の種類その他事業の実施方法、共済契約、共済掛金及び責任準備金の額の算出方法に関して主務省令で定める事項を記載しなければならない。
 - (2) Mutual aid rules shall contain statements on the types of mutual aid activities and other matters specified by an ordinance of the competent ministry concerning the implementation method of the activities, mutual aid contracts, mutual aid premiums, and the calculation method of the amount of liability reserve.
 - 3 事業協同組合が自動車損害賠償保障法（昭和三十年法律第九十七号）第五条（責任共済等の契約の締結強制）に規定する自動車損害賠償責任共済（以下「責任共済」という。）、責任共済の契約によつて負う共済責任の再共済（以下「責任再共済」という。）又は責任再共済の契約によつて負う再共済責任の再再共済（以下「責任共済等」という。）の事業を行おうとする場合における前項の規定の適用については、同項中「共済事業の種類その他事業の実施方法、共済契約、共済掛金及び責任準備金の額の算出方法に関して主務省令で定める事項」とあるのは、「責任共済等の事業の実施方法、共済契約及び共済掛金に関して主務省令で定める事項」とする。
 - (3) With regard to the application of the provisions of the preceding paragraph in the case where a business cooperative intends to engage in activities of compulsory automobile liability mutual aid (hereinafter referred to as "liability mutual aid") provided in Article 5 (Compulsory Conclusion of Contracts on Liability Mutual Aid, etc.) of the Automobile Liability Security Act (Act No. 97 of 1955), the reinsurance of mutual aid liabilities borne through a liability mutual aid contract (hereinafter referred to as "liability reinsurance") or the retrocession of reinsurance liabilities borne through a liability reinsurance contract (hereinafter collectively referred to

as "liability mutual aid, etc."), the phrase "the types of mutual aid activities and other matters specified by an ordinance of the competent ministry concerning the implementation method of the activities, mutual aid contracts, mutual aid premiums, and the calculation method of the amount of liability reserve" in the preceding paragraph shall be deemed to be replaced with "matters specified by an ordinance of the competent ministry concerning the implementation method of the activities of liability mutual aid, etc., mutual aid contracts, and mutual aid premiums."

- 4 共済規程の変更又は廃止は、行政庁の認可を受けなければ、その効力を生じない。
- (4) Changes to or the abolition of mutual aid rules shall not take effect without the approval of an administrative agency having been obtained.

第九条の六の三 (共済の目的の譲渡等)

Article 9-6-3 (Transfer, etc. of the Interest Insured)

1 共済契約の共済の目的が譲渡された場合においては、譲受人は、共済事業を行う事業協同組合又は事業協同小組合の承諾を得て、その目的に関し譲渡人が有する共済契約上の権利義務を承継することができる。この場合において、当該目的がその譲渡により第九条の二第九項において読み替えて適用する同条第三項ただし書に規定する組合員（以下この条において「組合員等」という。）の財産でなくなつたときは、当該目的は、当該共済契約の期間内は、組合員等の財産とみなし、同条第一項第三号、第三項及び第九項の規定を適用する。

(1) In the case where the interest insured under a mutual aid contract has been transferred, the transferee may succeed to the rights and obligations under the mutual aid contract which the transferrer holds with regard to said interest insured, by gaining the consent of the business cooperative or minor business cooperative conducting the mutual aid activities. In this case, if said interest insured is no longer the property of a member as provided in the proviso to Article 9-2, paragraph (3) as applied mutatis mutandis by replacing the terms pursuant to paragraph (9) of the same Article (hereinafter referred to as a "member, etc." in this Article) due to its transfer, said interest insured shall be deemed to be the property of the member, etc. during the period of said mutual aid contract, and the provisions of Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9) shall apply.

2 前項の規定は、死亡、合併又は分割により共済の目的が承継された場合について準用する。

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to the case where the interest insured has been succeeded to due to death, a merger or a split.

3 組合員等が組合員等でなくなつた場合（前項に規定する場合を除く。）において、その際締結されていた共済契約の目的のうち、その組合員等でなくなつたことにより

組合員等の財産でなくなつた財産があるときは、当該財産は、当該財産に係る共済契約の期間内は、組合員等の財産とみなし、第九条の二第一項第三号、第三項及び第九項の規定を適用する。

- (3) In the case where a member, etc. has ceased to be a member, etc. (excluding the case prescribed in the preceding paragraph), if any property among the interest insured under the mutual aid contract that has been concluded at that time ceases to be the property of the member, etc. due to the member, etc. ceasing to be a member, etc., said property shall be deemed to be the property of the member, etc. during the period of the mutual aid contract pertaining to said property, and the provisions of Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9) shall apply.

第九条の七 (商品券の発行)

Article 9-7 (Issuance of Gift Vouchers)

1 事業協同組合は、法令の定めるところにより、組合員の取扱商品について商品券を発行することができる。

- (1) A business cooperative may, pursuant to the provisions of laws and regulations, issue gift vouchers for the goods handled by its partner.

2 事業協同組合が商品券を発行したときは、組合員は、これに対してその取扱商品につき引換の義務を負う。

- (2) When a business cooperative has issued a gift voucher, its partner shall have an obligation to exchange it with goods they handle.

3 事業協同組合が商品券を発行した場合において、その組合員が商品券の引換をすることができないとき、又はその引換を停止したときは、その事業協同組合は、商品券の所有者に対し、券面に表示した金額を限度として、弁済の責を負う。

- (3) In the case where a business cooperative has issued a gift voucher, if its partner is unable to exchange the gift voucher or have suspended the exchange, the business cooperative shall be liable to pay the owner of the gift voucher up to a limit of the amount indicated on the face of the gift voucher.

4 商品券を発行した事業協同組合がみずから商品を販売する場合には、前三項中「組合員」とあるのは「事業協同組合及び組合員」と読み替えるものとする。

- (4) In the case where a business cooperative that has issued a gift voucher sells goods itself, the term "partner" in the preceding three paragraphs shall be deemed to be replaced with "the business cooperative and the partner."

第九条の七の二 (火災共済協同組合)

Article 9-7-2 (Fire Mutual Aid Cooperatives)

1 火災共済協同組合は、次の事業を行うものとする。

- (1) A fire mutual aid cooperative shall conduct the following activities:

一 組合員のためにする火災共済事業 (火災により又は火災及び破裂、爆発、落雷そ

の他の主務省令で定める偶然な事故の全部若しくは一部を一括して共済事故としこれらのもののいずれかにより財産に生ずることのある損害をうめるための共済事業をいう。以下同じ。)

(i) Fire mutual aid activities (which means mutual aid activities for covering damages that may be caused to property by a fire or by any of the mutual aid incidents when collectively deeming that a fire and all or part of a rupture, explosion, lightning strike, and other accidental incidents specified by an ordinance of the competent ministry to be mutual aid incidents; the same shall apply hereinafter) for its partner

二 前号の事業に附帯する事業

(ii) Activities incidental to the activities set forth in the preceding item

2 前項各号に掲げるもののほか、火災共済協同組合は、保険会社その他これに準ずる者として第九条の二第六項の主務省令で定めるものの業務の代理又は事務の代行（保険募集及びこれに関連する事務として同項の主務省令で定めるものに限る。）の事業を行うことができる。

(2) In addition to what are listed in the items of the preceding paragraph, a fire mutual aid cooperative may act as an agent in carrying out the operations or processing the affairs (limited to insurance solicitation and affairs that are specified by an ordinance of the competent ministry set forth in Article 9-2, paragraph (6) as those associated thereto) of an insurance company or any person specified by an ordinance of the competent ministry set forth in the same paragraph as one equivalent thereto.

3 火災共済協同組合については、第九条の二第三項及び第九条の六の三の規定を準用する。この場合において、同項ただし書中「組合員」とあるのは「組合員並びに組合員と生計を一にする親族及び組合員たる組合を直接又は間接に構成する者であつて第八条第三項に規定する小規模の事業者であるもの」と、同条第一項中「第九条の二第九項において読み替えて適用する同条第三項ただし書」とあるのは「第九条の七の二第三項において読み替えて準用する第九条の二第三項ただし書」と、同項中「同条第一項第三号、第三項及び第九項」とあり、及び同条第三項中「第九条の二第一項第三号、第三項及び第九項」とあるのは「第九条の七の二」と読み替えるものとする。

(3) With regard to a fire mutual aid cooperative, the provisions of Article 9-2, paragraph (3) and Article 9-6-3 shall apply mutatis mutandis. In this case, the term "partner" in the proviso to the same paragraph shall be deemed to be replaced with "partner, relatives who share the same livelihood with partner, and small-scale entrepreneurs provided in Article 8, paragraph (3) who directly or indirectly constitute member cooperatives"; the phrase "the proviso to Article 9-2, paragraph (3) as applied mutatis mutandis by replacing the terms pursuant to paragraph (9) of the same Article" in Article 9-6-3, paragraph (1) shall be deemed to be replaced with "the proviso to Article 9-2, paragraph (3) as applied mutatis mutandis by replacing the terms pursuant to Article 9-7-2, paragraph (3)"; and the

term "Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9)" in the Article 9-6-3, paragraph (1) and the term "Article 9-2, paragraph (1), item (iii), paragraph (3) and paragraph (9)" in Article 9-6-3, paragraph (3) shall be deemed to be replaced with "Article 9-7-2."

第九条の七の三 削除

Article 9-7-3 Deleted.

第九条の七の四 削除

Article 9-7-4 Deleted.

第九条の七の五 (商法等の準用)

Article 9-7-5 (Application Mutatis Mutandis of the Commercial Code, etc.)

- 1 商法第二編第十章第一節第一款（第六百五十条第一項及び第六百六十四条を除く。）
（損害保険の総則）の規定は共済事業を行う事業協同組合若しくは事業協同小組合又は火災共済協同組合（以下この条において「共済事業を行う協同組合」という。）が締結する一定の偶然の事故によつて生ずることのある損害をてん補することを約し共済掛金を収受する共済契約について、同節第二款（火災保険）の規定は火災共済協同組合が締結する火災共済契約について、同節第三款（運送保険）の規定は共済事業を行う協同組合（火災共済協同組合を除く。）が締結する一定の偶然の事故によつて生ずることのある運送品の損害をてん補することを約し共済掛金を収受する共済契約について、同章第二節（第六百八十三条第一項に掲げる準用規定のうち第六百六十四条に係る規定を除く。）（生命保険）の規定は共済事業を行う協同組合（火災共済協同組合を除く。）が締結する人の生存又は死亡（当該人の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を含む。）に関し一定の金額を支払うことを約し共済掛金を収受する共済契約について、それぞれ準用する。

- (1) The provisions of Part II, Chapter X, Section 1, Subsection 1 (excluding Article 650, paragraph (1) and Article 664) (General Provisions on Casualty Insurance) of the Commercial Code shall apply mutatis mutandis to mutual aid contracts concluded by a business cooperative or a minor business cooperative engaged in mutual aid activities or a fire mutual aid cooperative (hereinafter referred to as "a cooperative engaged in mutual aid activities" in this Article) whereby mutual aid premiums are received by promising to compensate for damages that may be caused by certain accidental incidents; the provisions of Subsection 2 (Fire Insurance) of the same Section shall apply mutatis mutandis to fire mutual aid contracts concluded by a fire mutual aid cooperative; the provisions of Subsection 3 (Cargo Insurance) of the same Section shall apply mutatis mutandis to mutual aid contracts concluded by a cooperative engaged in mutual aid activities (excluding a fire mutual aid cooperative) whereby mutual aid premiums are received by promising to compensate for damages to cargos that may be caused by certain

accidental incidents; and the provisions of Section 2 (excluding the provisions pertaining to Article 664 among the provisions on application mutatis mutandis set forth in Article 683, paragraph (1)) (Life Insurance) of the same Chapter shall apply mutatis mutandis to mutual aid contracts concluded by a cooperative engaged in mutual aid activities (excluding a fire mutual aid cooperative) whereby mutual aid premiums are received by promising to pay a certain amount of money with regard to the survival or death of a person (including a physical condition where said person has been diagnosed by a doctor to have no more than a certain period left to live).

- 2 保険業法第二百七十五条第一項第二号及び第二項（保険募集の制限）の規定は共済事業を行う協同組合の共済契約の募集について、同法第二百八十三条（所属保険会社等の賠償責任）の規定は共済事業を行う協同組合の役員及び使用人並びに当該共済事業を行う協同組合の共済代理店（組合の委託を受けて、当該組合のために共済契約の締結の代理又は媒介を行う者であつて、当該組合の役員又は使用人でないものをいう。以下同じ。）並びにその役員及び使用人が行う当該共済事業を行う協同組合の共済契約の募集について、同法第二百九十四条（顧客に対する説明）の規定は共済契約の募集を行う共済事業を行う協同組合の役員及び使用人並びに当該共済事業を行う協同組合の共済代理店並びにその役員及び使用人について、同法第二百九十五条（自己契約の禁止）の規定は共済代理店について、同法第三百条（禁止行為）の規定は共済事業を行う協同組合及びその共済代理店（これらの者の役員及び使用人を含む。）について、同法第三百五条（立入検査等）、第三百六条（業務改善命令）及び第三百七条第一項第三号（登録の取消し等）の規定は共済代理店について、同法第三百九条（保険契約の申込みの撤回等）の規定は共済事業を行う協同組合に対し共済契約の申込みをした者又は共済契約者が行う共済契約の申込みの撤回又は解除について、同法第三百十一条（検査職員の証票の携帯及び提示等）の規定はこの項において準用する同法第三百五条の規定による立入り、質問又は検査をする職員について、それぞれ準用する。この場合において、同法第二百七十五条第一項第二号、第二百九十四条第三号、第二百九十五条第二項、第三百条第一項第七号及び第九号並びに第三百九条第一項第一号、第二項、第三項、第五項及び第六項中「内閣府令」とあるのは「主務省令」と、同法第二百七十五条第一項第二号及び第二項中「損害保険会社（外国損害保険会社等を含む。以下この編において同じ。）」とあるのは「共済事業を行う協同組合」と、「次条の登録を受けた損害保険代理店」とあるのは「中小企業等協同組合法第百六条の三第一号の届出がなされた共済代理店」と、「損害保険代理店である」とあるのは「共済代理店である」と、同条第二項中「次条又は第二百八十六条の登録を受けて」とあるのは「中小企業等協同組合法第百六条の三第一号の届出を行つて」と、同法第三百条第一項中「次条に規定する特定保険契約」とあるのは「中小企業等協同組合法第九条の七の五第三項に規定する特定共済契約」と、同項第八号中「特定関係者（第百条の三（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。次条において同じ。）に規定する特定関係者及び第百九十四条に規定する特殊関係者のうち、当該保険会社等又は外国保険会社等を子会社とする保険持株会社及び少額短期保険持株会社（以下

この条及び第三百一条の二において「保険持株会社等」という。)、当該保険持株会社等の子会社（保険会社等及び外国保険会社等を除く。）並びに保険業を行う者以外の者をいう。）」とあるのは「子会社等（中小企業等協同組合法第六十一条の二第二項に規定する子会社等をいう。）」と、同条第二項中「第四条第二項各号、第百八十七条第三項各号又は第二百七十二条の二第二項各号に掲げる書類」とあるのは「定款又は中小企業等協同組合法第九条の六の二第一項に規定する共済規程若しくは同法第二十七条の二第三項に規定する火災共済規程」と、同法第三百五条及び第三百六条中「内閣総理大臣」とあるのは「行政庁」と、同法第三百七条第一項中「内閣総理大臣」とあるのは「行政庁」と、「次の各号のいずれかに該当するときは、第二百七十六条若しくは第二百八十六条の登録を取り消し、又は」とあるのは「第三号に該当するときは、」と、「業務の全部若しくは一部」とあるのは「共済契約の募集」と読み替えるものとする。

- (2) The provisions of Article 275, paragraph (1), item (ii) and paragraph (2) (Restriction on Insurance Solicitation) of the Insurance Business Act shall apply mutatis mutandis to the solicitation of mutual aid contracts of a cooperative engaged in mutual aid activities; the provisions of Article 283 (Liability for Compensation of the Insurance Company Concerned, etc.) of the same Act shall apply mutatis mutandis to the solicitation of mutual aid contracts of a cooperative engaged in mutual aid activities carried out by officers or employees of said cooperative engaged in mutual aid activities, and by any mutual aid agent (which means a person who acts as an agent or intermediary in concluding mutual aid contracts for a cooperative under entrustment by said cooperative, and who is not an officer nor an employee of said cooperative; the same shall apply hereinafter) of said cooperative engaged in mutual aid activities and officers or employees of said mutual aid agent; the provisions of Article 294 (Explanations to Customers) of the same Act shall apply mutatis mutandis to officers and employees of a cooperative engaged in mutual aid activities, any mutual aid agent of said cooperative engaged in mutual aid activities, and officers and employees of said mutual aid agent, carrying out solicitation of mutual aid contracts; the provisions of Article 295 (Prohibition of Self-Contract) of the same Act shall apply mutatis mutandis to a mutual aid agent; the provisions of Article 300 (Prohibited Acts) of the same Act shall apply mutatis mutandis to a cooperative engaged in mutual aid activities and any mutual aid agent thereof (including their officers and employees) carrying out mutual aid activities; the provisions of Article 305 (On-Site Inspections, etc.), Article 306 (Order to Improve Business Operations), and Article 307, paragraph (1), item (iii) (Rescission of Registration, etc.) of the same Act shall apply mutatis mutandis to a mutual aid agent; the provisions of Article 309 (Revocation of Applications for Insurance Contracts, etc.) of the same Act shall apply mutatis mutandis to the revocation or cancellation of an offer for a mutual aid contract by a person who has filed an offer with a cooperative engaged in mutual aid activities or

by a mutual aid contractor; and the provisions of Article 311 (Carrying and Presenting of Identification Cards by Inspection Officials) of the same Act shall apply mutatis mutandis to officials who enter, question, and inspect pursuant to the provisions of Article 305 of the same Act as applied mutatis mutandis pursuant to this paragraph. In this case, the term "Cabinet Office Ordinance" in Article 275, paragraph (1), item (ii), Article 294, item (iii), Article 295, paragraph (2), Article 300, paragraph (1), item (vii) and item (ix), and Article 309, paragraph (1), item (i), paragraph (2), paragraph (3), paragraph (5) and paragraph (6) of the same Act shall be deemed to be replaced with "ordinance of the competent ministry"; the phrase "a casualty insurance company (including a foreign casualty insurance company, etc.; hereinafter the same shall apply in this Part)" in Article 275, paragraph (1), item (ii), and paragraph (2) of the same Act shall be deemed to be replaced with "a cooperative engaged in mutual aid activities"; the phrase "a casualty insurance agent registered under the following Article" in the same provisions shall be deemed to be replaced with "a mutual aid agent notified under Article 106-3, item (i) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "which is a casualty insurance agent" in the same provisions shall be deemed to be replaced with "which is a mutual aid agent"; the phrase "by obtaining registration under the following Article or Article 286" in paragraph (2) of the same Article shall be deemed to be replaced with "by giving the notification under Article 106-3, item (i) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "provided insurance contract prescribed in the following Article" in Article 300, paragraph (1) of the same Act shall be deemed to be replaced with "specified mutual aid contract prescribed in Article 9-7-5, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "person having a specified relationship (which means any person having a specified relationship as prescribed in Article 103 [including the cases where it is applied mutatis mutandis pursuant to Article 272-13, paragraph (2); the same shall apply in the following Article] or any person having a special relationship as prescribed in Article 194, who is not an insurance holding company or a small-sum, short term insurance holding company (hereinafter referred to as an 'insurance holding company, etc.' in this Article and Article 301-2) for which said insurance company, etc. or foreign insurance company, etc. is a subsidiary company, nor a subsidiary company (excluding an insurance company, etc. or foreign insurance company, etc.) of said insurance holding company, etc., nor a person engaged in insurance business)" in Article 300, paragraph (1), item (viii) of the same Act shall be deemed to be replaced with "subsidiary company, etc. (which means a subsidiary company, etc. prescribed in Article 61-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act)"; the phrase "documents listed in the items of Article 4, paragraph (2), items of Article 187, paragraph (3) or items of

Article 272-2, paragraph (2)" in Article 300, paragraph (2) of the same Act shall be deemed to be replaced with "the articles of association, or mutual aid rules prescribed in Article 9-6-2, paragraph (1) of the Small and Medium-Sized Enterprise Cooperatives Act, or fire mutual aid rules prescribed in Article 27-2, paragraph (3) of the same Act"; the term "Prime Minister" in Article 305 and Article 306 of the same Act shall be deemed to be replaced with "administrative agency"; the term "Prime Minister" in Article 307, paragraph (1) of the same Act shall be deemed to be replaced with "administrative agency"; the phrase "when a specified insurance solicitor or an insurance broker falls under any of the following items, may rescind the registration set forth in Article 276 or Article 286, or may" in the same provisions shall be deemed to be replaced with "when a specified insurance solicitor or an insurance broker falls under item (iii), may"; and the phrase "all or part of the operations" in the same provisions shall be deemed to be replaced with "solicitation of mutual aid contracts."

- 3 金融商品取引法（昭和二十三年法律第二十五号）第三章第一節第五款（第三十四条の二第六項から第八項まで並びに第三十四条の三第五項及び第六項を除く。）（特定投資家）及び第四十五条（第三号及び第四号を除く。）（雑則）の規定は共済事業を行う協同組合が行う特定共済契約（金利、通貨の価格、同法第二条第十四項に規定する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損失が生ずるおそれ（当該共済契約が締結されることにより利用者の支払うこととなる共済掛金の合計額が、当該共済契約が締結されることにより当該利用者の取得することとなる第五十八条第六項に規定する共済金等の合計額を上回ることとなるおそれをいう。）がある共済契約として主務省令で定めるものをいう。以下この項において同じ。）の締結について、同章第二節第一款（第三十五条から第三十六条の四まで、第三十七条第一項第二号、第三十七条の二、第三十七条の三第一項第二号及び第六号並びに第三項、第三十七条の五、第三十七条の六、第三十八条第一号及び第二号、第三十八条の二、第三十九条第三項ただし書及び第五項、第四十条の二並びに第四十条の三を除く。）（通則）の規定は共済事業を行う協同組合又は共済代理店が行う特定共済契約の締結又はその代理若しくは媒介について、それぞれ準用する。この場合において、これらの規定中「金融商品取引契約」とあるのは「特定共済契約」と、「金融商品取引業」とあるのは「特定共済契約の締結又はその代理若しくは媒介の事業」と、これらの規定（同法第三十九条第三項 本文の規定を除く。）中「内閣府令」とあるのは「主務省令」と、これらの規定（同法第三十四条の規定を除く。）中「金融商品取引行為」とあるのは「特定共済契約の締結」と、同法第三十四条中「顧客を相手方とし、又は顧客のために金融商品取引行為（第二条第八項各号に掲げる行為をいう。以下同じ。）を行うことを内容とする契約」とあるのは「中小企業等協同組合法第九条の七の五第三項に規定する特定共済契約」と、同法第三十七条の三第一項中「締結しようとするとき」とあるのは「締結しようとするとき、又はその締結の代理若しくは媒介を行うとき」と、「次に掲げる事項」とあるのは「次に掲げる事項その他中小企業等協同組合法第九条の七の五第二項において読み替えて準用する保険業法第三百条第一項第一号に規定する共

済契約の契約条項のうち重要な事項」と、同項第一号 中「金融商品取引業者等」とあるのは「共済事業を行う協同組合（中小企業等協同組合法第九条の七の五第一項に規定する共済事業を行う協同組合をいう。以下この号において同じ。）又は当該共済代理店（同条第二項に規定する共済代理店をいう。）がその委託を受けた共済事業を行う協同組合」と、同法第三十九条第一項第一号中「有価証券の売買その他の取引（買戻価格があらかじめ定められている買戻条件付売買その他の政令で定める取引を除く。）又はデリバティブ取引（以下この条において「有価証券売買取引等」という。））」とあるのは「特定共済契約の締結」と、「有価証券又はデリバティブ取引（以下この条において「有価証券等」という。））」とあるのは「特定共済契約」と、「顧客（信託会社等（信託会社又は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。以下同じ。）が、信託契約に基づいて信託をする者の計算において、有価証券の売買又はデリバティブ取引を行う場合にあつては、当該信託をする者を含む。以下この条において同じ。））」とあるのは「利用者」と、「損失」とあるのは「損失（当該特定共済契約が締結されることにより利用者の支払う共済掛金の合計額が当該特定共済契約が締結されることにより当該利用者の取得する共済金等（中小企業等協同組合法第五十八条第六項に規定する共済金等をいう。以下この号において同じ。）の合計額を上回る場合における当該共済掛金の合計額から当該共済金等の合計額を控除した金額をいう。以下この条において同じ。））」と、「補足するため」とあるのは「補足するため、当該特定共済契約によらないで」と、同項第二号及び第三号中「有価証券売買取引等」とあるのは「特定共済契約の締結」と、「有価証券等」とあるのは「特定共済契約」と、同項第二号中「追加するため」とあるのは「追加するため、当該特定共済契約によらないで」と、同項第三号中「追加するため、」とあるのは「追加するため、当該特定共済契約によらないで」と、同条第二項中「有価証券売買取引等」とあるのは「特定共済契約の締結」と、同条第三項中「原因となるものとして内閣府令で定めるもの」とあるのは「原因となるもの」と、同法第四十五条第二号中「第三十七条の二から第三十七条の六まで、第四十条の二第四項及び第四十三条の四」とあるのは「第三十七条の三（第一項各号に掲げる事項に係る部分に限り、同項第二号及び第六号並びに第三項を除く。）及び第三十七条の四」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

- (3) The provisions of Chapter III, Section 1, Subsection 5 (excluding Article 34-2, paragraphs (6) to (8) and Article 34-3, paragraph (5) and paragraph (6)) (Professional Investors) and Article 45 (excluding item (iii) and item (iv)) (Miscellaneous Provisions) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) shall apply mutatis mutandis to the conclusion of a specified mutual aid contract (which means a mutual aid contract specified by an ordinance of the competent ministry as one which carries the risk of incurring a loss [which means the risk that the total amount of mutual aid premiums to be paid by the user as a result of the conclusion of said mutual aid contract would exceed the total amount of mutual aid money, etc. prescribed in Article 58, paragraph (6) to be acquired by said user as a result of the conclusion of said mutual aid contract] due to

fluctuations in the money rate, value of currencies, quotations on the financial instruments market prescribed in Article 2, paragraph (14) of the same Act, and other indicators; hereinafter the same shall apply in the following paragraph) by a cooperative engaged in mutual aid activities; and the provisions of Section 1, Subsection 1 of the same Chapter (excluding Articles 35 to 36-4, Article 37, paragraph (1), item (ii), Article 37-2, Article 37-3, paragraph (1), item (ii) and item (vi) and paragraph (3), Article 37-5, Article 37-6, Article 38, item (i) and item (ii), Article 38-2, the proviso to Article 39, paragraph (3), Article 39, paragraph (5), Article 40-2, and Article 40-3) (General Rules) shall apply mutatis mutandis to the conclusion of a specified mutual aid contract by a cooperative engaged in mutual aid activities or a mutual aid agent or to acting as an agent or intermediary therefor. In this case, the term "contract for a financial instruments transaction" in these provisions shall be deemed to be replaced with "specified mutual aid contract"; the term "financial instruments business" in these provisions shall be deemed to be replaced with "conclusion of a specified mutual aid contract or acting as an agent or intermediary therefor"; the term "Cabinet Office Ordinance" in these provisions (excluding the provisions of the main clause of Article 39, paragraph (3) of the same Act) shall be deemed to be replaced with "ordinance of the competent ministry"; the term "financial instruments business act" in these provisions (excluding the provisions of Article 34 of the same Act) shall be deemed to be replaced with "conclusion of a specified mutual aid contract"; the phrase "contract to conduct financial instruments business acts (meaning acts listed in each item of Article 2, paragraph (8); the same shall apply hereinafter) with a customer as the other party or on behalf of a customer" in Article 34 of the same Act shall be deemed to be replaced with "specified mutual aid contract prescribed in Article 9-7-5, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act"; the phrase "intends to conclude a contract for a financial instruments transaction" in Article 37-3, paragraph (1) of the same Act shall be deemed to be replaced with "intends to conclude a contract for a financial instruments transaction, or acts as an agent or intermediary for such conclusion"; the term "the following matters" in the same paragraph shall be deemed to be replaced with "the following matters and other important matters out of the provisions of the mutual aid contract prescribed in Article 300, paragraph (1), item (i) of the Insurance Business Act as applied mutatis mutandis by replacing terms pursuant to Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act"; the term "financial instruments business operator, etc." in item (i) of the same paragraph shall be deemed to be replaced with "cooperative engaged in mutual aid activities (which means a cooperative engaged in mutual aid activities prescribed in Article 9-7-5, paragraph (1) of the Small and Medium-Sized Enterprise Cooperatives Act; hereinafter the same shall apply) or the cooperative for which said mutual aid

agent (which means a mutual aid agent prescribed in paragraph (2) of the same Article) carries out mutual aid activities under entrustment"; the phrase "sales and purchase or any other transaction of securities (excluding sales and purchase on condition of repurchase for which the repurchase price is set in advance or other transactions designated by a Cabinet Order) or transaction of derivatives (hereinafter referred to as 'sales and purchase or transaction of securities, etc.' in this Article)" in Article 39, paragraph (1), item (i) of the same Act shall be deemed to be replaced with "conclusion of a specified mutual aid contract"; the phrase "securities or transaction of derivatives (hereinafter referred to as 'securities, etc.' in this Article)" in the same item shall be deemed to be replaced with "specified mutual aid contract"; the phrase "customer (in the case where a trust company, etc. [meaning a trust company or financial institution that has obtained approval under Article 1, paragraph (1) of the Act on Provision, etc. of Trust Business by Financial Institutions; the same shall apply hereinafter] conducts the sales and purchase of securities or transaction of derivatives for the account of the person who sets up a trust under a trust contract, including such person who sets up the trust; hereinafter the same shall apply in this Article)" in the same item shall be deemed to be replaced with "user"; the term "loss" in the same item shall be deemed to be replaced with "loss (which means, in the case where the total amount of mutual aid premiums to be paid by the user as a result of the conclusion of said specified mutual aid contract exceeds the total amount of mutual aid money, etc. [which means mutual aid money, etc. prescribed in Article 58, paragraph (6) of the Small and Medium-Sized Enterprise Cooperatives Act; hereinafter the same shall apply in this item] to be acquired by said user as a result of the conclusion of said specified mutual aid contract, the amount obtained by deducting the total amount of said mutual aid money, etc. from the total amount of said mutual aid premiums; hereinafter the same shall apply in this Article)"; the phrase "property benefit will be provided to the customer or such third party in order for the financial instruments business operator, etc. or the third party to compensate or make up for" in the same item shall be deemed to be replaced with "property benefit will be provided to the customer or such third party, separately from said specified mutual aid contract, in order for the financial instruments business operator, etc. or the third party to compensate or make up for"; the term "sales and purchase or transaction of securities, etc." in item (ii) and item (iii) of the same paragraph shall be deemed to be replaced with "conclusion of a specified mutual aid contract"; the term "securities, etc." in the same provisions shall be deemed to be replaced with "specified mutual aid contract"; the phrase "property benefit will be provided to the customer in order for the financial instruments business operator, etc. or such third party to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to" in item (ii) of the same

paragraph shall be deemed to be replaced with "property benefit will be provided to the customer, separately from said specified mutual aid contract, in order for the financial instruments business operator, etc. or such third party to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to"; the phrase "providing property benefit to a customer or a third party or having a third party provide it to a customer, with regard to the sales and purchase or transaction of securities, etc., in order to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to" in item (iii) of the same paragraph shall be deemed to be replaced with "providing property benefit to a customer or a third party, separately from said specified mutual aid contract, or having a third party provide it to a customer, with regard to the sales and purchase or transaction of securities, etc., in order to compensate for the whole or part of a loss incurred by the customer from the relevant securities, etc. or make an addition to"; the term "sales and purchase or transaction of securities, etc." in paragraph (2) of the same Article shall be deemed to be replaced with "conclusion of a specified mutual aid contract"; the phrase "that is designated by a Cabinet Office Ordinance as a potential cause" in paragraph (3) of the same Article shall be deemed to be replaced with "that is a potential cause"; the phrase "Articles 37-2 to 37-6, Article 40-2, paragraph (4), and Article 43-4" in Article 45, item (ii) of the same Act shall be deemed to be replaced with "Article 37-3 (limited to the portions pertaining to the matters listed in the items of paragraph (1), and excluding item (ii) and item (vi) of the same paragraph and paragraph (3)) and Article 37-4"; and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

第九条の八 (信用協同組合)

Article 9-8 (Credit Cooperatives)

1 信用協同組合は、次の事業を行うものとする。

(1) A credit cooperative shall conduct the following activities:

一 組合員に対する資金の貸付け

(i) Loan of funds to partner

二 組合員のためにする手形の割引

(ii) Discounting of bills for partner

三 組合員の預金又は定期積金の受入れ

(iii) Acceptance of deposits or installment savings of partner

四 前三号の事業に附帯する事業

(iv) Activities incidental to the activities set forth in the preceding three items

2 信用協同組合は、前項の事業のほか、次の事業を併せ行うことができる。

(2) Other than the activities set forth in the preceding paragraph, a credit cooperative may additionally conduct the following activities:

- 一 為替取引
- (i) Exchange transactions
- 二 国、地方公共団体その他営利を目的としない法人（以下この項において「国等」という。）の預金の受入れ
- (ii) Acceptance of deposits from the State, local public entities and other not-for-profit juridical persons (hereinafter referred to as "the State, etc." in this paragraph)
- 三 組合員と生計を一にする配偶者その他の親族（以下この項において「配偶者等」という。）の預金又は定期積金の受入れ
- (iii) Acceptance of deposits or installment savings from the spouse or other relatives who share the same livelihood with partner (hereinafter referred to as "the spouse, etc." in this paragraph)
- 四 組合員以外の者（国等及び配偶者等を除く。）の預金又は定期積金の受入れ
- (iv) Acceptance of deposits or installment savings from non-partner (excluding the State, etc. or the spouse, etc.)
- 五 組合員以外の者に対する資金の貸付け（手形の割引を含む。次条第一項第二号において同じ。）
- (v) Loan of funds (including discounting of bills; the same shall apply in paragraph (1), item (ii) of the following Article) to non-partner
- 六 債務の保証又は手形の引受け（組合員のためにするものその他の内閣府令で定めるものに限る。）
- (vi) Guarantee of obligations or acceptance of bills (limited to such activities as specified by a Cabinet Office Ordinance such as those conducted for partner)
- 七 有価証券（第十号に規定する証書をもって表示される金銭債権に該当するもの及び短期社債等を除く。第十号の二及び第十一号において同じ。）の売買（有価証券関連デリバティブ取引に該当するものを除く。）又は有価証券関連デリバティブ取引（投資の目的をもってするもの又は書面取次ぎ行為に限る。）
- (vii) Sale and purchase of securities (excluding those that are monetary claims that are indicated in the form of certificates as provided in item (x) and short term company bonds, etc.; hereinafter the same shall apply in item (x)-2 and item (xi)) (excluding such sale and purchase of securities that fall under the category of transactions of securities-related derivatives) or transactions of securities-related derivatives (limited to those carried out for the purpose of investment or to the intermediary service of securities transactions on receiving written orders)
- 八 有価証券の貸付け（組合員のためにするものその他の内閣府令で定めるものに限る。）
- (viii) Loan of securities (limited to such activities specified by a Cabinet Office Ordinance such as those conducted for partner)
- 九 国債、地方債若しくは政府保証債（以下この号において「国債等」という。）の引受け（売出しの目的をもってするものを除く。）又は当該引受けに係る国債等の

募集の取扱い

(ix) Underwriting (excluding that for the purpose of secondary distribution) of national government bonds, local government bonds, or government guaranteed bonds (hereinafter referred to as "national government bonds, etc.") or handling of solicitation of the national government bonds pertaining to said underwriting
十 金銭債権（譲渡性預金証書その他の内閣府令で定める証書をもって表示されるものを含む。）の取得又は譲渡

(x-i) Acquisition or transfer of monetary claims (including negotiable deposit certificates and other monetary claims indicated in the form of certificates which are specified by a Cabinet Office Ordinance)

十の二 特定目的会社が発行する特定社債（特定短期社債を除き、資産流動化計画において当該特定社債の発行により得られる金銭をもって指名金銭債権又は指名金銭債権を信託する信託の受益権のみを取得するものに限る。）その他これに準ずる有価証券として内閣府令で定めるもの（以下この号において「特定社債等」という。）の引受け（売出しの目的をもってするものを除く。）又は当該引受けに係る特定社債等の募集の取扱い

(x-ii) Underwriting (excluding that for the purpose of secondary distribution) of specified company bonds issued by a special purpose company (excluding specified short term company bonds, and limited to those for acquiring only nominative monetary claims or the beneficial interest in trust in which nominative monetary claims are entrusted by using the money gained through issuance of said specified company bonds under an asset liquidation plan) and other securities that are specified by a Cabinet Office Ordinance as those equivalent thereto (hereinafter referred to as "specified company bonds, etc." in this item) or handling of solicitation of the specified company bonds, etc. pertaining to said underwriting

十の三 短期社債等の取得又は譲渡

(x-iii) Acquisition or transfer of short term company bonds, etc.

十一 有価証券の私募の取扱い

(xi) Handling of private placement of securities

十二 信用協同組合、次条第一項第一号の事業を行う協同組合連合会、国民生活金融公庫その他内閣総理大臣の定める者の業務の代理又は媒介（内閣総理大臣の定めるものに限る。）

(xii) Acting as an agent or intermediary in carrying out the operations of a credit cooperative, a federation of cooperatives engaged in the activities set forth in paragraph (1), item (i) of the following Article, the National Life Finance Corporation, or any other person specified by the Prime Minister (limited to such activities specified by the Prime Minister)

十三 国、地方公共団体、会社等の金銭の収納その他金銭に係る事務の取扱い

(xiii) Receipt of money and handling of other monetary affairs for the State, local

public entities and companies, etc.

十四 有価証券、貴金属その他の物品の保護預り

(xiv-i) Safekeeping of securities, precious metals and any other articles

十四の二 振替業

(xiv-ii) Book-entry transfer business

十五 両替

(xv-i) Exchange of money

十五の二 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。次号において同じ。）であつて内閣府令で定めるもの（第十号に掲げる事業に該当するものを除く。）

(xv-ii) Transactions of derivatives (excluding those that fall under the category of transactions of securities-related derivatives; the same shall apply in the following item) which are specified by a Cabinet Office Ordinance (excluding those that fall under the activities set forth in item (x))

十六 デリバティブ取引（内閣府令で定めるものに限る。）の媒介、取次ぎ又は代理

(xvi) Intermediary, introducing brokerage or agency services for transactions of derivatives (limited to those specified by a Cabinet Office Ordinance)

十七 金利、通貨の価格、商品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これに類似する取引であつて、内閣府令で定めるもの（次号において「金融等デリバティブ取引」という。）（第十号及び第十五号の二に掲げる事業に該当するものを除く。）

(xvii) Transactions promising the payment or receipt of the amount of money calculated based on the difference between the numeric value, which has been agreed upon between the parties in advance as the interest rate, price of currency, price of goods or numeric value of another index, and the actual numeric value of such index at a certain time in the future, or transactions similar thereto, which are specified by a Cabinet Office Ordinance (referred to as "financial derivative transactions" in the following item) (excluding those that fall under the activities set forth in item (x) and item (xv)-2)

十八 金融等デリバティブ取引の媒介、取次ぎ又は代理（第十六号に掲げる事業に該当するもの及び内閣府令で定めるものを除く。）

(xviii) Acting as an intermediary, an introducing broker or an agent in carrying out financial derivative transactions (excluding such activities that fall under the activities set forth in item (xvi) and those specified by a Cabinet Office Ordinance)

十九 有価証券関連店頭デリバティブ取引（当該有価証券関連店頭デリバティブ取引に係る有価証券が第十号に規定する証書をもつて表示される金銭債権に該当するもの及び短期社債等以外のものである場合には、差金の授受によつて決済されるものに限る。次号において同じ。）（第七号に掲げる事業に該当するものを除く。）

(xix) Over-the-counter transactions of securities-related derivatives (limited to those that are settled by paying or receiving the differences, in the case where the securities subject to said over-the-counter transactions of securities-related derivatives fall under the category of monetary claims indicated in the form of certificates as prescribed in item (x) and those that are not short term company bonds, etc.; the same shall apply in the following item) (excluding those that fall under the activities set forth in item (vii))

二十 有価証券関連店頭デリバティブ取引の媒介、取次ぎ又は代理

(xx) Acting as an intermediary, an introducing broker or an agent in carrying out over-the-counter transactions of securities-related derivatives

二十一 前各号の事業に附帯する事業

(xxi) Activities incidental to the activities set forth in the preceding items

3 信用協同組合の前項第四号の事業に係る預金及び定期積金の合計額は、当該信用協同組合の預金及び定期積金の総額の百分の二十に相当する金額を超えてはならない。

(3) The total amount of deposits and installment savings pertaining to the activities set forth in item (iv) of the preceding paragraph of a credit cooperative shall not exceed an amount equivalent to twenty percent of the total amount of the deposits and installment savings of said credit cooperative.

4 信用協同組合は、第二項第五号の事業については、政令で定めるところにより、第一項第一号及び第二号の事業の遂行を妨げない限度において行わなければならない。

(4) A credit cooperative shall carry out the activities set forth in paragraph (2), item (v) within a limit so as not to obstruct the execution of the activities set forth in paragraph (1), item (i) and item (ii), pursuant to the provisions of a Cabinet Order.

5 第二項第十号の事業には同号に規定する証書をもって表示される金銭債権のうち有価証券に該当するものについて、同項第十号の三の事業には短期社債等について、金融商品取引法第二条第八項第一号から第六号まで及び第八号から第十号まで（定義）に掲げる行為を行う事業を含むものとする。

(5) The activities set forth in paragraph (2), item (x) shall include the activities of conducting the acts listed in Article 2, paragraph (8), items (i) to (vi) and items (viii) to (x) (Definitions) of the Financial Instruments and Exchange Act for those monetary claims indicated in the form of certificates as prescribed in the same item that fall under the category of securities, and the activities set forth in item (x-iii) of the same paragraph shall include such activities for short term company bonds, etc.

6 第二項及び前項において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(6) In paragraph (2) and the preceding paragraph, the meanings of the terms listed in the following items shall be as prescribed respectively in those items:

一 短期社債等 次に掲げるものをいう。

(i) Short Term company bonds, etc.-The following:

- イ 社債等の振替に関する法律（平成十三年法律第七十五号）第六十六条第一号（権利の帰属）に規定する短期社債
- (a) Short Term company bonds prescribed in Article 66, item (i) (Attribution of Rights) of the Act concerning Book-entry Transfer of Company Bonds and Other Securities, etc. (Act No. 75 of 2001)
- ロ 商工組合中央金庫法（昭和十一年法律第十四号）第三十三条ノ二（短期商工債の発行）に規定する短期商工債
- (b) Short Term commercial and industrial bonds prescribed in Article 33-2 (Issuance of Short Term Commercial and Industrial Bonds) of the Shoko Chukin Bank Act (Act No. 14 of 1999)
- ハ 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）第一百三十九条の十二第一項（短期投資法人債に係る特例）に規定する短期投資法人債
- (c) Short Term securities investment juridical person bonds prescribed in Article 139-12, paragraph (1) (Special Provisions on Short Term Securities Investment Juridical Person Bonds) of the Act on Securities Investment Trust and Securities Investment Corporations (Act No. 198 of 1951)
- ニ 信用金庫法（昭和二十六年法律第二百三十八号）第五十四条の四第一項（全国連合会の短期債の発行）に規定する短期債
- (d) Short Term bonds prescribed in Article 54-4, paragraph (1) (Issuance of Short Term Bonds of the National Federation) of the Shinkin Bank Act (Act No. 238 of 1951)
- ホ 保険業法第六十一条の十第一項（短期社債に係る特例）に規定する短期社債
- (e) Short Term company bonds prescribed in Article 61-10, paragraph (1) (Exceptions Concerning Short Term Company Bonds) of the Insurance Business Act
- ヘ 資産の流動化に関する法律（平成十年法律第百五号）第二条第八項（定義）に規定する特定短期社債
- (f) Specified short term company bonds prescribed in Article 2, paragraph (8) (Definitions) of the Act on Securitization of Assets (Act No. 105 of 1998)
- ト 農林中央金庫法（平成十三年法律第九十三号）第六十二条の二第一項（短期農林債の発行）に規定する短期農林債券
- (g) Short Term agriculture and forestry bonds prescribed in Article 62-2, paragraph (1) (Issuance of Short Term Agriculture and Forestry Bonds) of the Norinchukin Bank Act (Act No. 93 of 2001)
- チ その権利の帰属が社債等の振替に関する法律の規定により振替口座簿の記載又は記録により定まるものとされる外国法人の発行する債券（新株予約権付社債券の性質を有するものを除く。）に表示されるべき権利のうち、次に掲げる要件のすべてに該当するもの
- (h) Among the rights to be indicated on securities (excluding those that have the character of bonds with share options) issued by a foreign juridical person the

attribution of which rights is to be decided by the statement or record in the transfer account book pursuant to the provisions of the Act concerning Book-entry Transfer of Company, etc., those that satisfy all of the following requirements:

(1) 各権利の金額が一億円を下回らないこと。

1. The value of each right shall not be less than one hundred million yen.

(2) 元本の償還について、権利の総額の払込みのあつた日から一年未満の日とする確定期限の定めがあり、かつ、分割払の定めがないこと。

2. The principal shall be redeemed by a fixed due date that comes in less than one year from the date of payment of the total value of the rights, and shall not be redeemed in installment payments.

(3) 利息の支払期限を、(2)の元本の償還期限と同じ日とする旨の定めがあること。

3. The due date for the payment of interest shall be the same date as the due date for the redemption of the principal set forth in 2 above.

一の二 有価証券関連デリバティブ取引又は書面取次ぎ行為 それぞれ金融商品取引法第二十八条第八項第六号(定義)に規定する有価証券関連デリバティブ取引又は同法第三十三条第二項(金融機関の有価証券関連業の禁止等)に規定する書面取次ぎ行為をいう。

(i)-2 Over-the-counter transactions of securities-related derivatives and intermediary service of securities transactions on receiving written orders-Respectively, over-the-counter transactions of securities-related derivatives prescribed in Article 28, paragraph (8), item (vi) (Definitions) of the Financial Instruments and Exchange Act and intermediary service of securities transactions on receiving written orders prescribed in Article 33, paragraph (2) (Prohibition, etc. of Securities-Related Business by Financial Institutions) of the same Act

二 政府保証債 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社債その他の債券をいう。

(ii) Government guaranteed bonds-Company bonds and any other bonds for which the government guarantees the redemption of the principal and the payment of interest

二の二 特定目的会社、資産流動化計画、特定社債又は特定短期社債 それぞれ資産の流動化に関する法律第二条第三項、第四項、第七項又は第八項(定義)に規定する特定目的会社、資産流動化計画、特定社債又は特定短期社債をいう。

(ii)-2 Special purpose company, asset liquidation plan, specified company bonds, and specified short term company bonds-Respectively, the special purpose company, asset liquidation plan, specified company bonds, and specified short term company bonds prescribed in Article 2, paragraph (3), paragraph (4), paragraph (7) and paragraph (8) (Definitions) of the Act on Securities of Assets

三 有価証券の私募の取扱い 有価証券の私募（金融商品取引法第二条第三項（定義）に規定する有価証券の私募をいう。）の取扱いをいう。

(iii) Handling of private placement of securities-Handling of private placement of securities (which means private placement of securities prescribed in Article 2, paragraph (3) (Definitions) of the Financial Instruments and Exchange Act)

三の二 振替業 社債等の振替に関する法律第二条第四項（定義）の口座管理機関として行う振替業をいう。

(iii)-2 Book-entry transfer business- Book-entry transfer business conducted as an account management institution set forth in Article 2, paragraph (4) (Definitions) of the Act concerning Book-entry Transfer of Company Bonds and Other Securities, etc.

三の三 デリバティブ取引 金融商品取引法第二条第二十項（定義）に規定するデリバティブ取引をいう。

(iii)-3 Transactions of derivatives-Transactions of derivatives prescribed in Article 2, paragraph (20) (Definitions) of the Financial Instruments and Exchange Act

四 有価証券関連店頭デリバティブ取引 金融商品取引法第二十八条第八項第四号（定義）に掲げる行為をいう。

(iv) Transactions of securities-related derivatives-Transactions of securities-related derivatives prescribed in Article 28, paragraph (8), item (iv) (Definitions) of the Financial Instruments and Exchange Act

7 信用協同組合は、第一項及び第二項の規定により行う事業のほか、第一項第一号から第三号までの事業の遂行を妨げない限度において、金融商品取引法第三十三条第二項各号（金融機関の有価証券関連業の禁止等）に掲げる有価証券又は取引について、同項各号に定める行為を行う事業（第二項の規定により行う事業を除く。）を行うことができる。

(7) In addition to the activities conducted pursuant to the provisions of paragraph (1) and paragraph (2), a credit cooperative may carry out the activities of conducting the acts specified in the items of Article 33, paragraph (2) (Prohibition, etc. of Securities-related Business by Financial Institutions) of the Financial Instruments and Exchange Act (excluding the activities conducted pursuant to the provisions of paragraph (2)) with regard to securities and transactions listed in the items of the same paragraph, within a limit of not obstructing the execution of the activities set forth in paragraph (1), items (i) to (iii).

8 信用協同組合は、第一項及び第二項の規定により行う事業のほか、第一項第一号から第三号までの事業の遂行を妨げない限度において、次に掲げる事業を行うことができる。

(8) In addition to the activities conducted pursuant to the provisions of paragraph (1) and paragraph (2), a credit cooperative may carry out the following activities, within a limit of not obstructing the execution of the activities set forth in paragraph (1), items (i) to (iii):

- 一 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）により行う同法第一条第一項（兼営の認可）に規定する信託業務に係る事業
 - (i) Activities pertaining to trust business prescribed in Article 1, paragraph (1) (Approval of Provision of Trust Business) of the Act on Provision, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943) pursuant to the same Act
 - 二 信託法（平成十八年法律第百八号）第三条第三号（信託の方法）に掲げる方法によつてする信託に係る事務に関する事業
 - (ii) Activities related to the affairs pertaining to a trust created by a method set forth in Article 3, item (iii) (Methods of Trust) of the Trust Act (Act No. 108 of 2006)
- 9 信用協同組合は、第一項及び第二項の規定により行う事業のほか、第一項第一号から第三号までの事業の遂行を妨げない限度において、組合員、地方公共団体その他内閣府令で定める者のために、次の事業を行うことができる。
- (9) In addition to the activities conducted pursuant to the provisions of paragraph (1) and paragraph (2), a credit cooperative may carry out the following activities for partner, local public entities, and other persons specified by a Cabinet Office Ordinance, within a limit of not obstructing the execution of the activities set forth in paragraph (1), items (i) to (iii).
- 一 地方債又は社債その他の債券の募集又は管理の受託
 - (i) Acceptance of entrustment for solicitation or management of local government bonds, company bonds or any other bonds
 - 二 担保付社債信託法（明治三十八年法律第五十二号）により行う担保付社債に関する信託事業
 - (ii) Trust business concerning secured bonds conducted pursuant to the Secured Bonds Trust Act (Act No. 52 of 1905)
- 10 信用協同組合は、第八項第二号に掲げる事業及び前項に規定する事業に関しては、信託業法（平成十六年法律第百五十四号）、担保付社債信託法その他の政令で定める法令の適用については、政令で定めるところにより、会社又は銀行とみなす。この場合においては、信託業法第十四条第二項ただし書（商号）の規定は、適用しない。
- (10) With regard to the application of the Trust Business Act (Act No. 154 of 2004), the Secured Bonds Trust Act and any other laws and ordinances specified by a Cabinet Order regarding the activities set forth in paragraph (8), item (ii) and the activities prescribed in the preceding paragraph, a credit cooperative shall be deemed to be a company or a bank, pursuant to the provisions of a Cabinet Order. In this case, the provisions of the proviso to Article 14, paragraph (2) (Trade Name) of the Trust Business Act shall not apply.

第九条の九（協同組合連合会）

Article 9-9 (Federation of Cooperatives)

- 1 協同組合連合会は、次の事業の一部を行うことができる。

- (1) A federation of cooperatives may conduct a part of the following activities:
- 一 会員の預金又は定期積金の受入れ
(i) Acceptance of deposits or installment savings of members
 - 二 会員に対する資金の貸付け及び会員のためにするその借入れ
(ii) Loan of funds to members and borrowing of such funds for members
 - 三 会員が火災共済事業を行うことによつて負う共済責任の再共済
(iii) Reinsurance of mutual aid liabilities borne by a member in the course of fire mutual aid activities
 - 四 生産、加工、販売、購買、保管、運送、検査その他協同組合連合会を直接又は間接に構成する者（以下「所属員」という。）の事業に関する共同事業
(iv) Production, processing, sales, purchase, storage, transport, inspection and other joint activities related to the business of persons directly or indirectly constituting the federation of cooperatives (hereinafter referred to as "affiliates")
 - 五 所属員の福利厚生に関する事業
(v) Activities related to the welfare of affiliates
 - 六 所属員の事業に関する経営及び技術の改善向上又は組合事業に関する知識の普及を図るための教育及び情報の提供に関する事業
(vi) Activities related to the education and offer of information for achieving an improvement of the management and technology concerning the business of affiliates and the dissemination of knowledge concerning the cooperatives' activities
 - 七 所属員の新たな事業の分野への進出の円滑化を図るための新商品若しくは新技術の研究開発又は需要の開拓に関する事業
(vii) Activities related to research and development with regard to new products or new technology or the cultivation of demand for facilitating affiliates to advance into new business fields
 - 八 所属員の経済的地位の改善のためにする団体協約の締結
(viii) Conclusion of collective agreements for improving the economic status of affiliates
 - 九 前各号の事業に附帯する事業
(ix) Activities incidental to the activities set forth in the preceding items
- 2 前項第一号の事業を行う協同組合連合会は、同項の規定にかかわらず、同項第一号及び第二号の事業並びにこれに附帯する事業並びに第六項に規定する事業のほか、他の事業を行うことができない。
- (2) A federation of cooperatives engaged in the activities set forth in item (i) of the preceding paragraph may not conduct activities other than the activities set forth in item (i) and item (ii) of the same paragraph and activities incidental thereto and the activities prescribed in paragraph (6), notwithstanding the provisions of the preceding paragraph.
- 3 第一項第三号の事業を行う協同組合連合会は、同項の規定にかかわらず、同項第二

号及び第三号の事業並びに会員たる火災共済協同組合と連帯して行う火災共済契約に係る共済責任の負担並びにこれらに附帯する事業のほか、他の事業を行うことができない。

(3) A federation of cooperatives engaged in the activities set forth in paragraph (1), item (iii) may not conduct activities other than the activities set forth in item (ii) and item (iii) of the same paragraph and the bearing of mutual aid liabilities pertaining to fire mutual aid contracts in a joint manner with member fire mutual aid cooperatives, and activities incidental thereto, notwithstanding the provisions of the same paragraph.

4 第一項第五号の規定により共済事業を行う協同組合連合会であつてその会員たる組合の組合員の総数が政令で定める基準を超えるもの又はその所属員たる組合が共済事業を行うことによつて負う共済責任の再共済又は再共済責任の再再共済の事業を行うもの（以下「特定共済組合連合会」という。）は、同項の規定にかかわらず、共済事業及び同項第二号の事業並びにこれらに附帯する事業並びに次項において準用する第九条の二第六項に規定する事業のほか、他の事業を行うことができない。ただし、主務省令で定めるところにより、行政庁の承認を受けたときは、この限りでない。

(4) A federation of cooperatives engaged in mutual aid activities pursuant to the provisions of paragraph (1), item (v) for which the total number of partner of its member cooperatives exceeds the standard specified by a Cabinet Order or which is engaged in the activities of the reinsurance of mutual aid liabilities or the retrocession of reinsurance liabilities borne by affiliate cooperatives in the course of mutual aid activities (hereinafter referred to as "specified federation of mutual aid associations") may not conduct activities other than mutual aid activities and the activities set forth in item (ii) of the same paragraph, and activities incidental thereto, and the activities prescribed in Article 9-2, paragraph (6) as applied mutatis mutandis pursuant to the following paragraph, notwithstanding the provisions of paragraph (1); provided, however, that this shall not apply when it has obtained the approval of an administrative agency pursuant to the provisions of an ordinance of the competent ministry.

5 協同組合連合会（第一項第一号又は第三号の事業を行うものを除く。）については、第九条の二第二項から第十五項まで（第七項及び第九項（事業協同小組合に係る部分に限る。）を除く。）、第九条の二の二から第九条の七まで及び第九条の七の五の規定を準用する。この場合において、第九条の二第九項中「組合員並びに組合員と生計を一にする親族及び組合員たる組合を直接又は間接に構成する者であつて小規模の事業者であるもの」とあるのは、「会員並びに所属員たる小規模の事業者及び所属員たる小規模の事業者と生計を一にする親族」と読み替えるものとする。

(5) With regard to a federation of cooperatives (excluding that engaged in the activities set forth in paragraph (1), item (i) or item (iii)), the provisions of Article 9-2, paragraphs (2) to (15) (excluding paragraph (7) and paragraph (9) [limited to the portions pertaining to minor business cooperatives]), Articles 9-2-2 to 9-7, and

Article 9-7-5 shall apply mutatis mutandis. In this case, the term "partner, relatives who share the same livelihood with partner, and small-scale entrepreneurs who directly or indirectly constitute member cooperatives" in Article 9-2, paragraph (9) shall be deemed to be replaced with "partner, affiliate small-scale entrepreneurs, and relatives who share the same livelihood with affiliate small-scale entrepreneurs."

6 第一項第一号の事業を行う協同組合連合会は、次の事業を行うことができる。この場合において、第二号から第五号までの事業については、同項第一号及び第二号の事業の遂行を妨げない限度において行わなければならない。

(6) A federation of cooperatives engaged in the activities set forth in paragraph (1), item (i) may conduct the following activities. In this case, the activities set forth in items (ii) to (v) shall be conducted within a limit of not obstructing the execution of the activities set forth in item (i) and item (ii) of the same paragraph.

一 前条第二項第一号、第二号及び第四号から第二十一号までの事業

(i) Activities set forth in paragraph (2), item (ii), item (ii), and items (iv) to (xxi) of the preceding Article

二 金融商品取引法第三十三条第二項各号（金融機関の有価証券関連業の禁止等）に掲げる有価証券又は取引について、同項各号に定める行為を行う事業（前号の事業を除く。）

(ii) Activities conducting the acts specified in the items of Article 33, paragraph (2) (Prohibition, etc. of Securities-related Business by Financial Institutions) of the Financial Instruments and Exchange Act (excluding the activities set forth in the preceding item) with regard to securities and transactions listed in the items of the same paragraph

三 金融機関の信託業務の兼営等に関する法律により行う同法第一条第一項（兼営の認可）に規定する信託業務に係る事業

(iii) Activities pertaining to trust business prescribed in Article 1, paragraph (1) (Approval of Provision of Trust Business) of the Act on Provision, etc. of Trust Business by Financial Institutions pursuant to the same Act

四 信託法第三条第三号（信託の方法）に掲げる方法によつてする信託に係る事務に関する事業

(iv) Activities related to the affairs pertaining to a trust created by a method set forth in Article 3, item (iii) (Methods of Trust) of the Trust Act

五 前条第九項各号の事業

(iv) Activities set forth in the items of paragraph (9) of the preceding Article

7 第一項第一号の事業を行う協同組合連合会については、前条第三項から第六項まで及び第十項の規定を準用する。この場合において、同条第四項中「第一項第一号及び第二号」とあるのは「次条第一項第二号」と、同条第十項中「第八項第二号に掲げる事業及び前項に規定する」とあるのは「次条第六項第四号及び第五号に掲げる」と読み替えるものとする。

(7) With regard to a federation of cooperatives engaged in the activities set forth in paragraph (1), item (i), the provisions of paragraphs (3) to (6) and paragraph (10) of the preceding Article shall apply mutatis mutandis. In this case, the phrase "paragraph (1), item (i) and item (ii)" in paragraph (4) of the same Article shall be deemed to be replaced with "paragraph (1), item (ii) of the following Article" and the phrase "the activities set forth in paragraph (8), item (ii) and the activities prescribed in the preceding paragraph" in paragraph (10) of the same Article shall be deemed to be replaced with "the activities set forth in paragraph (6), item (iv) and item (v) of the following Article."

8 第一項第三号の事業を行う協同組合連合会については、第九条の六の三第一項前段及び第九条の七の五の規定を準用する。

(8) With regard to a federation of cooperatives engaged in the activities set forth in paragraph (1), item (iii), the provisions of the first sentence of Article 9-6-3, paragraph (1) and Article 9-7-5 shall apply mutatis mutandis.

第九条の十 (企業組合)

Article 9-10 (Joint Enterprise Cooperatives)

企業組合は、商業、工業、鉱業、運送業、サービス業その他の事業を行うものとする。

A joint enterprise cooperative shall engage in a commercial business, industrial business, mining business, transport business, service business or any other business.

第九条の十一

Article 9-11

1 企業組合の総組合員の二分の一以上の数の組合員（特定組合員を除く。次項から第四項までにおいて同じ。）は、企業組合の行う事業に従事しなければならない。

(1) Partner (excluding specified partner; the same shall apply in the following paragraph to paragraph (4)) of or more one-half of all partner of a joint enterprise cooperative shall engage in the business conducted by the joint enterprise cooperative.

2 企業組合の行う事業に従事する者の三分の一以上は、組合員でなければならない。

(2) Or more one-third of the persons engaged in the business conducted by a joint enterprise cooperative shall be partner.

3 企業組合の組合員は、総会の承認を得なければ、自己又は第三者のために企業組合の行う事業の部類に属する取引をしてはならない。

(3) Partner of a joint enterprise cooperative shall not carry out transactions in the same category of business as that conducted by the joint enterprise cooperative either for themselves or for third parties, without obtaining the approval of the general meeting.

4 組合員が前項の規定に違反して自己のために取引をしたときは、企業組合は、総会の議決により、これをもつて企業組合のためにしたものとみなすことができる。

(4) When a member has carried out transactions for himself/herself in violation of the provisions set forth in the preceding paragraph, a joint enterprise cooperative may, based on a resolution of the general meeting, deem said transactions to have been carried out for the joint enterprise cooperative.

5 前項に定める権利は、他の組合員の一人がその取引を知った時から二月間行使しないときは、消滅する。取引の時から一年を経過したときも同様である。

(5) The right prescribed in the preceding paragraph shall lapse if it remains unexercised for two months from the time when another member learned about said transactions. The same shall apply when one year has elapsed from the time of said transactions.

6 企業組合の特定組合員は、総会の承認を得なければ、企業組合の行う事業の部類に属する事業の全部又は一部を行ってはならない。

(6) Specified partner of a joint enterprise cooperative shall not carry out all or part of the transactions in the same category of business as that conducted by the joint enterprise cooperative, without obtaining the approval of the general meeting.

第三節 組合員

Section 3 Partner

第十条 (出資)

Article 10 (Contribution)

1 組合員は、出資一口以上を有しなければならない。

(1) A member shall offer or more one unit of contribution.

2 出資一口の金額は、均一でなければならない。

(2) The unit amount of contribution shall be equal.

3 一組合員の出資口数は、出資総口数の百分の二十五（信用協同組合にあつては、百分の十）を超えてはならない。ただし、次に掲げる組合員（信用協同組合の組合員を除く。）は、総会の議決に基づく組合の承諾を得た場合には、当該組合の出資総口数の百分の三十五に相当する出資口数まで保有することができる。

(3) The number of units of contribution per member shall not exceed twenty-five percent (ten percent in the case of a credit cooperative) of the total number of units of contribution; provided, however, that any of the following partner (excluding partner of a credit cooperative) may offer up to the number of units of contribution equivalent to thirty-five percent of the total number of units of contribution in the cooperative, when he/she has gained the approval of the cooperative based on a resolution of the general meeting:

一 持分の全部を譲り渡す他の組合員からその持分の全部又は一部を譲り受ける組合員

(i) A member receiving all or part of equity interest from another member who is transferring all of his/her equity interest

二 法人たる組合員の合併又は共同新設分割（法人が他の法人と共同してする新設分割をいう。以下同じ。）によつて成立した法人たる組合員で、当該合併により解散する法人たる組合員又は当該共同新設分割をする法人たる組合員の出資口数の全部又は一部に相当する出資口数を当該合併又は共同新設分割後一年以内に引き受けて組合に加入したもの

(ii) A member who is a juridical person formed by a merger or a joint formation-type split (which means a formation-type split jointly conducted by a juridical person with another juridical person; the same shall apply hereinafter) between partner who are juridical persons, which has joined the cooperative by offering the number of units of contribution equivalent to all or part of the number of units of contribution that had been offered by the member who is a juridical person dissolved by said merger or the partner who are juridical persons conducting said joint formation-type split, within one year from said merger or joint formation-type split

三 他の法人たる組合員との合併後存続する法人たる組合員又は吸収分割により他の法人たる組合員の事業を承継する法人たる組合員で、当該合併により解散する法人たる組合員又は当該吸収分割をする法人たる組合員の出資口数の全部又は一部に相当する出資口数を当該合併又は吸収分割後一年以内に引き受けるもの

(iii) A member who is a juridical person surviving a merger with another member who is a juridical person or a member who is a juridical person succeeding to the business of another member who is a juridical person through an absorption-type split, which offers the number of units of contribution equivalent to all or part of the number of units of contribution that had been offered by the member who is a juridical person dissolved by said merger or the partner who are juridical persons conducting said absorption-type split, within one year from said merger or absorption-type split

四 前号に掲げるもののほか、第十九条第一項各号の事由による組合員の脱退後一年以内に当該組合員の出資口数の全部又は一部に相当する出資口数を引き受ける組合員

(iv) In addition to what is listed in the preceding items, a member who, after the withdrawal of a member based on a ground set forth in any of the items of Article 19, paragraph (1), offers the number of units of contribution equivalent to all or part of the number of units of contribution that had been offered by the member who has withdrawn, within one year from the withdrawal

4 前項の規定は、組合員の数が三人以下の組合の組合員の出資口数については、適用しない。

(4) The provisions set forth in the preceding paragraph shall not apply to the number of units of contribution offered by a member of a cooperative with no more than three partners.

5 組合員の責任は、その出資額を限度とする。

(5) The liability of a member shall be limited to the amount of his/her contribution.

6 組合員は、出資の払込みについて、相殺をもつて組合に対抗することができない。

(6) A member may not duly assert a set-off against the cooperative for payment of contribution.

7 企業組合の出資総口数の過半数は、組合の行う事業に従事する組合員（特定組合員を除く。）が保有しなければならない。

(7) A majority of the total number of units of contribution in a joint enterprise cooperative shall be offered by partner (excluding specified partner) engaged in the business conducted by the cooperative.

第十条の二 （組合員名簿の作成、備置き及び閲覧等）

Article 10-2 (Preparation, Keeping, and Inspection of a Member Registry)

1 組合は、組合員名簿を作成し、各組合員について次に掲げる事項を記載し、又は記録しなければならない。

(1) A cooperative shall prepare a member registry and state or record the following matters with respect to each member:

一 氏名又は名称及び住所又は居所

(i) The name and the domicile or residence

二 加入の年月日

(ii) The date of joining

三 出資口数及び金額並びにその払込みの年月日

(iii) The number of units, the amount, and the payment date of the contribution

2 組合は、組合員名簿を主たる事務所に備え置かなければならない。

(2) A cooperative shall keep its member registry at its principal office.

3 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(3) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative shall not refuse the request without justifiable grounds.

一 組合員名簿が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) If the member registry has been prepared in the form of a paper document, a request for inspection or copying of said document

二 組合員名簿が電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるもので主務省令で定めるものをいう。以下同じ。）をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) If the member registry has been prepared in the form of an electromagnetic

record (which means a record created in an electronic form, magnetic form or any other form that may not be recognized by human senses, which is provided for use in information processing by computers and which is specified by an ordinance of the competent ministry; hereinafter the same shall apply), a request for inspection or copying of the matters recorded in said electromagnetic record that have been displayed by a method specified by an ordinance of the competent ministry

第十一条 (議決権及び選挙権)

Article 11 (Voting Right and Right to Elect)

1 組合員は、各々一個の議決権及び役員又は総代の選挙権を有する。

(1) Each member shall have a single voting right and the right to elect officers or representatives.

2 組合員は、定款の定めるところにより、第四十九条第一項の規定によりあらかじめ通知のあつた事項につき、書面又は代理人をもつて、議決権又は選挙権を行うことができる。この場合は、その組合員の親族若しくは使用人又は他の組合員でなければ、代理人となることができない。

(2) A member may, pursuant to the provisions of the articles of association, exercise his/her voting right or right to elect in writing or by proxy with regard to matters that have been notified in advance pursuant to the provisions of Article 49, paragraph (1). In this case, no person other than a relative or an employee of said member or another member may serve as a proxy.

3 組合員は、定款の定めるところにより、前項の規定による書面をもつてする議決権の行使に代えて、議決権を電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて主務省令で定めるものをいう。第三十三条第四項第三号を除き、以下同じ。）により行うことができる。

(3) A member may, pursuant to the provisions of the articles of association, exercise his/her voting right by electromagnetic means (which means a method using an electronic data processing system or any other method using information communications technology, which is specified by an ordinance of the competent ministry; the same shall apply hereinafter, except in Article 33, paragraph (4), item (iii)), in lieu of the exercise of the voting right in writing under the provisions of the preceding paragraph.

4 前二項の規定により議決権又は選挙権を行う者は、出席者とみなす。

(4) A person exercising a voting right or right to elect pursuant to the provisions of the preceding two paragraphs shall be deemed to be an attendant.

5 代理人は、五人以上の組合員を代理することができない。

(5) A proxy may not serve as a proxy for five or more partner.

6 代理人は、代理権を証する書面を組合に提出しなければならない。この場合において、電磁的方法により議決権を行うことが定款で定められているときは、当該書面の

提出に代えて、代理権を当該電磁的方法により証明することができる。

- (6) A proxy shall submit a document proving the power of proxy to the cooperative. In this case, if the exercise of a voting right by electromagnetic means is allowed pursuant to the provisions of the articles of association, the proxy may prove the power of proxy by electromagnetic means, in lieu of the submission of said document.

第十二条 (経費の賦課)

Article 12 (Imposition of Expenses)

- 1 組合（企業組合を除く。）は、定款の定めるところにより、組合員に経費を賦課することができる。
- (1) A cooperative (excluding a joint enterprise cooperative) may impose expenses on its partner, pursuant to the provisions of the articles of association.
- 2 前項の規定にかかわらず、共済事業を行う組合は、当該共済事業（これに附帯する事業を含む。）について、組合員に経費を賦課することができない。
- (2) Notwithstanding the provisions of the preceding paragraph, a cooperative engaged in mutual aid activities may not impose expenses on its partner with regard to said mutual aid activities (including activities incidental thereto).
- 3 組合員は、第一項の経費の支払について、相殺をもつて組合に対抗することができない。
- (3) A member may not duly assert a set-off against the cooperative for the payment of expenses under paragraph (1).

第十三条 (使用料及び手数料)

Article 13 (Use Fees and Commission Fees)

組合（企業組合を除く。）は、定款の定めるところにより、使用料及び手数料を徴収することができる。

A cooperative (excluding a joint enterprise cooperative) may collect use fees and commission fees pursuant to the provisions of the articles of association.

第十四条 (加入の自由)

Article 14 (Freedom to Join)

組合員たる資格を有する者が組合に加入しようとするときは、組合は、正当な理由がないのに、その加入を拒み、又はその加入につき現在の組合員が加入の際に付されたよりも困難な条件を付してはならない。

When a person qualified to be a member intends to join a cooperative, the cooperative shall not, without justifiable grounds, refuse said person membership or impose more difficult conditions on said person on becoming a member than those imposed when present partner joined the cooperative.

第十五条 (加入)

Article 15 (Membership)

組合に加入しようとする者は、定款の定めるところにより加入につき組合の承諾を得て、引受出資口数に応ずる金額の払込及び組合が加入金を徴収することを定めた場合にはその支払を了した時又は組合員の持分の全部又は一部を承継した時に組合員となる。

A person who intends to join a cooperative shall become a member when he/she has, after gaining the consent of the cooperative with regard to becoming a member pursuant to the provisions of the articles of association, completed the payment of the amount corresponding to the number of units of contribution he/she offers or, if the cooperative has rules for collecting an initial fee, the payment of said fee, or succeeded to all or part of the equity interest of a member.

第十六条

Article 16

1 死亡した組合員の相続人で組合員たる資格を有する者が組合に対し定款で定める期間内に加入の申出をしたときは、前条の規定にかかわらず、相続開始の時に組合員になつたものとみなす。この場合は、相続人たる組合員は、被相続人の持分について、死亡した組合員の権利義務を承継する。

(1) When the heir of a deceased member who is qualified to be a member has filed an application to join a cooperative within a period specified by the articles of association, he/she shall be deemed to have become a member at the time of the commencement of succession, notwithstanding the provisions of the preceding Article. In this case, the member who is an heir shall succeed to the rights and obligations of the deceased member with regard to the equity interest of the decedent.

2 死亡した組合員の相続人が数人あるときは、相続人の同意をもつて選定された一人の相続人に限り、前項の規定を適用する。

(2) When there are several heirs to a deceased member, the provisions set forth in the preceding paragraph shall apply only to a single heir who has been selected with the consent of the other heirs.

第十七条 (持分の譲渡)

Article 17 (Transfer of Equity Interest)

1 組合員は、組合の承諾を得なければ、その持分を譲り渡すことができない。

(1) No member may transfer his/her equity interest without the approval of the cooperative.

2 組合員でないものが持分を譲り受けようとするときは、加入の例によらなければならない。

(2) When a non-member intends to receive a transfer of equity interest, said transfer shall be governed by the same rules as those for membership.

3 持分の譲受人は、その持分について、譲渡人の権利義務を承継する。

(3) The transferee of equity interest shall succeed to the rights and obligations of the transferrer with regard to said equity interest.

4 組合員は、持分を共有することができない。

(4) No member shall jointly own equity interest.

第十八条 (自由脱退)

Article 18 (Voluntary Withdraw)

1 組合員は、九十日前までに予告し、事業年度の終において脱退することができる。

(1) A member may withdraw at the end of a business year by giving at least ninety days' advance notice.

2 前項の予告期間は、定款で延長することができる。ただし、その期間は、一年を超えてはならない。

(2) The period for advance notice set forth in the preceding paragraph may be extended by the articles of association; provided, however, that said period shall not exceed one year.

第十九条 (法定脱退)

Article 19 (Statutory Withdrawal)

1 組合員は、次の事由によつて脱退する。

(1) A member shall withdraw based on any of the following grounds:

一 組合員たる資格の喪失

(i) Loss of member qualification

二 死亡又は解散

(ii) Death or dissolution

三 除名

(iii) Expulsion

四 第七十七条から第九十九条までの規定による公正取引委員会の確定した排除措置命令

(iv) Final and binding cease and desist order by the Fair Trade Commission under the provisions of Articles 107 to 109

五 持分の全部の喪失（信用協同組合又は第九條の九第一項第一号の事業を行う協同組合連合会の組合員に限る。）

(v) Loss of the entire equity interest (limited to a credit cooperative or a member of a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i))

2 除名は、次に掲げる組合員につき、総会の議決によつてすることができる。この場合は、組合は、その総会の会日の十日前までに、その組合員に対しその旨を通知し、かつ、総会において、弁明する機会を与えなければならない。

(2) Any of the following partners may be expelled based on a resolution of the general meeting. In this case, the cooperative shall notify said member to that effect by ten

days prior to the day of the general meeting and give said member an opportunity to explain himself/herself at the general meeting.

一 長期間にわたって組合の事業を利用しない組合員

(i) A member who has not used the cooperative's services for a long time

二 出資の払込み、経費の支払その他組合に対する義務を怠った組合員又は第九条の十一第六項の規定に違反した特定組合員

(ii) A member who has failed to pay his/her contribution or expenses or perform any other obligation against the cooperative, or a specified member who has violated the provisions of Article 9-11, paragraph (6)

三 その他定款で定める事由に該当する組合員

(iii) Any other member who falls under any ground prescribed in the articles of association

3 除名は、除名した組合員にその旨を通知しなければ、これをもってその組合員に対抗することができない。

(3) Expulsion may not be duly asserted against the expelled member unless said member has been notified to that effect.

第二十条 (脱退者の持分の払戻)

Article 20 (Refund of Equity Interest of Withdrawn Member)

1 組合員は、第十八条又は前条第一項第一号から第四号までの規定により脱退したときは、定款の定めるところにより、その持分の全部又は一部の払戻を請求することができる。

(1) When a member has withdrawn pursuant to the provisions of Article 18 or paragraph (1), items (i) to (iv) of the preceding Article, he/she may claim a refund of all or part of his/her equity interest, pursuant to the provisions of the articles of association.

2 前項の持分は、脱退した事業年度の終における組合財産によつて定める。

(2) The equity interest set forth in the preceding paragraph shall be decided based on the cooperative's property at the end of the business year in which the member withdrew.

3 前項の持分を計算するにあたり、組合の財産をもってその債務を完済するに足りないときは、組合は、定款の定めるところにより、脱退した組合員に対し、その負担に帰すべき損失額の払込を請求することができる。

(3) When calculating the equity interest set forth in the preceding paragraph, if the cooperative's property is insufficient for paying the obligation in full, the cooperative may request the withdrawn member to pay the amount of loss that he/she is liable to bear, pursuant to the provisions of the articles of association.

第二十一条 (時効)

Article 21 (Prescription)

前条第一項又は第三項の規定による請求権は、脱退の時から二年間行わないときは、時効によつて消滅する。

The request under the provisions of paragraph (1) or paragraph (3) of the preceding Article shall lapse by prescription if it is not exercised for two years from the time of withdrawal.

第二十二條 (払戻の停止)

Article 22 (Suspension of Refund)

脱退した組合員が組合に対する債務を完済するまでは、組合は、持分の払戻を停止することができる。

A cooperative may suspend a refund of equity interest until the withdrawn member has completed the payment of his/her obligation to the cooperative.

第二十三條 (出資口数の減少)

Article 23 (Reduction of the Number of Units of Contribution)

1 組合員は、事業を休止したとき、事業の一部を廃止したとき、その他特にやむを得ない事由があると認められるときは、定款の定めるところにより、事業年度の終において、その出資口数を減少することができる。

(1) When a member has suspended his/her business or discontinued a part of his/her business, or when unavoidable circumstances are found to exist, the member may reduce the number of units of contribution at the end of the business year, pursuant to the provisions of the articles of association.

2 前項の場合については、第二十条及び第二十一条の規定を準用する。

(2) With regard to the case set forth in the preceding paragraph, the provisions of Article 20 and Article 21 shall apply mutatis mutandis.

第二十三條之二 (企業組合の組合員の所得に対する課税)

Article 23-2 (Imposition of Tax on the Income of Partner of a Joint Enterprise Cooperative)

企業組合の組合員（特定組合員を除く。）が企業組合の行う事業に従事したことによつて受ける所得のうち、企業組合が組合員以外の者であつて、企業組合の行う事業に従事するものに対して支払う給料、賃金、費用弁償、賞与及び退職給与並びにこれらの性質を有する給与と同一の基準によつて受けるものは、所得税法（昭和四十年法律第三十三号）の適用については、給与所得又は退職所得とする。

Out of the income received by a member (excluding a specified member) of a joint enterprise cooperative through engaging in the business conducted by the joint enterprise cooperative, the income received based on the same standards as those for the salaries, wages, reimbursement of expenses, bonuses, and retirement payments and remunerations having the same character thereto paid by the joint enterprise cooperative to non-partner who engage in the business conducted by the joint

enterprise cooperative shall be deemed to be employment income or retirement income with regard to the application of the Income Tax Act (Act No. 33 of 1965).

第二十三条の三 (事業協同小組合の組合員に対する助成)

Article 23-3 (Aid to Partner of a Minor Business Cooperative)

政府は、事業協同小組合の組合員に対し、税制上、金融上特別の措置を講じなければならない。

The government shall put in place special taxation and financial measures for partner of a minor business cooperative.

第四節 設立

Section 4 Formation

第二十四条 (発起人)

Article 24 (Founder)

1 事業協同組合、事業協同小組合、火災共済協同組合、信用協同組合又は企業組合を設立するには、その組合員（企業組合にあつては、特定組合員以外の組合員）になろうとする四人以上の者が、協同組合連合会を設立するには、その会員になろうとする二以上の組合が発起人となることを要する。

(1) In order to form a business cooperative, a minor business cooperative, a fire mutual aid cooperative, a credit cooperative or a joint enterprise cooperative, four or more persons who intend to become its partner (partner other than specified partner in the case of a joint enterprise cooperative) need to become founders, and in order to form a federation of cooperatives, two or more cooperatives that intend to become its partner need to become founders.

2 信用協同組合は、三百人以上の組合員がなければ設立することができない。

(2) A credit cooperative may only be formed with or more three hundred partner.

3 火災共済協同組合は、千人以上の組合員がなければ設立することができない。

(3) A fire mutual aid cooperative may only be formed with or more one thousand partner.

第二十五条 (共済事業を行う組合の出資の総額)

Article 25 (Total Amount of Contribution in a Cooperative Engaged in Mutual Aid Activities)

1 特定共済組合（再共済又は再再共済の事業を行うものを除く。）、火災共済協同組合又は特定共済組合連合会（再共済又は再再共済の事業を行うものを除く。）の出資の総額は、千万円以上でなければならない。

(1) The total amount of contribution in a specified mutual aid association (excluding one engaged in the activities of reinsurance or retrocession), a fire mutual aid cooperative, or a specified federation of mutual aid associations (excluding one

engaged in the activities of reinsurance or retrocession) shall not be less than ten million yen.

2 再共済若しくは再再共済の事業を行う特定共済組合又は特定共済組合連合会の出資の総額は、三千万円以上でなければならない。

(2) The total amount of contribution in a specified mutual aid association or a specified federation of mutual aid associations engaged in the activities of reinsurance or retrocession shall not be less than thirty million yen.

3 第九条の九第一項第三号の事業を行う協同組合連合会の出資の総額は、五千万円以上でなければならない。

(3) The total amount of contribution in a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) shall not be less than fifty million yen.

第二十六条 (火災共済協同組合の地区)

Article 26 (District of a Fire Mutual Aid Cooperative)

火災共済協同組合の地区は、第八条第三項の小規模の事業者を組合員の資格とするものにあつては一又は二以上の都道府県の区域の全部とし、定款で定める一の業種に属する事業を行う小規模の事業者を組合員の資格とするものにあつては全国とする。

The district of a fire mutual aid cooperative shall be the entire area of a single or two or more prefectures for one that qualifies membership for small-scale entrepreneurs set forth in Article 8, paragraph (3), and shall be nationwide for one that qualifies membership for small-scale entrepreneurs who are engaged in a business that belongs to one of the business types specified by the articles of association.

第二十六条の二

Article 26-2

1 都道府県の区域を地区とする火災共済協同組合の地区は、他の都道府県の区域を地区とする火災共済協同組合の地区と重複するものであつてはならない。

(1) The district of a fire mutual aid cooperative covering the area of a prefecture(s) shall not overlap with the district of a fire mutual aid cooperative covering the area of another prefecture(s).

2 第九条の九第一項第三号の事業を行う協同組合連合会は、火災共済協同組合をもつて組織し全国を通じて一個とする。

(2) A federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) shall consist of fire mutual aid cooperatives and there shall be only one such federation throughout the country.

第二十七条 (創立総会)

Article 27 (Organizational Meeting)

- 1 発起人は、定款を作成し、これを会議の日時及び場所とともに公告して、創立総会を開かなければならない。
- (1) Founder shall hold an organizational meeting after preparing the articles of association, and publicly notifying them together with the date and place of the meeting.
- 2 前項の公告は、会議開催日の少くとも二週間前までにしなければならない。
- (2) The public notice set forth in the preceding paragraph shall be given by at least two weeks prior to the date of the meeting.
- 3 発起人が作成した定款の承認、事業計画の設定その他設立に必要な事項の決定は、創立総会の議決によらなければならない。
- (3) The approval of the articles of association prepared by the founder, establishment of an activity plan and decisions on any other matters necessary for formation shall be based on decisions taken at the organizational meeting.
- 4 創立総会においては、前項の定款を修正することができる。ただし、地区及び組合員たる資格に関する規定については、この限りでない。
- (4) The articles of association set forth in the preceding paragraph may be amended at the organizational meeting; provided, however, that this shall not apply to provisions concerning the district and the membership qualifications.
- 5 創立総会の議事は、組合員たる資格を有する者でその会日までに発起人に対し設立の同意を申し出たものの半数以上が出席して、その議決権の三分の二以上で決する。
- (5) A decision at the organizational meeting shall be taken by or more two-thirds of the voting rights, with or more half of those who are qualified to be partner and who have given consent to the formation to the founders present, by the date of the meeting.
- 6 創立総会においてその延期又は続行の決議があつた場合には、第一項の規定による公告をすることを要しない。
- (6) When there has been a resolution for the postponement or adjournment of the organizational meeting, the public notice under the provisions of paragraph (1) shall not be required.
- 7 創立総会の議事については、主務省令で定めるところにより、議事録を作成しなければならない。
- (7) Minutes shall be taken with regard to the proceedings of the organizational meeting, pursuant to the provisions of an ordinance of the competent ministry.
- 8 創立総会については、第十一条の規定を、創立総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（第三十六条の三第四項に規定する組合であつて、その監事の監査の範囲を会計に関するものに限定する旨を定款で定めた組合（以下「監査権限限定組合」という。）にあつては、

監査役に係る部分を除く。)を準用する。

- (8) With regard to the organizational meeting, the provisions of Article 11 shall apply mutatis mutandis; and with regard to an action for declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the organizational meeting, Article 830, Article 831, Article 834 (limited to the portions pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Rescission of a Resolution of a Shareholders Meeting) (excluding the portions pertaining to company auditors in the case of a cooperative prescribed in Article 36-3, paragraph (4) of this Act whose articles of association provide that the scope of audits conducted by auditors shall be limited to those concerning accounting [hereinafter referred to as "cooperative limiting the audit authority"]) of the Companies Act shall apply mutatis mutandis.

第二十七条の二 (設立の認可)

Article 27-2 (Approval for Formation)

- 1 発起人は、創立総会終了後遅滞なく、定款並びに事業計画、役員の名及び住所その他必要な事項を記載した書面を、主務省令で定めるところにより、行政庁に提出して、設立の認可を受けなければならない。
- (1) The founders shall, without delay after the conclusion of the organizational meeting, submit the articles of association, activity plan, and documents stating the names and domiciles of the officers and other necessary matters to an administrative agency, pursuant to the provisions of an ordinance of the competent ministry, and obtain approval for the formation.
- 2 信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会の設立にあつては、発起人は、前項の書類のほか、業務の種類及び方法並びに常務に従事する役員の名を記載した書面その他主務省令で定める書面を提出しなければならない。
- (2) With regard to the formation of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i), the founders shall submit, in addition to the documents set forth in the preceding paragraph, a document stating the type and method of the operations and the names of the managing officers and any other documents specified by an ordinance of the competent ministry.
- 3 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会の設立にあつては、発起人は、第一項の書類のほか、火災共済事業の実施方法、共済契約、共済掛金及び責任準備金の額の算出方法に関して主務省令で定める事項を記載した書面(以下「火災共済規程」という。)、常務に従事する役員の名を記載した書面その他主務省令で定める書面を提出しなければならない。
- (3) With regard to the formation of a fire mutual aid cooperative or a federation of

cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), the founders shall submit, in addition to the documents set forth in paragraph (1), a document stating the matters specified by an ordinance of the competent ministry concerning the implementation method of the fire mutual aid activities, mutual aid contracts, mutual aid premiums, and the calculation method of the amount of liability reserve (hereinafter referred to as "fire mutual aid rules"), a document stating the names of the managing officers, and any other documents specified by an ordinance of the competent ministry.

4 行政庁は、前二項に規定する組合以外の組合の設立にあつては、次の各号のいずれかに該当する場合を除き、第一項の認可をしなければならない。

(4) With regard to the formation of a cooperative other than the cooperatives prescribed in the preceding two paragraphs, an administrative agency shall grant the approval under paragraph (1), except in either of the following cases:

一 設立の手續又は定款若しくは事業計画の内容が法令に違反するとき。

(i) When the formation procedures or the contents of the articles of association or activity plan are in violation of laws or regulations

二 事業を行うために必要な経営的基礎を欠く等その目的を達成することが著しく困難であると認められるとき。

(ii) When it is found to be very difficult for the cooperative to achieve its purpose, such as lacking the managerial basis necessary for conducting the activities

5 行政庁は、第二項に規定する組合の設立にあつては、次の各号のいずれかに該当する場合を除き、第一項の認可をしなければならない。

(5) With regard to the formation of a cooperative prescribed in paragraph (2), an administrative agency shall grant the approval under paragraph (1), except in any of the following cases:

一 設立の手續又は定款、事業計画の内容若しくは業務の種類若しくは方法が法令に違反するとき。

(i) When the formation procedures, the contents of the articles of association or activity plan, or the type or method of the operations are in violation of laws or regulations

二 地区内における金融その他の経済の事情が事業を行うのに適切でないと認められるとき。

(ii) When the financial or other economic circumstances in the district are found to be inappropriate for conducting the activities

三 常務に従事する役員が金融業務に関して十分な経験及び識見を有する者でないと認められるとき。

(iii) When any of the managing officers are found to lack sufficient experience and knowledge concerning the financial operations

四 業務の種類及び方法並びに事業計画が経営の健全性を確保し、又は預金者その他の債権者の利益を保護するのに適当でないと認められるとき。

(iv) When the type or method of the operations or the activity plan is found to be inappropriate for securing sound management or for protecting the interest of depositors and other obligees

6 行政庁は、第三項に規定する組合の設立にあつては、次の各号のいずれかに該当する場合を除き、第一項の認可をしなければならない。

(6) With regard to the formation of a cooperative prescribed in paragraph (3), an administrative agency shall grant the approval under paragraph (1), except in any of the following cases:

一 設立の手續又は定款、火災共済規程若しくは事業計画の内容が法令に違反するとき。

(i) When the formation procedures or the contents of the articles of association, fire mutual aid rules, or activity plans are in violation of laws or regulations

二 共済の目的につき危険の分散が充分に行われないと認められるとき及び共済契約の締結の見込みが少ないと認められるとき。

(ii) When it is found that the distribution of risk concerning the interest insured is insufficient or when it is found that there is little prospect for the conclusion of mutual aid contracts

三 常務に従事する役員が共済事業に関して十分な経験及び識見を有する者でないと認められるとき。

(iii) When any of the managing officers are found to lack sufficient experience and knowledge concerning mutual aid activities

四 火災共済規程及び事業計画の内容が経営の健全性を確保し、又は組合員その他の共済契約者の利益を保護するのに適当でないと認められるとき。

(iv) When the contents of the fire mutual aid rules or activity plan are found to be inappropriate for securing sound management or for protecting the interest of partner and other mutual aid contractors

第二十八条 (理事への事務引継)

Article 28 (Handover of the Management of the Cooperative to Directors)

発起人は、前条第一項の認可を受けた後遅滞なく、その事務を理事に引き渡さなければならない。

The founders shall, without delay after obtaining the approval under paragraph (1) of the preceding Article, hand over the management of the cooperative to the directors.

第二十九条 (出資の第一回の払込み)

Article 29 (First Payment of Contribution)

1 理事は、前条の規定による引渡しを受けたときは、遅滞なく、出資の第一回の払込みをさせなければならない。

(1) The directors shall, without delay after taking over the management of the

cooperative pursuant to the provisions of the preceding Article, have each member make the first payment of his/her contribution.

2 前項の第一回の払込みの金額は、出資一口につき、その金額の四分の一を下つてはならない。

(2) The amount of the first payment to be made set forth in the preceding paragraph shall not be less than one-fourth of the unit amount of contribution.

3 現物出資者は、第一回の払込みの期日に、出資の目的たる財産の全部を給付しなければならない。ただし、登記、登録その他権利の設定又は移転をもつて第三者に対抗するため必要な行為は、組合成立の後にすることを妨げない。

(3) A person making a contribution in kind shall, on the date of the first payment, provide the whole of the property to be contributed; provided, however, that this shall not preclude such person from completing acts such as registration, establishment or transfer of relevant rights necessary for duly asserting the rights against a third party after the cooperative has been established.

4 第一項及び第二項の規定にかかわらず、信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会にあつては、理事は、前条の規定による引渡しを受けたときは、遅滞なく、出資の全額の払込みをさせなければならない。

(4) Notwithstanding the provisions of paragraph (1) and paragraph (2), in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9(1) (i), the directors shall, without delay after taking over the management of the cooperative pursuant to the provisions of the preceding Article, have each member make a payment of the full amount of the contribution.

第三十条 (成立の時期)

Article 30 (Time of Establishment)

組合は、主たる事務所の所在地において設立の登記をすることによつて成立する。

A cooperative shall be established by completing the registration of formation at the location of its principal office.

第三十一条 (成立の届出)

Article 31 (Notification of Establishment)

火災共済協同組合、信用協同組合又は第九条の九第一項第一号若しくは第三号の事業を行う協同組合連合会は、成立の日から二週間以内に、行政庁にその旨を届け出なければならない。

A fire mutual aid cooperative, a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) or item (iii) shall notify an administrative agency of its establishment within two weeks from the date of establishment.

第三十二条 (設立の無効の訴え)

Article 32 (Action for Invalidation of Formation)

組合の設立の無効の訴えについては、会社法第八百二十八条第一項（第一号に係る部分に限る。）及び第二項（第一号に係る部分に限る。）、第八百三十四条（第一号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条から第八百三十九条まで並びに第八百四十六条（設立の無効の訴え）の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を準用する。

With regard to an action for invalidation of the formation of a cooperative, the provisions of Article 828, paragraph (1) (limited to the portions pertaining to item (i)) and paragraph (2) (limited to the portions pertaining to item (i)), Article 834 (limited to the portions pertaining to item (i)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Articles 837 to 839, and Article 846 (Action for Invalidation of Formation) (excluding the portions pertaining to company auditors, in the case of a cooperative limiting the audit authority) of the Companies Act shall apply mutatis mutandis.

第五節 管理

Section 5 Management

第三十三条 （定款）

Article 33 (Articles of Association)

1 組合の定款には、次の事項（共済事業を行う組合にあつては当該共済事業（これに附帯する事業を含む。）に係る第八号の事項を、企業組合にあつては第三号及び第八号の事項を除く。）を記載し、又は記録しなければならない。

(1) The articles of association of a cooperative shall state or record therein the following matters (excluding the matter set forth in item (viii) pertaining to mutual aid activities [including activities incidental thereto] in the case of a cooperative engaged in mutual aid activities, and excluding the matters set forth in item (iii) and item (viii) in the case of a joint enterprise cooperative):

一 事業

(i) Activities

二 名称

(ii) Name

三 地区

(iii) District

四 事務所の所在地

(iv) Location of office

五 組合員たる資格に関する規定

(v) Provisions on membership qualifications

六 組合員の加入及び脱退に関する規定

(vi) Provisions on the joining and withdrawal of partner

七 出資一口の金額及びその払込みの方法

(vii) Unit amount of contribution and the method of its payment

八 経費の分担に関する規定

(viii) Provisions on the sharing of expenses

九 剰余金の処分及び損失の処理に関する規定

(ix) Provisions on the appropriation of surplus and disposal of losses

十 準備金の額及びその積立の方法

(x) Amount of the reserve fund and its funding method

十一 役員の数及びその選挙又は選任に関する規定

(xi) Fixed number of officers and provisions on their election or appointment

十二 事業年度

(xii) Business year

十三 公告方法（組合が公告（この法律又は他の法律の規定により官報に掲載する方法によりしなければならないものとされているものを除く。）をする方法をいう。以下同じ。）

(xiii) Method of public notice (which means the method by which the cooperative gives public notice [excluding the public notice that shall be given by way of publication in an official gazette pursuant to the provisions of this Act or any other Act]; the same shall apply hereinafter)

2 共済事業を行う組合の定款には、前項に掲げる事項のほか、共済金額の削減及び共済掛金の追徴に関する事項を記載し、又は記録しなければならない。

(2) In addition to the matters listed in the preceding paragraph, the articles of association of a cooperative engaged in mutual aid activities shall state or record therein matters concerning a reduction of the amount of mutual aid money and the additional collection of mutual aid premiums.

3 組合の定款には、前二項の事項のほか、組合の存続期間又は解散の事由を定めたときはその期間又はその事由を、現物出資をする者を定めたときはその者の氏名、出資の目的たる財産及びその価格並びにこれに対して与える出資口数を、組合の成立後に譲り受けることを約した財産がある場合にはその財産、その価格及び譲渡人の氏名を記載し、又は記録しなければならない。

(3) In addition to the matters set forth in the preceding two paragraphs, the articles of association of a cooperative shall state or record therein the duration of the cooperative or the grounds for its dissolution if the cooperative has set such duration or grounds, the name of the person making a contribution in kind, the property to be contributed, the value thereof, and the number of units of contribution deemed to be offered by making the contribution in kind if any person is making a contribution in kind to the cooperative, and the property promised to be received by transfer after the establishment of the cooperative, the value thereof and the name of the transferrer if there is any such property.

4 組合は、公告方法として、当該組合の事務所の店頭に掲示する方法のほか、次に掲

げる方法のいずれかを定款で定めることができる。

(4) As the method of public notice, a cooperative may, in addition to the method of posting the notice at the office of said cooperative, specify any one of the following methods in its articles of association:

一 官報に掲載する方法

(i) Publication in an official gazette

二 時事に関する事項を掲載する日刊新聞紙に掲載する方法

(ii) Publication in a daily newspaper which publishes matters on current events

三 電子公告（公告方法のうち、電磁的方法（会社法第二条第三十四号に規定する電磁的方法をいう。）により不特定多数の者が公告すべき内容である情報の提供を受けることができる状態に置く措置であつて同号に規定するものをとる方法をいう。以下同じ。）

(iii) Electronic public notice (which means, among methods of public notice, the method of implementing a measure which makes the information that should be publicly notified available to many and unspecified persons by electromagnetic means [which means electromagnetic means as prescribed in Article 2, item (xxxiv) of the Companies Act] and which is prescribed in the same item; the same shall apply hereinafter)

5 組合が前項第三号に掲げる方法を公告方法とする旨を定款で定める場合には、その定款には、電子公告を公告方法とすることを定めれば足りる。この場合においては、事故その他やむを得ない事由によつて電子公告による公告をすることができない場合の公告方法として、同項第一号又は第二号に掲げる方法のいずれかを定めることができる。

(5) When a cooperative specifies in its articles of association that it will make the method set forth in item (iii) of the preceding paragraph its method of public notice, it is sufficient to specify in the articles of formation that electronic public notice will be the method of public notice. In this case, either of the methods set forth in item (i) or item (ii) of the same paragraph may be specified as the method of public notice in the case where the public notice may not be given by way of electronic public notice due to an accident or any other unavoidable circumstances.

6 組合が電子公告により公告をする場合には、次の各号に掲げる区分に応じ、それぞれ当該各号に定める日までの間、継続して電子公告による公告をしなければならない。

(6) When a cooperative gives public notice by way of electronic public notice, it shall give the public notice by way of electronic public notice on a continuous basis until the dates prescribed in the following items for the categories of public notice set forth respectively in those items:

一 公告に定める期間内に異議を述べることができる旨の公告 当該期間を経過する日

(i) A public notice against which objections may be stated within the period specified therein-The day on which said period expires

二 前号に掲げる公告以外の公告 当該公告の開始後一月を経過する日

(ii) A public notice other than that set forth in the preceding item-The day on which one month has passed from the first publication of said public notice

7 組合が電子公告によりこの法律その他の法令の規定による公告をする場合については、会社法第九百四十条第三項（電子公告の中断）、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条及び第九百五十五条（電子公告調査等）の規定を準用する。この場合において、同法第九百四十条第三項中「前二項の規定にかかわらず、これらの規定」とあるのは「中小企業等協同組合法第三十三条第六項の規定にかかわらず、同項」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(7) With regard to the case where a cooperative gives public notice under the provisions of this Act or other Acts by way of electronic public notice, the provisions of Article 940, paragraph (3) (Interruption of Electronic Public Notice), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953 and Article 955 (Investigation of Electronic Public Notice, etc.) of the Companies Act shall apply mutatis mutandis. In this case, the phrase "Notwithstanding the provisions of the preceding two paragraphs, during the period in which public notice must be given by way of electronic public notice pursuant to these provisions" in Article 940, paragraph (3) of said Act shall be deemed to be replaced with "Notwithstanding the provisions of Article 33, paragraph (6) of the Small and Medium-Sized Enterprise Cooperatives Act, during the period in which public notice must be given by way of electronic public notice pursuant to the same paragraph" and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

8 第一項から第三項までに掲げる事項のほか、組合の定款には、この法律の規定により定款の定めがなければその効力を生じない事項及びその他の事項でこの法律に違反しないものを記載し、又は記録することができる。

(8) In addition to the matters listed in paragraphs (1) to (3), the articles of association of a cooperative may state or record therein matters that only come into effect by being prescribed in its articles of formation pursuant to the provisions of this Act or any other matters that do not violate this Act.

第三十四条 （規約）

Article 34 (Constitution)

左の事項は、定款で定めなければならない事項を除いて、規約で定めることができる。

The following matters, except for those that must be prescribed by the articles of association, may be prescribed by the constitution of the cooperative:

一 総会又は総代会に関する規定

(i) Provisions on the general meeting or the general meeting of representatives

二 業務の執行及び会計に関する規定

(ii) Provisions on the execution of operations and accounting

三 役員に関する規定

(iii) Provisions on officers

四 組合員に関する規定

(iv) Provisions on partner

五 その他必要な事項

(v) Any other necessary matters

第三十四条の二 (定款の備置き及び閲覧等)

Article 34-2 (Keeping and Inspection of the Articles of Association, etc.)

1 組合は、定款及び規約（共済事業を行う組合にあつては、定款、規約及び共済規程又は火災共済規程）（以下この条において「定款等」という。）を各事務所に備え置かなければならない。

(1) A cooperative shall keep the articles of formation and the constitution (the articles of formation, the constitution and the mutual aid rules or fire mutual aid rules, in the case of a cooperative engaged in mutual aid activities) (hereinafter referred to as "articles of formation, etc." in this Article) at each of its offices.

2 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(2) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative shall not refuse the request without justifiable grounds.

一 定款等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) If the articles of association, etc. have been prepared in the form of a paper document, a request for inspection or copying of said document

二 定款等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) If the articles of formation, etc. have been prepared in the form of an electromagnetic record, a request for inspection or copying of matters recorded in said electromagnetic record that have been indicated by a method specified by an ordinance of the competent ministry

3 定款等が電磁的記録をもつて作成されている場合であつて、各事務所（主たる事務所を除く。）における前項第二号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめている組合についての第一項の規定の適用については、同項中「各事務所」とあるのは、「主たる事務所」とする。

(3) With regard to the application of the provisions of paragraph (1) to a cooperative which has taken a measure specified by an ordinance of the competent ministry for enabling each office (excluding the principal office) to respond to the request set forth in item (ii) of the preceding paragraph, in the case where the articles of

association, etc. have been prepared in the form of an electromagnetic record, the term "each office" in the same paragraph shall be deemed to be replaced with "the principal office."

第三十五条 (役員)

Article 35 (Officers)

- 1 組合に、役員として理事及び監事を置く。
(1) A cooperative shall have directors and auditors as its officers.
- 2 理事の定数は、三人以上とし、監事の定数は、一人以上とする。
(2) The fixed number of directors shall be three or more and the fixed number of auditors shall be one or more.
- 3 役員は、定款の定めるところにより、総会において選挙する。ただし、設立当時の役員は、創立総会において選挙する。
(3) Officers shall be elected at the general meeting, pursuant to the provisions of the associations of formation; provided, however, that the officers at the time of formation shall be elected at the organizational meeting.
- 4 理事（企業組合の理事を除く。以下この項において同じ。）の定数の少なくとも三分の二は、組合員又は組合員たる法人の役員でなければならない。ただし、設立当時の理事の定数の少なくとも三分の二は、組合員になろうとする者又は組合員になろうとする法人の役員でなければならない。
(4) At least two-thirds of the fixed number of directors (excluding directors of a joint enterprise cooperative; hereinafter the same shall apply in this paragraph) shall be partner or officers of member juridical persons; provided, however, that at least two-thirds of the fixed number of directors at the time of formation shall be persons who intend to become partner or officers of juridical persons that intend to become partner.
- 5 企業組合の理事は、組合員（特定組合員を除く。以下この項において同じ。）でなければならない。ただし、設立当時の理事は、組合員になろうとする者でなければならない。
(5) Directors of a joint enterprise cooperative shall be partner (excluding specified partner; hereinafter the same shall apply in this paragraph); provided, however, that the directors at the time of formation shall be persons who intend to become partner.
- 6 組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が政令で定める基準を超える組合（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会を除く。）は、監事のうち一人以上は、当該組合の組合員又は当該組合の組合員たる法人の役員若しくは使用人以外の者であつて、その就任の前五年間当該組合の理事若しくは使用人又はその子会社（組合が総株主（総社員を含む。）の議決権（株主総会において決議することができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法第八百七十九条第三項の規定により議決権

を有するものとみなされる株式についての議決権を含む。) の過半数を有する会社をいう。以下同じ。) の取締役、会計参与 (会計参与が法人であるときは、その職務を行うべき社員)、執行役若しくは使用人でなかつたものでなければならない。

(6) A cooperative (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1)) whose total number of members (members of the member cooperatives in the case of a federation of cooperatives) exceeds the standard specified by a Cabinet Order shall have at least one auditor who is not a member of said cooperative nor an officer or employee of a member juridical person of said cooperative, and who has not served as a director or employee of said cooperative nor a director, accounting advisor (when the accounting advisor is a juridical person, a member of the company who is in the position of performing such duties), executive officer or employee of a subsidiary company of the cooperative (which means a company for which the cooperative owns a majority of voting rights [excluding the voting rights pertaining to the shares whose voting rights may not be exercised for all the matters that are subject to resolution at the shareholders meeting, and including the voting rights pertaining to the shares which shall be deemed to have the voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act] of all shareholders [including all members of the company]; hereinafter the same shall apply) during the five years preceding the assumption of his/her office.

7 理事又は監事のうち、その定数の三分の一を超えるものが欠けたときは、三月以内に補充しなければならない。

(7) When the positions of more than one-third of the fixed number of directors or auditors have become vacant, they shall be supplemented within three months.

8 役員選挙は、無記名投票によつて行う。

(8) An officer shall be elected by way of secret voting.

9 投票は、一人につき一票とする。

(9) Voting shall be carried out with one vote per person.

10 第八項の規定にかかわらず、役員選挙は、出席者中に異議がないときは、指名推選の方法によつて行うことができる。

(10) Notwithstanding the provisions of paragraph (8), the election of an officer may be carried out by through nomination if no attendant of the meeting objects to it.

11 指名推選の方法を用いる場合においては、被指名人をもつて当選人と定めるべきかどうかを総会 (設立当時の役員は、創立総会) に諮り、出席者の全員の同意があつた者をもつて当選人とする。

(11) In the case of using nomination, the general meeting (the organizational meeting in the case of electing officers at the time of formation) shall be consulted as to whether a nominee may be approved as the elected person, and the nominee shall be elected on gaining the consent of all attendants.

12 一の選挙をもつて二人以上の理事又は監事を選挙する場合においては、被指名人

を区分して前項の規定を適用してはならない。

(12) In the case of electing two or more directors or auditors in a single election, the provisions set forth in the preceding paragraph shall not be applied by way of dividing nominees.

13 第三項の規定にかかわらず、役員は、定款の定めるところにより、総会（設立当時の役員は、創立総会）において選任することができる。

(13) Notwithstanding the provisions of paragraph (3), officers may be appointed at the general meeting (the organizational meeting in the case of the appointment of officers at the time of formation), pursuant to the provisions of the articles of association.

第三十五条の二 （役員の変更の届出）

Article 35-2 (Notification of Changes Regarding Officers)

組合は、役員の名又は住所に変更があつたときは、その変更の日から二週間以内に、行政庁にその旨を届け出なければならない。

When there has been a change to the name or domicile of any of its officers, a cooperative shall notify an administrative agency to that effect within two weeks from the date of said change.

第三十五条の三 （組合と役員との関係）

Article 35-3 (Relationship Between the Cooperative and Officers)

組合と役員との関係は、委任に関する規定に従う。

The relationship between a cooperative and its officers shall be governed by the provisions on the mandate.

第三十五条の四 （役員資格等）

Article 35-4 (Qualifications of Officers, etc.)

1 次に掲げる者は、役員となることができない。

(1) The following persons may not become officers:

一 法人

(i) A juridical person

二 成年被後見人若しくは被保佐人又は外国の法令上これらと同様に取り扱われている者

(ii) An adult ward or a person under curatorship or any person who is treated similarly thereto under the laws and regulations of a foreign state

三 この法律、会社法若しくは中間法人法（平成十三年法律第四十九号）の規定に違反し、又は民事再生法（平成十一年法律第二百二十五号）第二百五十五条、第二百五十六条、第二百五十八条から第二百六十条まで若しくは第二百六十二条の罪若しくは破産法（平成十六年法律第七十五号）第二百六十五条、第二百六十六条、第二百六十八条から第二百七十二号まで若しくは第二百七十四条の罪を犯し、刑に処せ

られ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者

(iii) A person who has been sentenced to a punishment for violating the provisions of this Act or the Intermediate Juridical Person Act (Act No. 49 of 2001) or for committing a crime set forth in Article 255, Article 256, Articles 258 to 260, or Article 262 of the Civil Rehabilitation Act (Act No. 225 of 1999) or a crime set forth in Article 265, Article 266, Articles 268 to 272 or Article 274 of the Bankruptcy Act (Act No. 75 of 2004) where two years have yet to elapse since the day on which execution of the sentence has been completed or the sentence no longer applies

四 前号に規定する法律の規定以外の法令の規定に違反し、禁錮以上の刑に処せられ、その執行を終わるまで又はその執行を受けることがなくなるまでの者（刑の執行猶予中の者を除く。）

(iv) A person who has been sentenced to imprisonment without work or a severer punishment for violating the provisions of laws or regulations other than the provisions of the Acts prescribed in the preceding item where execution of the sentence has yet to be completed or the sentence has yet to become inapplicable (excluding a person for whom execution of the sentence is under suspension)

2 前項各号に掲げる者のほか、破産手続開始の決定を受けて復権を得ない者は、共済事業を行う組合の役員となることができない。

(2) In addition to the persons listed in the items of the preceding paragraph, a person who has received a decision on the commencement of bankruptcy proceedings and has yet to have his/her rights restored may not become an officer of a cooperative engaged in mutual aid activities.

第三十六条 （役員任期）

Article 36 (Term of Office of Officers)

1 理事の任期は、二年以内において定款で定める期間とする。

(1) The term of office of a director shall be a period specified by the articles of association not exceeding two years.

2 監事の任期は、四年以内において定款で定める期間とする。

(2) The term of office of an auditor shall be a period specified by the articles of formation not exceeding four years.

3 設立当時の役員任期は、前二項の規定にかかわらず、創立総会において定める期間とする。ただし、その期間は、一年を超えてはならない。

(3) Notwithstanding the provisions of the preceding two paragraphs, the term of office of an officer at the time of formation shall be a period decided at the organizational meeting; provided, however, that said period shall not exceed one year.

4 前三項の規定は、定款によつて、前三項の任期を任期中の最終の決算期に関する通

常総会の終結の時まで伸長することを妨げない。

(4) The provisions of the preceding three paragraphs shall not preclude a cooperative from extending the term of office set forth in any of the preceding three paragraphs until the time of the conclusion of the ordinary general meeting relating to the final accounting period during said term of office, based on the articles of association.

5 前三項の規定にかかわらず、監事の監査の範囲を会計に関するものに限定する旨の定款の定めを廃止する定款の変更をした場合には、監事の任期は、当該定款の変更の効力が生じた時に満了する。

(5) Notwithstanding the provisions of the preceding three paragraphs, in the case where the articles of formation have been changed so as to abolish the provisions of the articles of association that had limited the scope of audits conducted by auditors to those concerning accounting, the term of office of auditors shall expire at the time when said change to the articles of formation has taken effect.

第三十六条の二 (役員に欠員を生じた場合の措置)

Article 36-2 (Measure when Vacancies Arise among Officers)

役員が欠けた場合又はこの法律若しくは定款で定めた役員の員数が欠けた場合には、任期の満了又は辞任により退任した役員は、新たに選任された役員が就任するまで、なお役員としての権利義務を有する。

Where there are no officers in office, or where there is a vacancy which results in a shortfall in the number of officers prescribed in this Act or the association of formation, an officer who has retired from office due to the expiration of his/her term of office or resignation shall continue to have the rights and obligations of an officer until a newly elected officer assumes his/her office.

第三十六条の三 (役員職務及び権限等)

Article 36-3 (Duties and Authority of Officers, etc.)

1 理事は、法令、定款及び規約並びに総会の決議を遵守し、組合のため忠実にその職務を行わなければならない。

(1) A director shall loyally perform his/her duties for the cooperative, observing laws and regulations, the articles of association, the constitution and resolutions of the general meeting.

2 監事は、理事の職務の執行を監査する。この場合において、監事は、主務省令で定めるところにより、監査報告を作成しなければならない。

(2) An auditor shall audit the execution of the duties of the directors. In this case, the auditor shall prepare an audit report, pursuant to the provisions of an ordinance of the competent ministry.

3 理事については会社法第三百五十七条第一項、同法第三百六十条第三項の規定により読み替えて適用する同条第一項及び同法第三百六十一条の規定を、監事については

同法第三百四十三条第一項及び第二項、第三百四十五条第一項から第三項まで、第三百八十一条（第一項を除く。）、第三百八十二条、第三百八十三条第一項本文、第二項及び第三項並びに第三百八十四条から第三百八十八条までの規定をそれぞれ準用する。この場合において、同法第三百四十五条第一項及び第二項中「会計参与」とあるのは「監事」と、同法第三百八十二条中「取締役（取締役会設置会社にあつては、取締役会）」とあるのは「理事会」と、同法第三百八十四条中「法務省令」とあるのは「主務省令」と、同法第三百八十八条中「監査役設置会社（監査役の監査の範囲を会計に関するものに限定する旨の定款の定めがある株式会社を含む。）」とあり、及び「監査役設置会社」とあるのは「組合」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(3) With regard to directors, the provisions of Article 357, paragraph (1) of the Companies, Act, Article 360, paragraph (1) of the same Act as applied by replacing the terms pursuant to the provisions of paragraph (3) of the same Article, and Article 361 of the same Act shall apply mutatis mutandis; and with regard to auditors, the provisions of Article 343, paragraph (1) and paragraph (2), Article 345, paragraphs (1) to (3), Article 381 (excluding paragraph (1)), Article 382, the main clause of Article 383, paragraph (1), Article 383, paragraph (2) and paragraph (3), and Articles 384 to 388 of the same Act shall apply mutatis mutandis. In this case, the term "accounting advisors" in Article 345, paragraph (1) and paragraph (2) of the same Act shall be deemed to be replaced with "auditors," the term "the directors (or, for a company with board of directors, to the board of directors)" in Article 382 of the same Act shall be deemed to be replaced with "the council," the term "Ordinance of the Ministry of Justice" in Article 384 of the same Act shall be deemed to be replaced with "ordinance of the competent ministry," the terms "company with auditors (including a stock company the articles of association of which provide that the scope of the audit by its company auditors shall be limited to an audit related to accounting)" and "company with auditors" in Article 388 of the same Article shall be deemed to be replaced with "cooperative," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

4 組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が第三十五条第六項の政令で定める基準を超えない組合（第四十条の二第一項に規定する会計監査人の監査を要する組合を除く。）は、第二項の規定にかかわらず、その監事の監査の範囲を会計に関するものに限定する旨を定款で定めることができる。

(4) A cooperative (excluding a cooperative requiring an audit by an accounting auditor prescribed in Article 40-2) whose total number of partner (partner of the member cooperatives in the case of a federation of cooperatives) does not exceed the standard specified by a Cabinet Order under Article 35, paragraph (6) may provide in the articles of formation that the scope of audits conducted by its auditors shall be limited to those concerning accounting, notwithstanding the provisions of paragraph (2).

5 前項の規定による定款の定めがある組合においては、理事については会社法第三百五十三条、第三百六十条第一項及び第三百六十四条の規定を、監事については同法第三百八十九条第二項から第七項までの規定をそれぞれ準用する。この場合において、同条第二項、第三項及び第四項第二号中「法務省令」とあるのは「主務省令」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) With regard to a cooperative whose articles of formation have the provisions as prescribed in the preceding paragraph, the provisions of Article 353, Article 360, paragraph (1) and Article 364 of the Companies Act shall apply mutatis mutandis to its directors, and the provisions of Article 389, paragraphs (2) to (7) of the same Act shall apply mutatis mutandis to its auditors. In this case, the term "Ordinance of the Ministry of Justice" in Article 389, paragraph (2), paragraph (3) and paragraph (4), item (ii) shall be deemed to be replaced with "ordinance of the competent ministry" and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

6 前三項（第三項において準用する会社法第三百六十条第三項の規定により読み替えて適用する同条第一項の規定に係る部分を除く。）の規定は、信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会については、適用しない。

(6) The provisions of the preceding three paragraphs (excluding the portions pertaining to the provisions of Article 360, paragraph (1) of the Companies Act as applied by replacing terms pursuant to the provisions of paragraph (3) of the same Act as applied mutatis mutandis pursuant to paragraph (3) of this Article) shall not apply to a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i).

第三十六条の四 削除

Article 36-4 Deleted.

第三十六条の五 （理事会の権限等）

Article 36-5 (Authority of the Council, etc.)

1 組合は、理事会を置かなければならない。

(1) A cooperative shall set up a council.

2 理事会は、すべての理事で組織する。

(2) A council shall be formed by all directors.

3 組合の業務の執行は、理事会が決する。

(3) Execution of the operations of a cooperative shall be decided by its council.

第三十六条の六 （理事会の決議）

Article 36-6 (Resolutions of the Council)

1 理事会の決議は、議決に加わることができる理事の過半数（これを上回る割合を定款又は規約で定めた場合にあつては、その割合以上）が出席し、その過半数（これを

- 上回る割合を定款又は規約で定めた場合にあつては、その割合以上)をもつて行ふ。
- (1) A resolution of the council shall be made by a majority (in the case where a higher proportion is prescribed by the articles of formation or the constitution, such proportion or more) of the directors present where the majority (in the case where a higher proportion is prescribed by the articles of formation or the constitution, such proportion or more) of the directors entitled to participate in the vote are present.
 - 2 前項の決議について特別の利害関係を有する理事は、議決に加わることができない。
 - (2) A director who has a special interest in the resolution set forth in the preceding paragraph may not participate in the vote.
 - 3 組合は、定款の定めるところにより、理事が書面又は電磁的方法により理事会の議決に加わることができるものとすることができる。
 - (3) A cooperative may allow directors to participate in votes of the council in writing or by electromagnetic means, pursuant to the provisions of the articles of formation.
 - 4 組合は、理事が理事会の決議の目的である事項について提案をした場合において、当該提案につき理事（当該事項について議決に加わることができるものに限る。）の全員が書面又は電磁的記録により同意の意思表示をしたとき（監査権限限定組合以外の組合にあつては、監事が当該提案について異議を述べたときを除く。）は、当該提案を可決する旨の理事会の決議があつたものとみなす旨を定款で定めることができる。
 - (4) A cooperative may prescribe in its articles of formation that, in the case where a director has made a proposal regarding a matter that is subject to a resolution of the council, if all directors (limited to those who are able to participate in the vote regarding said matter) have manifested their consent to said proposal in writing or by way of an electromagnetic record (except when an auditor has objected to said proposal in the case of a cooperative other than a cooperative limiting the audit authority), the council shall be deemed to have adopted a resolution approving said proposal.
 - 5 理事が理事の全員に対して理事会に報告すべき事項を通知したときは、当該事項を理事会へ報告することを要しない。
 - (5) When a director has notified all directors of a matter to be reported to the council, said matter shall not be required to be reported to the council.
 - 6 会社法第三百六十六条（招集権者）、第三百六十七条（株主による招集の請求）及び第三百六十八条（招集手続）の規定は、理事会の招集について準用する。この場合において、必要な技術的読替えは、政令で定める。
 - (6) The provisions of Article 366 (Convenor), Article 367 (Demand for Calling of Meeting by Shareholders) and Article 368 (Calling Procedures) of the Companies Act shall apply mutatis mutandis to convocation of the council. In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.

第三十六条の七 (理事会の議事録)

Article 36-7 (Minutes of the Council Meeting)

1 理事会の議事については、主務省令で定めるところにより、議事録を作成し、議事録が書面をもつて作成されているときは、出席した理事及び監事は、これに署名し、又は記名押印しなければならない。

(1) Minutes shall be taken with regard to the proceedings of the council meeting, pursuant to the provisions of an ordinance of the competent ministry, and if the minutes are prepared in writing, the directors and auditors present at the meeting shall sign or affix their names and seals to it.

2 前項の議事録が電磁的記録をもつて作成されている場合における当該電磁的記録に記録された事項については、主務省令で定める署名又は記名押印に代わる措置をとらなければならない。

(2) With regard to the matters recorded in an electromagnetic record in cases where the minutes under the preceding paragraph are prepared in the form of an electromagnetic record, a measure in lieu of the signing or affixing of names and seals that is specified by an ordinance of the competent ministry shall be taken.

3 組合は、理事会の日（前条第四項の規定により理事会の決議があつたものとみなされた日を含む。次項において同じ。）から十年間、第一項の議事録又は同条第四項の意思表示を記載し、若しくは記録した書面若しくは電磁的記録（以下この条において「議事録等」という。）をその主たる事務所に備え置かなければならない。

(3) A cooperative shall, for a period of ten years from the date of the council meeting (including the date on which the council shall be deemed to have adopted a resolution pursuant to the provisions of paragraph (4) of the preceding Article; the same shall apply in the following paragraph), keep the document or electromagnetic record stating or recording the minutes under paragraph (1) or the manifestation of intention under paragraph (4) of the same Article (hereinafter referred to as the "minutes, etc." in this Article) at its principal office.

4 組合は、理事会の日から五年間、議事録等の写しをその従たる事務所に備え置かなければならない。ただし、当該議事録等が電磁的記録をもつて作成されている場合であつて、従たる事務所における次項第二号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめているときは、この限りでない。

(4) A cooperative shall, for a period of five years from the date of the council meeting, keep a copy of the minutes, etc. at its secondary offices; provided, however, that this shall not apply when said minutes, etc. have been prepared in the form of an electromagnetic record and the cooperative has taken a measure specified by an ordinance of the competent ministry for enabling secondary offices to respond to the request set forth in item (ii) of the following paragraph.

5 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(5) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative shall not refuse the request without justifiable grounds.

一 議事録等が書面をもつて作成されているときは、当該書面又は当該書面の写しの閲覧又は謄写の請求

(i) If the minutes, etc. have been prepared in the form of a paper document, a request for inspection or copying of said document or a copy of said document

二 議事録等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) If the minutes, etc. have been prepared in the form of an electromagnetic record, a request for inspection or copying of matters recorded in said electromagnetic record that have been displayed by a method specified by an ordinance of the competent ministry

第三十六条の八 (代表理事)

Article 36-8 (Representative Director)

1 理事会は、理事の中から組合を代表する理事（以下「代表理事」という。）を選定しなければならない。

(1) The council shall select a director representing the cooperative (hereinafter referred to as "representative director") from among the directors.

2 代表理事は、組合の業務に関する一切の裁判上又は裁判外の行為をする権限を有する。

(2) The representative director shall have the authority to carry out acts in or out of court concerning the operations of the cooperative.

3 代表理事については、第三十六条の二、民法（明治二十九年法律第八十九号）第四十四条第一項、第五十四条及び第五十五条並びに会社法第三百五十四条の規定を準用する。

(3) With regard to the representative director, the provisions of Article 36-2 of this Act, Article 44, paragraph (1), Article 54, and Article 55 of the Civil Code (Act No. 89 of 1896), and Article 354 of the Companies Act shall apply mutatis mutandis.

第三十七条 (役員の新職禁止)

Article 37 (Prohibition of Concurrent Holding of Positions by Officers)

1 監事は、理事又は組合の使用人と兼ねてはならない。

(1) No auditor may hold concurrently the position of a director or an employee of the cooperative.

2 左に掲げる者は、その組合の理事となつてはならない。

(2) None of the following persons may become a director of the cooperative:

一 組合の事業と実質的に競争関係にある事業であつて、組合員の資格として定款に定められる事業以外のものを行う者（法人である場合には、その役員）

- (i) A person (in the case of a juridical person, an officer thereof) who engages in business which is not required for partner as prescribed in the articles of formation and which competes substantially with the activities of the cooperative
- 二 組合員の資格として定款に定められる事業又はこれと実質的に競争関係にある事業を行う者（第七条第一項又は第二項に掲げる小規模の事業者を除く。）であつて、組合員でない者（法人である場合には、その役員）
- (ii) A person (excluding a small-scale entrepreneur set forth in Article 7, paragraph (1) or paragraph (2)) who engages in business required for partner as prescribed in the articles of formation or business which competes substantially therewith and who is a non-member (in the case of a juridical person, an officer thereof)

第三十八条 （理事の自己契約等）

Article 38 (Self-Contract by Directors, etc.)

- 1 理事は、次に掲げる場合には、理事会において、当該取引につき重要な事実を開示し、その承認を受けなければならない。
- (1) In any of the following cases, a director shall disclose the important facts concerning the relevant transaction at the council and obtain its approval:
- 一 理事が自己又は第三者のために組合と取引をしようとするとき。
- (i) When the director intends to carry out a transaction with the cooperative for himself/herself or for a third party
- 二 組合が理事の債務を保証することその他理事以外の者との間において組合と当該理事との利益が相反する取引をしようとするとき。
- (ii) When the cooperative intends to guarantee the obligations of the director or carry out a transaction with a person other than the director and where there is a conflict of interest between the cooperative and the director
- 2 民法第百八条の規定は、前項の承認を受けた同項第一号の取引については、適用しない。
- (2) The provisions of Article 108 of the Civil Code shall not apply to a transaction under item (i) of the same paragraph that has been approved under the preceding paragraph.
- 3 第一項各号の取引をした理事は、当該取引後、遅滞なく、当該取引についての重要な事実を理事会に報告しなければならない。
- (3) A director who has carried out a transaction under either item of paragraph (1) shall report to the council the important facts concerning said transaction without delay after said transaction.

第三十八条の二 （役員の場合に対する損害賠償責任）

Article 38-2 (Officers' Liability for Damages Against the Cooperative)

- 1 役員は、その任務を怠つたときは、組合に対し、これによつて生じた損害を賠償する責任を負う。

- (1) When an officer has neglected his/her duties, he/she shall be liable to compensate the cooperative for any damages that have been caused.
- 2 前項の任務を怠つてされた行為が理事会の決議に基づき行われたときは、その決議に賛成した理事は、その行為をしたものとみなす。
- (2) When an act of neglecting one's duties set forth in the preceding paragraph has been committed based on a resolution of the council, the directors who have agreed to said resolution shall be deemed to have committed said act.
- 3 前項の決議に参加した理事であつて議事録に異議をとどめないものは、その決議に賛成したものと推定する。
- (3) A director who has participated in the resolution set forth in the preceding paragraph and whose objection is not kept in the minutes shall be presumed to have agreed to said resolution.
- 4 第一項の責任は、総組合員の同意がなければ、免除することができない。
- (4) An officer may not be exempted from the liability set forth in paragraph (1) without the consent of all partner.
- 5 前項の規定にかかわらず、第一項の責任は、当該役員が職務を行うにつき善意でかつ重大な過失がないときは、賠償の責任を負う額から当該役員がその在職中に組合から職務執行の対価として受け、又は受けるべき財産上の利益の一年間当たりの額に相当する額として主務省令で定める方法により算定される額に、次の各号に掲げる役員の区分に応じ、当該各号に定める数を乗じて得た額を控除して得た額を限度として、総会の決議によつて免除することができる。
- (5) Notwithstanding the provisions of the preceding paragraph, if an officer has knowledge of the neglect or has been grossly negligent in performing his/her duties, he/she may be exempted from the liability set forth in paragraph (1), based on a resolution of the general meeting, within a limit of the amount obtained by subtracting, from the amount of the liability for damages, an amount obtained by multiplying an amount equivalent to the annual amount of property benefit that the officer has received or should receive from the cooperative during his/her office as a consideration for execution of his/her duties, which has been calculated by the method specified by an ordinance of the competent ministry, by one of the numbers listed in the following items for the respective categories of officers prescribed therein:
- 一 代表理事 六
- (i) The representative director-Six
- 二 代表理事以外の理事 四
- (ii) A director other than the representative director-Four
- 三 監事 二
- (iii) An auditor-Two
- 6 前項の場合には、理事は、同項の総会において次に掲げる事項を開示しなければならない。

- (6) In the case set forth in the preceding paragraph, a director shall disclose the following matters at the general meeting set forth in the same paragraph:
- 一 責任の原因となつた事実及び賠償の責任を負う額
 - (i) The facts that caused the liability and the amount of the liability for damages
 - 二 前項の規定により免除することができる額の限度及びその算定の根拠
 - (ii) The limit of exemption that can be allowed pursuant to the provisions of the preceding paragraph and the basis of its calculation
 - 三 責任を免除すべき理由及び免除額
 - (iii) The reason that the officer should be exempted from liability and the amount to be exempted
- 7 監査権限限定組合以外の組合の理事は、第一項の責任の免除（理事の責任の免除に限る。）に関する議案を総会に提出するには、各監事の同意を得なければならない。
- (7) In order for a director of a cooperative other than a cooperative limiting the audit authority to submit a proposal concerning immunity from liability (limited to immunity of a director from liability) under paragraph (1) to the general meeting, he/she shall gain the consent of each auditor.
- 8 第五項の決議があつた場合において、組合が当該決議後に同項の役員に対し退職慰労金その他の主務省令で定める財産上の利益を与えるときは、総会の承認を受けなければならない。
- (8) In the case where a resolution under paragraph (5) has been adopted, the cooperative shall obtain the approval of the general meeting when it provides the officer under the same paragraph with a retirement bonus or any other property benefit specified by an ordinance of the competent ministry after said resolution.
- 9 第四項の規定にかかわらず、第一項の責任については、会社法第四百二十六条（第四項を除く。）及び第四百二十七条の規定を準用する。この場合において、同法第四百二十六条第一項中「取締役（当該責任を負う取締役を除く。）の過半数の同意（取締役会設置会社にあつては、取締役会の決議）」とあるのは「理事会の決議」と、同条第三項中「責任を免除する旨の同意（取締役会設置会社にあつては、取締役会の決議）」とあるのは「責任を免除する旨の理事会の決議」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。
- (9) Notwithstanding the provisions of paragraph (4), with regard to the liability under paragraph (1), the provisions of Article 426 (excluding paragraph (4)) and Article 427 of the Companies Act shall apply mutatis mutandis. In this case, the phrase "the consent of a majority of the directors (excluding the directors subject to such liability) (or, for companies with board of directors, by resolution of the board of directors)" in Article 426, paragraph (1) of the same Act shall be deemed to be replaced with "a resolution of the council," the phrase "consent (or, for a company with a board of directors, a resolution of the board of directors) to the effect that" in paragraph (3) of the same Article shall be deemed to be replaced with "a resolution of the council to the effect that," and any other necessary technical

replacement of terms shall be specified by a Cabinet Order.

第三十八条の三 (役員 of 第三者に対する損害賠償責任)

Article 38-3 (Officers' Liability for Damages Against Third Parties)

1 役員がその職務を行うについて悪意又は重大な過失があつたときは、当該役員は、これによつて第三者に生じた損害を賠償する責任を負う。

(1) When an officer has knowledge of the neglect or has been grossly negligent in performing his/her duties, said officer shall be liable to compensate a third party for any damages that have been caused.

2 次の各号に掲げる者が、当該各号に定める行為をしたときも、前項と同様とする。ただし、その者が当該行為をすることについて注意を怠らなかつたことを証明したときは、この限りでない。

(2) The provisions of the preceding paragraph shall also apply when the persons listed in the following items have committed the acts prescribed respectively in those items; provided, however, that this shall not apply if such persons have proved that they did not fail to exercise due care with respect to the performance of their duties:

一 理事 次に掲げる行為 (信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会の理事にあつては、イに掲げる行為を除く。)

(i) A director- The following acts (excluding the act set forth in (a) in the case of a director of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)):

イ 第四十条第一項及び第二項の規定により作成すべきものに記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(a) Making a false statement or recording of any important matter to be stated or recorded in the documents to be prepared pursuant to the provisions of Article 40, paragraph (1) or paragraph (2)

ロ 虚偽の登記

(b) Making a false registration

ハ 虚偽の公告

(c) Giving a false public notice

二 監事 監査報告に記載し、又は記録すべき重要な事項についての虚偽の記載又は記録

(ii) An auditor- Making a false statement or recording of any important matter to be stated or recorded in an audit report

第三十八条の四 (役員 of 連帯責任)

Article 38-4 (Joint and Several Liabilities of Officers)

役員が組合又は第三者に生じた損害を賠償する責任を負う場合において、他の役員も当該損害を賠償する責任を負うときは、これらの者は、連帯債務者とする。

In the case where an officer is liable to compensate the cooperative or a third party for any damages that have been caused, if any other officers are also liable to compensate for said damages, such persons shall be joint and several obligors.

第三十九条 (役員 の責任を 追及する 訴え)

Article 39 (Action to Pursue the Liability of an Officer)

役員 の責任を 追及する 訴え については、 会社法 第七編 第二章 第二節 (第四百四十七条 第二項、 第四百四十九条 第二項 二号 及び 第五項 並びに 第四百五十一条 を除く。) (株式会社 における 責任追及等 の訴え) の規定を 準用する。 この場合 において、 同法 第四百四十七条 第一項 及び 第四項 中 「法務省令」 とある のは 「主務省令」 と読み替える もの とする ほか、 必要 な技術的 読替えは、 政令 で定める。

With regard to an action to pursue the liability of an officer, the provisions of Part VII, Chapter II, Section 2 (excluding Article 867, paragraph (2), Article 849, paragraph (2), item (ii) and paragraph (5), and Article 851) (Action to Pursue the Liability, etc. of a Stock Company) of the Companies Act shall apply mutatis mutandis. In this case, the term "Ordinance of the Ministry of Justice" in Article 847, paragraph (1) and paragraph (4) of the same Act shall be deemed to be replaced with "ordinance of the competent ministry," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

第四十条 (決算関係書類等の提出、備置き及び閲覧等)

Article 40 (Submission, Keeping, and Inspection of Settlement-Related Documents, etc.)

- 1 組合は、主務省令で定めるところにより、その成立の日における貸借対照表を作成しなければならない。
- (1) A cooperative shall prepare a balance sheet as of the date of its formation, pursuant to the provisions of an ordinance of the competent ministry.
- 2 組合は、主務省令で定めるところにより、各事業年度に係る財産目録、貸借対照表、損益計算書、剰余金処分案又は損失処理案 (以下「決算関係書類」という。) 及び事業報告書を作成しなければならない。
- (2) A cooperative shall prepare an inventory of property, a balance sheet, a profit and loss statement, and a plan for the appropriation of surplus or a plan for the disposal of losses (hereinafter referred to as "settlement-related documents") and a business report pertaining to each business year, pursuant to the provisions of an ordinance of the competent ministry.
- 3 決算関係書類及び事業報告書は、電磁的記録をもつて作成することができる。
- (3) Settlement-related documents and a business report may be prepared in the form of electromagnetic records.
- 4 組合は、決算関係書類を作成した時から十年間、当該決算関係書類を保存しなければならない。

- (4) A cooperative shall, for a period of ten years from the time of the preparation of settlement-related documents, preserve said settlement-related documents.
- 5 第二項の決算関係書類及び事業報告書は、主務省令で定めるところにより、監事の監査を受けなければならない。
- (5) Settlement-related documents and a business report under paragraph (2) shall be audited by an auditor, pursuant to the provisions of an ordinance of the competent ministry.
- 6 前項の規定により監事の監査を受けた決算関係書類及び事業報告書は、理事会の承認を受けなければならない。
- (6) Settlement-related documents and a business report that have been audited by an auditor pursuant to the provisions of the preceding paragraph shall obtain the approval of the council.
- 7 理事は、通常総会の通知に際して、主務省令で定めるところにより、組合員に対し、前項の承認を受けた決算関係書類及び事業報告書（監査報告又は次条第一項の適用がある場合にあっては、会計監査報告を含む。）を提供しなければならない。
- (7) When giving notice of the ordinary general meeting, the directors shall provide partner with settlement-related documents and a business report approved under the preceding paragraph (including an audit report, or in the case of the application of paragraph (1) of the following Article, an accounting audit report), pursuant to the provisions of an ordinance of the competent ministry.
- 8 理事は、監事の意見を記載した書面又はこれに記載すべき事項を記録した電磁的記録を添付して決算関係書類及び事業報告書を通常総会に提出し、又は提供し、その承認を求めなければならない。
- (8) The directors shall submit or provide settlement-related documents and a business report to the ordinary general meeting by attaching a document stating the opinion of the auditor or an electromagnetic record recording the matters to be stated in such document, and request approval.
- 9 理事は、前項の規定により提出され、又は提供された事業報告書の内容を通常総会に報告しなければならない。
- (9) The directors shall report on the contents of the business report submitted or provided to the ordinary general meeting pursuant to the provisions of the preceding paragraph.
- 10 組合は、各事業年度に係る決算関係書類及び事業報告書を通常総会の日から二週間前の日から五年間、主たる事務所に備え置かなければならない。
- (10) A cooperative shall keep the settlement-related documents and the business report pertaining to each business year at its principal office for a period of five years from the day two weeks prior to the date of the relevant ordinary general meeting.
- 11 組合は、決算関係書類及び事業報告書の写しを、通常総会の日から二週間前の日から三年間、従たる事務所に備え置かなければならない。ただし、決算関係書類及び事

業報告書が電磁的記録で作成されている場合であつて、従たる事務所における次項第三号及び第四号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめているときは、この限りでない。

(11) A cooperative shall keep a set of copies of the settlement-related documents and the business report at its principal office for a period of three years from the day two weeks prior to the date of the ordinary general meeting; provided, however, that this shall not apply when the settlement-related documents and the business report have been prepared in the form of electromagnetic records and the cooperative has taken a measure specified by an ordinance of the competent ministry for enabling secondary offices to respond to the requests set forth in item (iii) and item (iv) of the following paragraph:

1 2 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該組合の定めた費用を支払わなければならない。

(12) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours; provided, however, that they shall pay a fee specified by the cooperative when making a request set forth in item (ii) or item (iv):

一 決算関係書類及び事業報告書が書面をもつて作成されているときは、当該書面又は当該書面の写しの閲覧の請求

(i) If the settlement-related documents and the business report have been prepared in the form of paper documents, a request for inspection of said documents of copies of said documents

二 前号の書面の謄本又は抄本の交付の請求

(ii) A request for delivery of a transcript or an extract of the documents set forth in the preceding item

三 決算関係書類及び事業報告書が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) If the settlement-related documents and the business report have been prepared in the form of electromagnetic records, a request for inspection of matters recorded in said electromagnetic records that have been displayed by a method specified by an ordinance of the competent ministry

四 前号の電磁的記録に記録された事項を電磁的方法であつて組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request for provision of the matters recorded in the electromagnetic records set forth in the preceding item by electromagnetic means that has been specified by the cooperative or a request for delivery of a document stating said matters

1 3 前各項の規定は、信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会については、適用しない。

- (13) The provisions of the preceding paragraphs shall not apply to a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i).

第四十条の二

Article 40-2

- 1 共済事業を行う組合であつてその事業の規模が政令で定める基準を超えるものは、前条第二項の規定により作成した決算関係書類について、監事の監査のほか、主務省令で定めるところにより、会計監査人の監査を受けなければならない。
- (1) A cooperative engaged in mutual aid activities whose scale of activities exceeds the standards specified by a Cabinet Order shall be audited, not only by an auditor, but also by an accounting auditor with regard to settlement-related documents prepared pursuant to the provisions of paragraph (2) of the preceding Article, pursuant to the provisions of an ordinance of the competent ministry.
- 2 前項に規定する会計監査人の監査を要する組合については、会社法第四百三十九条及び第四百四十四条（第三項を除く。）の規定を準用する。この場合において、同法第四百三十九条並びに第四百四十四条第一項、第四項及び第六項中「法務省令」とあるのは「主務省令」と、同条第一項中「その子会社」とあるのは「その子会社等（中小企業等協同組合法第六十一条の二第二項に規定する子会社等をいう。）」と、「作成することができる」とあるのは「作成しなければならない」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。
- (2) With regard to a cooperative for which an audit by an accounting auditor prescribed in the preceding paragraph is required, the provisions of Article 439 and Article 444 (excluding paragraph (3)) of the Companies Act shall apply mutatis mutandis. In this case, the term "Ordinance of the Ministry of Justice" in Article 439 and Article 444, paragraph (1), paragraph (4) and paragraph (6) of the same Act shall be deemed to be replaced with "ordinance of the competent ministry," the term "its subsidiaries" in paragraph (1) of the same Article shall be deemed to be replaced with "its subsidiaries, etc. (which means subsidiaries, etc. prescribed in Article 61-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act)," and the phrase "may, pursuant to" in the same paragraph shall be deemed to be replaced with "shall, pursuant to," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.
- 3 会計監査人については、第三十五条の三並びに会社法第三百二十九条第一項、第三百三十七条、第三百三十八条第一項及び第二項、第三百三十九条、第三百四十条第一項から第三項まで、第三百四十四条第一項及び第二項、第三百四十五条第一項から第三項まで、第三百九十六条第一項から第五項まで、第三百九十七条第一項及び第二項、第三百九十八条第一項及び第二項並びに第三百九十九条第一項の規定を準用する。この場合において、同法第三百四十五条第一項及び第二項中「会計参与」とあるのは「会計監査人」と、同法第三百九十六条第一項及び第二項第二号中「法務省令」とあるの

は「主務省令」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(3) With regard to an accounting auditor, the provisions of Article 35-3 of this Act and Article 329, paragraph (1), Article 337, Article 338, paragraph (1) and paragraph (2), Article 339, Article 340, paragraphs (1) to (3), Article 344, paragraph (1) and paragraph (2), Article 345, paragraphs (1) to (3), Article 396, paragraphs (1) to (5), Article 397, paragraph (1) and paragraph (2), Article 398, paragraph (1) and paragraph (2), and Article 399, paragraph (1) of the Companies Act shall apply mutatis mutandis. In this case, the term "accounting advisor" in Article 345, paragraph (1) and paragraph (2) of the same Act shall be deemed to be replaced with "accounting auditor," the term "Ordinance of the Ministry of Justice" in Article 396, paragraph (1) and paragraph (2), item (ii) of the same Act shall be deemed to be replaced with "ordinance of the competent ministry, and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

4 会計監査人の責任については、第三十八条の二から第三十八条の四までの規定を準用する。この場合において、第三十八条の二第五項第三号中「監事」とあるのは「監事又は会計監査人」と、第三十八条の三第二項第二号中「監査報告」とあるのは「監査報告又は会計監査報告」と、第三十八条の四中「役員が」とあるのは「会計監査人が」と、「他の役員」とあるのは「役員又は会計監査人」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(4) With regard to the liability of an accounting auditor, the provisions of Articles 38-2 to 38-4 shall apply mutatis mutandis. In this case, the term "auditor" in Article 38-2, paragraph (5), item (iii) shall be deemed to be replaced with "auditor or accounting auditor," the term "audit report" in Article 38-3, paragraph (2), item (ii) shall be deemed to be replaced with "audit report or accounting audit report," the term "an officer" in Article 38-4 shall be deemed to be replaced with "an accounting auditor," the term "any other officers" in the same Article shall be deemed to be replaced with "any officer or accounting auditor," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

5 会計監査人の責任を追及する訴えについては、第三十九条の規定を準用する。この場合において必要な技術的読替えは、政令で定める。

(5) With regard to an action to pursue the liability of an accounting auditor, the provisions of Article 39 shall apply mutatis mutandis. In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.

第四十条の三

Article 40-3

1 会計監査人が欠けた場合又は定款で定めた会計監査人の員数が欠けた場合において、遅滞なく会計監査人が選任されないときは、監事は、一時会計監査人の職務を行うべき者を選任しなければならない。

(1) Where there is no accounting auditors in office, or where there is a vacancy which

results in a shortfall in the number of accounting auditors prescribed in the articles of formation, if an accounting auditor is not appointed without delay, an auditor shall appoint a person who is to perform the duties of an accounting auditor temporarily.

- 2 前項の一時会計監査人の職務を行うべき者については、会社法第三百三十七条及び第三百四十条第一項から第三項までの規定を準用する。
- (2) With regard to a person who is to perform the duties of an accounting auditor temporarily under the preceding paragraph, the provisions of Article 337 and Article 340, paragraphs (1) to (3) of the Companies Act shall apply mutatis mutandis.

第四十一条 (会計帳簿等の作成等)

Article 41 (Preparation of Accounting Books, etc.)

- 1 組合は、主務省令で定めるところにより、適時に、正確な会計帳簿を作成しなければならない。
- (1) A cooperative shall prepare accurate accounting books in a timely manner, pursuant to the provisions of an ordinance of the competent ministry.
- 2 組合は、会計帳簿の閉鎖の時から十年間、その会計帳簿及びその事業に関する重要な資料を保存しなければならない。
- (2) A cooperative shall preserve its accounting books and important materials regarding its activities for a period of ten years from the time of the closing of the account books.
- 3 組合員は、総組合員の百分の三（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。
- (3) Partner may, by gaining the consent of or more three-hundredths (in the case where a lesser proportion is prescribed in the articles of formation, such proportion) of all partner, make the following requests to the cooperative at any time during its business hours. In this case, the cooperative shall not refuse the request without justifiable grounds.
- 一 会計帳簿又はこれに関する資料が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求
- (i) If the accounting books or materials related thereto have been prepared in the form of paper documents, a request for inspection or copying of said documents
- 二 会計帳簿又はこれに関する資料が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求
- (ii) If the accounting books or materials related thereto have been prepared in the form of electromagnetic records, a request for inspection or copying of matters

recorded in said electromagnetic records that have been displayed by a method specified by an ordinance of the competent ministry

4 第一項の規定は、信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会については、適用しない。

(4) The provisions of paragraph (1) shall not apply to a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i).

5 共済事業を行う組合並びに信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会についての第三項の規定の適用については、同項中「百分の三」とあるのは、「十分の一」とする。

(5) With regard to the application of the provisions of paragraph (3) to a cooperative engaged in mutual aid activities, a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i), the term "three-hundredths" in the paragraph (3) shall be deemed to be replaced with "one-hundredths."

第四十二条 (役員の変更)

Article 42 (Change of Officers)

1 組合員は、総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の連署をもつて、役員の変更を請求することができるものとし、その請求につき総会において出席者の過半数の同意があつたときは、その請求に係る役員は、その職を失う。

(1) A member may request a change of officers under the joint signature of or more one-fifth of all partner (in the case where a lesser proportion is prescribed in the articles of formation, such proportion), and when a majority of the attendants have consented to said request at the general meeting, the officers pertaining to said request shall lose their positions.

2 前項の規定による変更の請求は、理事の全員又は監事の全員について、同時にしなければならない。ただし、法令又は定款、規約、共済規程若しくは火災共済規程の違反を理由として変更を請求するときは、この限りでない。

(2) A request for a change of officers under the provisions set forth in the preceding paragraph shall be made concurrently for all directors or all auditors; provided, however, that this shall not apply when the reason for requesting the change of officers is a violation of a law or regulation, the articles of formation, the constitution, the mutual aid rules or the fire mutual aid rules.

3 第一項の規定による変更の請求は、変更の理由を記載した書面を組合に提出してしなければならない。

(3) A request for a change of officers under the provisions of paragraph (1) shall be made by submitting a document stating the reason for the change of officers to the cooperative.

4 第一項の規定による改選の請求をする者は、前項の書面の提出に代えて、政令で定めるところにより、組合の承諾を得て、同項の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。

(4) A person making a request for a change of officers under the provisions of paragraph (1) may, in lieu of submitting the document set forth in the preceding paragraph, provide the matters to be stated in the document set forth in the same paragraph by electromagnetic means, by gaining the consent of the cooperative, pursuant to the provisions of a Cabinet Order.

5 第一項の規定による改選の請求があつた場合（第三項の書面の提出があつた場合に限る。）には、理事は、その請求を総会の議に付し、かつ、総会の会日から七日前までに、その請求に係る役員に第三項の規定による書面を送付し、かつ、総会において弁明する機会を与えなければならない。

(5) In the case where a request for a change of officers under the provisions of paragraph (1) has been made (limited to the case where there has been a submission in writing as set forth in paragraph (3)), the directors shall submit said request for discussion at the general meeting, and send the document under the provisions of paragraph (3) to the officers pertaining to said request by seven days prior to the date of the general meeting, and give said officers an opportunity to explain themselves at the general meeting.

6 第一項の規定による改選の請求があつた場合（第四項の規定による電磁的方法による提供があつた場合に限る。）には、理事は、その請求を総会の議に付し、かつ、総会の会日から七日前までに、その請求に係る役員に第四項の規定により提供された事項を記載した書面を送付し、かつ、総会において弁明する機会を与えなければならない。

(6) In the case where a request for a change of officers under the provisions of paragraph (1) has been made (limited to the case where there has been a submission by electromagnetic means as set forth in paragraph (4)), the directors shall submit said request for discussion at the general meeting, and send a document stating the matters that have been provided pursuant to the provisions of paragraph (4) to the officers pertaining to said request by seven days prior to the date of the general meeting, and give said officers an opportunity to explain themselves at the general meeting.

7 前項に規定する場合には、組合は、同項の書面の送付に代えて、政令で定めるところにより、その請求に係る役員に承諾を得て、第四項の規定により提供された事項を電磁的方法により提供することができる。

(7) In the case prescribed in the preceding paragraph, the cooperative may, in lieu of sending the document set forth in the same paragraph, provide the matters that have been provided pursuant to the provisions of paragraph (4) by electromagnetic means, by gaining the consent of the officers pertaining to the request, pursuant to the provisions of a Cabinet Order.

8 第五項又は第六項の場合については、第四十七条第二項及び第四十八条の規定を準用する。この場合において、第四十七条第二項中「組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、会議の目的である事項及び招集の理由を記載した書面を理事会に提出して総会の招集を請求したとき」とあり、及び第四十八条後段中「組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得たとき」とあるのは、「第四十二条第一項の規定による役員の変更の請求があつたとき」と読み替えるものとする。

(8) With regard to the case set forth in paragraph (5) or paragraph (6), the provisions of Article 74, paragraph (2) and Article 48 shall apply mutatis mutandis. In this case, the term "When a member has requested a convocation of the general meeting by submitting a document stating the matter to be discussed at the meeting and the reason for the convocation to the council, by gaining the consent of or more one-fifth of all partner (in the case where a lesser proportion is prescribed in the articles of association, such proportion)" in Article 47, paragraph (2) and the phrase "when the member has gained the consent of or more one-fifth of all partner (in the case where a lesser proportion is prescribed in the articles of formation, such proportion)" in the second sentence of Article 48 shall be deemed to be replaced with "when there has been a request for a change of officers pursuant to the provisions of Article 42, paragraph (1)."

第四十三条 （顧問）

Article 43 (Advisor)

組合は、理事会の決議により、学識経験のある者を顧問とし、常時組合の重要事項に関し助言を求めることができる。ただし、顧問は、組合を代表することができない。

A cooperative may designate a person with the relevant knowledge and experience as an advisor by a resolution of the council, and ask for his/her advice regarding important matters of the cooperative at any time; provided, however, that such advisor may not represent the cooperative.

第四十四条 （参事及び会計主任）

Article 44 (Counselor and Chief Accountant)

1 組合は、理事会の決議により、参事及び会計主任を選任し、その主たる事務所又は従たる事務所において、その業務を行わせることができる。

(1) A cooperative may appoint a counselor and a chief accountant by a resolution of the council, and have such persons perform their business at its principal office or any of its secondary offices.

2 参事については、会社法第十一条第一項及び第三項（支配人の代理権）、第十二条（支配人の競業の禁止）並びに第十三条（表見支配人）の規定を準用する。

(2) With regard to a counselor the provisions of Article 11, paragraph (1) and

paragraph (3) (Manager's Authority of Representation), Article 12 (Non-Competition by Manager), and Article 13 (Apparent Manager) of the Companies Act shall apply mutatis mutandis.

第四十五条

Article 45

- 1 組合員は、総組合員の十分の一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、組合に対し、参事又は会計主任の解任を請求することができる。
- (1) A member may request the cooperative to dismiss a counselor or a chief accountant, by gaining the consent of or more one-tenth of all partner (in the case where a lesser proportion is prescribed in the articles of association, such proportion).
- 2 前項の規定による請求は、解任の理由を記載した書面を組合に提出してしなければならない。
- (2) A request under the provisions set forth in the preceding paragraph shall be made by submitting a document stating the reason for dismissal to the cooperative.
- 3 第一項の規定による解任の請求をする者は、前項の書面の提出に代えて、政令で定めるところにより、組合の承諾を得て、同項の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。
- (3) A person making a request under the provisions of paragraph (1) may, in lieu of the submission of the document set forth in the preceding paragraph, provide the matters to be stated in the document set forth in the same paragraph by electromagnetic means, by gaining the consent of the cooperative, pursuant to the provisions of a Cabinet Order.
- 4 第一項の規定による請求があつたときは、理事会は、その参事又は会計主任の解任の可否を決しなければならない。
- (4) In the case where a request under the provisions of paragraph (1) has been made, the council shall decide whether or not to dismiss the counselor or the chief accountant.
- 5 第二項の書面の提出があつた場合には、理事は、前項の可否の決定の日の七日前までに、その参事又は会計主任に対し、第二項の書面を送付し、かつ、弁明する機会を与えなければならない。
- (5) In the case where there has been a submission in writing as set forth in paragraph (2), the directors shall send the document set forth in paragraph (2) to the counselor or the chief accountant by seven days prior to the date of the decision concerning dismissal under the preceding paragraph, and give the counselor or the chief accountant an opportunity to explain himself/herself.
- 6 第三項の電磁的方法による提供があつた場合には、理事は、第四項の可否の決定の日の七日前までに、その参事又は会計主任に対し、第三項の規定により提供された事項を記載した書面を送付し、かつ、弁明する機会を与えなければならない。

(6) In the case where there has been a submission by electromagnetic means as set forth in paragraph (3), the directors shall send a document stating the matters that have been provided pursuant to the provisions of paragraph (3) to the counselor or the chief accountant by seven days prior to the date of the decision concerning dismissal under paragraph (4), and give the counselor or the chief accountant an opportunity to explain himself/herself.

7 前項に規定する場合には、組合は、同項の書面の送付に代えて、政令で定めるところにより、その請求に係る参事又は会計主任の承諾を得て、第三項の規定により提供された事項を電磁的方法により提供することができる。

(7) In the case prescribed in the preceding paragraph, the cooperative may, in lieu of sending the document set forth in the same paragraph, provide the matters that have been provided pursuant to the provisions of paragraph (3) by electromagnetic means, by gaining the consent of the counselor or the chief accountant pertaining to the request, pursuant to the provisions of a Cabinet Order.

第四十六条 (総会の招集)

Article 46 (Convocation of the General Meeting)

通常総会は、定款の定めるところにより、毎事業年度一回招集しなければならない。

The ordinary general meeting shall be convened once every business year, pursuant to the provisions of the articles of association.

第四十七条

Article 47

1 臨時総会は、必要があるときは、定款の定めるところにより、いつでも招集することができる。

(1) The extraordinary general meeting may be convened at any time as needed pursuant to the provisions of the articles of association.

2 組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得て、会議の目的である事項及び招集の理由を記載した書面を理事会に提出して総会の招集を請求したときは、理事会は、その請求のあつた日から二十日以内に臨時総会を招集すべきことを決しなければならない。

(2) When a member has requested the convocation of the general meeting by submitting a document stating the matter to be discussed at the meeting and the reason for the convocation to the council, by gaining the consent of or more one-fifth of all partner (in the case where a lesser proportion is prescribed in the articles of association, such proportion), the council shall decide to convene the extraordinary general meeting within twenty days from the date of the request.

3 前項の場合において、電磁的方法により議決権を行うことが定款で定められているときは、当該書面の提出に代えて、当該書面に記載すべき事項及び理由を当該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、当該組合員は、当該書面を提

出したものとみなす。

(3) In the case set forth in the preceding paragraph, if the exercise of a voting right by electromagnetic means is allowed pursuant to the provisions of the articles of association, the matters and the reason to be stated in the document may be submitted by electromagnetic means, in lieu of the submission of said document. In this case, said member shall be deemed to have submitted the document.

4 前項前段の電磁的方法（主務省令で定める方法を除く。）により行われた当該書面に記載すべき事項及び理由の提供は、理事会の使用に係る電子計算機に備えられたファイルへの記録がされた時に当該理事会に到達したものとみなす。

(4) The matters and the reason to be stated in the document provided by electromagnetic means (excluding a method specified by an ordinance of the competent ministry) as set forth in the first sentence of the preceding paragraph shall be deemed to have arrived at the council at the time when they have been recorded onto a file in a computer used by the council.

第四十八条

Article 48

前条第二項の規定による請求をした組合員は、同項の請求をした日から十日以内に理事が総会招集の手続をしないときは、行政庁の承認を得て総会を招集することができる。理事の職務を行う者が不在の場合において、組合員が総組合員の五分之一（これを下回る割合を定款で定めた場合にあつては、その割合）以上の同意を得たときも同様である。

A member who has made a request under the provisions of paragraph (2) of the preceding Article may convene the general meeting by obtaining the approval of an administrative organ, when no director has instigated the procedure for convening the general meeting within ten days from the day on which he/she has made the request under the same paragraph. The same shall apply when there is no person to perform the duties of a director and when the member has gained the consent of or more one-fifth of all partner (in the case where a lesser proportion is prescribed in the articles of association, such proportion).

第四十九条（総会招集の手続）

Article 49 (Procedure for Convocation of the General Meeting)

1 総会の招集は、会日の十日（これを下回る期間を定款で定めた場合にあつては、その期間）前までに、会議の目的である事項を示し、定款で定めた方法に従つてしなければならない。

(1) The general meeting shall be convened in accordance with the method prescribed in the articles of association, by indicating the matters to be discussed at the meeting by ten days prior to the date of the meeting (in the case where a lesser period is prescribed in the articles of formation, such period).

2 総会の招集は、この法律に別段の定めがある場合を除き、理事会が決定する。

(2) The convocation of the general meeting shall be decided by the council, except as otherwise provided by this Act.

3 第一項の規定にかかわらず、総会は、組合員の全員の同意があるときは、招集の手続を経ることなく開催することができる。

(3) Notwithstanding the provisions of paragraph (1), the general meeting may be held without undergoing the procedure for convocation when there is consent from all the partner.

第五十条（通知又は催告）

Article 50 (Notice or Demand)

1 組合の組合員に対してする通知又は催告は、組合員名簿に記載し、又は記録したその者の住所（その者が別に通知又は催告を受ける場所又は連絡先を組合に通知した場合にあつては、その場所又は連絡先）にあてて発すれば足りる。

(1) It shall be sufficient for a notice or demand to be issued to a member by a cooperative to be sent to the domicile of said person stated or recorded in the member registry (in the case where said person has notified the cooperative of a different place or contact address for the receipt of a notice or demand, to such place or contact address).

2 前項の通知又は催告は、通常到達すべきであつた時に到達したものとみなす。

(2) The notice or demand set forth in the preceding paragraph shall be deemed to have arrived at the time when such notice or demand should normally have arrived.

第五十一条（総会の議決事項）

Article 51 (Matters to be Decided at the General Meeting)

1 次の事項は、総会の議決を経なければならない。

(1) The following matters shall be decided at the general meeting:

一 定款の変更

(i) A change to the articles of association

二 規約及び共済規程又は火災共済規程の設定、変更又は廃止

(ii) Establishment of, a change to, or abolition of the constitution, mutual aid rules or fire mutual aid rules

三 毎事業年度の収支予算及び事業計画の設定又は変更

(iii) Establishment of or a change to the income and expenditure budget and the business plan for each business year

四 経費の賦課及び徴収の方法

(iv) Method of the imposition and collection of expenses

五 その他定款で定める事項

(v) Any other matters specified by the articles of association

2 定款の変更（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合

会の定款の変更にあつては、内閣府令で定める事項の変更を除く。)は、行政庁の認可を受けなければ、その効力を生じない。

(2) A change to the articles of association (excluding a change to the matters specified by a Cabinet Officer Ordinance in the case of a change to the articles of formation of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)) shall not take effect without the approval of an administrative agency having been obtained.

3 前項の認可については、第二十七条の二第四項から第六項までの規定を準用する。

(3) With regard to the approval under the preceding paragraph, the provisions of Article 27-2, paragraphs (4) to (6) shall apply mutatis mutandis.

4 第一項第二号に掲げる事項の変更のうち、軽微な事項その他の主務省令で定める事項に係るものについては、同項の規定にかかわらず、定款で、総会の議決を経ることを要しないものとするができる。この場合においては、総会の議決を経ることを要しない事項の範囲及び当該変更の内容の組合員に対する通知、公告その他の周知の方法を定款で定めなければならない。

(4) Notwithstanding the provisions of paragraph (1), it may be prescribed in the articles of association that it is not necessary for any change to a matter set forth in paragraph (1), item (ii) that relates to a minor matter or any other matter specified by an ordinance of the competent ministry to be decided at the general meeting. In this case, the scope of the matters that do not necessarily have to be decided at the general meeting and the notice, public notice, and any other method for making the contents of such change known to the partner shall be prescribed in the articles of formation.

第五十二条 (総会の議事)

Article 52 (Decision at the General Meeting)

1 総会の議事は、この法律又は定款若しくは規約に特別の定めがある場合を除いて、出席者の議決権の過半数で決し、可否同数のときは、議長の決するところによる。

(1) Except as otherwise provided by this Act or the articles of association or the constitution, a decision at the general meeting shall be made by a majority of the voting rights of those present, and in the case of a tied vote, the decision shall be made by the chairperson.

2 議長は、総会において選任する。

(2) The chairperson shall be appointed at the general meeting.

3 議長は、組合員として総会の議決に加わる権利を有しない。

(3) The chairperson shall have no right to participate in the votes at the general meeting as a member.

4 総会においては、第四十九条第一項の規定によりあらかじめ通知した事項についてのみ議決することができる。ただし、定款に別段の定めがある場合及び同条第三項に規定する場合は、この限りでない。

(4) The general meeting may only decide the matters notified in advance pursuant to the provisions of Article 49, paragraph (1); provided, however, that this shall not apply in the case where it is otherwise provided by the articles of association or in the case prescribed in paragraph (3) of the same Article.

第五十三条 (特別の議決)

Article 53 (Special Resolution)

次の事項は、総組合員の半数以上が出席し、その議決権の三分の二以上の多数による議決を必要とする。

The following matters require a majority vote of or more two-thirds of the voting rights of those present where or more a half of all partner are present:

一 定款の変更

(i) A change to the articles of association

二 組合の解散又は合併

(ii) Dissolution or merger of the cooperative

三 組合員の除名

(iii) Expulsion of a member

四 事業の全部の譲渡

(iv) Transfer of all activities of the cooperative

五 組合員の出資口数に係る限度の特例

(v) Exception to the limit of the number of units of contribution from a member

六 第三十八条の二第五項の規定による責任の免除

(vi) Immunity of an officer from liability under the provisions of Article 38-2, paragraph (5)

第五十三条の二 (理事及び監事の説明義務)

Article 53-2 (Accountability of Directors and Auditors)

理事及び監事は、総会において、組合員から特定の事項について説明を求められた場合には、当該事項について必要な説明をしなければならない。ただし、当該事項が総会の目的である事項に関しないものである場合、その説明をすることにより組合員の共同の利益を著しく害する場合その他正当な理由がある場合として主務省令で定める場合は、この限りでない。

In the case where the directors or the auditor have been requested by partner to provide an explanation on a certain matter at the general meeting, they shall provide the necessary explanation with respect to such matter; provided, however, that this shall not apply in the case where such matter is not relevant to the matters that are the purpose of the general meeting, or in cases where such explanation is to the serious detriment of the common interest of the partner, or in any other case specified by an ordinance of the competent ministry as a case where there are justifiable grounds.

第五十三条の三 (延期又は続行の決議)

Article 53-3 (Resolution for Postponement or Adjournment)

総会においてその延期又は続行について決議があつた場合には、第四十九条の規定は、適用しない。

In the case where there has been a resolution for the postponement or adjournment of the general meeting, the provisions of Article 49 shall not apply.

第五十三条の四 (総会の議事録)

Article 53-4 (Minutes of the General Meeting)

- 1 総会の議事については、主務省令で定めるところにより、議事録を作成しなければならない。
- (1) Minutes shall be taken with regard to the proceedings of the general meeting, pursuant to the provisions of an ordinance of the competent ministry.
- 2 組合は、総会の会日から十年間、前項の議事録をその主たる事務所に備え置かなければならない。
- (2) A cooperative shall, for a period of ten years from the date of the general meeting, keep the minutes set forth in the preceding paragraph at its principal office.
- 3 組合は、総会の会日から五年間、第一項の議事録の写しをその従たる事務所に備え置かなければならない。ただし、当該議事録が電磁的記録をもつて作成されている場合であつて、従たる事務所における次項第二号に掲げる請求に応じることを可能とするための措置として主務省令で定めるものをつとめているときは、この限りでない。
- (3) A cooperative shall, for a period of five years from the date of the general meeting, keep a copy of the minutes under paragraph (1) at its secondary offices; provided, however, that this shall not apply when said minutes have been prepared in the form of an electromagnetic record and the cooperative has taken a measure specified by an ordinance of the competent ministry for enabling secondary offices to respond to the request set forth in item (ii) of the following paragraph.
- 4 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。
- (4) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative shall not refuse the request without justifiable grounds.
 - 一 第一項の議事録が書面をもつて作成されているときは、当該書面又は当該書面の写しの閲覧又は謄写の請求
 - (i) If the minutes under paragraph (1) have been prepared in the form of a paper document, a request for the inspection or copying of said document or a copy of said document
 - 二 第一項の議事録が電磁的記録をもつて作成されているときは、当該電磁的記録に

- 記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写の請求
- (ii) If the minutes under paragraph (1) have been prepared in the form of an electromagnetic record, a request for the inspection or copying of matters recorded in said electromagnetic record that have been displayed by a method specified by an ordinance of the competent ministry

第五十四条 (総会の決議の不存在若しくは無効の確認又は取消しの訴え)

Article 54 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Rescission of a Resolution of the General Meeting)

総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を準用する。

With regard to an action for a declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the general meeting, Article 830, Article 831, Article 834 (limited to the portions pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Rescission of a Resolution of a Shareholders Meeting) (excluding the portions pertaining to company auditors in the case of a cooperative limiting the audit authority) of the Companies Act shall apply mutatis mutandis.

第五十五条 (総代会)

Article 55 (General Meeting of Representatives)

- 1 組合員の総数が二百人を超える組合（企業組合を除く。）は、定款の定めるところにより、総会に代わるべき総代会を設けることができる。
- (1) A cooperative (excluding a joint enterprise cooperative) whose total number of partner exceeds two hundred persons may establish the general meeting of representatives in lieu of the general meeting, pursuant to the provisions of the articles of association.
- 2 総代は、定款の定めるところにより、組合員のうちから、その住所、事業の種類等に応じて公平に選挙されなければならない。
- (2) The representatives shall be elected impartially from among partner according to their domiciles, types of businesses, etc. pursuant to the provisions of the articles of association.
- 3 総代の定数は、その選挙の時における組合員の総数の十分の一（組合員の総数が千人を超える組合にあつては百人）を下つてはならない。

- (3) The fixed number of representatives shall not be less than one-tenth of the total number of partner (one hundred persons in the case of a cooperative whose total number of partner exceeds one thousand persons) at the time of the election.
- 4 総代の選挙については、第三十五条第八項及び第九項の規定を準用する。
- (4) With regard to the election of representatives, the provisions of Article 35, paragraph (8) and paragraph (9) shall apply mutatis mutandis.
- 5 総代の任期は、三年以内において定款で定める期間とする。
- (5) The term of office of a representative shall be a period specified by the articles of association not exceeding three years.
- 6 総代会については、総会に関する規定を準用する。この場合において、第十一条第二項中「その組合員の親族若しくは使用人又は他の組合員」とあるのは「他の組合員」と、同条第五項中「五人」とあるのは「二人」と読み替えるものとする。
- (6) With regard to the general meeting of representatives, the provisions concerning the general meeting shall apply mutatis mutandis. In this case, the phrase "a relative or an employee of said member or another member" in Article 11, paragraph (2) shall be deemed to be replaced with "another member," and the term "five" in paragraph (5) of the same Article shall be deemed to be replaced with "two."
- 7 総代会においては、前項の規定にかかわらず、総代の選挙（補欠の総代の選挙を除く。）をし、又は第五十三条第二号若しくは第四号の事項（次条において「合併等」という。）について議決することができない。
- (7) Notwithstanding the provisions of the preceding paragraph, the general meeting of representatives may not elect representatives (excluding the election of a representative for filling a vacancy) nor decide the matters set forth in Article 53, item (ii) or item (iv) (referred to as "a merger, etc." in the following Article).

第五十五条の二 （総代会の特例）

Article 55-2 (Exceptions on the General Meeting of Representatives)

- 1 共済事業を行う組合又は信用協同組合若しくは第九条の九第一項第一号の事業を行う協同組合連合会の総代会においては、前条第七項、第五十七条の二の二第一項、第五十七条の三第一項及び第二項、第六十二条第一項並びに第六十三条の規定にかかわらず、合併等について議決することができる。
- (1) The general meeting of representatives of a cooperative engaged in mutual aid activities or a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) may decide on a merger, etc., notwithstanding the provisions of paragraph (7) of the preceding Article, article 57-2-2, paragraph (1), Article 57-3, paragraph (1) and paragraph (2), Article 62, paragraph (1) and Article 63.
- 2 前項に規定する組合は、総代会において合併等の議決をしたときは、その議決の日から十日以内に、組合員に議決の内容を通知しなければならない。

(2) When a cooperative prescribed in the preceding paragraph has decided on a merger, etc. at the general meeting of representatives, it shall notify the partner of the contents of the resolution within ten days from the date of the resolution.

3 前項の通知をした組合にあつては、当該通知に係る事項を会議の目的として、第四十七条第二項又は第四十八条の規定により総会を招集することができる。この場合において、第四十七条第二項の規定による書面の提出又は第四十八条後段の場合における承認の申請は、当該通知に係る事項についての総代会の議決の日から三十日以内にしなければならない。

(3) In the case where a cooperative has given notice under the preceding paragraph, the general meeting may be convened pursuant to the provisions of Article 47, paragraph (2) or Article 48 by making the matter pertaining to said notice subject to discussion at the meeting. In this case, the submission of a document under the provisions of Article 47, paragraph (2) or an application for approval in the case set forth in the second sentence of Article 48 shall be completed within thirty days from the date of a resolution on the matter pertaining to said notice at the general meeting of representatives.

4 前項の総会において当該通知に係る事項を承認しなかつた場合には、総代会における当該事項の議決は、その効力を失う。

(4) In the case where the matter pertaining to the notice was not approved at the general meeting under the preceding paragraph, the resolution concerning said matter at the general meeting of representatives shall cease to be effective.

第五十六条 (出資一口の金額の減少)

Article 56 (Reduction of the Unit Amount of Contribution)

1 組合は、総会において出資一口の金額の減少の議決があつたときは、その議決の日から二週間以内に、財産目録及び貸借対照表を作成し、かつ、これらを主たる事務所に備え置かなければならない。

(1) When the general meeting has decided on a reduction of the unit amount of the contribution, the cooperative shall, within two weeks from the date of the resolution, prepare an inventory of property and a balance sheet and keep them at its principal office.

2 組合員及び組合の債権者は、組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。この場合においては、組合は、正当な理由がないのにこれを拒んではならない。

(2) Partner and obligees of a cooperative may make the following requests to the cooperative at any time during its business hours. In this case, the cooperative shall not refuse the request without justifiable grounds.

一 前項の財産目録及び貸借対照表が書面をもつて作成されているときは、当該書面の閲覧の請求

(i) If the inventory of property and the balance sheet under the preceding

paragraph have been prepared in the form of paper documents, a request for the inspection or copying of said documents

二 前項の財産目録及び貸借対照表が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(ii) If the inventory of property and the balance sheet under the preceding paragraph have been prepared in the form of electromagnetic records, a request for the inspection or copying of the matters recorded in said electromagnetic records that have been displayed by a method specified by an ordinance of the competent ministry

第五十六条の二 (債権者の異議)

Article 56-2 (Objections by Obligees)

1 組合が出資一口の金額の減少をする場合には、組合の債権者は、当該組合に対し、出資一口の金額の減少について異議を述べることができる。

(1) When a cooperative reduces the unit amount of contribution, an obligee of the cooperative may state an objection to the cooperative regarding the reduction of the unit amount of contribution.

2 前項の場合には、組合は、次に掲げる事項を官報に公告し、かつ、預金者、定期積金の積金者その他政令で定める債権者以外の知れている債権者には、各別にこれを催告しなければならない。ただし、第二号の期間は、一月を下ることができない。

(2) In the case set forth in the preceding paragraph, the cooperative shall give public notice of the following matters in an official gazette, and shall notify those matters separately to each known creditor other than depositors, persons who make installment savings, or any other creditors specified by a Cabinet Order; provided, however, that the period set forth in item (ii) shall not be less than one month:

一 出資一口の金額を減少する旨

(i) The fact that the unit amount of contribution will be reduced

二 債権者が一定の期間内に異議を述べることができる旨

(ii) The fact that obligees may state objections within a certain period

3 前項の規定にかかわらず、組合が同項の規定による公告を、官報のほか、第三十三条第四項の規定による定款の定めに従い、同項第二号又は第三号に掲げる公告方法によりするときは、前項の規定による各別の催告は、することを要しない。

(3) Notwithstanding the provisions of the preceding paragraph, when a cooperative gives public notice under the provisions of the same paragraph not only in an official gazette, but also by the method of public notice set forth in item (ii) or item (iii) of Article 33, paragraph (4), in accordance with the provisions of the articles of association under the provisions of the same paragraph, the cooperative shall not be required to give the separate notices under the provisions of the preceding paragraph.

4 債権者が第二項第二号の期間内に異議を述べなかつたときは、当該債権者は、当該出資一口の金額の減少について承認をしたものとみなす。

(4) If an obligee has not stated an objection within the period set forth in paragraph (2), item (ii), said obligee shall be deemed to have approved the reduction of the unit amount of contribution.

5 債権者が第二項第二号の期間内に異議を述べたときは、組合は、当該債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該債権者に弁済を受けさせることを目的として信託会社等（信託会社及び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（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。）をいう。）に相当の財産を信託しなければならない。ただし、当該出資一口の金額の減少をしても当該債権者を害するおそれがないときは、この限りでない。

(5) If an obligee has stated an objection within the period set forth in paragraph (2), item (ii), the cooperative shall make a payment or provide equivalent security to the obligee, or entrust equivalent property to a trust company, etc. (which means a trust company or a financial institution that engages in trust business [which means a financial institution approved under Article 1, paragraph (1) of the Act on Provision, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943)]) for the purpose of having such obligee receive the payment; provided, however, that this shall not apply if the reduction of the unit amount of contribution carries no risk of harming said obligee.

第五十七条 （出資一口の金額の減少の無効の訴え）

Article 57 (Action for Invalidation of Reduction of the Unit Amount of Contribution)

組合の出資一口の金額の減少の無効の訴えについては、会社法第八百二十八条第一項（第五号に係る部分に限る。）及び第二項（第五号に係る部分に限る。）、第八百三十四条（第五号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条から第八百三十九条まで並びに第八百四十六条の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を準用する。

With regard to an action for the invalidation of a reduction of the unit amount of the contribution of a cooperative, the provisions of Article 828, paragraph (1) (limited to the portions pertaining to item (v)) and paragraph (2) (limited to the portions pertaining to item (v)), Article 834 (limited to the portions pertaining to item (v)), Article 835, paragraph (1), Articles 836 to 839, and Article 846 (excluding the portions pertaining to company auditors, in the case of a cooperative limiting the audit authority) of the Companies Act shall apply mutatis mutandis.

第五十七条の二 （火災共済協同組合等の火災共済規程の変更）

Article 57-2 (Change to Fire Mutual Aid Rules of a Fire Mutual Aid Cooperative, etc.)

火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会は、火災共済規程で定めた事項の変更をするには、行政庁の認可を受けなければならない。

In order for a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) to make a change to any matters prescribed in the fire mutual aid rules, it shall obtain the approval of an administrative organ.

第五十七条の二の二 (共済事業の譲渡等)

Article 57-2-2 (Transfer of Mutual Aid Activities, etc.)

- 1 共済事業を行う事業協同組合若しくは事業協同小組合又は協同組合連合会（第九条の九第一項第三号の事業を行う協同組合連合会を除く。）が共済事業（この事業に附帯する事業を含む。以下この条において同じ。）の全部又は一部を譲渡するには、総会の議決によらなければならない。
- (1) In order for a business cooperative, minor business cooperative, or federation of cooperatives (excluding a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii)) engaged in mutual aid activities to transfer all or part of its mutual aid activities (including activities incidental to such activities; hereinafter the same shall apply in this Article), it shall do so based on a resolution of the general meeting.
- 2 前項に規定する組合は、総会の議決により契約をもつて責任準備金の算出の基礎が同じである共済契約の全部を包括して、共済事業を行う他の組合に移転することができる。
- (2) A cooperative prescribed in the preceding paragraph may, by way of a contract, carry out a portfolio transfer of all of its mutual contracts, which adopt the same basis for the calculation of the liability reserve, to another cooperative engaged in mutual aid activities, based on the resolution of the general meeting.
- 3 第一項に規定する組合は、前項に規定する共済契約を移転する契約をもつて共済事業に係る財産を移転することを定めることができる。
- (3) A cooperative prescribed in paragraph (1) may determine that property pertaining to mutual aid activities shall be transferred based on a contract for transferring mutual aid contracts prescribed in the preceding paragraph.
- 4 前二項の規定にかかわらず、責任共済等の事業の全部又は一部の譲渡及び当該事業に係る財産の移転は、当該事業を行う他の組合に対して行うことができる。
- (4) Notwithstanding the provisions of the preceding two paragraphs, it is possible to transfer all or part of the activities concerning liability mutual aid, etc. and transfer property pertaining to said activities to another cooperative engaged in said activities.
- 5 第一項に規定する共済事業の全部又は一部の譲渡及び第三項に規定する共済事業に係る財産の移転については、第五十六条から第五十七条までの規定を準用する。
- (5) With regard to the transfer of all or part of the mutual aid activities provided in paragraph (1) and the transfer of property pertaining to the mutual aid activities provided in paragraph (3), the provisions of Articles 56 to 57 shall apply mutatis

mutandis.

第五十七条の三 (信用協同組合等の事業等の譲渡又は譲受け)

Article 57-3 (Transfer or Receipt of Transfer of Activities, etc. of a Credit Cooperative, etc.)

- 1 信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会（以下この条において「信用協同組合等」という。）は、総会の議決を経て、その事業の全部又は一部を銀行、他の信用協同組合等、信用金庫又は労働金庫（信用金庫又は労働金庫をもつて組織する連合会を含む。次項において同じ。）に譲り渡すことができる。
 - (1) A credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) (hereinafter referred to as a "credit cooperative, etc." in this Article) may, following a resolution of the general meeting, transfer all or part of its activities to a bank, another credit cooperative, etc., a Shinkin bank, or a labor bank (including a federation composed of Shinkin banks or labor banks; the same shall apply in the following paragraph).
 - 2 信用協同組合等は、総会の議決を経て、銀行の事業の一部又は他の信用協同組合等、信用金庫若しくは労働金庫の事業の全部若しくは一部を譲り受けることができる。この場合において、その対価が最終の貸借対照表により当該信用協同組合等に現存する純資産額の五分の一を超えない場合は、総会の決議を要しない。
 - (2) A credit cooperative, etc. may, following a resolution of the general meeting, receive a transfer of a part of the activities of a bank or all or part of the activities of another credit cooperative, etc., a Shinkin bank, or a labor bank. In this case, a resolution of the general meeting is not required if the value received in exchange for the transfer does not exceed one-fifth of the amount of net assets existing in the credit cooperative, etc. based on the final balance sheet.
 - 3 信用協同組合等が前項後段の規定により総会の議決を経ないで事業の全部又は一部の譲受けをする場合において、信用協同組合等の総組合員又は総会員の六分の一以上の組合員又は会員が次項の規定による公告又は通知の日から二週間以内に事業の全部又は一部の譲受けに反対する旨を信用協同組合等に対し通知したときは、事業の全部又は一部の譲受けをする日の前日までに、総会の決議によつて、当該事業の全部又は一部の譲受けに係る契約の承認を受けなければならない。
 - (3) In the case where a credit cooperative, etc. receives a transfer of all or part of the activities without the resolution of the general meeting pursuant to the provisions of the second sentence of the preceding paragraph, if at least one-sixth of all partner of the credit cooperative, etc. have notified the credit cooperative, etc. of their opposition to receiving the transfer of all or part of such activities within two weeks from the date of public notice or notice under the provisions of the following paragraph, then a credit cooperative, etc. shall have the contract for the receipt of the transfer of all or part of the activities approved by a resolution of the general meeting by the day preceding the day on which it receives the transfer of all or

part of the activities.

- 4 信用協同組合等が第二項後段の規定により総会の議決を経ないで事業の全部又は一部の譲受けをする場合には、信用協同組合等は、事業の全部又は一部の譲受けをする日の二十日前までに、事業の全部又は一部の譲受けをする旨並びに契約の相手方の名称又は商号及び住所を公告し、又は組合員若しくは会員に通知しなければならない。
- (4) In the case where a credit cooperative, etc. receives a transfer of all or a part of the activities without the resolution of the general meeting pursuant to the provisions of the second sentence of the paragraph (2), the credit cooperative, etc. shall give public notice or give notice to its partner that it will receive the transfer of all or a part of the activities and the name or trade name and the domicile of the other party to the contract, by twenty days prior to the day on which it receives the transfer of all or a part of the activities.
- 5 第一項の事業の譲渡又は第二項の事業の譲受けについては、政令で定めるものを除き、行政庁の認可を受けなければ、その効力を生じない。
- (5) A transfer of the activities under paragraph (1) or the receipt of a transfer of the activities under paragraph (2) shall not take effect without the approval of an administrative agency having been obtained, except for those specified by a Cabinet Order.
- 6 第一項及び第二項の事業の全部の譲渡又は譲受けについては、第五十七条の規定を準用する。
- (6) With regard to a transfer or receipt of a transfer of all the activities under paragraph (1) and paragraph (2), the provisions of Article 57 shall apply mutatis mutandis.
- 7 信用協同組合等は、第二項の事業の全部又は一部の譲受けにより契約（その契約に関する業務が銀行法（昭和五十六年法律第五十九号）第二条第二項（定義等）に規定する行為に係るものであるものに限る。以下この項において同じ。）に基づく権利義務を承継した場合において、その契約が、信用協同組合等の事業に関する法令により、当該信用協同組合等の行うことができない業務に属するものであるとき、又は当該信用協同組合等について制限されているものであるときは、その契約で期限の定めのあるものは期限満了まで、期限の定めのないものは承継の日から一年以内の期間に限り、その契約に関する業務を継続することができる。
- (7) In the case where a credit cooperative, etc. has succeeded to the rights and obligations based on a contract (limited to one where the operations related to said contract pertain to acts prescribed in Article 2, paragraph (2) [Definitions, etc.] of the Banking Act [Act No. 59 of 1981]; hereinafter the same shall apply in this paragraph) as a result of the receipt of a transfer of all or part of the activities under paragraph (2), if such contract falls under the category of operations that cannot be carried out by the credit cooperative, etc. or is restricted for the credit cooperative, etc. due to a law or regulation concerning the activities of the credit cooperative, etc., the credit cooperative, etc. may continue the operations related to

said contract until the expiration of the specified period if a period has been specified by the contract, and for a period not exceeding one year from the date of succession if no such period has been specified by the contract.

第五十七条の四 (火災共済協同組合等の事業の譲渡の禁止)

Article 57-4 (Prohibition of Transfer of Activities of a Fire Mutual Aid Cooperative, etc.)

火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会は、その事業を譲渡することができない。

A fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) may not transfer its activities.

第五十七条の五 (余裕金運用の制限)

Article 57-5 (Restriction on Investment of Surplus Funds)

共済事業を行う組合及び共済事業を行う組合以外の組合（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会を除く。）であつて組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が第三十五条第六項の政令で定める基準を超えるものは、その業務上の余裕金を次の方法によるほか運用してはならない。ただし、行政庁の認可を受けた場合は、この限りでない。

A cooperative engaged in mutual aid activities and a cooperative other than one engaged in mutual aid activities (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)) whose total number of partner (partner of the member cooperatives in the case of a federation of cooperatives) exceeds the standards specified by a Cabinet Order set forth in Article 35, paragraph (6) shall not invest the surplus funds that were accrued in the course of its activities except in the case of using any of the following methods; provided, however, that this shall not apply when it has obtained the approval of an administrative agency:

一 銀行、農林中央金庫、商工組合中央金庫、信用金庫、信用金庫連合会、信用協同組合又は農業協同組合連合会、漁業協同組合連合会、水産加工業協同組合連合会若しくは協同組合連合会で業として預金若しくは貯金の受入れをすることができるものへの預金、貯金又は金銭信託

(i) Deposits, savings or monetary trusts in a bank, the Norinchukin Bank, the Shoko Chukin Bank, a Shinkin bank, a federation of Shinkin banks, a credit cooperative, a federation of agricultural cooperatives, a federation of fisheries cooperatives, a federation of fishery processing cooperatives, or a federation of cooperatives that is able to accept deposits or savings on a regular basis

二 国債、地方債又は主務省令で定める有価証券の取得

(ii) Acquisition of national government bonds, local government bonds, or securities

specified by an ordinance of the competent ministry

第五十七条の六 (会計の原則)

Article 57-6 (Accounting Principles)

組合の会計は、一般に公正妥当と認められる会計の慣行に従うものとする。

The accounting of a cooperative shall be in accordance with accounting practices that are generally accepted as fair and appropriate.

第五十八条 (準備金及び繰越金)

Article 58 (Reserve Fund and Surplus Carried Forward)

- 1 組合は、定款で定める額に達するまでは、毎事業年度の剰余金の十分の一（共済事業を行う組合にあつては、五十分の一）以上を準備金として積み立てなければならない。
(1) A cooperative shall set aside or more one-tenth (one-fifth in the case of a cooperative engaged in mutual aid activities) of its surplus in each business year as a reserve fund until the sum reaches the amount specified by the articles of association.
- 2 前項の定款で定める準備金の額は、出資総額の二分の一（共済事業を行う組合にあつては、出資総額）を下つてはならない。
(2) The amount of the reserve fund specified by the articles of formation under the preceding article shall be not less than half of the total amount of contribution (not less than the total amount of contribution in the case of a cooperative engaged in mutual aid activities).
- 3 第一項の準備金は、損失のてん補に充てる場合を除いては、取りくずしてはならない。
(3) The reserve fund under paragraph (1) shall not be broken down except in the case of compensating losses.
- 4 第九条の二第一項第四号又は第九条の九第一項第六号の事業を行う組合は、その事業の費用に充てるため、毎事業年度の剰余金の二十十分の一以上を翌事業年度に繰り越さなければならない。
(4) A cooperative engaged in the activities set forth in Article 9-2, paragraph (1), item (iv) or Article 9-9, paragraph (1), item (vi) shall carry forward or more one-twentieth of its surplus in each business year to the following business year as funds to be allocated for covering the expenses of its activities.
- 5 共済事業を行う組合は、毎事業年度末に、責任準備金及び支払準備金を計算し、これを積み立てなければならない。
(5) A cooperative engaged in mutual aid activities shall calculate the liability reserve and the payment reserve and set these funds aside at the end of each business year.
- 6 共済事業を行う組合は、契約者割戻し（共済契約者に対し、共済掛金及び共済掛金として收受する金銭を運用することによつて得られる収益のうち、共済金、返戻金そ

他の給付金（以下「共済金等」という。）の支払、事業費の支出その他の費用に充てられないものの全部又は一部を分配することを共済規程又は火災共済規程で定めている場合において、その分配をいう。以下同じ。）を行う場合には、公正かつ衡平な分配をするための基準として主務省令で定める基準に従い、行わなければならない。

(6) When a cooperative engaged in mutual aid activities provides returns to contractors (which means the distribution of all or part of the mutual aid premiums and profits gained by managing the money collected as mutual aid premiums that are not allocated to the payment of mutual aid money, refunds, or any other benefits [hereinafter referred to as "mutual aid money, etc."], the expenditure of activity costs, or any other expenses to mutual aid contractors, in the case where such distribution is prescribed by mutual aid rules or fire mutual aid rules; the same shall apply hereinafter), it shall do so in accordance with the standards specified by an ordinance of the competent ministry as those for ensuring fair and equitable distribution.

7 第五項の責任準備金及び支払準備金並びに前項の契約者割戻しに充てるための準備金の積立てその他契約者割戻しに関し必要な事項は、主務省令で定める。

(7) Matters concerning the setting aside of the liability reserve and the payment reserve set forth in paragraph (5) and the reserve funds to be allocated for returns to contractors set forth in the preceding paragraph, and other necessary matters concerning returns to contractors shall be specified by an ordinance of the competent ministry.

第五十八条の二 （共済事業の会計区分）

Article 58-2 (Separate Accounting for Mutual Aid Activities)

1 共済事業を行う組合は、共済事業に係る会計を他の事業に係る会計と区分して経理しなければならない。

(1) A cooperative engaged in mutual aid activities shall carry out the accounting for its mutual aid activities separately from the accounting for its other activities.

2 責任共済等の事業を行う組合は、責任共済等の事業に係る会計を他の事業に係る会計と区分して経理しなければならない。

(2) A cooperative engaged in activities concerning liability mutual aid, etc. shall carry out the accounting for its activities concerning liability mutual aid, etc. separately from the accounting for its other activities.

第五十八条の三 （共済事業に係る会計の他の会計への資金運用等の禁止）

Article 58-3 (Prohibition of Investment of Funds, etc. from the Accounting for Mutual Aid Activities to the Accounting for Other Activities)

共済事業を行う組合は、共済事業に係る会計からそれ以外の事業に係る会計へ資金を運用し、又は共済事業に係る会計に属する資産を担保に供してそれ以外の事業に係る会計に属する資金を調達してはならない。

A cooperative engaged in mutual aid activities shall not invest funds from the accounting for its mutual aid activities to the accounting for any of its other activities nor pledge assets under the accounting for its mutual aid activities as collateral to procure funds for the accounting for any of its other activities.

第五十八条の四 (健全性の基準)

Article 58-4 (Standards for Soundness)

行政庁は、特定共済組合、火災共済協同組合、第九条の九第一項第三号の事業を行う協同組合連合会及び特定共済組合連合会の共済事業の健全な運営に資するため、次に掲げる額を用いて、当該組合の経営の健全性を判断するための基準として共済金等の支払能力の充実の状況が適当であるかどうかの基準その他の基準を定めることができる。

In order to contribute to the sound administration of mutual aid activities by specified mutual aid associations, fire mutual aid cooperatives, federations of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), and specified federations of mutual aid associations, an administrative agency may, by using the following amounts, establish standards as to whether or not the status of the capacity to pay mutual aid money, etc. is appropriate as the standards for determining the soundness of the management of said cooperatives:

一 出資の総額、利益準備金の額その他の主務省令で定めるものの額の合計額

(i) The total sum of the total amount of contribution, the amount of the retained earnings reserve, and any other amounts specified by an ordinance of the competent ministry

二 共済契約に係る共済事故の発生その他の理由により発生し得る危険であつて通常の予測を超えるものに対応する額として主務省令で定めるところにより計算した額

(ii) The amount calculated pursuant to the provisions of an ordinance of the competent ministry as the amount corresponding to the risk that may occur as a result of the occurrence of a mutual aid incident covered by a mutual aid contract or for any other reason, which is exceeding ordinary expectations

第五十八条の五 (重要事項の説明等)

Article 58-5 (Explanation of Important Matters, etc.)

共済事業を行う組合は、この法律及び他の法律に定めるもののほか、主務省令で定めるところにより、当該共済事業に係る重要な事項の利用者への説明その他の健全かつ適切な運営を確保するための措置を講じなければならない。

A cooperative engaged in mutual aid activities shall, in addition to what is provided for in this Act and other Acts, explain important matters pertaining to said mutual aid activities to users and take any other measures for securing the sound and appropriate administration of said mutual aid activities, pursuant to the provisions of an ordinance of the competent ministry.

第五十八条の六（共済計理人の選任等）

Article 58-6 (Appointment of a Mutual Aid Actuary, etc.)

- 1 共済事業を行う組合（主務省令で定める要件に該当する組合を除く。）は、理事会において共済計理人を選任し、共済掛金の算出方法その他の事項に係る共済の数理に関する事項として主務省令で定めるものに関与させなければならない。
- (1) A cooperative engaged in mutual aid activities (excluding a cooperative that satisfies the requirements specified by an ordinance of the competent ministry) shall appoint a mutual aid actuary at the council meeting, and have him/her engage in matters specified by an ordinance of the competent ministry as mutual aid actuarial matters concerning the calculation method of mutual aid premiums and any other matters.
- 2 共済計理人は、共済の数理に関して必要な知識及び経験を有する者として主務省令で定める要件に該当する者でなければならない。
- (2) A mutual aid actuary shall be a person who satisfies the requirements specified by an ordinance of the competent ministry for a person who has the necessary knowledge and experience of mutual aid actuarial calculation.

第五十八条の七

Article 58-7

- 1 共済計理人は、毎事業年度末において、次に掲げる事項について、主務省令で定めるところにより確認し、その結果を記載した意見書を理事会に提出しなければならない。
- (1) At the end of each business year, a mutual aid actuary shall confirm the following matters pursuant to the provisions of an ordinance of the competent ministry, and submit a written opinion stating the results thereof to the council:
 - 一 主務省令で定める共済契約に係る責任準備金が健全な共済の数理に基づいて積み立てられているかどうか。
 - (i) Whether or not the liability reserve pertaining to mutual aid contracts as specified by an ordinance of the competent ministry has been set aside based on a sound mutual aid actuarial calculation
 - 二 契約者割戻しが公正かつ衡平に行われているかどうか。
 - (ii) Whether or not returns to contractors have been provided in a fair and equitable manner
 - 三 その他主務省令で定める事項
 - (iii) Any other matters specified by an ordinance of the competent ministry
- 2 共済計理人は、前項の意見書を理事会に提出したときは、遅滞なく、その写しを行政庁に提出しなければならない。
- (2) When a mutual aid actuary has submitted a written opinion set forth in the preceding paragraph to the council, he/she shall submit a copy thereof to an administrative agency without delay.

- 3 行政庁は、共済計理人に対し、前項の意見書の写しについて説明を求め、その他その職務に属する事項について意見を求めることができる。
- (3) An administrative agency may ask a mutual aid actuary to provide an explanation about the copy of the written opinion under the preceding paragraph or to provide an opinion on any other matters that fall under his/her duties.
- 4 前三項に定めるもののほか、第一項の意見書に関し必要な事項は、主務省令で定める。
- (4) In addition to what is provided for in the preceding three paragraphs, necessary matters concerning a written opinion under paragraph (1) shall be specified by an ordinance of the competent ministry.

第五十八条の八

Article 58-8

行政庁は、共済計理人が、この法律又はこの法律に基づいてする行政庁の処分に違反したときは、当該組合に対し、その解任を命ずることができる。

An administrative agency may, when a mutual aid actuary has violated this Act or a disposition given by the administrative agency based on this Act, order the relevant cooperative to dismiss said mutual aid actuary.

第五十九条（剰余金の配当）

Article 59 (Dividend of Surplus)

1 組合は、損失をてん補し、第五十八条第一項の準備金及び同条第四項の繰越金を控除した後でなければ、剰余金の配当をしてはならない。

(1) A cooperative shall not distribute its surplus until after it has compensated losses and deducted the reserve fund under Article 58, paragraph (1) and the surplus carried forward under paragraph (4) of the same Article.

2 剰余金の配当は、定款の定めるところにより、組合員（火災共済協同組合にあつては、火災共済事業の利用者）が組合の事業を利用した分量に応じ、又は年一割を超えない範囲内において払込済出資額に応じてしなければならない。

(2) Any surplus shall be distributed according to the amount of utilize of the cooperative's services by the partner (users of fire mutual aid business in the case of a fire mutual aid cooperative) or according to the amount of contribution already paid by the partner within a limit not exceeding ten percent per year, pursuant to the provisions of the articles of association.

3 企業組合にあつては、前項の規定にかかわらず、剰余金の配当は、定款の定めるところにより、年二割を超えない範囲内において払込済出資額に応じてし、なお剰余があるときは、組合員（特定組合員を除く。）が企業組合の事業に従事した程度に応じてしなければならない。

(3) Notwithstanding the provisions set forth in the preceding paragraph, in the case of a joint enterprise cooperative, any surplus shall be distributed according to the

amount of contribution already paid by the partner within a limit not exceeding twenty percent per year, and if there is any remainder, distribute the remainder according to the degree to which the partner (excluding specified partner) engaged in the business of the joint enterprise cooperative, pursuant to the provisions of the articles of association.

第六十条

Article 60

組合は、定款の定めるところにより、組合員が出資の払込を終るまでは、その組合員に配当する剰余金をその払込に充てることができる。

Until partner complete the payment of their contributions, a cooperative may allocate the surplus to be distributed to its partner to such payment, pursuant to the provisions of the articles of association.

第六十一条 (組合の持分取得の禁止)

Article 61 (Prohibition of Acquisition of Equity Interest by the Cooperative)

組合は、組合員の持分を取得し、又は質権の目的としてこれを受けることができない。

A cooperative may not acquire the equity interest held by a member nor receive such equity interest as a pledge.

第六十一条の二 (業務及び財産の状況に関する説明書類の縦覧等)

Article 61-2 (Public Inspection of Explanatory Documents on the Status of Operations and Property, etc.)

1 共済事業を行う組合は、毎事業年度、業務及び財産の状況に関する事項として主務省令で定めるものを記載した説明書類を作成し、当該組合の事務所（主として共済事業以外の事業の用に供される事務所その他の主務省令で定める事務所を除く。以下この条において同じ。）に備え置き、公衆の縦覧に供しなければならない。

(1) Each business year, a cooperative engaged in mutual aid activities shall prepare explanatory documents stating the matters specified by an ordinance of the competent ministry as those concerning the status of the operations and property, keep them at the offices of said cooperative (excluding offices that are mainly used for activities other than mutual aid activities and any other offices specified by an ordinance of the competent ministry; hereinafter the same shall apply in this Article) and provide them for public inspection.

2 前項の組合のうち第四十条の二第一項の規定により会計監査人の監査を要するものが子会社その他当該組合と主務省令で定める特殊の関係にある者（以下「子会社等」という。）を有する場合には、当該組合は、毎事業年度、前項の説明書類のほか、当該組合及び当該子会社等の業務及び財産の状況に関する事項として主務省令で定めるものを当該組合及び当該子会社等につき連結して記載した説明書類を作成し、当該組合の事務所に備え置き、公衆の縦覧に供しなければならない。

(2) In the case where a cooperative set forth in the preceding paragraph that requires an audit by an accounting auditor pursuant to the provisions of Article 40-2, paragraph (1) is a subsidiary or one having a special relationship as specified by an ordinance of the competent ministry with said cooperative (hereinafter referred to as "subsidiary company, etc."), said cooperative shall, each business year, prepare, in addition to the explanatory documents set forth in the preceding paragraph, explanatory documents stating the matters specified by an ordinance of the competent ministry as those concerning the status of the operations and property of said cooperative and said subsidiary company, etc. in a consolidated manner for said cooperative and said subsidiary company, etc., keep them at the offices of said cooperative, and provide them for public inspection.

3 前二項に規定する説明書類は、電磁的記録をもつて作成することができる。

(3) The explanatory documents prescribed in the preceding two paragraphs may be prepared in the form of electromagnetic records.

4 第一項又は第二項に規定する説明書類が電磁的記録をもつて作成されているときは、組合の事務所において、当該電磁的記録に記録された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置として主務省令で定めるものをとることができる。この場合においては、これらの規定に規定する説明書類を、これらの規定により備え置き、公衆の縦覧に供したものとみなす。

(4) When the explanatory documents prescribed in paragraph (1) or paragraph (2) have been prepared in the form of electromagnetic records, a cooperative may take a measure specified by an ordinance of the competent ministry as one for making the information contained in said electromagnetic records available to many and unspecified persons by electromagnetic means, at the offices of the cooperative. In this case, the cooperative shall be deemed to be keeping the explanatory documents prescribed in these provisions and have provided them for public inspection pursuant to these provisions.

5 前各項に定めるもののほか、第一項又は第二項の説明書類を公衆の縦覧に供する期間その他これらの規定の適用に関し必要な事項は、主務省令で定める。

(5) In addition to what is provided for in the preceding paragraphs, the period during which the explanatory documents under paragraph (1) or paragraph (2) shall be provided for public inspection and any other necessary matters concerning the application of these provisions shall be specified by an ordinance of the competent ministry.

6 第一項の組合は、同項又は第二項に規定する事項のほか、共済事業の利用者が当該組合及びその子会社等の業務及び財産の状況を知るために参考となるべき事項の開示に努めなければならない。

(6) A cooperative set forth in paragraph (1) shall endeavor to disclose matters that would be useful for users of mutual aid activities to learn about the status of the operations and property of said cooperative and its subsidiary company, etc., in

addition to the matters prescribed in paragraph (1) and paragraph (2).

第六節 解散及び清算並びに合併

Section 6 Dissolution, Liquidation, and Merger

第六十二条 (解散の事由)

Article 62 (Grounds for Dissolution)

1 組合は、次の事由によつて解散する。

(1) A cooperative shall be dissolved based on any of the following grounds:

一 総会の決議

(i) A resolution of the general meeting

二 組合の合併

(ii) A merger of the cooperative

三 組合についての破産手続開始の決定

(iii) A decision on the commencement of bankruptcy proceedings with regard to the cooperative

四 定款で定める存続期間の満了又は解散事由の発生

(iv) Expiration of the duration or occurrence of a ground for dissolution prescribed by the articles of association

五 第百六条第二項の規定による解散の命令

(v) An order of dissolution under the provisions of Article 106, paragraph (2)

2 組合は、前項第一号又は第四号の規定により解散したときは、解散の日から二週間以内に、その旨を行政庁に届け出なければならない。

(2) When a cooperative has been dissolved pursuant to the provisions of item (i) or item (iv) of the preceding paragraph, it shall notify an administrative agency to that effect within two weeks from the date of dissolution.

3 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会は、第一項各号に掲げる事由のほか、第百六条の二第四項又は第五項の規定により第二十七条の二第一項の認可を取り消されたときは、これによつて解散する。

(3) A fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) shall be dissolved when the approval set forth in Article 27-2, paragraph (1) has been rescinded pursuant to the provisions of Article 106-2, paragraph (4) or paragraph (5), in addition to when any of the grounds listed in the items of paragraph (1) has occurred.

4 責任共済等の事業を行う組合又は火災共済協同組合若しくは第九条の九第一項第三号の事業を行う協同組合連合会の解散の決議は、行政庁の認可を受けなければ、その効力を生じない。

(4) A resolution of the dissolution of a cooperative engaged in activities concerning liability mutual aid, etc., a fire mutual aid cooperative, or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item

(iii) shall not take effect without the approval of an administrative agency having been obtained.

第六十三条 (合併契約)

Article 63 (Merger Agreement)

組合は、総会の議決を経て、他の組合と合併をすることができる。この場合においては、合併をする組合は、合併契約を締結しなければならない。

A cooperative may carry out a merger with another cooperative, following a resolution of the general meeting. In this case, the cooperatives carrying out a merger shall conclude a merger agreement.

第六十三条の二 (吸収合併)

Article 63-2 (Absorption-Type Merger)

組合が吸収合併（組合が他の組合とする合併であつて、合併により消滅する組合の権利義務の全部を合併後存続する組合に承継させるものをいう。以下この章において同じ。）をする場合には、吸収合併契約において、次に掲げる事項を定めなければならない。

In the case where a cooperative carries out an absorption-type merger (which means a merger carried out by a cooperative with another cooperative where the cooperative surviving the merger succeeds to all the rights and obligations of the cooperative dissolved as a result of the merger; hereinafter the same shall apply in this Chapter), the following matters shall be prescribed in the absorption-type merger agreement:

- 一 吸収合併後存続する組合（以下この章において「吸収合併存続組合」という。）及び吸収合併により消滅する組合（以下この章において「吸収合併消滅組合」という。）の名称及び住所
(i) The names and domiciles of the cooperative surviving the absorption-type merger (hereinafter referred to as the "surviving cooperative" in this Chapter) and the cooperative dissolved as a result of the absorption-type merger (hereinafter referred to as the "absorbed cooperative" in this Chapter)
- 二 吸収合併存続組合の地区及び出資一口の金額（吸収合併存続組合が企業組合である場合にあつては、出資一口の金額）
(ii) The district and the unit amount of contribution of the surviving cooperative (the unit amount of contribution only, in the case where the surviving cooperative is a joint enterprise cooperative)
- 三 吸収合併消滅組合の組合員に対する出資の割当てに関する事項
(iii) Matters concerning the allocation of contribution to partner of the absorbed cooperative
- 四 吸収合併消滅組合の組合員に対して支払をする金額を定めたときは、その定め
(iv) When the amount of money to be paid to partner of the absorbed cooperative has been decided, such decision

- 五 吸収合併がその効力を生ずべき日（以下この章において「効力発生日」という。）
(v) The day on which the absorption-type merger is to take effect (hereinafter referred to as the "effective date" in this Chapter)
- 六 その他主務省令で定める事項
(vi) Any other matters specified by an ordinance of the competent ministry

第六十三条の三 （新設合併）

Article 63-3 (Consolidation-Type Merger)

二以上の組合が新設合併（二以上の組合がする合併であつて、合併により消滅する組合の権利義務の全部を合併により設立する組合に承継させるものをいう。以下この章において同じ。）をする場合には、新設合併契約において、次に掲げる事項を定めなければならない。

In the case where two or more cooperatives carry out a consolidation-type merger (which means a merger carried out by two or more cooperatives where the cooperative formed by the merger succeeds to all the rights and obligations of the cooperatives dissolved as a result of the merger; hereinafter the same shall apply in this Chapter), the following matters shall be prescribed in the consolidation-type merger agreement:

- 一 新設合併により消滅する組合（以下この章において「新設合併消滅組合」という。）の名称及び住所
(i) The names and domiciles of the cooperatives dissolved as a result of the consolidation-type merger (hereinafter referred to as the "consolidated cooperatives" in this Chapter)
- 二 新設合併により設立する組合（以下この章において「新設合併設立組合」という。）の事業、名称、地区、主たる事務所の所在地及び出資一口の金額（新設合併設立組合が企業組合である場合にあつては、事業、名称、主たる事務所の所在地及び出資一口の金額）
(ii) The activities, name, district, location of the principal office, and unit amount of contribution of the cooperative formed by the consolidation-type merger (hereinafter referred to as the "formed cooperative" in this Chapter) (the activities, name, location of the principal office, and unit amount of contribution only, in the case where the formed cooperative is a joint enterprise cooperative)
- 三 新設合併消滅組合の組合員に対する出資の割当てに関する事項
(iii) Matters concerning the allocation of contribution to partner of the consolidated cooperatives
- 四 新設合併消滅組合の組合員に対して支払をする金額を定めたときは、その定め
(iv) When the amount of money to be paid to partner of the consolidated cooperatives has been decided, such decision
- 五 その他主務省令で定める事項
(v) Any other matters specified by an ordinance of the competent ministry

第六十三条の四 (吸収合併消滅組合の手続)

Article 63-4 (Procedure for an Absorbed Cooperative)

1 吸収合併消滅組合は、次に掲げる日のいずれか早い日から吸収合併の効力が生ずる日までの間、吸収合併契約の内容その他主務省令で定める事項を記載し、又は記録した書面又は電磁的記録をその主たる事務所に備え置かなければならない。

(1) An absorbed cooperative shall, during the period from whichever of the following dates that comes earlier until the date on which the absorption-type merger takes effect, keep a document or electromagnetic record stating or recording the contents of the absorption-type merger agreement and other matters specified by an ordinance of the competent ministry at its principal office:

一 第三項の総会の会日の二週間前の日

(i) The day two weeks prior to the date of the general meeting set forth in paragraph (3)

二 第四項において準用する第五十六条の二第二項の規定による公告の日又は第四項において準用する同条第二項の規定による催告の日のいずれか早い日

(ii) The date of the public notice prescribed in Article 54-2, paragraph (2) as applied mutatis mutandis pursuant to paragraph (4) or the date of the demand prescribed in paragraph (2) of the same Article as applied mutatis mutandis to paragraph (4), whichever comes earlier

2 吸収合併消滅組合の組合員及び債権者は、当該吸収合併消滅組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併消滅組合の定めた費用を支払わなければならない。

(2) Partner and obligees of an absorbed cooperative may make the following requests to the absorbed cooperative at any time during its business hours; provided, however, that they shall pay a fee specified by the absorbed cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) A request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) A request for delivery of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) A request for inspection of the matters recorded in the electromagnetic record set forth in the preceding paragraph that have been displayed by a method specified by an ordinance of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて主務省令で定めるものにより提供することの請求又はその事項を記載した書面の交付の請求

- (iv) A request for provision of the matters recorded in the electromagnetic record set forth in the preceding paragraph by electromagnetic means that has been specified by an ordinance of the competent ministry or a request for delivery of a document stating said matters
- 3 吸収合併消滅組合は、効力発生日の前日までに、総会の決議によつて、合併契約の承認を受けなければならない。
- (3) An absorbed cooperative shall have the merger agreement approved by a resolution of the general meeting by the day preceding the effective date.
- 4 吸収合併消滅組合については、第五十六条の二の規定を準用する。
- (4) With regard to an absorbed cooperative, the provisions of Article 56-2 shall apply *mutatis mutandis*.
- 5 吸収合併消滅組合は、吸収合併存続組合との合意により、効力発生日を変更することができる。
- (5) An absorbed cooperative may change the effective date by an agreement with the surviving cooperative.
- 6 前項の場合には、吸収合併消滅組合は、変更前の効力発生日（変更後の効力発生日が変更前の効力発生日前の日である場合にあっては、当該変更後の効力発生日）の前日までに、変更後の効力発生日を公告しなければならない。
- (6) In the case set forth in the preceding paragraph, the absorbed cooperative shall give public notice of the changed effective date by the day prior to the original effective date (to the changed effective date in the case where the changed effective date comes before the original effective date).
- 7 第五項の規定により効力発生日を変更したときは、変更後の効力発生日を効力発生日とみなして、この条、次条及び第六十五条の規定を適用する。
- (7) When the effective date has been changed pursuant to the provisions of paragraph (5), the provisions of this Article, the following Article, and Article 65 shall apply *mutatis mutandis* by deeming the changed effective date to be the effective date.

第六十三条の五 （吸収合併存続組合の手続）

Article 63-5 (Procedure for a Surviving Cooperative)

- 1 吸収合併存続組合は、次に掲げる日のいずれか早い日から吸収合併の効力が生じた日後六月を経過する日までの間、吸収合併契約の内容その他主務省令で定める事項を記載し、又は記録した書面又は電磁的記録をその主たる事務所に備え置かなければならない。
- (1) A surviving cooperative shall, during the period from any of the following dates that is the earliest until six months have elapsed from the date on which the absorption-type merger takes effect, keep a document or electromagnetic record stating or recording the contents of the absorption-type merger agreement and other matters specified by an ordinance of the competent ministry at its principal

office:

- 一 吸収合併契約について総会の決議によつてその承認を受けなければならないときは、当該総会の会日の二週間前の日
 - (i) When it is necessary to have the absorption-type merger agreement approved by a resolution of the general meeting, the day two weeks prior to the date of the general meeting
 - 二 第五項の規定による公告又は通知の日のいずれか早い日
 - (ii) The date of public notice or notice under the provisions of paragraph (5), whichever comes earlier
 - 三 第六項において準用する第五十六条の二第二項の規定による公告の日又は第六項において準用する同条第二項の規定による催告の日のいずれか早い日
 - (iii) The date of the public notice prescribed in Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to paragraph (6) or the date of the demand prescribed in paragraph (2) of the same Article as applied mutatis mutandis to paragraph (6), whichever comes earlier
- 2 吸収合併存続組合の組合員及び債権者は、当該吸収合併存続組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続組合の定めた費用を支払わなければならない。
- (2) Partner and obligees of a surviving cooperative may make the following requests to the surviving cooperative at any time during its business hours; provided, however, that they shall pay a fee specified by the surviving cooperative when making a request set forth in item (ii) or item (iv):
- 一 前項の書面の閲覧の請求
 - (i) A request for inspection of the document set forth in the preceding paragraph
 - 二 前項の書面の謄本又は抄本の交付の請求
 - (ii) A request for delivery of a transcript or an extract of the document set forth in the preceding paragraph
 - 三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求
 - (iii) A request for inspection of the matters recorded in the electromagnetic record set forth in the preceding paragraph that have been displayed by a method specified by an ordinance of the competent ministry
 - 四 前項の電磁的記録に記録された事項を電磁的方法であつて吸収合併存続組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求
 - (iv) A request for provision of the matters recorded in the electromagnetic record set forth in the preceding paragraph by electromagnetic means that has been specified by the surviving cooperative or a request for delivery of a document stating said matters
- 3 吸収合併存続組合は、効力発生日の前日までに、総会の決議によつて、吸収合併契

約の承認を受けなければならない。ただし、吸収合併消滅組合の総組合員の数が吸収合併存続組合の総組合員の数の五分之一を超えない場合であつて、かつ、吸収合併消滅組合の最終の貸借対照表により現存する総資産額が吸収合併存続組合の最終の貸借対照表により現存する総資産額の五分之一を超えない場合の合併については、この限りでない。

(3) A surviving cooperative shall have the absorption-type merger agreement approved by a resolution of the general meeting by the day preceding the effective date; provided, however, that this shall not apply to a merger where the total number of partner of the absorbed cooperative does not exceed one-fifth of the total number of the surviving cooperative, and the total amount of assets existing in the absorbed cooperative based on the final balance sheet does not exceed one-fifth of the total amount of assets existing in the surviving cooperative based on the final balance sheet.

4 吸収合併存続組合が前項ただし書の規定により総会の決議を経ないで合併をする場合において、吸収合併存続組合の総組合員の六分之一以上の組合員が次項の規定による公告又は通知の日から二週間以内に合併に反対する旨を吸収合併存続組合に対し通知したときは、効力発生日の前日までに、総会の決議によつて、吸収合併契約の承認を受けなければならない。

(4) In the case where a surviving cooperative carries out a merger without a resolution of the general meeting pursuant to the provisions of the proviso to the preceding paragraph, if at least one-sixth of all the partner of the surviving cooperative have notified the surviving cooperative of their opposition to the merger within two weeks from the date of public notice or notice under the provisions of the following paragraph, then the surviving cooperative shall have the absorption-type merger agreement approved by a resolution of the general meeting by the day preceding the effective date.

5 吸収合併存続組合が第三項ただし書の規定により総会の決議を経ないで合併をする場合には、吸収合併存続組合は、効力発生日の二十日前までに、合併をする旨並びに吸収合併消滅組合の名称及び住所を公告し、又は組合員に通知しなければならない。

(5) In the case where a surviving cooperative carries out a merger without a resolution of the general meeting pursuant to the provisions of the proviso to paragraph (3), the surviving cooperative shall give public notice or give notice to its partner that it will carry out a merger and the name and the domicile of the absorbed cooperative, by twenty days prior to the effective date.

6 吸収合併存続組合については、第五十六条の二の規定を準用する。

(6) With regard to a surviving cooperative, the provisions of article 56-2 shall apply mutatis mutandis.

7 吸収合併存続組合は、吸収合併の効力が生じた日後遅滞なく、吸収合併により吸収合併存続組合が承継した吸収合併消滅組合の権利義務その他の吸収合併に関する事項として主務省令で定める事項を記載し、又は記録した書面又は電磁的記録を作成しな

なければならない。

(7) A surviving cooperative shall, without delay after the date on which the absorption-type merger takes effect, prepare a document or an electromagnetic record stating or recording the rights and obligations of the absorbed cooperative to which the surviving cooperative has succeeded by the absorption-type merger and any other matters specified by an ordinance of the competent ministry as those concerning an absorption-type merger.

8 吸収合併存続組合は、吸収合併の効力が生じた日から六月間、前項の書面又は電磁的記録をその主たる事務所に備え置かなければならない。

(8) A surviving cooperative shall keep the document or electromagnetic record set forth in the preceding paragraph at its principal office for a period of six months from the date on which the absorption-type merger takes effect.

9 吸収合併存続組合の組合員及び債権者は、当該吸収合併存続組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該吸収合併存続組合の定めた費用を支払わなければならない。

(9) Partner and obligees of a surviving cooperative may make the following requests to the surviving cooperative at any time during its business hours; provided, however, that they shall pay a fee specified by the surviving cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) A request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) A request for delivery of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) A request for inspection of the matters recorded in the electromagnetic record set forth in the preceding paragraph that have been displayed by a method specified by an ordinance of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて吸収合併存続組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request for provision of the matters recorded in the electromagnetic record set forth in the preceding paragraph by electromagnetic means that has been specified by the surviving cooperative or a request for delivery of a document stating said matters

第六十三条の六 (新設合併消滅組合の手続)

Article 63-6 (Procedure for Consolidated Cooperatives)

1 新設合併消滅組合は、次に掲げる日のいずれか早い日から新設合併設立組合の成立

の日までの間、新設合併契約の内容その他主務省令で定める事項を記載し、又は記録した書面又は電磁的記録をその主たる事務所に備え置かなければならない。

(1) A consolidated cooperative shall, during the period from whichever of the following dates that comes earlier until the date of the establishment of the formed cooperative, keep a document or electromagnetic record stating or recording the contents of the consolidation-type merger agreement and other matters specified by an ordinance of the competent ministry at its principal office:

一 第三項の総会の会日の二週間前の日

(i) The day two weeks prior to the date of the general meeting set forth in paragraph (3)

二 第四項において準用する第五十六条の二第二項の規定による公告の日又は第四項において準用する同条第二項の規定による催告の日のいずれか早い日

(ii) The date of the public notice prescribed in Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to paragraph (4) or the date of the demand prescribed in paragraph (2) of the same Article as applied mutatis mutandis to paragraph (4), whichever comes earlier

2 新設合併消滅組合の組合員及び債権者は、当該新設合併消滅組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該新設合併消滅組合の定めた費用を支払わなければならない。

(2) Partner and obligees of a consolidated cooperative may make the following requests to the consolidated cooperative at any time during its business hours; provided, however, that they shall pay a fee specified by the consolidated cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) A request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) A request for delivery of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) A request for inspection of the matters recorded in the electromagnetic record set forth in the preceding paragraph that have been displayed by a method specified by an ordinance of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて新設合併消滅組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request for provision of the matters recorded in the electromagnetic record set forth in the preceding paragraph by electromagnetic means that has been specified by the consolidated cooperative or a request for delivery of a document stating said matters

3 新設合併消滅組合は、総会の決議によつて、新設合併契約の承認を受けなければならない。

(3) A consolidated cooperative shall have the consolidation-type merger agreement approved by a resolution of the general meeting.

4 新設合併消滅組合については、第五十六条の二の規定を準用する。

(4) With regard to a consolidated cooperative, the provisions of Article 56-2 shall apply mutatis mutandis.

第六十四条 (新設合併設立組合の手続等)

Article 64 (Procedure for a Formed Cooperative, etc.)

1 第四節(第三十条を除く。)の規定は、新設合併設立組合の設立については、適用しない。

(1) The provisions of Section 4 (excluding Article 30) shall not apply to the formation of a formed cooperative.

2 合併によつて組合を設立するには、各組合がそれぞれ総会において組合員のうちから選任した設立委員が共同して定款を作成し、役員を選任し、その他設立に必要な行為をしなければならない。

(2) In order to form a cooperative by a merger, organizing committee members whom the respective cooperatives have appointed from among their partner at their general meetings shall jointly prepared the articles of association, appoint officers and carry out any other necessary acts for the formation.

3 前項の規定による役員任期は、最初の通常総会の日までとする。

(3) The term of office of an officer under the provisions set forth in the preceding paragraph shall be until the date of the first ordinary general meeting.

4 第二項の規定による設立委員の選任については、第五十三条の規定を準用する。

(4) With regard to the appointment of organizing committee members under the provisions of paragraph (2), the provisions of Article 53 shall apply mutatis mutandis.

5 第二項の規定による役員選任については、第三十五条第四項本文、第五項本文及び第六項の規定を準用する。

(5) With regard to the appointment of officers under the provisions of paragraph (2), the provisions of the main clause of Article 35, paragraph (4), the main clause of Article 35, paragraph (5), and Article 35, paragraph (6) shall apply mutatis mutandis.

6 新設合併設立組合は、成立の日後遅滞なく、新設合併により新設合併設立組合が承継した新設合併消滅組合の権利義務その他の新設合併に関する事項として主務省令で定める事項を記載し、又は記録した書面又は電磁的記録を作成しなければならない。

(6) A formed cooperative shall, without delay after the date of establishment, prepare a document or an electromagnetic record stating or recording the rights and obligations of the consolidated cooperatives to which the formed cooperative has

succeeded by the consolidation-type merger and any other matters specified by an ordinance of the competent ministry as those concerning a consolidation-type merger.

7 新設合併設立組合は、成立の日から六月間、前項の書面又は電磁的記録をその主たる事務所に備え置かなければならない。

(7) A formed cooperative shall keep the document or electromagnetic record set forth in the preceding paragraph at its principal office for a period of six months from the date of establishment.

8 新設合併設立組合の組合員及び債権者は、当該新設合併設立組合に対して、その業務取扱時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該新設合併設立組合の定めた費用を支払わなければならない。

(8) Partner and obligees of a formed cooperative may make the following requests to the formed cooperative at any time during its business hours; provided, however, that they shall pay a fee specified by the formed cooperative when making a request set forth in item (ii) or item (iv):

一 前項の書面の閲覧の請求

(i) A request for inspection of the document set forth in the preceding paragraph

二 前項の書面の謄本又は抄本の交付の請求

(ii) A request for delivery of a transcript or an extract of the document set forth in the preceding paragraph

三 前項の電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧の請求

(iii) A request for inspection of the matters recorded in the electromagnetic record set forth in the preceding paragraph that have been displayed by a method specified by an ordinance of the competent ministry

四 前項の電磁的記録に記録された事項を電磁的方法であつて新設合併設立組合の定めたものにより提供することの請求又はその事項を記載した書面の交付の請求

(iv) A request for provision of the matters recorded in the electromagnetic record set forth in the preceding paragraph by electromagnetic means that has been specified by the formed cooperative or a request for delivery of a document stating said matters

第六十五条 (合併の効果)

Article 65 (Effect of a Merger)

1 吸収合併存続組合は、効力発生日又は次条第一項の行政庁の認可を受けた日のいずれか遅い日に、吸収合併消滅組合の権利義務（その組合がその行う事業に関し、行政庁の許可、認可その他の処分に基づいて有する権利義務を含む。次項において同じ。）を承継する。

(1) A surviving cooperative shall succeed to the rights and obligations of the absorbed

cooperative (including the rights and obligations that the cooperative holds with regard to its activities based on a permission, an approval or any other disposition of an administrative agency; the same shall apply in the following paragraph) on the effective date or the date on which it has obtained the approval of an administrative agency set forth in paragraph (1) of the following Article, whichever comes later.

- 2 新設合併設立組合は、その成立の日に、新設合併消滅組合の権利義務を承継する。
- (2) A formed cooperative shall succeed to the rights and obligations of the consolidated cooperatives on the date of its establishment.

第六十六条 (合併の認可)

Article 66 (Approval for a Merger)

- 1 組合の合併については、行政庁の認可を受けなければ、その効力を生じない。
- (1) A merger of cooperatives shall not take effect without the approval of an administrative agency having been obtained.
- 2 前項の認可については、第二十七条の二第四項から第六項までの規定を準用する。
- (2) With regard to the approval set forth in the preceding paragraph, the provisions of Article 27, paragraphs (4) to (6) shall apply mutatis mutandis.

第六十七条 (合併の無効の訴え)

Article 67 (Action for Invalidation of a Merger)

組合の合併の無効の訴えについては、会社法第八百二十八条第一項（第七号及び第八号に係る部分に限る。）及び第二項（第七号及び第八号に係る部分に限る。）、第八百三十四条（第七号及び第八号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条から第八百三十九条まで、第八百四十三条（第一項第三号及び第四号並びに第二項ただし書を除く。）並びに第八百四十六条（合併の無効の訴え）の規定（監査権限限定組合にあつては、監査役に係る部分を除く。）を、この条において準用する同法第八百四十三条第四項の申立てについては、同法第八百六十八条第五項、第八百七十条（第十五号に係る部分に限る。）、第八百七十一条本文、第八百七十二条（第四号に係る部分に限る。）、第八百七十三条本文、第八百七十五条及び第八百七十六条（非訟）の規定を準用する。

With regard to an action for the invalidation of a merger, the provisions of Article 828, paragraph (1) (limited to the portions pertaining to item (vii) and item (viii)) and paragraph (2) (limited to the portions pertaining to item (vii) and item (viii)), Article 834 (limited to the portions pertaining to item (vii) and item (viii)), Article 835, paragraph (1), Articles 836 to 839, Article 843 (excluding paragraph (1), item (iii) and item (iv) and the proviso to paragraph (2)), and Article 846 (Action for Invalidation of a Merger) (excluding the portions pertaining to company auditors, in the case of a cooperative limiting the audit authority) of the Companies Act shall apply mutatis mutandis; and with regard to a motion set forth in Article 843, paragraph (4) of the

same Act as applied mutatis mutandis pursuant to this Article, the provisions of Article 868, paragraph (5), Article 870 (limited to the portions pertaining to item (xv)), the main clause of Article 871, Article 872 (limited to the portions pertaining to item (iv)), the main clause of Article 873, Article 875, and Article 876 (Non-Contentious Cases) of the Companies Act.

第六十八条 (清算人)

Article 68 (Liquidator)

- 1 組合が解散したときは、合併及び破産手続開始の決定による解散の場合を除いては、理事が、その清算人となる。ただし、総会において他人を選任したときは、この限りでない。
- (1) When a cooperative has been dissolved, the directors of the cooperative shall become the liquidators, except in the case of a dissolution resulting from a merger or a decision on the commencement of bankruptcy proceedings; provided, however, that this shall not apply when another person has been appointed as a liquidator at the general meeting.
- 2 火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会が第六十六条の二第四項又は第五項の規定による第二十七条の二第一項の認可の取消しにより解散したときは、前項の規定及び第六十九条第一項において準用する会社法第四百七十八条第二項の規定にかかわらず、行政庁が清算人を選任する。
- (2) When a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) has been dissolved based on rescission of the approval set forth in Article 27-2, paragraph (1) under the provisions of Article 106-2, paragraph (4) or paragraph (5), an administrative agency shall appoint the liquidator, notwithstanding the provisions of the preceding paragraph and the provisions of Article 478, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1).

第六十八条の二 (解散後の共済金額の支払)

Article 68-2 (Payment of Mutual Aid Money After Dissolution)

- 1 共済事業を行う組合は、総会の決議、第六十六条の二第四項又は第五項の規定による第二十七条の二第一項の認可の取消し又は第六十六条第二項の規定による解散命令により解散したときは、共済金額を支払うべき事由が解散の日から九十日以内に生じた共済契約については、共済金額を支払わなければならない。
- (1) When a cooperative engaged in mutual aid activities has been dissolved based on a resolution of the general meeting, rescission of the approval set forth in Article 27-2, paragraph (1) under the provisions of Article 106-2, paragraph (4) or paragraph (5), or a dissolution order under the provisions of Article 106, paragraph (2), it shall pay mutual aid money with regard to a mutual aid contract for which a ground for the payment of mutual aid money has occurred within ninety days from

the date of dissolution.

2 前項の組合は、第六十二条第一項第四号に掲げる事由により解散したときは、その解散の日から共済契約の期間の末日までの期間に対する共済掛金を払い戻さなければならない。

(2) When a cooperative under the preceding paragraph has been dissolved based on a ground set forth in Article 62, paragraph (1), item (iv), it shall refund the mutual aid premium for the period from the date of dissolution to the final day of the period of the mutual aid contract.

3 第一項の組合は、同項に掲げる事由により解散したときは、同項の期間が経過した日から共済契約の期間の末日までの期間に対する共済掛金を払い戻さなければならない。

(3) When a cooperative under paragraph (1) has been dissolved based on a ground set forth in the same paragraph, it shall refund the mutual aid premium for the period from the day on which the period set forth in the same paragraph has elapsed to the final day of the period of the mutual aid contract.

第六十八条の三 (財産処分の順序)

Article 68-3 (Order in which Property shall be Disposed)

火災共済協同組合又は第九条の九第一項第三号の事業を行う協同組合連合会の清算人は、次の順序に従って組合の財産を処分しなければならない。

The liquidator of a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) shall dispose of the property of the cooperative or the federation according to the following order:

一 一般の債務の弁済

(i) Payment of general obligations

二 共済金額並びに前条第二項及び第三項に規定する共済掛金の支払

(ii) Payment of mutual aid money and the mutual aid premiums prescribed in paragraph (2) and paragraph (3) of the preceding Article

三 残余財産の分配

(iii) Distribution of residual assets

第六十九条 (会社法の準用等)

Article 69 (Application Mutatis Mutandis of the Companies Act, etc.)

1 組合の解散及び清算については、会社法第四百七十五条(第一号及び第三号を除く。)、第四百七十六条、第四百七十八条第二項及び第四項、第四百七十九条第一項及び第二項(各号列記以外の部分に限る。)、第四百八十一条、第四百八十三条第四項及び第五項、第四百八十四条、第四百八十五条、第四百八十九条第四項及び第五項、第四百九十二条第一項から第三項まで、第四百九十九条から第五百三条まで、第五百七条(株式会社の清算)、第八百六十八条第一項、第八百六十九条、第八百七十条(第二号及び第三号に係る部分に限る。)、第八百七十一条、第八百七十二条(第四号に係る部分

に限る。)、第八百七十四条(第一号及び第四号に係る部分に限る。)、第八百七十五条並びに第八百七十六条(非訟)並びに非訟事件手続法(明治三十一年法律第十四号)第四十条(検査をすべき者の選任の裁判)の規定を、組合の清算人については、第三十五条の三、第三十五条の四、第三十六条の二、第三十六条の三第一項及び第二項、第三十六条の五から第三十八条の四まで(第三十六条の七第四項を除く。)、第四十条(第一項、第十一項及び第十三項を除く。)、第四十七条第二項から第四項まで、第四十八条並びに第五十三条の二並びに会社法第三百五十七条第一項、同法第三百六十条第三項の規定により読み替えて適用する同条第一項並びに同法第三百六十一条、第三百八十一条第二項、第三百八十二条、第三百八十三条第一項本文、第二項及び第三項、第三百八十四条から第三百八十六条まで並びに第五百八条の規定を、組合の清算人の責任を追及する訴えについては、同法第七編第二章第二節(第八百四十七条第二項、第八百四十九条第二項第二号及び第五項並びに第八百五十一条を除き、監査権限限定組合にあつては、監査役に係る部分を除く。)(株式会社における責任追及等の訴え)の規定を、監査権限限定組合の清算人については、同法第三百五十三条、第三百六十条第一項及び第三百六十四条の規定を準用する。この場合において、第四十条第二項中「財産目録、貸借対照表、損益計算書、剰余金処分案又は損失処理案」とあるのは「財産目録、貸借対照表」と、「事業報告書」とあるのは「事務報告書」と、同条第三項、第五項から第十項まで並びに第十二項第一号及び第三号中「事業報告書」とあるのは「事務報告書」と、同法第三百八十二条中「取締役(取締役会設置会社にあつては、取締役会)」とあるのは「清算人会」と、同法第四百七十九条第二項各号列記以外の部分中「次に掲げる株主」とあるのは「総組合員の五分の一以上の同意を得た組合員」と、同法第三百八十四条、第四百九十二条第一項、第五百七条第一項並びに第八百四十七条第一項及び第四項中「法務省令」とあるのは「主務省令」と、同法第四百九十九条第一項中「官報に公告し」とあるのは「公告し」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

- (1) With regard to the dissolution and liquidation of a cooperative, the provisions of Article 475 (excluding item (i) and item (iii)), Article 476, Article 478, paragraph (2) and paragraph (4), Article 479, paragraph (1) and paragraph (2) (limited to the portions other than those listed in the respective items), Article 481, Article 483, paragraph (4) and paragraph (5), Article 484, Article 485, Article 489, paragraph (4) and paragraph (5), Article 492, paragraphs (1) to (3), Articles 499 to 503, Article 507 (Liquidation of a Stock Company), Article 868, paragraph (1), Article 869, Article 870 (limited to the portions pertaining to item (ii) and item (iii)), Article 871, Article 872 (limited to the portions pertaining to item (iv)), Article 874 (limited to the portions pertaining to item (i) and item (iv)), Article 875, and Article 876 (Non-Contentious Cases) of the Companies Act and Article 40 (Judicial Decision for Appointment of a Person to Conduct Inspections) of the Non-Contentious Cases Procedure Act (Act No. 14 of 1898) shall apply mutatis mutandis; with regard to a liquidator of a cooperative, the provisions of Article 35-3, Article 35-4, Article 36-2, Article 36-3, paragraph (1) and paragraph (2), Articles 36-5 to 38-4 (excluding

Article 36-7, paragraph (4)), Article 40 (excluding paragraph (1), paragraph (11), and paragraph (13)), Article 47, paragraphs (2) to (4), Article 48, and Article 53-2 of this Act, the provisions of Article 357, paragraph (1) of the Companies Act, paragraph (1) of the same Article as applied mutatis mutandis by replacing the terms pursuant to the provisions of Article 360, paragraph (3) of the same Act, and the provisions of Article 361, Article 381, paragraph (2), Article 382, the main clause of Article 383, paragraph (1), Article 383, paragraph (2) and paragraph (3), Articles 384 to 386, and Article 508 of the Companies Act shall apply mutatis mutandis; with regard to an action to pursue the liability of a liquidator of a cooperative, the provisions of Part 7, Chapter II, Section 2 (excluding Article 847, paragraph (2), Article 849, paragraph (2), item (ii) and paragraph (5), and Article 851, and excluding the portions pertaining to the company auditors in the case of a cooperative limiting the audit authority)(Action to Pursue the Liability, etc. of a Stock Company) of the same Act shall apply mutatis mutandis; and with regard to a liquidator of a cooperative limiting the audit authority, the provisions of Article 353, Article 360, paragraph (1) and Article 364 of the same Act shall apply mutatis mutandis. In this case, the phrase "an inventory of property, a balance sheet, a profit and loss statement, and a plan for the appropriation of surplus or a plan for the disposal of losses" in Article 40, paragraph (2) shall be deemed to be replaced with "an inventory of property and a balance sheet," the term "a business report" in the same paragraph shall be deemed to be replaced with "an affairs written report," the term "business report" in paragraph (3), paragraphs (5) to (10), and paragraph (12), item (i) and item (iii) of the same Article shall be deemed to be replaced with "affairs written report," the term "the directors (or, for a Company with Board of Directors, to the board of directors)" in Article 382 of the Companies Act shall be deemed to be replaced with "the board of liquidators," the term "the following shareholders" in the portions of Article 479, paragraph (2) of the Companies Act other than those listed in the respective items shall be deemed to be "a member who has obtained the consent of or more one-fifth of all partner," the term "Ordinance of the Ministry of Justice" in Article 384, Article 492, paragraph (1), Article 507, paragraph (1), and Article 847, paragraph (1) and paragraph (4) of the same Act shall be deemed to be "ordinance of the competent ministry," the phrase "give public notice in the official gazette" in Article 499, paragraph (1) of the same Act shall be deemed to be replaced with "give public notice," and any other necessary technical replacement of terms shall be specified by a Cabinet Order.

2 組合の解散及び清算を監督する裁判所は、組合の業務を監督する行政庁に対し、意見を求め、又は調査を囑託することができる。

(2) A court supervising the dissolution and liquidation of a cooperative may seek the opinion of or commission an investigation by an administrative agency supervising

the operations of the cooperative.

3 前項に規定する行政庁は、同項に規定する裁判所に対し、意見を述べることができる。

(3) An administrative agency prescribed in the preceding paragraph may state its opinion to the court prescribed in the same paragraph.

第三章 中小企業団体中央会

Chapter III Federations of Small Business Associations

第一節 通則

Section 1 General Rules

第七十条 (種類)

Article 70 (Types)

中小企業団体中央会（以下「中央会」という。）は、都道府県中小企業団体中央会（以下「都道府県中央会」という。）及び全国中小企業団体中央会（以下「全国中央会」という。）とする。

Federations of small business associations (hereinafter referred to as "FSBAs") shall consist of prefectural federations of small business associations (hereinafter referred to as "prefectural FSBAs") and the national federation of small business associations (hereinafter referred to as "national FSBA").

第七十一条 (人格及び住所)

Article 71 (Personality and Domicile)

1 中央会は、法人とする。

(1) An FSBA shall be a juridical person.

2 中央会の住所は、その主たる事務所の所在地にあるものとする。

(2) The domicile of an FSBA shall be at the location of its principal office.

第七十二条 (名称)

Article 72 (Name)

1 中央会は、その名称中に、次の文字を用いなければならない。

(1) An FSBA shall use the following words in its name:

一 都道府県中央会にあつては、その地区の都道府県の名称を冠する中小企業団体中央会

(i) In the case of a prefectural FSBA, "federation of small business associations" in combination with the name of the prefecture of its district

二 全国中央会にあつては、全国中小企業団体中央会

(ii) In the case of the national FSBA, "national federation of small business associations"

2 中央会以外の者は、その名称中に、都道府県中央会又は全国中央会であることを示す文字を用いてはならない。

(2) No person other than an FSBA shall use in its name a word indicating that he/she/it is a prefectural FSBA or the national FSBA.

第七十三条 (数)

Article 73 (Number)

1 都道府県中央会は、都道府県ごとに一個とし、その地区は、都道府県の区域による。

(1) There shall be only one prefectural FSBA in each prefecture, and its district shall be the district of the prefecture.

2 全国中央会は、全国を通じて一個とする。

(2) There shall be only one national FSBA throughout the country.

第二節 事業

Section 2 Activities

第七十四条 (都道府県中央会)

Article 74 (Prefectural FSBA)

1 都道府県中央会は、次の事業を行うものとする。

(1) A prefectural FSBA shall engage in the following activities:

一 組合、協業組合、商工組合、商工組合連合会、商店街振興組合及び商店街振興組合連合会（以下「組合等」という。）の組織、事業及び経営の指導並びに連絡

(i) Provision of instructions regarding organization, activities, and management to cooperatives, joint cooperatives, commercial and industrial cooperatives, federations of commercial and industrial cooperatives, shopping district promotion cooperatives, and federations of shopping district promotion cooperatives (hereinafter referred to as "cooperatives, etc."), and liaison between them

二 組合等の監査

(ii) Audit of cooperatives, etc.

三 組合等に関する教育及び情報の提供

(iii) Education on and provision of information about cooperatives, etc.

四 組合等に関する調査及び研究

(iv) Investigation and research on cooperatives, etc.

五 組合等の事業に関する展示会、見本市等の開催又はその開催のあつせん

(v) Holding of exhibitions, fairs, etc. concerning the activities of cooperatives, etc. and conducting of mediation thereof

六 前各号の事業のほか、組合等及び中小企業の健全な発達を図るために必要な事業

(vi) In addition to the activities set forth in the preceding items, activities necessary for achieving the sound development of cooperatives, etc. and small

and medium-sized enterprises

2 都道府県中央会は、組合等、中央会及び中小企業に関する事項について、国会、地方公共団体の議会又は行政庁に建議することができる。

(2) A prefectural FSBA may propose matters concerning cooperatives, etc., FSBA, and small and medium-sized enterprises to the Diet, a council of a local public entity, or an administrative agency.

第七十五条 (全国中央会)

Article 75 (National FSBA)

1 全国中央会は、次の事業を行うものとする。

(1) The national FSBA shall engage in the following activities:

一 都道府県中央会の組織及び事業の指導並びに連絡

(i) Provision of instructions regarding organization and activities to prefectural FSBA and liaison between them

一の二 組合等の連絡

(i-ii) Liaison between cooperatives, etc.

二 組合等に関する教育及び情報の提供

(ii) Education on and provision of information about cooperatives, etc.

三 組合等に関する調査及び研究

(iii) Investigation and research on cooperatives, etc.

四 組合等の組織、事業及び経営に関する知識についての検定

(iv) Provision of examinations on knowledge concerning the organization, activities and management of cooperatives, etc.

五 組合等の事業に関する展示会、見本市等の開催又はその開催のあつせん

(v) Holding of exhibitions, fairs, etc. concerning the activities of cooperatives, etc. and mediation thereof

六 前各号の事業のほか、組合等、都道府県中央会及び中小企業の健全な発達を図るために必要な事業

(vi) In addition to the activities set forth in the preceding items, activities necessary for achieving the sound development of cooperatives, etc., prefectural FSBA, and small and medium-sized enterprises

2 全国中央会は、その事業を行うために必要があるときは、定款の定めるところにより、都道府県中央会に対し、その業務若しくは会計に関する報告を求め、又は事業計画の設定若しくは変更その他業務若しくは会計に関する重要な事項について指示することができる。

(2) The national FSBA may, when it is necessary in order to carry out its activities, request a prefectural FSBA to report on the operations or accounting thereof, or provide instructions to a prefectural FSBA regarding the establishment of or a change to the activity plan or any other important matters concerning operations or accounting, pursuant to the provisions of the articles of association.

3 全国中央会については、前条第二項の規定を準用する。

(3) With regard to the national FSBA, the provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis.

第七十五条の二 (私的独占禁止法の適用除外)

Article 75-2 (Exclusion from Application of the Antimonopoly Act)

私的独占禁止法第八条第一項第一号及び第四号の規定は、中央会が行う第七十四条第一項各号及び前条第一項各号の事業については、適用しない。ただし、不公正な取引方法を用いる場合又は一定の取引分野における競争を実質的に制限することにより不当に対価を引き上げることとなる場合は、この限りでない。

The provisions of Article 8, paragraph (1), item (i) and item (iv) of the Antimonopoly Act shall not apply to the activities set forth in the items of Article 47, paragraph (1) and the items of paragraph (1) of the preceding Article carried out by an FSBA; provided, however, that this shall not apply to the case where unfair trade practices are employed or where competition in any particular field of trade is substantially restrained, resulting in unjust increases of prices.

第三節 会員

Section 3 Members

第七十六条 (会員の資格)

Article 76 (Qualification of Members)

1 都道府県中央会の会員たる資格を有する者は、次の者とする。

(1) A person who is qualified to be a member of a prefectural FSBA shall be the following:

一 都道府県中央会の地区内に事務所を有する組合等

(i) A cooperative, etc. having an office within the district of the prefectural FSBA

二 前号の者以外の者であつて、定款で定めるもの

(ii) A person other than one set forth in the preceding item, who is specified by the articles of association

2 全国中央会の会員たる資格を有する者は、次の者とする。

(2) A person who is qualified to be a member of the national FSBA shall be the following:

一 都道府県中央会

(i) A prefectural FSBA

二 全都道府県の区域を地区とする組合等

(ii) A cooperative, etc. whose district covers the districts of all prefectures

三 前二号の者以外の者であつて、定款で定めるもの

(iii) A person other than those set forth in the preceding two items, who is specified by the articles of association

第七十七条（議決権及び選挙権）

Article 77 (Voting Right and Right to Elect)

- 1 都道府県中央会の会員は、各々一個の議決権及び役員又は総代の選挙権を有する。
- (1) Each member of a prefectural FSBA shall have a single voting right and the right to elect officers or representatives.
- 2 全国中央会の会員は、各々一個の議決権及び役員選挙権を有する。ただし、前条第二項第一号の者に対しては、定款の定めるところにより、議決権又は選挙権の総数の五十分の一を超えない範囲内において、二個以上の議決権又は選挙権を与えることができる。
- (2) Each member of the national FSBA shall have a single voting right and the right to elect officers; provided, however, that two or more voting rights or rights to elect may be granted to a person set forth in paragraph (2), item (i) of the preceding Article, within a limit not exceeding one-fiftieth of the total number of voting rights or rights to elect, pursuant to the provisions of the articles of association.
- 3 会員は、定款の定めるところにより、第八十二条の十第四項において準用する第四十九条第一項の規定によりあらかじめ通知のあつた事項につき、書面又は代理人をもつて、議決権又は選挙権を行うことができる。
- (3) A member may, pursuant to the provisions of the articles of association, exercise his/her voting right or right to elect in writing or by proxy with regard to matters that have been notified in advance pursuant to the provisions of Article 49, paragraph (1) as applied mutatis mutandis pursuant to Article 82-10, paragraph (4).
- 4 会員は、定款の定めるところにより、前項の規定による書面をもつてする議決権の行使に代えて、議決権を電磁的方法により行うことができる。
- (4) A member may, pursuant to the provisions of the articles of association, exercise his/her voting right by electromagnetic means, in lieu of the exercise of the voting right in writing under the provisions set forth in the preceding paragraph.
- 5 前二項の規定により議決権又は選挙権を行う者は、出席者とみなす。
- (5) A person exercising a voting right or right to elect pursuant to the provisions of the preceding two paragraphs shall be deemed to be an attendant.
- 6 都道府県中央会にあつては、代理人は、五人以上の会員を代理することができない。
- (6) In the case of a prefectural FSBA, a proxy may not serve as a proxy for five or more members.
- 7 全国中央会にあつては、代理人は、議決権又は選挙権の総数の五十分の一を超える議決権又は選挙権を代理して行うことができない。
- (7) In the case of the national FSBA, a proxy may not exercise voting rights or rights to elect exceeding one-fiftieth of the total number of voting rights or rights to elect on behalf of members.
- 8 代理人は、代理権を証する書面を中央会に提出しなければならない。この場合にお

いて、電磁的方法により議決権を行うことが定款で定められているときは、当該書面の提出に代えて、代理権を当該電磁的方法により証明することができる。

- (8) A proxy shall submit a document proving the power of proxy to the FSBA. In this case, if the exercise of a voting right by electromagnetic means is allowed pursuant to the provisions of the articles of association, the proxy may prove the power of proxy by electromagnetic means, in lieu of the submission of said document.

第七十八条 (経費の賦課)

Article 78 (Imposition of Expenses)

1 中央会は、定款の定めるところにより、会員に経費を賦課することができる。

- (1) An FSBA may impose expenses on its members, pursuant to the provisions of the articles of association.

2 会員は、前項の経費の支払について、相殺をもつて中央会に対抗することができない。

- (2) A member may not duly assert a set-off against the FSBA for the payment of expenses set forth in the preceding paragraph.

第七十九条 (加入)

Article 79 (Membership)

1 都道府県中央会の会員たる資格を有する者が都道府県中央会に加入しようとするときは、都道府県中央会は、正当な理由がないのに、その加入を拒み、又はその加入につき現在の会員が加入の際に付されたよりも困難な条件を付してはならない。

- (1) When a person qualified to be a member of a prefectural FSBA intends to join a prefectural FSBA, the prefectural FSBA shall not, without justifiable grounds, refuse said person membership nor impose more difficult conditions on said person on becoming a member than those imposed when present members joined the prefectural FSBA.

2 都道府県中央会は、全国中央会が成立したときは、すべてその会員となる。全国中央会が成立した後において成立した都道府県中央会についても同様である。

- (2) When the national FSBA has been established, all prefectural FSBA become members thereof. The same shall apply to a prefectural FSBA that has been established after the establishment of the national FSBA.

3 第七十六条第二項第二号及び第三号の者が全国中央会に加入しようとする場合については、第一項の規定を準用する。

- (3) With regard to the case where a person set forth in Article 76, paragraph (2), item (ii) or item (iii) intends to join the national FSBA, the provisions of paragraph (1) shall apply mutatis mutandis.

第八十条 (脱退)

Article 80 (Withdrawal)

- 1 都道府県中央会の会員及び都道府県中央会以外の全国中央会の会員は、三十日前までに予告して、脱退することができる。
- (1) A member of a prefectural FSBA or a member of the national FSBA other than a prefectural FSBA may withdraw by giving at least thirty days' advance notice.
- 2 全国中央会の会員たる都道府県中央会は、解散によつて脱退する。
- (2) A prefectural FSBA which is a member of the national FSBA withdraws when it has been dissolved.
- 3 都道府県中央会の会員及び都道府県中央会以外の全国中央会の会員については、第十九条の規定を準用する。
- (3) With regard to a member of a prefectural FSBA and a member of the national FSBA other than a prefectural FSBA, the provisions of Article 19 shall apply mutatis mutandis.

第四節 設立

Section 4 Formation

第八十一条 (発起人)

Article 81 (Founders)

- 1 中央会を設立するには、その会員になろうとする八人以上の者が発起人となることを要する。この場合において、その発起人中に、都道府県中央会にあつては五以上の第七十六条第一項第一号の者を、全国中央会にあつては五以上の都道府県中央会を含まなければならない。
- (1) In order to form an FSBA, eight or more persons who intend to become its members shall be required to become founders. In this case, the founders shall include five or more persons set forth in Article 76, paragraph (1), item (i) in the case of a prefectural FSBA, and shall include five or more prefectural FSBA's in the case of the national FSBA.
- 2 都道府県中央会は、その地区内に主たる事務所を有する組合等の五分の一以上が会員となるのでなければ、設立することができない。
- (2) A prefectural FSBA may only be formed if or more one-fifth of the cooperatives, etc. having their principal offices within its district are to become its members.
- 3 全国中央会は、二十五以上の都道府県中央会が会員となるのでなければ、設立することができない。
- (3) The national FSBA may only be formed if or more twenty-five prefectural FSBA's are to become its members.

第八十二条 (創立総会)

Article 82 (Organizational Meeting)

- 1 発起人は、定款を作成し、これを会議の日時及び場所とともに公告して、創立総会を開かなければならない。

- (1) Founders shall hold an organizational meeting after preparing the articles of association, and publicly notifying them together with the date and place of the meeting.
- 2 創立総会においてその延期又は続行について決議があつた場合には、前項の規定は、適用しない。
- (2) When there has been a resolution for the postponement or adjournment of the organizational meeting, the provisions set forth in the preceding paragraph shall not apply.
- 3 創立総会の議事については、主務省令で定めるところにより、議事録を作成しなければならない。
- (3) Minutes shall be taken with regard to the proceedings of the organizational meeting, pursuant to the provisions of an ordinance of the competent ministry.
- 4 創立総会の決議については、第二十七条第二項から第五項まで及び第七十七条の規定を、創立総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六條第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（これらの規定中監査役に係る部分を除く。）を準用する。
- (4) With regard to a resolution of the organizational meeting, the provisions of Article 27, paragraphs (2) to (5) and Article 77 shall apply *mutatis mutandis*; and with regard to an action for declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the organizational meeting, Article 830, Article 831, Article 834 (limited to the portions pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Rescission of a Resolution of a Shareholders Meeting) (excluding the portions pertaining to company auditors in these provisions) of the Companies Act shall apply *mutatis mutandis*.

第八十二条の二 （設立の認可）

Article 82-2 (Approval for Formation)

発起人は、創立総会終了後遅滞なく、定款並びに事業計画、役員の名及び住所その他必要な事項を記載した書面を行政庁に提出して、設立の認可を受けなければならない。

The founders shall, without delay after the organizational meeting, submit the articles of association, activity plan, and documents stating the names and domiciles of the officers and other necessary matters to an administrative agency, and obtain approval for the formation.

第八十二条の三 （準用）

Article 82-3 (Application Mutatis Mutandis)

設立については、第二十八条及び第三十条の規定を準用する。

With regard to the formation, the provisions of Article 28 and Article 30 shall apply mutatis mutandis.

第五節 管理

Section 5 Management

第八十二条の四 (定款)

Article 82-4 (Articles of Association)

中央会の定款には、次の事項を記載し、又は記録しなければならない。

The articles of association of an FSBA shall state or record therein the following matters:

一 事業

(i) Activities

二 名称

(ii) Name

三 事務所の所在地

(iii) Location of office

四 会員たる資格に関する規定

(v) Provisions on membership qualification

五 会員の加入及び脱退に関する規定

(v) Provisions on the joining and withdrawal of members

六 経費の分担に関する規定

(vi) Provisions on the sharing of expenses

七 役員の数及びその選挙又は選任に関する規定

(vii) Fixed number of officers and provisions on their election or appointment

八 事業年度

(viii) Business year

九 公告方法

(ix) Method of public notice

第八十二条の五 (規約)

Article 82-5 (Constitution)

次の事項は、定款で定めなければならない事項を除いて、規約で定めることができる。

The following matters, except for those that are required to be prescribed by the articles of association, may be prescribed by the constitution of the FSBA:

一 総会又は総代会に関する規定

(i) Provisions on the general meeting or the general meeting of representatives

二 業務の執行及び会計に関する規定

(ii) Provisions on the execution of operations and accounting

三 役員に関する規定

(iii) Provisions on officers

四 会員に関する規定

(iv) Provisions on members

五 その他必要な事項

(v) Any other necessary matters

第八十二条の六 (役員)

Article 82-6 (Officers)

中央会に、役員として会長一人、理事五人以上及び監事二人以上を置く。

An FSBA shall have one president, five or more directors, and two or more auditors as its officers.

第八十二条の七 (役員職務)

Article 82-7 (Duties of Officers)

1 会長は、中央会を代表し、その業務を総理する。

(1) The president shall represent the FSBA and preside over its operations.

2 理事は、定款の定めるところにより、会長を補佐して中央会の業務を掌理し、会長に事故があるときはその職務を代理し、会長が欠員のときはその職務を行う。

(2) The directors shall, pursuant to the provisions of the articles of association, assist the president in administering the operations of the FSBA, perform the duties of the president in his/her place when the president is unable to attend to his/her duties, and perform the duties of the president when the post is vacant.

3 監事は、中央会の業務及び会計の状況を監査する。

(3) The auditors shall audit the status of the operations and accounting of the FSBA.

第八十二条の八 (準用規定)

Article 82-8 (Provisions Applied Mutatis Mutandis)

中央会については、第十条の二、第三十四条の二及び第四十条（第一項、第六項から第九項まで及び第十三項を除く。）の規定を、会長、理事及び監事については、第三十五条第三項及び第七項から第十三項まで、第三十五条の二、第三十五条の三、第三十六条（第五項を除く。）並びに第三十六条（第五項を除く。）の三第一項の規定を、会長については、第三十八条並びに民法第四十四条第一項（法人の不法行為能力）及び第五十五条（理事の代理行為の委任）の規定を、理事については、第四十条第七項から第九項までの規定を、監事については、第三十七条第一項の規定を準用する。この場合において、第三十五条第九項中「一人」とあるのは「一人（全国中央会にあつては、選挙権一個）」と、第三十八条第一項中「理事会において」とあるのは「監事に」と、同条第三項中「理事会」とあるのは「監事」と読み替えるものとする。

With regard to an FSBA, the provisions of Article 10-2, Article 34-2, and Article 40

(excluding paragraph (1), paragraphs (6) to (9), and paragraph (13)) shall apply mutatis mutandis; with regard to the president, directors, and auditors, the provisions of Article 35, paragraph (3) and paragraphs (7) to (13), Article 35-2, Article 35-3, Article 36 (excluding paragraph (5)), and Article 36-3, paragraph (1) shall apply mutatis mutandis; with regard to the president, the provisions of Article 38 of this Act and Article 44, paragraph (1) (Capacity of Juridical Person to Commit Tortious Acts) and Article 55 (Delegation of Director's Authority) of the Civil Code shall apply mutatis mutandis; with regard to directors, the provisions of Article 40, paragraphs (7) to (9) shall apply mutatis mutandis; and with regard to auditors, the provisions of Article 37, paragraph (1) shall apply mutatis mutandis. In this case, the term "per person" in Article 35, paragraph (9) shall be deemed to be replaced with "per person (per right to elect in the case of the national FSBA)," the phrase "at the council and obtain its" in Article 38, paragraph (1) shall be deemed to be replaced with "to the auditors and obtain their," and the term "council" in paragraph (3) of the same Article shall be deemed to be replaced with "auditors."

第八十二条の九 (顧問)

Article 82-9 (Advisor)

中央会は、学識経験のある者を顧問とし、常時中央会の重要事項に関し助言を求めることができる。ただし、顧問は、中央会を代表することができない。

An FSBA may designate a person with the relevant knowledge and experience as an advisor, and ask for his/her advice regarding important matters of the FSBA; provided, however, that such advisor may not represent the FSBA.

第八十二条の十 (総会)

Article 82-10 (General Meeting)

1 会長は、定款の定めるところにより、毎事業年度一回通常総会を招集しなければならない。

(1) The president shall convene the ordinary general meeting once every business year, pursuant to the provisions of the articles of association.

2 会長は、必要があると認めるときは、定款の定めるところにより、いつでも臨時総会を招集することができる。

(2) The president may, when he/she finds it to be necessary, convene the extraordinary general meeting at any time, pursuant to the provisions of the articles of association.

3 次の事項は、都道府県中央会にあつては総会員の半数以上が、全国中央会にあつては議決権の総数の半数以上に当たる議決権を有する会員が出席し、それぞれその議決権の三分の二以上の多数による議決を必要とする。

(3) The following matters require a majority vote of or more two-thirds of the voting rights of those present, where or more a half of all members are present in the case

of a prefectural FSBA, and where members having voting rights of or more a half of the total number of voting rights are present in the case of the national FSBA:

一 定款の変更

(i) A change to the articles of association

二 中央会の解散

(ii) Dissolution of the FSBA

三 会員の除名

(iii) Expulsion of a member

4 総会については、第四十七条第二項から第四項まで、第四十八条から第五十条まで、第五十一条第一項及び第二項、第五十二条、第五十三条の三並びに第五十三条の四の規定を、総会の決議の不存在若しくは無効の確認又は取消しの訴えについては、会社法第八百三十条、第八百三十一条、第八百三十四条（第十六号及び第十七号に係る部分に限る。）、第八百三十五条第一項、第八百三十六条第一項及び第三項、第八百三十七条、第八百三十八条並びに第八百四十六条（株主総会の決議の不存在若しくは無効の確認又は取消しの訴え）の規定（これらの規定中監査役に係る部分を除く。）を準用する。この場合において、第四十七条第二項及び第四項中「理事会」とあり、及び第四十八条中「理事」とあるのは、「会長」と読み替えるものとする。

(4) With regard to the general meeting, the provisions of Article 47, paragraphs (2) to (4), Articles 48 to 50, Article 51, paragraph (1) and paragraph (2), Article 52, Article 53-3, and Article 53-4 shall apply mutatis mutandis; with regard to an action for a declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the general meeting, Article 830, Article 831, Article 834 (limited to the portions pertaining to item (xvi) and item (xvii)), Article 835, paragraph (1), Article 836, paragraph (1) and paragraph (3), Article 837, Article 838, and Article 846 (Action for Declaratory Judgment on Nonexistence or Invalidity of or Action for Rescission of a Resolution of a Shareholders Meeting) (excluding the portions pertaining to company auditors in these provisions) of the Companies Act shall apply mutatis mutandis. In this case, the term "council" in Article 47, paragraph (2) and paragraph (4) shall be deemed to be replaced with "president" and the phrase "no director has" in Article 48 shall be deemed to be replaced with "the president has not."

第八十二条の十一（総代会）

Article 82-11 (General Meeting of Representatives)

1 会員の総数が二百人を超える都道府県中央会は、定款の定めるところにより、総会に代わるべき総代会を設けることができる。

(1) A prefectural FSBA whose total number of members exceeds two hundred persons may establish the general meeting of representatives in lieu of the general meeting, pursuant to the provisions of the articles of association

2 総代会については、都道府県中央会の総会に関する規定及び第五十五条第二項から

第五項までの規定を準用する。この場合において、第七十七条第六項中「五人」とあるのは「二人」と読み替えるものとする。

(2) With regard to the general meeting of representatives, the provisions concerning the general meeting of a prefectural FSBA and the provisions of Article 55, paragraphs (2) to (5) shall apply mutatis mutandis. In this case, the term "five" in Article 77, paragraph (6) shall be deemed to be replaced with "two."

3 総代会においては、前項の規定にかかわらず、総代の選挙（補欠の総代の選挙を除く。）をし、又は前条第三項第二号の事項について議決することができない。

(3) Notwithstanding the provisions of the preceding paragraph, the general meeting of representatives may not elect representatives (excluding the election of a representative for filling a vacancy) nor decide the matters set forth in paragraph (3), item (ii) of the preceding Article.

第八十二条の十二 （部会）

Article 82-12 (Sectional Meeting)

中央会は、定款の定めるところにより、組合等の種類ごとに部会を設けることができる。

An FSBA may, pursuant to the provisions of the articles of association, establish a sectional meeting for each type of cooperative, etc.

第六節 解散及び清算

Section 6 Dissolution and Liquidation

第八十二条の十三 （解散の事由）

Article 82-13 (Grounds for Dissolution)

1 中央会は、次の事由によつて解散する。

(1) An FSBA shall be dissolved based on any of the following grounds:

一 総会の決議

(i) A resolution of the general meeting

二 破産手続開始の決定

(iii) A decision on the commencement of bankruptcy proceedings

三 第百六条第二項の規定による解散の命令

(iii) An order of dissolution under the provisions of Article 106, paragraph (2)

2 中央会は、前項第一号の規定により解散したときは、解散の日から二週間以内に、その旨を行政庁に届け出なければならない。

(2) When an FSBA has been dissolved pursuant to the provisions of item (i) of the preceding paragraph, it shall notify an administrative agency to that effect within two weeks from the date of the dissolution.

第八十二条の十四 （清算人）

Article 82-14 (Liquidator)

中央会が解散したときは、破産手続開始の決定による解散の場合を除いては、会長がその清算人となる。ただし、総会において他人を選任したときは、この限りでない。

When an FSBA has been dissolved, the president shall become the liquidator, except in the case of a dissolution based on a decision on the commencement of bankruptcy proceedings; provided, however, that this shall not apply when another person has been appointed as a liquidator at the general meeting.

第八十二条の十五 (清算事務)

Article 82-15 (Liquidation Affairs)

清算人は、就職の後遅滞なく、中央会の財産の状況を調査し、財産目録及び貸借対照表を作り、財産処分の方法を定め、これを総会に提出して、その承認を求めなければならない。

The liquidator shall, without delay after assuming the position, investigate the status of the property of the FSBA, prepare an inventory of the property and a balance sheet, decide on the method for disposing of the property, submit the documents to the general meeting, and request approval.

第八十二条の十六 (財産分配の制限)

Article 82-16 (Restriction on Distribution of Property)

清算人は、中央会の債務を弁済した後でなければ、中央会の財産を分配することができない。

The liquidator shall not distribute the property of the FSBA until after paying the obligations of the FSBA.

第八十二条の十七 (決算の承認)

Article 82-17 (Approval of the Settlement of Account)

清算事務が終つたときは、清算人は、遅滞なく、決算報告書を作り、これを総会に提出して、その承認を求めなければならない。

After completing the affairs of the liquidation, the liquidator shall, without delay, prepare a statement of accounts, submit it to the general meeting, and request approval.

第八十二条の十八 (民法の準用等)

Article 82-18 (Application Mutatis Mutandis of the Civil Code, etc.)

- 1 解散及び清算については、民法第七十三条、第七十五条、第七十六条及び第七十八条から第八十二条まで（法人の清算）並びに非訟事件手続法第三十五条第二項及び第三十七条から第四十条まで（法人の清算の監督）の規定を、清算人については、第三十五条の三、第三十六条の三第一項、第三十七条第一項、第三十八条、第三十九条、第四十条第二項から第十項まで（第六項を除く。）、第四十七条第二項から第四項まで、

第四十八条並びに第八十二条の十第一項及び第二項並びに民法第四十四条第一項（法人の不法行為能力）の規定を準用する。この場合において、同法第七十五条中「前条」とあるのは「中小企業等協同組合法第八十二条の十四」と、第三十八条第一項中「理事会において」とあるのは「監事に」と、同条第三項中「理事会」とあるのは「監事」と読み替えるものとする。

- (1) With regard to dissolution and liquidation, the provisions of Article 73, Article 75, Article 76, and Articles 78 to 82 (Liquidation of a Juridical Person) of the Civil Code and Article 35, paragraph (2) and Articles 37 to 40 (Supervision of Liquidation of a Juridical Person) of the Non-Contentious Cases Procedure Act shall apply mutatis mutandis; and with regard to the liquidator, the provisions of Article 35-3, Article 36-3, paragraph (1), Article 37, paragraph (1), Article 38, Article 39, Article 40, paragraphs (2) to (10) (excluding paragraph (6)), Article 47, paragraphs (2) to (4), Article 48, and Article 82-10, paragraph (1) and paragraph (2) of this Act and Article 44, paragraph (1) (Capacity of Juridical Person to Commit Tortious Acts) of the Civil Code shall apply mutatis mutandis. In this case, "the preceding Article" in Article 75 of the same Act shall be deemed to be replaced with "Article 82-14 of the Small and Medium-Sized Enterprise Cooperatives Act," the phrase "at the council and obtain its" in Article 38, paragraph (1) shall be deemed to be replaced with "to the auditors and obtain their," and the term "council" in paragraph (3) of the same Article shall be deemed to be replaced with "auditors."
- 2 中央会の解散及び清算を監督する裁判所は、中央会の業務を監督する行政庁に対し、意見を求め、又は調査を囑託することができる。
- (2) A court supervising the dissolution and liquidation of an FSBA may seek the opinion of or commission an investigation by an administrative agency supervising the operations of the FSBA.
- 3 前項に規定する行政庁は、同項に規定する裁判所に対し、意見を述べることができる。
- (3) An administrative agency prescribed in the preceding paragraph may state its opinion to the court prescribed in the same paragraph.

第四章 登記

Chapter IV Registration

第一節 総則

Section 1 General Provisions

第八十三条 （登記の効力）

Article 83 (Effect of Registration)

この法律の規定により登記すべき事項は、登記の後でなければ、これをもつて第三者

に対抗することができない。

Matters to be registered pursuant to the provisions of this Act may not be duly asserted against a third party until after the completion of the registration.

第二節 組合及び中央会の登記

Section 2 Registration of Cooperatives and FSBAs

第一款 主たる事務所の所在地における登記

Subsection 1 Registration at the Location of the Principal Office

第八十四条 (組合等の設立の登記)

Article 84 (Registration of Formation of a Cooperative, etc.)

1 組合の設立の登記は、その主たる事務所の所在地において、第二十九条の規定による出資の払込みがあつた日から二週間以内にしなければならない。

(1) A cooperative shall complete the registration of its formation at the location of its principal office within two weeks from the day on which the payment of a contribution under the provisions of Article 29 has been made.

2 前項の登記においては、次に掲げる事項（企業組合の設立の登記にあつては、第三号に掲げる事項を除く。）を登記しなければならない。

(2) In the registration set forth in the preceding paragraph, the following matters (excluding the matter set forth in item (iii) in the case of registration of the formation of a joint enterprise cooperative) shall be registered:

一 事業

(i) Activities

二 名称

(ii) Name

三 地区

(iii) District

四 事務所の所在場所

(iv) Office address

五 出資一口の金額及びその払込の方法並びに出資の総口数及び払込済出資総額

(v) Unit amount of contribution, the method of its payment, the total number of units of contribution, and the total amount of contribution already paid

六 存続期間又は解散の事由を定めたときは、その時期又は事由

(vi) The duration of the cooperative or the grounds for its dissolution if the cooperative has set such duration or grounds

七 代表権を有する者の氏名、住所及び資格

(vii) Name, domicile and qualifications of the person having the authority of representation

八 公告方法

(viii) Method of public notice

九 第三十三条第四項の定款の定めが電子公告を公告方法とする旨のものであるときは、次に掲げる事項

(ix) If the provisions of the articles of association under Article 33, paragraph (4) specify electronic public notice as the method of public notice, the following matters:

イ 電子公告により公告すべき内容である情報について不特定多数の者がその提供を受けるために必要な事項であつて法務省令で定めるもの

(a) Matters necessary for making the information that should be publicly notified available to many and unspecified persons by electromagnetic means, which are specified by an Ordinance of the Ministry of Justice

ロ 第三十三条第五項後段の規定による定款の定めがあるときは、その定め

(b) If there are provisions of the articles of association set forth in the second sentence of Article 33, paragraph (5), such provisions

3 中央会の設立の登記は、その主たる事務所の所在地において、設立の認可があつた日から二週間以内にしなければならない。

(3) An FSBA shall complete the registration of its formation at the location of its principal office within two weeks from the day on which the formation has been approved.

4 前項の登記においては、次に掲げる事項を登記しなければならない。

(4) In the registration set forth in the preceding paragraph, the following matters shall be registered:

一 事業

(i) Activities

二 名称

(ii) Name

三 事務所の所在場所

(iii) Office address

四 代表権を有する者の氏名、住所及び資格

(iv) Name, domicile and qualifications of the person having the authority of representation

五 公告方法

(v) Method of public notice

第八十五条 (変更の登記)

Article 85 (Registration of a Change)

1 組合又は中央会（以下この章において「組合等」という。）において前条第二項各号又は第四項各号に掲げる事項に変更が生じたときは、二週間以内に、その主たる事務所の所在地において、変更の登記をしなければならない。

(1) A cooperative or an FSBA (hereinafter referred to as a "cooperative, etc." in this

Chapter) shall, when there has been any change to the matters listed in the items of paragraph (2) or the items listed in paragraph (4) of the preceding Article, complete registration of such change at the location of its principal office within two weeks.

2 前項の規定にかかわらず、前条第二項第五号に掲げる事項中出資の総口数及び払込済出資総額の変更の登記は、毎事業年度末日現在により、当該末日から四週間以内にすれば足りる。

(2) Notwithstanding the provisions of the preceding paragraph, among the matters listed in paragraph (2), item (v) of the preceding Article, it is sufficient to register a change to the total number of units of contribution and the total amount of contribution already paid as of the final day of each business year, within four weeks from said final day.

第八十六条 (他の登記所の管轄区域内への主たる事務所の移転の登記)

Article 86 (Registration of Relocation of the Principal Office to the Jurisdictional District of Another Registry Office)

組合等がその主たる事務所を他の登記所の管轄区域内に移転したときは、二週間以内に、旧所在地においては移転の登記をし、新所在地においては次の各号に掲げる組合等の区分に応じ当該各号に定める事項を登記しなければならない。

When a cooperative, etc. has relocated its principal office to the jurisdictional district of another registry office, it shall, within two weeks, complete registration of the relocation at the former location, and register the matters specified respectively in the following items for the categories of cooperatives, etc. listed in those items at the new location:

一 組合 第八十四条第二項各号に掲げる事項

(i) Cooperative-Matters listed in the items of Article 84, paragraph (2)

二 中央会 第八十四条第四項各号に掲げる事項

(ii) FSBA-Matters listed in the items of Article 84, paragraph (4)

第八十七条 (職務執行停止の仮処分等の登記)

Article 87 (Registration of a Provisional Disposition to Suspend Execution of Duties, etc.)

次の各号に掲げる組合等の区分に応じ、当該各号に定める者の職務の執行を停止し、若しくはその職務を代行する者を選任する仮処分命令又はその仮処分命令を変更し、若しくは取り消す決定がされたときは、その主たる事務所の所在地において、その登記をしなければならない。

When an order of a provisional disposition to suspend the execution of duties of the persons specified respectively in the following items for the categories of cooperatives, etc. listed in those items or to appoint a person to act for said person has been issued or a decision has been made to change or rescind such order of a provisional

disposition, registration to that effect shall be completed at the location of the principal office of the cooperative, etc.:

一 組合 組合を代表する理事

(i) Cooperative-Director representing the cooperative

二 中央会 会長

(ii) FSBA-President

第八十八条 (参事の登記)

Article 88 (Registration of a Counselor)

組合が参事を選任したときは、二週間以内に、その主たる事務所の所在地において、参事の氏名及び住所並びに参事を置いた事務所を登記しなければならない。その登記した事項の変更及び参事の代理権の消滅についても、同様とする。

When a cooperative has appointed a counselor, it shall, within two weeks, register the name and domicile of the counselor and the office to which the counselor has been assigned at the location of its principal office. The same shall apply with regard to a change to the registered matters and the extinction of the authority of representation of the counselor.

第八十九条 (吸収合併の登記)

Article 89 (Registration of an Absorption-Type Merger)

組合が吸収合併をしたときは、その効力が生じた日から二週間以内に、その主たる事務所の所在地において、吸収合併により消滅する組合については解散の登記をし、吸収合併後存続する組合については変更の登記をしなければならない。

When a cooperative has carried out an absorption-type merger, it shall, within two weeks from the day on which the absorption-type merger has taken effect, register the dissolution with regard to the cooperative which has been dissolved as a result of the absorption-type merger and register a change with regard to the cooperative surviving the absorption-type merger at the location of the principal office.

第九十条 (新設合併の登記)

Article 90 (Registration of a Consolidation-Type Merger)

二以上の組合が新設合併をする場合には、次に掲げる日のいずれか遅い日から二週間以内に、その主たる事務所の所在地において、新設合併により消滅する組合については解散の登記をし、新設合併により設立する組合については設立の登記をしなければならない。

When two or more cooperatives carry out a consolidation-type merger, they shall, within two weeks from any of the following dates that is the latest, register the dissolution with regard to the cooperatives which have been dissolved as a result of the consolidation-type merger and register the formation with regard to the cooperative formed by the consolidation-type merger at the location of the principal

office:

- 一 第六十三条の六第三項の総会の決議の日
(i) The date of the resolution of the general meeting set forth in Article 63-6, paragraph (3)
- 二 第六十三条の六第四項において準用する第五十六条の二の規定による手続が終了した日
(ii) The day on which the procedure under the provisions of Article 56-2 as applied mutatis mutandis pursuant to Article 63-6, paragraph (4) has been completed
- 三 新設合併により消滅する組合が合意により定めた日
(iii) The date agreed between the cooperatives dissolved as a result of the consolidation-type merger
- 四 第六十六条第一項の認可を受けた日
(iv) The day on which the approval under Article 66, paragraph (1) has been obtained

第九十一条 (解散の登記)

Article 91 (Registration of Dissolution)

第六十二条第一項第一号若しくは第四号又は第八十二条の十三第一項第一号の規定により組合等が解散したときは、二週間以内に、その主たる事務所の所在地において、解散の登記をしなければならない。

When a cooperative, etc. has been dissolved pursuant to the provisions of Article 62, paragraph (1), item (i) or item (iv) or Article 82-13, paragraph (1), item (i), it shall register the dissolution within two weeks at the location of its principal office.

第九十二条 (清算終了の登記)

Article 92 (Registration of Completion of Liquidation)

清算が終了したときは、次の各号に掲げる組合等の区分に応じ、当該各号に定める日から二週間以内に、その主たる事務所の所在地において、清算終了の登記をしなければならない。

When liquidation has been completed, the completion of liquidation shall be registered at the location of the principal office within two weeks from the dates specified respectively in the following items for the categories of cooperative, etc. listed in those items:

- 一 組合 第六十九条第一項において準用する会社法第五百七条第三項の承認の日
(i) Cooperative-The date of the approval under Article 507, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1)
- 二 中央会 第八十二条の十七の承認の日
(ii) FSBA-The date of the approval under Article 82-17

第二款 従たる事務所の所在地における登記

Subsection 2 Registration at the Location of a Secondary Office

第九十三条 (従たる事務所の所在地における登記)

Article 93 (Registration at the Location of a Secondary Office)

1 次の各号に掲げる場合（当該各号に規定する従たる事務所が主たる事務所の所在地を管轄する登記所の管轄区域内にある場合を除く。）には、当該各号に定める期間内に、当該従たる事務所の所在地において、従たる事務所の所在地における登記をしなければならない。

(1) In the cases listed in the following items (excluding the case where the secondary office prescribed in each item is located within the jurisdictional district of the registry office having jurisdiction over the location of the principal office), registration at the location of a secondary office shall be completed at the location of said secondary office, within the periods specified respectively in those items:

一 組合等の設立に際して従たる事務所を設けた場合（次号に掲げる場合を除く。）
主たる事務所の所在地における設立の登記をした日から二週間以内

(i) The case where a secondary office has been established at the time of formation of the cooperative, etc. (excluding the case set forth in the following item)-Within two weeks from the date of the registration of formation at the location of the principal office

二 新設合併により設立する組合が新設合併に際して従たる事務所を設けた場合 第九十条に規定する日から三週間以内

(ii) The case where a cooperative formed by a consolidation-type merger has established a secondary office at the time of the consolidation-type merger-Within three weeks from the date prescribed in Article 90

三 組合等の成立後に従たる事務所を設けた場合 従たる事務所を設けた日から三週間以内

(iii) The case where a secondary office has been established after the establishment of the cooperative, etc.-Within three weeks from the date of the establishment of the secondary office

2 従たる事務所の所在地における登記においては、次に掲げる事項を登記しなければならない。ただし、従たる事務所の所在地を管轄する登記所の管轄区域内に新たに従たる事務所を設けたときは、第三号に掲げる事項を登記すれば足りる。

(2) At the time of registration at the location of a secondary office, the following matters shall be registered; provided, however, that it shall be sufficient to register the matter set forth in item (iii) when a new secondary office has been established within the juridical district of a registry office having jurisdiction over the location of a secondary office:

一 名称

(i) Name

二 主たる事務所の所在場所

(ii) Address of the principal office

三 従たる事務所（その所在地を管轄する登記所の管轄区域内にあるものに限る。）
の所在場所

(iii) Addresses of any secondary offices (limited to those located within the jurisdictional district of the registry office having jurisdiction over said secondary office)

3 前項各号に掲げる事項に変更が生じたときは、三週間以内に、当該従たる事務所の所在地において、変更の登記をしなければならない。

(3) When a change has occurred to any matters listed in the items of the preceding paragraph, registration of the change shall be completed at the location of said secondary office within three weeks.

第九十四条 （他の登記所の管轄区域内への従たる事務所の移転の登記）

Article 94 (Registration of Relocation of a Secondary Office to the Jurisdictional District of Another Registry Office)

組合等がその従たる事務所を他の登記所の管轄区域内に移転したときは、旧所在地（主たる事務所の所在地を管轄する登記所の管轄区域内にある場合を除く。）においては三週間以内に移転の登記をし、新所在地（主たる事務所の所在地を管轄する登記所の管轄区域内にある場合を除く。以下この条において同じ。）においては四週間以内に前条第二項各号に掲げる事項を登記しなければならない。ただし、従たる事務所の所在地を管轄する登記所の管轄区域内に新たに従たる事務所を移転したときは、新所在地においては、同項第三号に掲げる事項を登記すれば足りる。

When a cooperative, etc. has relocated its secondary office to the jurisdictional district of another registry office, it shall complete registration of the relocation at the former location (excluding the case where it is within the jurisdictional district of the registry office having jurisdiction over the location of the principal office) within three weeks, and complete registration of the matters listed in the items of paragraph (2) of the preceding Article at the new location (excluding the case where it is within the jurisdictional district of the registry office having jurisdiction over the location of the principal office; hereinafter the same shall apply in this Article) within four weeks; provided, however, that it is sufficient to register the matter set forth in item (iii) of the same paragraph at the new location when a new secondary office has been established within the jurisdictional district of the registry office having jurisdiction over the location of a secondary office.

第九十五条 （従たる事務所における変更の登記等）

Article 95 (Registration of a Change at the Locations of Secondary Offices)

第八十九条、第九十条及び第九十二条に規定する場合には、これらの規定に規定する日から三週間以内に、従たる事務所の所在地においても、これらの規定に規定する登記

をしなければならない。ただし、第八十九条に規定する変更の登記は、第九十三条第二項各号に掲げる事項に変更が生じた場合に限り、するものとする。

In the cases provided in Article 89, Article 90, and Article 92, the registrations prescribed in these provisions shall also be completed at the locations of secondary offices within three weeks from the dates prescribed in these provisions; provided, however, that registration of a change prescribed in Article 89 shall be completed only when there has been any change to the matters listed in the items of Article 93, paragraph (2).

第三節 登記の囑託

Section 3 Commission of Registration

第九十六条

Article 96

- 1 組合の設立の無効の訴えに係る請求を認容する判決が確定した場合には、会社法第九百三十七条第一項（第一号イに係る部分に限る。）の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。
 - (1) With regard to the case where a judgment upholding a claim pertaining to an action for invalidation of the formation of a cooperative has become final and binding, the provisions of Article 937, paragraph (1) (limited to the portions pertaining to item (i), (a)) of the Companies Act shall apply mutatis mutandis. In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.
 - 2 組合の出資一口の金額の減少の無効の訴えに係る請求を認容する判決が確定した場合には、会社法第九百三十七条第一項（第一号ニに係る部分に限る。）の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。
 - (2) With regard to the case where a judgment affirming a claim pertaining to an action for the invalidation of a reduction of the unit amount of the contribution of a cooperative has become final and binding, the provisions of Article 937, paragraph (1) (limited to the portions pertaining to item (i), (d)) of the Companies Act shall apply mutatis mutandis. In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.
 - 3 組合の創立総会又は総会の決議の不存在若しくは無効の確認又は取消しの訴えに係る請求を認容する判決が確定した場合には、会社法第九百三十七条第一項（第一号トに係る部分に限る。）の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。
 - (3) With regard to the case where a judgment affirming a claim pertaining to an action for a declaratory judgment on the nonexistence or invalidity of or an action for rescission of a resolution of the general meeting has become final and binding, the provisions of Article 937, paragraph (1) (limited to the portions pertaining to

item (i), (g)) of the Companies Act shall apply mutatis mutandis. In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.

4 組合の合併の無効の訴えに係る請求を認容する判決が確定した場合には、会社法第九百三十七条第三項（第二号及び第三号に係る部分に限る。）及び第四項の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) With regard to the case where a judgment affirming a claim pertaining to an action for the invalidation of a merger has become final and binding, the provisions of Article 937, paragraph (3) (limited to the portions pertaining to item (ii) and item (iii)) of the Companies Act shall apply mutatis mutandis. In this case, any necessary technical replacement of terms shall be specified by a Cabinet Order.

5 行政庁は、第百六条第二項の規定により組合等の解散を命じたときは、遅滞なく、解散の登記を囑託しなければならない。

(5) When an administrative agency has ordered the dissolution of a cooperative, etc. pursuant to the provisions of Article 106, paragraph (2), it shall commission the registration of the dissolution without delay.

第四節 登記の手續等

Section 4 Registration Procedure, etc.

第九十七条 （管轄登記所及び登記簿）

Article 97 (Competent Registry Office and Registry)

1 組合等の登記については、その事務所の所在地を管轄する法務局若しくは地方法務局若しくはこれらの支局又はこれらの出張所を管轄登記所とする。

(1) With regard to registration of a cooperative, etc., the competent registry office shall be the Legal Affairs Bureau or the District Legal Affairs Bureau having jurisdiction over the location of the office of the cooperative, etc. or a branch office or a sub-branch office of such bureau.

2 各登記所に、事業協同組合登記簿、事業協同小組合登記簿、火災共済協同組合登記簿、信用協同組合登記簿、中小企業等協同組合連合会登記簿、企業組合登記簿及び中小企業団体中央会登記簿を備える。

(2) Each registry office shall keep a business cooperative registry, a minor business cooperative registry, a fire mutual aid cooperative registry, a credit cooperative registry, a registry of federations of cooperatives, a joint enterprise cooperative registry, and a registry of federations of small business associations.

第九十八条 （設立の登記の申請）

Article 98 (Application for Registration of Formation)

1 組合等の設立の登記は、組合等を代表すべき者の申請によつてする。

(1) Registration of the formation of a cooperative, etc. shall be made through the filing of an application by the person representing the cooperative, etc.

2 設立の登記の申請書には、法令に別段の定めがある場合を除き、次の各号に掲げる組合等の区分に応じ、当該各号に定める書面を添付しなければならない。

(2) A written application for the registration of formation shall have attached the documents specified respectively in the following items for the categories of cooperatives, etc. listed in those items, except when otherwise provided by laws and ordinances:

一 組合 定款、代表権を有する者の資格を証する書面並びに出資の総口数及び第二十九条の規定による出資の払込みのあつたことを証する書面

(i) Cooperative-The articles of association, a document proving the qualifications of the person having the authority of representation, and a document proving the total number of units of contribution and the fact that there has been the payment of a contribution under the provisions of Article 29

二 中央会 定款及び代表権を有する者の資格を証する書面

(ii) FSBA-The articles of association and a document proving the qualifications of the person having the authority of representation

第九十九条 (変更の登記の申請)

Article 99 (Application for Registration of a Change)

1 組合等の事務所の新設若しくは移転又は第八十四条第二項各号若しくは第四項各号に掲げる事項の変更の登記の申請書には、事務所の新設若しくは移転又は同条第二項各号若しくは第四項各号に掲げる事項の変更を証する書面を添付しなければならない。

(1) A written application for registration of establishment or relocation of an office of a cooperative, etc. or any change to the matters listed in the items of Article 84, paragraph (2) or the items of paragraph (4) of the same Article shall have attached a document proving the new establishment or relocation of the office or proving the change to the matters listed in the items of paragraph (2) of the same Article or the items of paragraph (4) of the same Article.

2 出資一口の金額の減少による変更の登記の申請書には、前項の書面のほか、第五十六条の二第二項の規定による公告及び催告（同条第三項の規定により公告を官報のほか第三十三条第四項の規定による定款の定めに従い同項第二号又は第三号に掲げる公告方法によつてした組合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し、弁済し、若しくは相当の担保を提供し、若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該出資一口の金額の減少をしても当該債権者を害するおそれがないことを証する書面を添付しなければならない。

(2) A written application for registration of a change resulting from a reduction of the unit amount of the contribution shall have attached, in addition to the document set forth in the preceding paragraph, a document proving that public notice or notice under the provisions of Article 56-2, paragraph (2) (in the case of a cooperative which has given public notice by the method of public notice set forth

in Article 33, paragraph (4), item (ii) or item (iii) in accordance with the provisions of the articles of association under the provisions of the same paragraph, in addition to giving public notice in an official gazette, pursuant to the provisions of Article 56-2, paragraph (3), public notice by these methods) has been given, and, if any obligee has stated an objection, the fact that a payment has been made or equivalent security has been provided to said obligee or equivalent property has been entrusted for the purpose of having such obligee receive the payment, or the fact that the reduction of the unit amount of contribution carries no risk of harming said obligee.

第百条 (解散の登記の申請)

Article 100 (Application for Registration of Dissolution)

第九十一条の規定による組合等の解散の登記の申請書には、解散の事由を証する書面を添付しなければならない。

A written application for registration of the dissolution of a cooperative, etc. under the provisions of Article 91 shall have attached a document proving the ground for dissolution.

第百一条 (清算終了の登記の申請)

Article 101 (Application for Registration of Completion of Liquidation)

組合等の清算終了の登記の申請書には、清算人が第六十九条第一項において準用する会社法第五百七条第三項の規定又は第八十二条の十七の規定による決算報告書の承認があつたことを証する書面を添付しなければならない。

The liquidator shall attach to a written application for registration of the completion of the liquidation of a cooperative, etc. a document proving that the settlement of account under the provisions of Article 507, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1) or the provisions of Article 82-17 has been approved.

第百二条 (吸収合併による変更の登記の申請)

Article 102 (Application for Registration of a Change Resulting from an Absorption-Type Merger)

組合の吸収合併による変更の登記の申請書には、第八十四条第二項各号に掲げる事項の変更を証する書面のほか、第六十三条の四第四項及び第六十三条の五第六項において準用する第五十六条の二第二項の規定による公告及び催告（第六十三条の四第四項及び第六十三条の五第六項において準用する第五十六条の二第三項の規定により公告を官報のほか第三十三条第四項の規定による定款の定めに従い同項第二号又は第三号に掲げる公告方法によつてした組合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し、弁済し、若しくは相当の担保を提供し、若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託した

こと又は当該吸収合併をしても当該債権者を害するおそれがないことを証する書面並びに吸収合併により消滅する組合（当該登記所の管轄区域内に主たる事務所があるものを除く。）の登記事項証明書を添付しなければならない。

A written application for registration of a change resulting from an absorption-type merger of a cooperative shall have attached, in addition to a document proving the change to matters listed in the items of Article 84, paragraph (2), a document proving that public notice or notice under the provisions of Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to Article 63-4, paragraph (4) and to Article 63-5, paragraph (6) (in the case of a cooperative which has given public notice by the method of public notice set forth in Article 33, paragraph (4), item (ii) or item (iii) in accordance with the provisions of the articles of association under the provisions of the same paragraph, in addition to giving public notice in an official gazette, pursuant to the provisions of Article 56-2, paragraph (3) as applied mutatis mutandis pursuant to Article 63-4, paragraph (4) and to Article 63-5, paragraph (6), public notice by these methods) has been given, and, if any obligee has stated an objection, the fact that a payment has been made or equivalent security has been provided to said obligee or equivalent property has been entrusted for the purpose of having such obligee receive the payment, or the fact that the absorption-type merger carries no risk of harming said obligee, and a certificate of the registered matters of the cooperative dissolved as a result of the absorption-type merger (excluding one whose principal office is located within the jurisdictional district of the relevant registry office).

第百二条の二（新設合併による設立の登記の申請）

Article 102-2 (Application for Registration of Formation by a Consolidation-Type Merger)

組合の新設合併による設立の登記の申請書には、第九十八条第二項第一号に定める書面のほか、第六十三条の六第四項において準用する第五十六条の二第二項の規定による公告及び催告（第六十三条の六第四項において準用する第五十六条の二第三項の規定により公告を官報のほか第三十三条第四項の規定による定款の定めに従い同項第二号又は第三号に掲げる公告方法によつてした組合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し、弁済し、若しくは相当の担保を提供し、若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該新設合併をしても当該債権者を害するおそれがないことを証する書面並びに新設合併により消滅する組合（当該登記所の管轄区域内に主たる事務所があるものを除く。）の登記事項証明書を添付しなければならない。

A written application for registration of formation by a consolidation-type merger of cooperatives shall have attached, in addition to the documents specified in Article 98, paragraph (2), item (i), a document proving that public notice or notice under the provisions of Article 56-2, paragraph (2) as applied mutatis mutandis pursuant to

Article 63-6, paragraph (4) (in the case of a cooperative which has given public notice by the method of public notice set forth in Article 33, paragraph (4), item (ii) or item (iii) in accordance with the provisions of the articles of association under the provisions of the same paragraph, in addition to giving public notice in an official gazette, pursuant to the provisions of Article 56-2, paragraph (3) as applied mutatis mutandis pursuant to Article 63-6, paragraph (4), public notice by these methods) has been given, and, if any obligee has stated an objection, the fact that a payment has been made or equivalent security has been provided to said obligee or equivalent property has been entrusted for the purpose of having such obligee receive the payment, or the fact that the consolidation-type merger carries no risk of harming said obligee, and certificates of the registered matters of the cooperatives dissolved as a result of the consolidation-type merger (excluding those whose principal offices are located within the jurisdictional district of the relevant registry office).

第百三条 (商業登記法の準用)

Article 103 (Application Mutatis Mutandis of the Commercial Registration Act)

組合等の登記については、商業登記法（昭和三十八年法律第百二十五号）第二条から第五条まで（登記所及び登記官）、第七条から第十五条まで、第十七条から第二十三条の二まで、第二十四条（第十五号及び第十六号を除く。）、第二十五条から第二十七条まで（登記簿等、登記手続の通則及び同一の所在場所における同一の商号の登記の禁止）、第四十八条から第五十三条まで、第七十一条第一項及び第三項（株式会社の登記）並びに第百三十二条から第百四十八条まで（登記の更正及び抹消並びに雑則）の規定を、組合の登記については、同法第二十四条（第十五号に係る部分に限る。）（申請の却下）、第四十五条（会社の支配人の登記）、第七十九条、第八十二条及び第八十三条（合併の登記）の規定を準用する。この場合において、同法第十二条第一項中「会社更生法（平成十四年法律第百五十四号）」とあるのは「金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）」と、同法第四十八条第二項中「会社法第九百三十条第二項各号」とあるのは「中小企業等協同組合法第九十三条第二項各号」と、同法第七十一条第三項ただし書中「会社法第四百七十八条第一項第一号の規定により清算株式会社の清算人となつたもの（同法第四百八十三条第四項に規定する場合にあつては、同項の規定により清算株式会社の代表清算人となつたもの）」とあるのは、中央会については、「中小企業等協同組合法第八十二条の十四本文の規定による清算人」と読み替えるものとする。

With regard to registration of a cooperative, etc., the provisions of Articles 2 to 5 (Registry Office and Registrar), Articles 7 to 15, Articles 17 to 23-2, Article 24 (excluding item (xv) and item (xvi)), Articles 25 to 27 (Registry, etc., General Rules on the Registration Procedure, and Prohibition of Registration of Identical Trade Names for Identical Office Addresses), Articles 48 to 53, Article 71, paragraph (1) and paragraph (3) (Registration of a Stock Company) and Articles 132 to 148 (Correction and Cancellation of Registration and Miscellaneous Provisions) of the Commercial

Registration Act (Act No. 125 of 1963) shall apply mutatis mutandis; and with regard to registration of a cooperative, the provisions of Article 24 (limited to the portions pertaining to item (xv)) (Dismissal of Application), Article 45 (Registration of the Manager of a Company), Article 79, Article 82 and Article 83 (Registration of a Merger) of the same Act shall apply mutatis mutandis. In this case, the term "Corporate Reorganization Act (Act No. 154 of 2002)" in Article 12, paragraph (1) of the same Act shall be deemed to be replaced with "Act on Special Treatment of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions (Act No. 95 of 1996)," the term "the items of Article 930, paragraph (2) of the Companies Act" in Article 48, paragraph (2) of the same Act shall be deemed to be replaced with "the items of Article 93, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act," the phrase "one who has become a liquidator of a liquidating stock company pursuant to the provisions of Article 478, paragraph (1), item (i) of the Companies Act (in the case prescribed in Article 483, paragraph (4) of the same Act, one who has become the representative liquidator of a liquidating stock company pursuant to the provisions of the same paragraph)" in the proviso to Article 71, paragraph (3) of the same Act shall be deemed to be replaced with "a liquidator under the provisions of the main clause of Article 82-14 of the Small and Medium-Sized Enterprise Cooperatives Act" with regard to an FSBA.

第五章 雑則

Chapter V Miscellaneous Provisions

第百四条 (不服の申出)

Article 104 (Statement of Dissatisfaction)

1 組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反し、又は組合若しくは中央会の運営が著しく不当であると思料する組合員又は会員は、その事由を添えて、文書をもってその旨を行政庁に申し出ることができる。

(1) A member who considers that the operations or accounting of the cooperative or the FSBA violates a law or an ordinance, a disposition given by an administrative agency based on a law or an ordinance, the articles of association, the constitution, mutual aid rules or fire mutual aid rules, or that administration of the cooperative or the FSBA is extremely unjust may make a statement to that effect in writing to an administrative agency by attaching the ground therefor.

2 行政庁は、前項の申出があつたときは、この法律の定めるところに従い、必要な措置を採らなければならない。

(2) When a statement set forth in the preceding paragraph has been made, an administrative agency shall take necessary measures in accordance with the provisions of this Act.

第百五条 （検査の請求）

Article 105 (Request for Inspection)

- 1 組合員又は会員は、その総数の十分の一以上の同意を得て、その組合又は中央会の業務又は会計が法令若しくは法令に基づいてする行政庁の処分又は定款、規約、共済規程若しくは火災共済規程に違反する疑いがあることを理由として、行政庁にその検査を請求することができる。
- (1) A member may, by gaining the consent of at least one-tenth of all partner, request an administrative agency to conduct an inspection based on a reason that the operations or accounting of the cooperative or the FSBA is suspected of violating a law or an ordinance, a disposition given by an administrative agency based on a law or an ordinance, the articles of association, the constitution, mutual aid rules or fire mutual aid rules.
- 2 前項の請求があつたときは、行政庁は、その組合又は中央会の業務又は会計の状況を検査しなければならない。
- (2) When a request set forth in the preceding paragraph has been made, an administrative agency shall inspect the status of the operations or accounting of the cooperative or the FSBA.

第百五条の二 （決算関係書類の提出）

Article 105-2 (Submission of Settlement-Related Documents)

- 1 組合（信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会を除く。）及び中央会は、毎事業年度、通常総会の終了の日から二週間以内に、事業報告書、財産目録、貸借対照表、損益計算書及び剰余金の処分又は損失の処理の方法を記載した書面を行政庁に提出しなければならない。
- (1) Each business year, a cooperative (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)) or an FSBA shall submit a business report, an inventory of property, a balance sheet, a profit and loss statement, and a document stating the method for the appropriation of the surplus or the disposal of losses to an administrative agency, within two weeks from the conclusion of the ordinary general meeting.
- 2 第四十条の二第一項の規定により会計監査人の監査を要する組合が子会社等を有する場合には、当該組合は、毎事業年度、前項の書類のほか、当該組合及び当該子会社等の業務及び財産の状況を連結して記載した書類を作成し、行政庁に提出しなければならない。
- (2) In the case where a cooperative for which an audit by an accounting auditor is required pursuant to the provisions of Article 40-2, paragraph (1) has a subsidiary company, etc., said cooperative shall, each business year, prepare, in addition to the documents set forth in the preceding paragraph, documents stating the status of the operations and property of said cooperative and said subsidiary company,

etc. in a consolidated manner, and submit them to an administrative agency.

3 前二項の書類の記載事項その他必要な事項は、主務省令で定める。

(3) Matters to be stated in the documents under the preceding paragraphs and any other necessary matters shall be specified by an ordinance of the competent ministry.

第百五条の三 (報告の徴収)

Article 105-3 (Collection of Reports)

1 行政庁は、毎年一回を限り、組合又は中央会から、その組合員又は会員、役員、使用人、事業の分量その他組合又は中央会の一般的状況に関する報告であつて、組合又は中央会に関する行政を適正に処理するために特に必要なものを徴することができる。

(1) Once every year, an administrative agency may collect from a cooperative or an FSBA reports on partner, officers, employees, amount of activities, and other general circumstances of the cooperative or the FSBA, which are especially necessary for appropriately processing the administration concerning the cooperative or the FSBA.

2 行政庁は、組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反する疑いがあり、又は組合若しくは中央会の運営が著しく不当である疑いがあると認めるときは、その組合又は中央会からその業務又は会計に関し必要な報告を徴することができる。

(2) When an administrative agency finds that the operations or accounting of a cooperative or an FSBA is suspected of violating a law or an ordinance, a disposition given by an administrative agency based on a law or an ordinance, the articles of association, the constitution, mutual aid rules or fire mutual aid rules, or that the administration of a cooperative or an FSBA is suspected of being extremely unjust, it may collect from the cooperative or the FSBA the necessary reports on the operations or accounting.

3 行政庁は、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、共済事業を行う組合に対し、その業務又は財産の状況に関し報告又は資料の提出を求めることができる。

(3) When an administrative agency finds it to be necessary for securing the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and for achieving the protection of partner and any other mutual aid contractors, it may request the cooperative engaged in mutual aid activities to submit reports or materials on the status of the operations or property.

4 行政庁は、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため特に必要があると認めるときは、その必要の限度において、当該組合の子法人等（子会社その他組合がその経営を支配している法人として主務省令で定めるものをいう。次項並びに次条第四項及び第五項において同じ。）又は共済代理店に対し、当該組合の業務又は会計の状況に関し参考となるべき報告又

は資料の提出を求めることができる。

(4) When an administrative agency finds it to be especially necessary for securing the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and for achieving the protection of partner and any other mutual aid contractors, it may, within the limit necessary, request a subsidiary company, etc. (which means a subsidiary company or a juridical person specified by an ordinance of the competent ministry as one whose management is controlled by the cooperative; the same shall apply in the following paragraph, and paragraph (4) and paragraph (5) of the following Article) or a mutual aid agent of said cooperative to submit reports or materials that would provide a reference concerning the status of operations or property of said cooperative.

5 組合の子法人等又は共済代理店は、正当な理由があるときは、前項の規定による報告又は資料の提出を拒むことができる。

(5) A subsidiary company, etc. or a mutual aid agent of a cooperative may refuse to submit the reports or materials under the provisions set forth in the preceding paragraph when there are justifiable grounds.

第百五条の四 (検査等)

Article 105-4 (Inspection, etc.)

1 行政庁は、組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反する疑いがあり、又は組合若しくは中央会の運営が著しく不当である疑いがあると認めるときは、その組合若しくは中央会の業務若しくは会計の状況を検査することができる。

(1) When an administrative agency finds that the operations or accounting of a cooperative or an FSBA is suspected of violating a law or an ordinance, a disposition given by an administrative agency based on a law or an ordinance, the articles of association, the constitution, mutual aid rules or fire mutual aid rules, or that the administration of a cooperative or an FSBA is suspected of being extremely unjust, it may inspect the laws and regulations of the operations or accounting of the cooperative or the FSBA.

2 行政庁は、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、当該職員に、共済事業を行う組合の事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関し質問させ、又は帳簿書類その他の物件を検査させることができる。

(2) When an administrative agency finds it to be necessary for securing the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and for achieving the protection of partner and any other mutual aid contractors, it may have its officials enter an office or any other facility of the cooperative engaged in mutual aid activities, and have them ask questions about the status of the operations or accounting, or inspect the books, documents

or other relevant items.

- 3 行政庁は、責任共済等の事業を行う組合の業務又は会計の状況につき、毎年一回を常例として検査をしなければならない。
- (3) An administrative agency shall inspect the status of the operations or accounting of a cooperative engaged in activities concerning liability mutual aid, etc. once every year, as a rule.
- 4 行政庁は、前二項の規定による立入り、質問又は検査を行う場合において特に必要があると認めるときは、その必要の限度において、当該職員に、組合の子法人等若しくは当該組合の共済代理店の施設に立ち入らせ、当該組合に対する質問若しくは検査に必要な事項に関し質問させ、又は帳簿書類その他の物件を検査させることができる。
- (4) When an administrative agency finds it to be especially necessary in the case of carrying out the entry, questioning or inspection under the provisions of the preceding two paragraphs, it may, within the limit necessary, have its officials enter the facility of a subsidiary company, etc. of the cooperative or a mutual aid agent of the cooperative, have them ask questions on matters that are necessary for questioning or inspecting the cooperative, or have them inspect the books, documents or other relevant items.
- 5 組合の子法人等又は当該組合の共済代理店は、正当な理由があるときは、前項の規定による質問及び検査を拒むことができる。
- (5) A subsidiary company, etc. of the cooperative or a mutual aid agent of the cooperative may refuse the questioning and inspection under the provisions of the preceding paragraph when there are justifiable grounds.
- 6 第一項から第四項までの規定による立入り、質問又は検査をする職員は、その身分を示す証明書を携帯し、関係人の請求があつたときは、これを提示しなければならない。
- (6) An official carrying out the entry, questioning, or inspection under the provisions of paragraphs (1) to (4) shall carry an identification card and present it to the persons concerned when requested to do so.
- 7 第一項から第四項までの規定による立入り、質問又は検査の権限は、犯罪捜査のために認められたものと解してはならない。
- (7) The authority for the entry, questioning, or inspection under the provisions of paragraphs (1) to (4) shall not be construed as one recognized for criminal investigation.

第百六条 (法令等の違反に対する処分)

Article 106 (Dispositions Against Violations of Laws and Regulations, etc.)

- 1 行政庁は、第百五条の三第二項の規定により報告を徴し、又は第百五条第二項若しくは前条第一項の規定により検査をした場合において、組合若しくは中央会の業務若しくは会計が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に違反し、又は組合若しくは中央会の運営が著しく不当

であると認めるときは、その組合又は中央会に対し、期間を定めて必要な措置を採るべき旨を命ずることができる。

- (1) In the case when an administrative agency has collected reports pursuant to the provisions of Article 105-3, paragraph (2) or has carried out an inspection pursuant to the provisions of Article 105, paragraph (2) or paragraph (1) of the preceding Article, if it finds that the operations or accounting of the cooperative or the FSBA violates a law or an ordinance, a disposition given by an administrative agency based on a law or an ordinance, the articles of association, the constitution, mutual aid rules or fire mutual aid rules, or that the administration of the cooperative or the FSBA is extremely unjust, it may order the cooperative or the FSBA to take necessary measures within a certain period.
- 2 行政庁は、組合若しくは中央会が前項の命令に違反したとき、又は組合若しくは中央会が正当な理由がないのにその成立の日から一年以内に事業を開始せず、若しくは引き続き一年以上その事業を停止していると認めるときは、その組合又は中央会に対し、解散を命ずることができる。
- (2) When a cooperative or an FSBA has violated an order set forth in the preceding paragraph, or when an administrative agency finds that a cooperative or an FSBA has failed to commence its activities within one year from the date of establishment or has suspended its activities for one year or more on a continuous basis without justifiable grounds, the administrative agency may order the cooperative or the FSBA to be dissolved.
- 3 行政庁は、組合若しくは中央会の代表権を有する者が欠けているとき、又はその所在が知れないときは、前項の規定による命令の通知に代えてその要旨を官報に掲載することができる。
- (3) When the position of the person having the authority of representation of a cooperative or an FSBA is vacant or when the whereabouts of such person is unknown, an administrative agency may, in lieu of notice of an order under the provisions set forth in the preceding paragraph, publish the gist thereof in an official gazette.
- 4 前項の場合においては、当該命令は、官報に掲載した日から二十日を経過した日にその効力を生ずる。
- (4) In the case set forth in the preceding paragraph, the order shall take effect on the day when twenty days have elapsed from the date of publication in the official gazette.

第百六条の二 (共済事業に係る監督上の処分)

Article 106-2 (Supervisory Dispositions Pertaining to Mutual Aid Activities)

- 1 行政庁は、共済事業を行う組合の業務若しくは財産の状況に照らして、又は事情の変更により、共済事業を行う組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、当該組合に対し、その

必要の限度において、定款、規約、共済規程若しくは火災共済規程に定めた事項の変更又は業務執行の方法の変更を命ずることができる。

- (1) When an administrative agency finds it to be necessary for securing the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and for achieving the protection of partner and any other mutual aid contractors, in light of the status of the operations or property of the cooperative engaged in mutual aid activities or due to changes in circumstances, it may, within the limit necessary, order the cooperative to change the matters prescribed in the articles of association, the constitution, mutual aid rules, or fire mutual aid rules or to change the method of execution of the operations.
- 2 行政庁は、共済事業を行う組合の業務若しくは財産又は共済事業を行う組合及びその子会社等の財産の状況に照らして、当該組合の業務の健全かつ適切な運営を確保し、組合員その他の共済契約者の保護を図るため必要があると認めるときは、当該組合に対し、措置を講ずべき事項及び期限を示して、経営の健全性を確保するための改善計画の提出を求め、若しくは提出された改善計画の変更を命じ、又はその必要の限度において、期限を付して当該組合の業務の全部若しくは一部の停止を命じ、若しくは当該組合の財産の供託その他監督上必要な措置を命ずることができる。
- (2) When an administrative agency finds it to be necessary for securing the sound and appropriate administration of the operations of a cooperative engaged in mutual aid activities and for achieving the protection of partner and any other mutual aid contractors, in light of the status of the operations or property of the cooperative engaged in mutual aid activities or the property of the cooperative engaged in mutual aid activities and its subsidiary company, etc., it may, by indicating the matters for which measures should be taken and the period in which they should be taken, request the cooperative to submit an improvement plan for securing sound management or order the cooperative to change the submitted improvement plan, or, within the limit necessary, order the suspension of all or part of the operations of the cooperative by setting a time limit or order deposit of the property of the cooperative or any other measure necessary for the purpose of supervision.
- 3 前項の規定による命令（改善計画の提出を求めることを含む。）であつて、特定共済組合、火災共済協同組合、第九条の九第一項第三号の事業を行う協同組合連合会又は特定共済組合連合会の共済金等の支払能力の充実の状況によつて必要があると認めるときにするものは、これらの組合の共済金等の支払能力の充実の状況に係る区分に応じ主務省令で定めるものでなければならない。
- (3) An order under the provisions of the preceding paragraph (including a request for the submission of an improvement plan), which is issued when it is found to be necessary based on the status of the capacity of a specified mutual aid association, a fire mutual aid cooperative, a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), or a specified federation of mutual

aid associations to pay mutual aid money, etc., shall be one specified by an ordinance of the competent ministry according to the category of the status of the capacity of such cooperative to pay mutual aid money, etc.

4 行政庁は、共済事業を行う組合の財産の状況が著しく悪化し、共済事業を継続することが組合員その他の共済契約者の保護の見地から適当でないとき、当該組合の第九条の六の二第一項（第九条の九第五項において準用する場合を含む。）の認可を取り消し、又は火災共済協同組合若しくは第九条の九第一項第三号の事業を行う協同組合連合会については、第二十七条の二第一項の認可を取り消すことができる。

(4) When an administrative agency finds that the status of the property of a cooperative engaged in mutual aid activities has deteriorated considerably and that it would be inappropriate to continue the mutual aid activities from the viewpoint of protecting partner and any other mutual aid contractors, it may rescind the approval set forth in Article 9-6-2, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5)) granted for the cooperative, or, in the case of a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), rescind the approval set forth in Article 27-2, paragraph (1).

5 行政庁は、共済事業を行う組合が法令若しくは法令に基づいてする行政庁の処分若しくは定款、規約、共済規程若しくは火災共済規程に定めた事項のうち特に重要なものに違反したとき、又は公益を害する行為をしたときは、当該組合の業務の全部若しくは一部の停止若しくは役員解任を命じ、若しくは第九条の六の二第一項（第九条の九第五項において準用する場合を含む。）の認可を取り消し、又は火災共済協同組合若しくは第九条の九第一項第三号の事業を行う協同組合連合会については、第二十七条の二第一項の認可を取り消すことができる。

(5) When a cooperative engaged in mutual aid activities has violated any especially important matter prescribed in a law or an ordinance, a disposition given by an administrative agency based on a law or an ordinance, the articles of association, the constitution, mutual aid rules or fire mutual aid rules, or has committed an act that is harmful to the public interest, it may order the suspension of all or part of the operations of the cooperative or the dismissal of officers, or rescind the approval set forth in Article 9-6-2, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5)), or, in the case of a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), rescind the approval set forth in Article 27-2, paragraph (1).

第百六条の三 （行政庁への届出）

Article 106-3 (Notification to an Administrative Agency)

共済事業を行う組合（第一号に掲げる場合においては、組合又は届出に係る共済代理店）は、次の各号のいずれかに該当するときは、主務省令で定めるところにより、その

旨を行政庁に届け出なければならない。

When a cooperative engaged in mutual aid activities (in the case set forth in item (i), the cooperative or the mutual aid agent to which the notification pertains) falls under any of the following items, it shall notify an administrative agency to that effect, pursuant to the provisions of an ordinance of the competent ministry:

一 共済代理店の設置又は廃止をしようとするとき。

(i) When intending to establish or abolish a mutual aid agent

二 共済計理人を選任したとき、又は共済計理人が退任したとき。

(ii) When having appointed a mutual aid actuary or when a mutual aid actuary has retired from office

三 子会社等を新たに有することとなつたとき。

(iii) When the cooperative is to own a new subsidiary company, etc.

四 子会社等が子会社等でなくなつたとき。

(iv) When a subsidiary company, etc. is no longer a subsidiary company, etc.

五 第六十一条の二第一項又は第二項の規定により説明書類の縦覧を開始したとき。

(v) When the cooperative has commenced the provision of explanatory documents for public inspection pursuant to the provisions of Article 61-2, paragraph (1) or paragraph (2)

六 その他主務省令で定める場合に該当するとき。

(vi) When the cooperative falls under any other case specified by an ordinance of the competent ministry

第七百七条 (排除措置)

Article 107 (Cease and Desist Order)

公正取引委員会は、組合（事業協同小組合を除く。）の組合員たる事業者でその常時使用する従業員の数が百人を超えるものが実質的に小規模の事業者でないと認めるときは、この法律の目的を達成するために、次条に規定する手続に従い、その事業者を組合から脱退させることができる。

When the Fair Trade Commission finds that an entrepreneur who is a member of a cooperative (excluding a minor business cooperative) and whose number of regular employees exceeds one hundred is not a small-scale entrepreneur in substance, it may have the entrepreneur withdraw from the cooperative in accordance with the procedure prescribed in the following Article, in order to achieve the purpose of this Act.

第七百八条

Article 108

前条の場合については、私的独占禁止法第四十条から第四十二条まで（公正取引委員会の権限）、第四十五条、第四十七条から第四十九条まで、第五十二条、第五十五条第一項及び第三項から第五項まで、第五十六条から第五十八条まで、第五十九条第一項、

第六十条から第六十四条まで、第六十六条、第六十八条、第六十九条第一項及び第二項、第七十条、第七十条の二第一項から第三項まで、第七十条の三から第七十条の五まで、第七十条の八、第七十条の十二第二項、第七十条の十五から第七十条の十七まで、第七十条の十九から第七十条の二十二まで（事実の報告、事件の調査、排除措置命令、審判、審決その他事件処理の手續）、第七十五条、第七十六条（雑則）、第七十七条から第八十二条まで並びに第八十八条（訴訟）の規定を準用する。

With regard to the case set forth in the preceding Article, the provisions of Articles 40 to 42 (Authority of the Fair Trade Commission), Article 45, Articles 47 to 49, Article 52, Article 55, paragraph (1) and paragraphs (3) to (5), Articles 56 to 58, Article 59, paragraph (1), Articles 60 to 64, Article 66, Article 68, Article 69, paragraph (1) and paragraph (2), Article 70, Article 70-2, paragraphs (1) to (3), Articles 70-3 to 70-5, Article 70-8, Article 70-12, paragraph (2), Articles 70-15 to 70-17, Articles 70-19 to 70-22 (Reports of Facts, Investigations of Cases, Cease and Desist Order, Hearings, Decisions, and Other Procedures for Disposal of Cases), Article 75, Article 76 (Miscellaneous Provisions), Articles 77 to 82, and Article 88 (Lawsuits) of the Antimonopoly Act shall apply mutatis mutandis.

第九十九条 （東京高等裁判所の管轄権）

Article 109 (Jurisdiction of the Tokyo High Court)

- 1 前条の規定による公正取引委員会の審決に係る訴訟については、第一審の裁判権は、東京高等裁判所に属する。
- (1) The Tokyo High Court has jurisdiction over the first instance of a lawsuit pertaining to a decision of the Fair Trade Commission under the provisions of the preceding Article.
- 2 前項に掲げる訴訟事件は、私的独占禁止法第八十七条第一項の規定により東京高等裁判所に設けられた裁判官の合議体が取り扱うものとする。
- (2) The lawsuit set forth in the preceding paragraph shall be heard by a panel of judges established within the Tokyo High Court pursuant to the provisions of Article 87, paragraph (1) of the Antimonopoly Act.

第一百条 削除

Article 110 Deleted.

第一百十一条 （所管行政庁）

Article 111 (Competent Administrative Agency)

- 1 この法律中「行政庁」とあるのは、第六十五条第一項及び第七十四条第二項（第七十五条第三項において準用する場合を含む。）の場合を除いては、次の各号に定めるところによる。
- (1) In this Act, the "administrative agency" shall be as prescribed in the following items, except in the case of Article 65, paragraph (1) and Article 74, paragraph (2)

(including the case where it is applied mutatis mutandis pursuant to Article 75, paragraph (3)):

一 事業協同組合、事業協同小組合及び協同組合連合会（第九条の九第一項第一号又は第三号の事業を行うものを除く。）については、その地区が都道府県の区域を超えないものであつて、その組合員の資格として定款に定められる事業が財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業（政令で定めるものに限る。以下この号及び第四号において同じ。）以外のものにあつては、その主たる事務所の所在地を管轄する都道府県知事（以下「管轄都道府県知事」という。）とし、その地区が都道府県の区域を超えないものであつて、その組合員の資格として定款に定められる事業が財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業とその他の事業とであるものにあつては、財務大臣又は国土交通大臣及びその管轄都道府県知事とし、その他のものにあつては、その組合員の資格として定款に定められる事業の所管大臣とする。

(i) With regard to a business cooperative, a minor business cooperative, or a federation of cooperatives (excluding one engaged in the activities set forth in Article 9-9, paragraph (1), item (i) or item (iii)), if its district does not extend beyond the district of a prefecture and the business required for partner as prescribed in the articles of association is not a business under the jurisdiction of the Minister of Finance nor a business under the jurisdiction of the Minister of Land, Infrastructure and Transport (limited to one specified by a Cabinet Order; hereinafter the same shall apply in this item and item (iv)), the administrative agency shall be the prefectural governor having jurisdiction over its principal office (hereinafter referred to as the competent prefectural governor), and if its district does not extend beyond the district of a prefecture and the business required for partner as prescribed in the articles of formation is a business under the jurisdiction of the Minister of Finance or a business under the jurisdiction of the Minister of Land, Infrastructure and Transport and any other business, the administrative agency shall be the Minister of Finance or the Minister of Land, Infrastructure and Transport and the competent prefectural governor, and if it does not fall under these conditions, the administrative agency shall be the competent minister of the business required for partner as prescribed in the articles of formation.

二 信用協同組合及び第九条の九第一項第一号の事業を行う協同組合連合会については、内閣総理大臣とする。

(ii) With regard to a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i), the administrative agency shall be the Prime Minister.

三 火災共済協同組合及び第九条の九第一項第三号の事業を行う協同組合連合会については、経済産業大臣及び内閣総理大臣とする。

(iii) With regard to a fire mutual aid cooperative or a federation of cooperatives

engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), the administrative agency shall be the Minister of Economy, Trade and Industry and the Prime Minister.

四 企業組合については、その行う事業のすべてが財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業であるものにあつては、財務大臣又は国土交通大臣とし、財務大臣の所管に属する事業又は国土交通大臣の所管に属する事業とその他の事業とを行うものにあつては、財務大臣又は国土交通大臣及びその管轄都道府県知事とし、その他のものにあつては、その管轄都道府県知事とする。

(iv) With regard to a joint enterprise cooperative, if all of its business is a business under the jurisdiction of the Minister of Finance or a business under the jurisdiction of the Minister of Land, Infrastructure and Transport, the administrative agency shall be the Minister of Finance or the Minister of Land, Infrastructure and Transport, and if its business is a business under the jurisdiction of the Minister of Finance or a business under the jurisdiction of the Minister of Land, Infrastructure and Transport and any other business, the administrative agency shall be the Minister of Finance or the Minister of Land, Infrastructure and Transport and the competent prefectural governor, and if it does not fall under these conditions, the administrative agency shall be the competent prefectural governor.

五 都道府県中央会については、その管轄都道府県知事とする。

(v) With regard to a prefectural FSBA, the administrative agency shall be the competent prefectural governor.

六 全国中央会については、経済産業大臣とする。

(vi) With regard to the national FSBA, the administrative agency shall be the Minister of Economy, Trade and Industry.

2 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を金融庁長官に委任する。

(2) The Prime Minister shall delegate his/her authority under this Act (excluding the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

3 この法律に規定する行政庁（管轄都道府県知事を除く。以下この条において同じ。）の権限（経済産業大臣にあつては都道府県の区域をその地区とする火災共済協同組合に係るものを除き、内閣総理大臣にあつては前項の規定により金融庁長官に委任されたものを除く。）に属する事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。

(3) Part of the affairs under the authority (excluding the authority pertaining to a fire mutual aid cooperative whose district coincides with the district of a prefecture in the case of the Minister of Economy, Trade and Industry, and excluding the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph in the case of the Prime

Minister) of the administrative agency (excluding the competent prefectural governor; hereinafter the same shall apply in this Article) prescribed in this Act may be performed by a prefectural governor pursuant to the provisions of a Cabinet Order.

- 4 行政庁は、政令の定めるところにより、この法律による権限の一部を地方支分部局の長に委任することができる。
- (4) The administrative agency may delegate part of its authority under this Act to the head of a Local Branch Office, pursuant to the provisions of a Cabinet Order.
- 5 金融庁長官は、政令の定めるところにより、第二項の規定により委任された権限の一部を財務局長又は財務支局長に委任することができる。
- (5) The Commissioner of the Financial Services Agency may delegate part of the authority that has been delegated pursuant to the provisions of paragraph (2) to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of a Cabinet Order.
- 6 都道府県の区域をその地区とする火災共済協同組合については、設立の認可その他この法律に規定する行政庁の権限（内閣総理大臣にあつては、第二項の規定により金融庁長官に委任された権限に限る。）に属する事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。
- (6) With regard to a fire mutual aid cooperative whose district coincides with the district of a prefecture, the grant of approval for formation and part of any other affairs under the authority (limited to the authority that has been delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of paragraph (2) in the case of the Prime Minister) of the administrative agency prescribed in this Act may be performed by a prefectural governor, pursuant to the provisions of a Cabinet Order.

第百十一条の二 （主務省令）

Article 111-2 (Ordinance of the Competent Ministry)

この法律における主務省令は、次のとおりとする。

An ordinance of the competent ministry under this Act shall be as follows:

- 一 事業協同組合、事業協同小組合及び協同組合連合会（第九条の九第一項第一号又は第三号の事業を行うものを除く。）に関しては、その組合員の資格として定款に定められる事業を所管する大臣が共同で発する命令
- (i) With regard to a business cooperative, a minor business cooperative, or a federation of cooperatives (excluding one engaged in the activities set forth in Article 9-9, paragraph (1), item (i) or item (iii)), an order issued jointly by the ministers having jurisdiction over the business required for partner as prescribed in the articles of association
- 二 火災共済協同組合及び第九条の九第一項第三号の事業を行う協同組合連合会に関しては、経済産業省令・内閣府令

- (ii) With regard to a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii), an Ordinance of the Ministry of Economy, Trade and Industry/Cabinet Office Ordinance

第百十一条の三 (財務大臣への資料提出等)

Article 111-3 (Submission of Materials to the Minister of Finance, etc.)

財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、火災共済協同組合に係る制度の企画又は立案をするため必要があると認めるときは、内閣総理大臣に対し、必要な資料の提出及び説明を求めることができる。

The Minister of Finance may, when he/she finds it to be necessary for planning or drafting a system pertaining to a fire mutual aid cooperative in connection with the financial failure resolution system or financial crisis management under his/her jurisdiction, request the Prime Minister to submit and provide an explanation about the necessary materials.

第六章 罰則

Chapter VI Penal Provisions

第百十二条

Article 112

- 1 組合の役員がいかなる名義をもつてするを問はず、組合の事業の範囲外において、貸付けをし、手形の割引をし、若しくは預金若しくは定期積金の受入れをし、又は投機取引のために組合の財産を処分したときは、三年以下の懲役又は百万円以下の罰金（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合の役員にあつては、三年以下の懲役又は三百万円以下の罰金）に処する。
 - (1) When an officer of a cooperative has, under any name, provided a loan, discounted a negotiable instrument, accepted a deposit or an installment saving, or disposed of property of the cooperative for the purpose of speculative transactions, outside the scope of activities of the cooperative, he/she shall be punished by imprisonment with work for not more than three years or a fine of not more than one million yen (imprisonment with work for not more than three years or a fine of not more than three million yen in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)).
- 2 前項の罪を犯した者には、情状により懲役及び罰金を併科することができる。
 - (2) A person who has committed a crime set forth in the preceding paragraph may be punished by the cumulative imposition of imprisonment with work and a fine, according to the circumstances.
- 3 第一項の規定は、刑法（明治四十年法律第四十五号）に正条がある場合には適用しない。

(3) The provisions of paragraph (1) shall not apply when there are relevant provisions in the Penal Code (Act No. 45 of 1907).

第百十二条の二

Article 112-2

第九条の七の五第三項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する金融商品取引法（以下「準用金融商品取引法」という。）第三十九条第一項の規定に違反した者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

A person who has violated the provisions of Article 39, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (3) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5) or paragraph (8)) (hereinafter referred to as "Financial Instruments and Exchange Act as applied mutatis mutandis") shall be punished by imprisonment with work for not more than three years or a fine of not more than three million yen, or both.

第百十二条の三

Article 112-3

準用金融商品取引法第三十九条第二項の規定に違反した者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

A person who has violated the provisions of Article 39, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen, or both.

第百十二条の四

Article 112-4

前条の場合において、犯人又は情を知った第三者が受けた財産上の利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

In the case set forth in the preceding Article, property benefit received by the offender or a third party who knows the circumstances shall be confiscated. When all or part of it cannot be confiscated, the value thereof shall be collected.

第百十二条の五

Article 112-5

次の各号のいずれかに該当する者は、六月以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

A person who falls under any of the following items shall be punished by imprisonment with work for not more than six months or a fine of not more than five

hundred thousand yen, or both:

- 一 準用金融商品取引法第三十七条第一項（第二号を除く。）に規定する事項を表示せず、又は虚偽の表示をした者
(i) A person who has failed to indicate the matters prescribed in Article 37, paragraph (1) (excluding item (ii)) of the Financial Instruments and Exchange Act as applied mutatis mutandis
- 二 準用金融商品取引法第三十七条第二項の規定に違反した者
(ii) A person who has violated the provisions of Article 37, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis
- 三 準用金融商品取引法第三十七条の三第一項（第二号及び第六号を除く。）の規定に違反して、書面を交付せず、又は同項に規定する事項を記載しない書面若しくは虚偽の記載をした書面を交付した者
(iii) A person who has, in violation of the provisions of Article 37-3, paragraph (1) (excluding item (ii) and item (vi)) of the Financial Instruments and Exchange Act as applied mutatis mutandis, failed to deliver a document or has delivered a document without stating the matters prescribed in the same paragraph or by stating false matters
- 四 準用金融商品取引法第三十七条の四第一項の規定による書面を交付せず、又は虚偽の記載をした書面を交付した者
(iv) A person who has failed to deliver a document under the provisions of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis or has delivered a document by stating false matters

第百十二条の六

Article 112-6

- 1 第六十一条の二第一項若しくは第二項の規定に違反して、これらの規定に規定する書類を公衆の縦覧に供せず、又はこれらの規定に違反して、これらの書類に記載すべき事項を記載せず、若しくは虚偽の記載をして、公衆の縦覧に供した者は、百万円以下の罰金に処する。
(1) A person who has, in violation of the provisions of Article 61-2, paragraph (1) or paragraph (2), failed to provide the documents prescribed in these provisions for public inspection, or who has, in violation of these provisions, provided those documents for public inspection without stating the matters to be stated therein or by stating false matters shall be punished by a fine of not more than one million yen.
- 2 第六十一条の二第四項の規定により同条第一項又は第二項に規定する書類をこれらの規定により備え置き公衆の縦覧に供したものとみなされる場合において、同条第四項に定める電磁的記録に記載すべき事項を記録せず、又は虚偽の記録をして、電磁的記録に記載された情報を電磁的方法により不特定多数の者が提供を受けることができる状態に置く措置をとつた者も前項と同様とする。

(2) The provisions of the preceding paragraph shall also apply to a person who has made the information contained in electromagnetic records available to many and unspecified persons by electromagnetic means without recording the matters to be recorded therein as specified in Article 61-2, paragraph (4) or by stating false matters, in the case where, pursuant to the provisions of the same paragraph, the documents prescribed in paragraph (1) or paragraph (2) of the same Article shall be deemed to be kept and have been provided for public inspection pursuant to these provisions.

第百十二条の七

Article 112-7

次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

A person who falls under either of the following items shall be punished by a fine of not more than three hundred thousand yen:

一 第九条の七の五第二項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する保険業法第二百七十五条第一項の規定に違反して共済契約の募集を行つた者

(i) A person who has solicited a mutual aid contract in violation of the provisions of Article 275, paragraph (1) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5) or paragraph (8))

二 第九条の七の五第二項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する保険業法第三百条第一項の規定に違反して同項第一号から第三号までに掲げる行為をした者

(ii) A person who has committed any of the acts listed in Article 300, paragraph (1), items (i) to (iii) of the Insurance Business Act in violation of the provisions of the same paragraph as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5) or paragraph (8))

第百十三条

Article 113

組合が第七条第三項の規定に違反して届出を怠り、又は虚偽の届出をしたときは、その組合の理事は、三十万円以下の罰金に処する。

When a cooperative has, in violation of the provisions of Article 7, paragraph (3), failed to give a notification or has given a false notification, the directors of the cooperative shall be punished by a fine of not more than three hundred thousand yen.

第百十四条

Article 114

第九条の三第四項において準用する倉庫業法第二十七条第一項若しくはこの法律第百五条の三第二項の規定による報告をせず、若しくは虚偽の報告をし、若しくは同条第三項若しくは第四項の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、又は第九条の三第四項において準用する倉庫業法第二十七条第一項若しくはこの法律第百五条第二項若しくは第百五条の四第一項若しくは第三項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同条第二項若しくは第四項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくはこれらの規定による検査を拒み、妨げ、若しくは忌避した者は、三十万円以下の罰金（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合に係る報告又は検査にあつては、一年以下の懲役又は三百万円以下の罰金）に処する。

A person who has failed to make a report under the provisions of Article 27, paragraph (1) of the Warehousing Business Act as applied mutatis mutandis pursuant to Article 9-3, paragraph (4) or under the provisions of Article 105-3, paragraph (2) of this Act or has made a false report, or who has failed to submit a report or material under the provisions of paragraph (3) or paragraph (4) of the same Article or has submitted a false report or material, or who has refused, obstructed, or avoided an inspection under the provisions of Article 27, paragraph (1) of the Warehousing Business Act as applied mutatis mutandis pursuant to Article 9-3, paragraph (4) or under the provisions of Article 105, paragraph (2) or Article 105-4, paragraph (1) or (3), or who has refused to respond to or has given a false answer to the questioning or obstructed, or avoided an inspection under the provisions of paragraph (2) or paragraph (4) of the same Article shall be punished by a fine of not more than three hundred thousand yen (imprisonment with work for not more than one year or a fine of not more than three million yen in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i)).

第百十四条の二

Article 114-2

組合又は中央会が第百六条第一項の規定による命令に違反したときは、その組合の理事又はその中央会の会長は、三十万円以下の罰金に処する。

When a cooperative or an FSBA has violated an order under the provisions of Article 106, paragraph (1), the directors of said cooperative or the president of said FSBA shall be punished by a fine of not more than three hundred thousand yen.

第百十四条の三

Article 114-3

第三十三条第七項において準用する会社法第九百五十五条第一項の規定に違反して、同項に規定する調査記録簿等に同項に規定する電子公告調査に関し法務省令で定めるも

のを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は調査記録簿等を保存しなかつた者は、三十万円以下の罰金に処する。

A person who has, in violation of the provisions of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 33, paragraph (7), failed to state or record the matters provided by an Ordinance of the Ministry of Justice concerning an investigation of the electronic public notice prescribed in the same paragraph in an investigation record registry, etc. prescribed in the same paragraph, or has stated or recorded false matters, or has failed to preserve the investigation record registry, etc. shall be punished by a fine of not more than three hundred thousand yen.

第百十四条の四

Article 114-4

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、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

When the representative person of a juridical person, or an agent, employee, or any other worker of a juridical person or an individual has, with regard to the business of said juridical person or individual, committed a violation of the provisions listed in either of the following items, not only the offender shall be punished but also said juridical person shall be punished by a fine set forth in the respective items or said individual shall be punished by a fine set forth in the respective Articles:

一 第十二条の二 三億円以下の罰金刑

(i) Article 112-2-A fine of not more than three hundred million yen

二 第十二条の三 一億円以下の罰金刑

(ii) Article 112-2-A fine of not more than one hundred million yen

三 第十二条の五、第十二条の六第一項若しくは第二項又は前条 各本条の罰金刑

(iii) Article 112-5, Article 112-6, paragraph (1) or paragraph (2) or the preceding Article-A fine set forth in the respective Articles

四 第十四条 同条の罰金刑（信用協同組合又は第九条の九第一項第一号の事業を行う協同組合連合会にあつては、二億円以下の罰金刑）

(iv) Article 114-A fine set forth in the same Article (a fine of not more than two hundred million yen in the case of a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i))

第百十四条の五

Article 114-5

次の各号のいずれかに該当する者は、百万円以下の過料に処する。

A person who falls under either of the following items shall be punished by a non-penal fine of not more than one hundred million yen:

- 一 第三十三条第七項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者
- (i) A person who has, in violation of the provisions of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 33, paragraph (7), failed to make a report or has made a false report
- 二 正当な理由がないのに、第三十三条第七項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者
- (ii) A person who has refused any of the requests listed in the items of Article 951, paragraph (2) of the Companies Act or the items of Article 955, paragraph (2) of the same Act as applied mutatis mutandis pursuant to Article 33, paragraph (7) without justifiable grounds

第百十四条の六

Article 114-6

1 次の場合には、共済事業を行う組合の役員、会計監査人又は清算人は、二十万円以下の過料に処する。

(1) In any of the following cases, the officers, accounting auditors or liquidators of a cooperative engaged in mutual aid activities shall be punished by a non-penal fine of not more than two hundred thousand yen:

一 第九条の二第七項又は第九条の九第四項の規定に違反して、承認を受けないでこれらの規定に規定する事業を行つたとき。

(i) When, in violation of the provisions of article 9-2, paragraph (7) or Article 9-9, paragraph (4), having engaged in the activities prescribed in these provisions without obtaining approval

二 第九条の六の二第一項（第九条の九第五項において準用する場合を含む。）の規定に違反したとき。

(ii) When having violated the provisions of Article 9-6-25, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5))

三 第四十条の二第三項において準用する会社法第三百四十四条第二項の規定による請求があつた場合において、その請求に係る事項を総会の目的とせず、又はその請求に係る議案を総会に提出しなかつたとき。

(iii) When, in the case where a request under the provisions of Article 344, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 40-2, paragraph (3) has been made, having failed to include the matter to which said request pertains in the purpose of the general meeting or having failed to submit a proposal to which said request pertains to the general meeting

四 第四十条の二第三項において準用する会社法第三百九十六条第二項の規定に違反

して、正当な理由がないのに書面又は電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写を拒んだとき。

(iv) When, in violation of the provisions of Article 396, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 40-2, paragraph (3), having refused an inspection or the copying of a document or matters contained in an electromagnetic record that have been displayed by a method specified by an ordinance of the competent ministry, without justifiable grounds

五 第四十条の二第三項において準用する会社法第三百九十八条第二項の規定により意見を述べるに当たり、通常総会に対し、虚偽の申述を行い、又は事実を隠ぺいしたとき。

(v) When, on stating opinions pursuant to the provisions of Article 398, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 40-2, paragraph (3), having made a false statement to or having concealed facts from the ordinary general meeting

六 第四十条の二第三項又は第四十条の三第二項において準用する会社法第三百四十条第三項の規定により報告するに当たり、総会に対し、虚偽の申述を行い、又は事実を隠ぺいしたとき。

(vi) When, on making a report pursuant to the provisions of Article 340, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 40-2, paragraph (3) or Article 40-3, paragraph (2), having made a false statement to or having concealed facts from the general meeting

七 第四十条の三第一項の規定に違反したとき。

(vii) When having violated the provisions of Article 40-3, paragraph (1)

八 第五十七条の二の規定に違反したとき。

(viii) When having violated the provisions of Article 57-2

九 第五十七条の四の規定に違反して組合の事業の譲渡をしたとき。

(ix) When having transferred the activities of a cooperative in violation of the provisions of Article 57-4

十 第五十八条第五項の規定に違反したとき。

(x) When having violated the provisions of Article 58, paragraph (5)

十一 第五十八条の二第一項又は第二項の規定に違反したとき。

(xi) When having violated the provisions of Article 58-2, paragraph (1) or paragraph (2)

十二 第五十八条の六第一項の規定に違反して、共済計理人の選任手続をせず、又は同条第二項の主務省令で定める要件に該当する者でない者を共済計理人に選任したとき。

(xii) When, in violation of the provisions of Article 58-6, paragraph (1), having failed to carry out the procedure to appoint a mutual aid actuary or having appointed a person who fails to satisfy the requirements specified by an ordinance of the competent ministry set forth in paragraph (2) of the same

Article as a mutual aid actuary

十三 第五十八条の八又は第百六条の二第一項、第二項若しくは第五項の規定による命令（改善計画の提出を求めることを含む。）に違反したとき。

(xiii) When having violated an order (including a request for the submission of an improvement plan) under the provisions of Article 58-8 or Article 106-2, paragraph (1), paragraph (2) or paragraph (5)

十四 第六十八条の三の規定に違反して組合の財産を処分したとき。

(xiv) When, in violation of the provisions of Article 68-3, having disposed of property of the cooperative

十五 第百五条の二第二項の規定に違反して、書面を提出せず、又は虚偽の書面を提出したとき。

(xv) When, in violation of the provisions of Article 105-2, paragraph (2), having failed to submit the documents or having submitted false documents

十六 第百六条の三の規定に違反したとき。

(xvi) When having violated the provisions of Article 106-3

2 会社法第九百七十六条に規定する者が、第四十条の二第三項において準用する同法第三百九十六条第三項の規定による調査を妨げたときも、前項と同様とする。

(2) The provisions of the preceding paragraph shall also apply to the case where a person prescribed in Article 976 of the Companies Act has obstructed an inspection under the provisions of Article 396, paragraph (3) of the same Act as applied mutatis mutandis pursuant to Article 40-2, paragraph (3).

第百十四条の七

Article 114-7

共済代理店が、第九条の七の五第二項（第九条の九第五項又は第八項において準用する場合を含む。）において準用する保険業法第三百五条の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、若しくは質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは同条の規定による検査を拒み、妨げ、若しくは忌避し、又は第九条の七の五第二項において準用する同法第三百六条若しくは第三百七条第一項の規定による命令に違反したときは、二十万円以下の過料に処する。

When a mutual aid agent has failed to submit a report or material under the provisions of Article 305 of the Insurance Business Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5) or paragraph (8)) or has submitted a false report or material, or has refused to respond to the questioning or has given a false answer to the questioning, or has refused, obstructed, or avoided an inspection under the provisions of the same Article, or has violated an order under the provisions of Article 306 or Article 307, paragraph (1) of the same Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2), the mutual aid agent shall be punished by a non-penal fine of not more than two hundred thousand yen.

第百十五条

Article 115

1 次に掲げる場合には、組合又は中央会の発起人、役員又は清算人は、二十万円以下の過料に処する。

(1) In any of the following cases, the founders, officers or liquidators of a cooperative or an FSBA shall be punished by a non-penal fine of not more than two hundred thousand yen:

一 この法律の規定に基づいて組合又は中央会が行うことができる事業以外の事業を行つたとき。

(i) When having engaged in activities other than those that the cooperative or the FSBA is able to conduct based on the provisions of this Act

二 この法律の規定による登記をすることを怠つたとき。

(ii) When having failed to complete registration under the provisions of this Act

三 第九条の二第三項（第九条の七の二第三項又は第九条の九第五項において準用する場合を含む。）の規定に違反したとき。

(iii) When having violated the provisions of Article 9-2, paragraph (3) (including the case where it is applied mutatis mutandis pursuant to Article 9-7-2, paragraph (3) or Article 9-9, paragraph (5))

四 第九条の八第三項（第九条の九第七項において準用する場合を含む。）の規定に違反して、預金又は定期積金の受入れをしたとき。

(iv) When having accepted a deposit or an installment saving in violation of the provisions of Article 9-8, paragraph (3) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (7))

五 第九条の八第四項（第九条の九第七項において準用する場合を含む。）の規定に違反して、貸付けをし、又は手形の割引をしたとき。

(v) When having provided a loan or discounted a negotiable instrument in violation of the provisions of Article 9-8, paragraph (4) (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (7))

六 第九条の九第二項又は第三項の規定に違反したとき。

(vi) When having violated the provisions of Article 9-9, paragraph (2) or paragraph (3)

七 第十条の二若しくは第三十四条の二（これらの規定を第八十二条の八において準用する場合を含む。）、第四十条（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）、第五十六条（第五十七条の二の二第五項において準用する場合を含む。）、第六十三条の四第一項若しくは第二項、第六十三条の五第一項、第二項若しくは第七項から第九項まで、第六十三条の六第一項若しくは第二項又は第六十四条第六項から第八項までの規定に違反して、書類若しくは電磁的記録を備え置かず、書類若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、

又は正当な理由がないのに書類若しくは電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧若しくは謄写若しくは書類の謄本若しくは抄本の交付、電磁的記録に記録された事項を電磁的方法により提供すること若しくはその事項を記載した書面の交付を拒んだとき。

(vii) When, in violation of the provisions of Article 10-2 or Article 34-2 (including the case where these provisions are applied mutatis mutandis pursuant to Article 82-8), Article 40 (including the case where it is applied mutatis mutandis pursuant to Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)), Article 56 (including the case where it is applied mutatis mutandis pursuant to Article 57-2-2, paragraph (5)), Article 63-4, paragraph (1) or paragraph (2), Article 63-5, paragraph (1), paragraph (2), or paragraph (7) or (9), Article 63-6, paragraph (1) or paragraph (2), or Article 64, paragraphs (6) to (8), having failed to keep documents or electromagnetic records, having failed to state or record matters to be stated or recorded in the documents or electromagnetic records, or having stated or recorded false matters, or having refused an inspection or the copying of documents or matters contained in electromagnetic records that have been displayed by a method specified by an ordinance of the competent ministry, delivery of a transcript or an extract of the documents, provision of matters contained in the electromagnetic records by electromagnetic means, or delivery of a document stating said matters, without justifiable grounds

八 第十四条又は第七十九条第一項（同条第三項において準用する場合を含む。）の規定に違反したとき。

(viii) When having violated the provisions of Article 79, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to paragraph (3) of the same Article)

九 第十九条第二項（第八十条第三項において準用する場合を含む。）、第四十二条第五項若しくは第六項又は第四十五条第五項若しくは第六項の規定に違反したとき。

(ix) When having violated the provisions of Article 19, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 80, paragraph (3)), Article 42, paragraph (5) or paragraph (6), or Article 45, paragraph (5) or paragraph (6)

十 第二十七条第七項、第三十六条の七第一項（第六十九条第一項において準用する場合を含む。）、第五十三条の四第一項（第八十二条の十第四項において準用する場合を含む。）、第八十二条第三項若しくは第八十二条の十五の規定又は第六十九条第一項において準用する会社法第四百九十二条第一項の規定に違反して、議事録若しくは財産目録若しくは貸借対照表を作成せず、又はこれらの書類若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をしたとき。

(x) When, in violation of the provisions of Article 27, paragraph (7), Article 36-7, paragraph (1) (including the case where it is applied mutatis mutandis pursuant

to Article 69, paragraph (1)), Article 53-4, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 82-10, paragraph (4)), Article 82, paragraph (3) or Article 82-15 or the provisions of Article 492, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1), having failed to prepare the minutes, an inventory of property, or a balance sheet, or having failed to state or record the matters to be stated or recorded in these documents or electromagnetic records, or having stated or recorded false matters

十一 第三十一条、第三十五条の二（第八十二条の八において準用する場合を含む。）、第六十二条第二項又は第八十二条の十三第二項の規定に違反したとき。

(xi) When having violated the provisions of Article 31, Article 35-2 (including the case where it is applied mutatis mutandis pursuant to Article 82-8), Article 62, paragraph (2) or Article 82-13, paragraph (2)

十二 第三十三条第七項において準用する会社法第九百四十一条の規定に違反して、同条の調査を求めなかつたとき。

(xii) When, in violation of the provisions of Article 941 of the Companies Act as applied mutatis mutandis pursuant to Article 33, paragraph (7), having failed to request an investigation set forth in the same Article

十三 第三十五条第六項の規定に違反して、同項に規定する者に該当する者を監事に選任しなかつたとき。

(xiii) When, in violation of the provisions of Article 35, paragraph (6), having failed to appoint a person who falls under the category of persons prescribed in the same paragraph as an auditor

十四 第三十五条第七項（第八十二条の八において準用する場合を含む。）の規定に違反したとき。

(xiv) When having violated the provisions of Article 35, paragraph (7) (including the case where it is applied mutatis mutandis pursuant to Article 82-8)

十五 第三十六条の三第三項において準用する会社法第三百四十三条第二項の規定による請求があつた場合において、その請求に係る事項を総会の目的とせず、又はその請求に係る議案を総会に提出しなかつたとき。

(xv) When, in the case where a request under the provisions of Article 343, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 36-3, paragraph (3) has been made, having failed to include the matter to which said request pertains in the purpose of the general meeting or having failed to submit a proposal to which said request pertains to the general meeting

十六 第三十六条の三第三項において準用する会社法第三百八十一条第二項若しくは第三百八十四条の規定、第三十六条の三第五項において準用する会社法第三百八十九条第五項の規定又は第六十九条第一項において準用する会社法第三百八十一条第二項、第三百八十四条若しくは第四百九十二条第一項の規定による調査を妨げたとき。

(xvi) When having obstructed an investigation under the provisions of Article 381, paragraph (2) or Article 384 of the Companies Act as applied mutatis mutandis pursuant to Article 36-3, paragraph (3), the provisions of Article 389, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to Article 36-3, paragraph (5), or the provisions of Article 381, paragraph (2), Article 384, or Article 492, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1)

十七 第三十六条の三第五項において準用する会社法第三百八十九条第四項の規定又は第三十六条の七第五項（第六十九条第一項において準用する場合を含む。）、第四十一条第三項若しくは第五十三条の四第四項（第八十二条の十第四項において準用する場合を含む。）の規定に違反して、正当な理由がないのに書面又は電磁的記録に記録された事項を主務省令で定める方法により表示したものの閲覧又は謄写を拒んだとき。

(xvii) When, in violation of the provisions of Article 389, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 36-3, paragraph (5) or the provisions of Article 36-7, paragraph (5) (including the case where it is applied mutatis mutandis pursuant to Article 69, paragraph (1)), Article 41, paragraph (3), or Article 53-4, paragraph (4) (including the case where it is applied mutatis mutandis pursuant to Article 82-10, paragraph (4)), having refused an inspection or the copying of a document or matters contained in an electromagnetic record that have been displayed by a method specified by an ordinance of the competent ministry, without justifiable grounds

十八 第三十七条第一項（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）又は第二項（第六十九条第一項において準用する場合を含む。）の規定に違反したとき。

(xviii) When having violated the provisions of Article 37, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)) or paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 69, paragraph (1))

十九 第三十八条第一項（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）の規定又は第三十八条の二第六項の規定による開示をすることを怠つたとき。

(xix) When having failed to make a disclosure under the provisions of Article 38, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)) or the provisions of Article 38-2, paragraph (6)

二十 第三十八条第三項（第六十九条第一項、第八十二条の八又は第八十二条の十八第一項において準用する場合を含む。）の規定に違反して、理事会に報告せず、又は虚偽の報告をしたとき。

(xx) When, in violation of the provisions of Article 38, paragraph (3) (including the

case where it is applied mutatis mutandis pursuant to Article 69, paragraph (1), Article 82-8, or Article 82-18, paragraph (1)), having failed to make a report to the council or having made a false report

二十一 第四十六条又は第八十二条の十第一項の規定に違反したとき。

(xxi) When having violated the provisions of Article 46 or Article 82-10, paragraph (1)

二十二 第五十六条第一項若しくは第五十六条の二第五項の規定に違反して出資一口の金額を減少し、又は第五十七条の二の二第五項において準用する第五十六条第一項の規定若しくは第五十七条の二の二第五項、第六十三条の四第四項、第六十三条の五第六項若しくは第六十三条の六第四項において準用する第五十六条の二第五項の規定に違反して共済事業の全部若しくは一部の譲渡、共済事業に係る財産の移転若しくは組合の合併をしたとき。

(xxii) When, in violation of the provisions of Article 56, paragraph (1) or Article 56-2, paragraph (5), having reduced the unit amount of contribution or, in violation of the provisions of Article 56-2, paragraph (5) as applied mutatis mutandis pursuant to Article 56, paragraph (1) as applied mutatis mutandis pursuant to Article 57-2-2, paragraph (5) or the provisions of Article 57-2-2, paragraph (5), Article 63-4, paragraph (4), Article 63-5, paragraph (6), or Article 63-6, paragraph (4), having transferred all or part of the mutual aid activities, transferred the property pertaining to the mutual aid activities, or carried out a merger of the cooperative

二十三 第五十六条の二第二項（第五十七条の二の二第五項、第六十三条の四第四項、第六十三条の五第六項又は第六十三条の六第四項において準用する場合を含む。）の規定、第六十九条第一項において準用する会社法第四百九十九条第一項の規定又は第八十二条の十八第一項において準用する民法第七十九条第一項若しくは同法第八十一条第一項の規定による公告をすることを怠つたとき、又は不正の公告をしたとき。

(xxiii) When having failed to give public notice under the provisions of Article 56-2, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 57-2-2, paragraph (5), Article 63-4, paragraph (4), Article 63-5, paragraph (6), or Article 63-6, paragraph (4)), the provisions of Article 499, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1), or the provisions of Article 79, paragraph (1) of the Civil Code or Article 81, paragraph (1) of the same Act as applied mutatis mutandis pursuant to Article 82-18, paragraph (1), or having given false public notice

二十四 第五十七条の五の規定に違反したとき。

(xxiv) When having violated the provisions of Article 57-5

二十五 第五十八条第一項から第四項まで又は第五十九条の規定に違反したとき。

(xxv) When having violated the provisions of Article 58, paragraphs (1) to (4) or

Article 59

二十六 第六十一条の規定に違反して、組合員の持分を取得し、又は質権の目的としてこれを受けたとき。

(xxvi) When, in violation of the provisions of Article 61, having acquired equity interest held by a member or received such equity interest as a pledge

二十七 第六十九条第一項において準用する会社法第四百八十四条第一項の規定又は第八十二条の十八第一項において準用する民法第八十一条第一項の規定に違反して、破産手続開始の申立てを怠つたとき。

(xxvii) When, in violation of the provisions of Article 484, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1) or the provisions of Article 81, paragraph (1) of the Civil Code as applied mutatis mutandis pursuant to Article 82-18, paragraph (1), having failed to file a petition for the commencement of bankruptcy proceedings

二十八 清算の結了を遅延させる目的で、第六十九条第一項において準用する会社法第四百九十九条第一項の期間を不当に定めたとき。

(xxviii) When having unreasonably specified the period set forth in article 499, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1) for the purpose of delaying the completion of liquidation

二十九 第六十九条第一項において準用する会社法第五百条第一項の規定に違反して、債務の弁済をしたとき。

(xxix) When having performed obligations in violation of the provisions of Article 500, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1)

三十 第六十九条第一項において準用する会社法第五百二条の規定又は第八十二条の十六の規定に違反して、組合又は中央会の財産を分配したとき。

(xxx) When having distributed the property of the cooperative or the FSBA in violation of the provisions of Article 502 of the Companies Act as applied mutatis mutandis pursuant to Article 69, paragraph (1) or the provisions of Article 82-16

三十一 第百五条の二第一項の規定に違反して、書面を提出せず、又は虚偽の書面を提出したとき。

(xxxi) When, in violation of the provisions of Article 105-2, paragraph (1), having failed to submit documents or having submitted false documents

三十二 第百五条の三第一項の規定による報告をせず、又は虚偽の報告をしたとき。

(xxxii) When having failed to make a report under the provisions of Article 105-3, paragraph (1) or having made a false report

2 会社法第九百七十六条に規定する者が、第三十六条の三第三項において準用する同法第三百八十一条第三項又は第三十六条の三第五項において準用する同法第三百八十九条第五項の規定による調査を妨げたときも、前項と同様とする。

(2) The provisions of the preceding paragraph shall also apply when a person prescribed in Article 976 of the Companies Act has obstructed an investigation

under the provisions of Article 381, paragraph (3) of the same Act as applied mutatis mutandis pursuant to Article 36-3, paragraph (3) or the provisions of Article 389, paragraph (5) of the same Act as applied mutatis mutandis pursuant to Article 36-3, paragraph (5).

第百十五条の二

Article 115-2

第六条第三項において準用する会社法第八条第一項の規定に違反した者は、十万円以下の過料に処する。

A person who has violated the provisions of Article 8, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 6, paragraph (3) shall be punished by a non-penal fine of not more than one hundred thousand yen.

第百十五条の三

Article 115-3

第七十二条第二項の規定に違反した者は、十万円以下の過料に処する。

A person who has violated the provisions of Article 72, paragraph (2) shall be punished by a non-penal fine of not more than one hundred thousand yen.

第百十六条

Article 116

1 第八十条において準用する私的独占禁止法第六十二条において読み替えて準用する刑事訴訟法（昭和二十三年法律第百三十一号）第一百五十四条又は第百六十六条の規定により宣誓した参考人又は鑑定人が虚偽の陳述又は鑑定をしたときは、三月以上十年以下の懲役に処する。

(1) When a witness or an expert witness who has sworn an oath pursuant to the provisions of Article 154 or Article 166 of the Code of Criminal Procedure (Act No. 131 of 1948) as applied mutatis mutandis by changing the terms pursuant to Article 62 of the Antimonopoly Act as applied mutatis mutandis pursuant to Article 108 has given a false statement or expert opinion, he/she shall be punished by imprisonment with work for not less than three months and not more than ten years.

2 前項の罪を犯した者が、審判手続終了前であつて、かつ、犯罪の発覚する前に自白したときは、その刑を軽減し、又は免除することができる。

(2) When a person who has committed the offense set forth in the preceding paragraph has confessed before the termination of the trial procedure and before the offense has been detected, he/she may be made subject to reduced punishment or be exempted from punishment.

第百十七条

Article 117

次の各号のいずれかに該当する者は、一年以下の懲役又は三百万円以下の罰金に処する。

A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than three million yen:

一 第百八条において準用する私的独占禁止法第四十七条第一項第一号若しくは第二項又は第五十六条第一項の規定による事件関係人又は参考人に対する処分に違反して出頭せず、陳述をせず、若しくは虚偽の陳述をし、又は報告をせず、若しくは虚偽の報告をした者

(i) A person who, in violation of a disposition against a person concerned in a case or a witness under the provisions of Article 47, paragraph (1) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to Article 108, has failed to appear, failed to make a statement or made a false statement, or failed to make a report or made a false report

二 第百八条において準用する私的独占禁止法第四十七条第一項第二号若しくは第二項又は第五十六条第一項の規定による鑑定人に対する処分に違反して出頭せず、鑑定をせず、又は虚偽の鑑定をした者

(ii) A person who, in violation of a disposition against an expert witness under the provisions of Article 47, paragraph (1), item (ii) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to Article 108, has failed to appear, failed to give an expert opinion, or given a false expert opinion

三 第百八条において準用する私的独占禁止法第四十七条第一項第三号若しくは第二項又は第五十六条第一項の規定による物件の所持者に対する処分に違反して物件を提出しない者

(iii) A person who, in violation of a disposition against a person holding a material under the provisions of Article 47, paragraph (1), item (iii) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to Article 108, has failed to submit the material

四 第百八条において準用する私的独占禁止法第四十七条第一項第四号若しくは第二項又は第五十六条第一項の規定による検査を拒み、妨げ、又は忌避した者

(iv) A person who has refused, obstructed, or avoided an inspection under the provisions of Article 47, paragraph (1), item (iv) or paragraph (2) or Article 56, paragraph (1) of the Antimonopoly Act as applied mutatis mutandis pursuant to Article 108

第百十八条

Article 118

次の各号のいずれかに該当する者は、二十万円以下の罰金に処する。

A person who falls under either of the following items shall be punished by a fine of not more than two hundred thousand yen:

一 第八条において準用する私的独占禁止法第四十条の規定による処分に違反して出頭せず、報告、情報若しくは資料を提出せず、又は虚偽の報告、情報若しくは資料を提出した者

(i) A person who, in violation of a disposition under the provisions of Article 40 of the Antimonopoly Act as applied *mutatis mutandis* pursuant to Article 108, has failed to appear, failed to submit a report, information or material, or submitted a false report, information or material

二 第八条において準用する私的独占禁止法第六十二条において読み替えて準用する刑事訴訟法第一百五十四条又は第一百六十六条の規定による参考人又は鑑定人に対する命令に違反して宣誓をしない者

(ii) A person who, in violation of an order against a witness or an expert witness under the provisions of Article 154 or Article 166 of the Code of Civil Procedure as applied *mutatis mutandis* by replacing the terms pursuant to Article 62 of the Antimonopoly Act as applied *mutatis mutandis* pursuant to Article 108, has failed to swear an oath

附則

Supplementary Provisions

この法律施行の期日は、公布の日から起算して一箇月を経過した日とする。但し、この法律中協同組合連合会に関する規定は、この法律施行後八箇月を経過した日から施行する。

The effective date of this Act shall be the day on which one month has elapsed from the day of promulgation; provided, however, that the provisions concerning federations of cooperatives in this Act shall come into effect as from the day on which eight months have elapsed from the enforcement of this Act.

附則 (昭和二五年三月三十一日法律第五七号)

Supplementary Provisions (Act No. 57 of March 31, 1950)

この法律は、公布の日から施行する。

This Act shall come into effect as from the day of promulgation.

附則 (昭和二六年四月六日法律第一三八号) 抄

Supplementary Provisions (Act No. 138 of April 6, 1951) (Extract)

1 (施行の期日)

(1) (Effective Date)

この法律は、商法の一部を改正する法律(昭和二十五年法律第六十七号)の施行の日(昭和二十六年七月一日)から施行する。但し、第十一条第四項の改正規定は、公布の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code (Act No. 67 of 1950) (July 1, 1951); provided, however, that the provisions revising Article 11, paragraph (4) shall come into effect as from the day of promulgation.

2 (定義)

(2) (Definitions)

この附則において「新商法」とは、商法の一部を改正する法律による改正後の商法をいい、「旧商法」とは、従前の商法をいい、「新法」とは、この法律による改正後の中小企業等協同組合法をいい、「旧法」とは、従前の中小企業等協同組合法をいう。

As used in these Supplementary Provisions, the term "New Commercial Code" means the Commercial Code after the revision by the Act for Partial Revision of the Commercial Code, the term "Old Commercial Code" means the former Commercial Code, the term "New Act" means the Small and Medium-Sized Enterprise Cooperatives Act prior to the revision by this Act, and the term "Old Act" means the former Small and Medium-Sized Enterprise Cooperatives Act.

3 (原則)

(3) (Principles)

新法は、特別の定がある場合を除いては、この法律の施行前に生じた事項にも適用する。但し、旧法によつて生じ終つた効力を妨げない。

The New Act shall apply to matters that have occurred prior to the enforcement of this Act, except as otherwise provided; provided, however, that this shall not preclude the effects that have already come into force pursuant to the Old Act.

4 新法にてい触する定款及び規約の定並びに契約の条項は、この法律の施行の日から効力を失う。

(4) Any provisions of articles of association, constitutions or contracts that conflict with the New Act shall lose their effect as from the day of enforcement of this Act.

5 (解散命令)

(5) (Order of Dissolution)

この法律の施行前に、裁判所が請求を受け、又は着手した旧法第百十条において準用する旧商法第五十八条第二項又は第三項に定める事件及びその事件に関連するこれらの規定に定める事件については、この法律の施行後も、なお従前の例による。その事件について請求を却下された者の責任についても同様である。

With regard to a case specified in Article 58, paragraph (2) or paragraph (3) of the Old Commercial Code as applied mutatis mutandis pursuant to Article 110 of the Old Act or a case specified in any of these provisions which is associated with said case, for which a court has received an request or started proceedings prior to the enforcement of this Act, the provisions then in force shall remain applicable after the enforcement of this Act. The same shall apply with regard to the liability of a person whose request for such case has been dismissed.

6 (訴の提起等についての担保)

(6) (Security to be Furnished at the Time of Filing an Action, etc.)

解散命令の請求又は訴の提起について供すべき担保に関する旧法第二十七条若しくは第五十四条において準用する旧商法第二百四十九条（旧商法第二百五十二条又は第二百五十三条第二項において準用する場合を含む。）、旧法第五十七条第三項において準用する旧商法第三百八十条若しくは旧法第六十六条において準用する旧商法第百六条又は旧法第一百条において準用する旧商法第五十九条の規定は、この法律の施行前に供した担保に関してのみ準用する。

The provisions of Article 249 of the Old Commercial Code (including the case where it is applied mutatis mutandis pursuant to Article 252 or Article 253 of the Old Commercial Code) as applied mutatis mutandis to Article 27 or Article 54 of the Old Act, the provisions of Article 380 of the Old Commercial Code as applied mutatis mutandis pursuant to Article 57, paragraph (3) of the Old Act, the provisions of Article 1106 of the Old Commercial Act as applied mutatis mutandis pursuant to Article 66 of the old Act, or the provisions of Article 59 of the Old Commercial Code as applied mutatis mutandis pursuant to Article 110 of the Old Act, concerning the security to be furnished at the time of filing an request for an order of dissolution or filing an action, shall apply mutatis mutandis only to security furnished prior to the enforcement of this Act.

7 (定款の認証)

(7) (Certification of the Articles of Association)

旧法第三十三条第三項において準用する商法第百六十七条の規定による定款の認証を受けた組合がこの法律の施行の際現に有する定款は、新法第二十七条の二第一項及び第五十一条第二項の認証を受けたものとみなす。

The articles of association, owned by a cooperative that has received the certification of the articles of formation under the provisions of Article 167 of the Commercial Code as applied mutatis mutandis pursuant to Article 33, paragraph (3) of the Old Act at the time of the enforcement of this Act, shall be deemed to have been certified under Article 27-2, paragraph (1) and Article 51, paragraph (2) of the New Act.

1 2 (総会の招集)

(12) (Convocation of the General Meeting)

この法律の施行前に旧法第四十七条第二項の規定による請求があり、又は監事が総会招集の手続をした場合は、その総会については、この法律の施行後もなお従前の例による。

In the case where a request under the provisions of Article 47, paragraph (2) of the Old Act has been made or the auditor has carried out the procedure for convening the general meeting prior to the enforcement of this Act, the provisions then in force shall remain applicable for said general meeting after the enforcement of this Act.

1 3 (決議取消の訴)

(13) (Action for Rescission of a Resolution)

決議取消の訴について、この法律の施行の際旧法第二十七条第六項又は第五十四条において準用する旧商法第二百四十八条第一項に定める期間が経過していない場合は、その決議取消の訴の提起期間については、新商法第二百四十八条第一項の規定を準用する。

If the period specified in Article 248, paragraph (1) of the Old Commercial Code as applied mutatis mutandis to Article 27, paragraph (6) or Article 54 of the Old Act has yet to lapse regarding an action for rescission of a resolution at the time of the enforcement of this Act, the provisions of Article 248, paragraph (1) of the New Commercial Code shall apply mutatis mutandis to the period for filing said action for rescission of a resolution.

1 4 (代表理事)

(14) (Representative Director)

旧法第四十二条において準用する旧商法第二百六十一条第一項又は第二項の規定によつて組合を代表する権限を有する理事は、新法第四十二条において準用する新商法第二百六十一条第一項の規定によつて組合を代表すべき理事とみなす。

The director having the authority to represent a cooperative pursuant to the provisions of Article 261, paragraph (1) or paragraph (2) of the Old Commercial Code as applied mutatis mutandis pursuant to Article 42 of the Old Act shall be deemed to be the director to represent the cooperative pursuant to the provisions of Article 261, paragraph (1) of the New Commercial Code as applied mutatis mutandis pursuant to Article 42 of the New Act.

1 5 旧法第四十二条において準用する旧商法第二百六十一条第二項の規定によつて数人の理事が共同して組合を代表すべきことを定めた場合は、その定は、新法第四十二条の規定において準用する新商法第二百六十一条第二項の規定による定とみなす。

(15) In the case where it has been decided that two or more directors shall jointly represent a cooperative pursuant to the provisions of Article 261, paragraph (2) of the Old Commercial Code as applied mutatis mutandis pursuant to Article 42 of the Old Act, said decision shall be deemed to have been made pursuant to the provisions of Article 261, paragraph (2) of the New Commercial Code as applied mutatis mutandis pursuant to Article 42 of the New Act.

1 6 この法律の施行の際組合を代表すべき理事の定がない場合は、旧法第八十三条第二項第七号の理事の登記は、新法第八十三条第二項第八号の登記があるまでは、その登記と同一の効力を有する。

(16) In the case where the director to represent a cooperative has not been decided at the time of the enforcement of this Act, the registration of directors under Article 83, paragraph (2), item (vii) of the Old Act shall have the same effect as the registration under Article 83, paragraph (2), item (viii) of the New Act until such registration has been completed.

1 7 (理事の行為の責任)

(17) (Liability for the Acts of Directors)

理事がこの法律の施行前にした行為の責任については、この法律の施行後もなお従前

の例による。

With regard to the liability for the acts committed by directors prior to the enforcement of this Act, the provisions then in force shall remain applicable after the enforcement of this Act.

18 この法律施行後に前項の責任を免除する場合は、その免除については、同項の規定にかかわらず、新商法の規定を準用する。

(18) In the case of exempting a director from his/her liability under the preceding paragraph after the enforcement of this Act, the provisions of the New Commercial Code shall apply mutatis mutandis to said immunity, notwithstanding the provisions of the same paragraph.

19 この法律の施行後に附則第十七項の責任を追及する訴を提起する場合は、その訴についても前項と同様である。

(19) In the case of filing an action for pursuing the liability under paragraph (17) of the Supplementary Provisions after the enforcement of this Act, the provisions of the preceding paragraph shall apply to said action.

20 (理事に対する訴)

(20) (Filing of Actions against Directors)

この法律の施行前に旧法第四十二条において準用する旧商法第二百六十七条第一項の規定によつて理事に対する訴を提起した場合は、その訴については、この法律の施行後もなお従前の例による。

In the case where an action against a director has been filed pursuant to the provisions of Article 267, paragraph (1) of the Old Commercial Code as applied mutatis mutandis pursuant to Article 42 of the Old Act prior to the enforcement of this Act, the provisions then in force shall remain applicable to said action after the enforcement of this Act.

21 (組合と理事との間の訴についての組合代表)

(21) (Person to Represent a Cooperative in an Action Between the Cooperative and Its Director)

この法律の施行前に組合が理事に対し、又は理事が組合に対して訴を提起した場合は、その訴について組合を代表すべき者については、この法律の施行後もなお旧法第三十八条の規定を適用する。但し、新法第四十二条において準用する新商法第二百六十一条ノ二の規定によつて組合を代表すべき者を定めた後は、この限りでない。

In the case where a cooperative has filed an action against its director or a director has filed an action against the cooperative prior to the enforcement of this Act, the provisions of Article 38 of the Old Act shall apply to the person to represent the cooperative in said action after the enforcement of this Act; provided, however, that this shall not apply after the person to represent the cooperative has been decided pursuant to the provisions of Article 261-2 of the New Commercial Code as applied mutatis mutandis pursuant to Article 42 of the New Act.

22 (監事のした訴の提起等)

(22) (Filing of an Action by an Auditor, etc.)

この法律の施行前に監事が裁判所に対して提起し、又は請求をした場合は、その訴については、この法律の施行後もなお従前の例による。

In the case where an auditor has filed an action with a court prior to the enforcement of this Act, the provisions then in force shall remain applicable to said action.

2 3 (監事に関する準用規定)

(23) (Provisions Applied Mutatis Mutandis Concerning Auditors)

附則第十七項から第二十項までの規定は、監事に準用する。

The provisions of paragraphs (17) to (20) of the Supplementary Provisions shall apply mutatis mutandis to auditors.

2 4 (清算人に関する準用規定)

(24) (Provisions Applied Mutatis Mutandis Concerning Liquidators)

附則第十二項及び第十四項から第二十一項までの規定は、清算人に準用する。

The provisions of paragraph (12) and paragraphs (14) to (21) of the Supplementary Provisions shall apply mutatis mutandis to liquidators.

2 5 (罰則)

(25) (Penal Provisions)

この法律の施行前にした行為に対する罰則の適用に関しては、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則 (昭和二六年六月八日法律第二一三号) 抄

Supplementary Provisions (Act No. 213 of June 8, 1951) (Extract)

1 この法律は、昭和二十六年七月一日から施行する。

(1) This Act shall come into effect as from July 1, 1951.

附則 (昭和二六年六月一五日法律第二三九号)

Supplementary Provisions (Act No. 239 of June 15, 1951)

この法律は、信用金庫法施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Shinkin Bank Act.

附則 (昭和二七年四月二八日法律第一〇〇号) 抄

Supplementary Provisions (Act No. 100 of April 28, 1952) (Extract)

1 (施行の期日)

(1) (Effective Date)

この法律は、昭和二十七年五月一日から施行する。但し、第六条第一項第一号、第七十七条第三項及び第一百七条の改正規定は、公布の日から施行する。

This Act shall come into effect as from May 1, 1952; provided, however, that the

provisions revising Article 6, paragraph (1), item (i), Article 77, paragraph (3), and Article 107 shall come into effect as from the day of promulgation.

2 (定款)

(2) (Articles of Association)

この法律の施行前に改正前の第二十七条第一項の規定により公告した定款は、改正後の第二十七条第一項の規定により発起人が作成し、公告したものとみなす。

Articles of association for which public notice has been given prior to the enforcement of this Act pursuant to the provisions of Article 27, paragraph (1) prior to the revision shall be deemed to have been prepared and publicly notified by the founders pursuant to the provisions of Article 27, paragraph (1) after the revision.

3 (訴の提起等についての担保)

(3) (Security to be Furnished at the Time of Filing an Action, etc.)

この法律の施行前に、改正前の第二十七条第六項若しくは第五十四条において準用する商法第二百四十七条若しくは改正前の第六十六条において準用する商法第百四条又は改正前の第百十条において準用する商法第五十八条の規定に基づいてした訴又は請求については、この法律の施行後もなお従前の例による。

With regard to an action or an request filed prior to the enforcement of this Act based on the provisions of Article 274 of the Commercial Code as applied mutatis mutandis pursuant to Article 27, paragraph (6) or Article 54 prior to the revision, the provisions of Article 104 of the Commercial Code as applied mutatis mutandis pursuant to Article 66 prior to the revision, or the provisions of Article 58 of the Commercial Code as applied mutatis mutandis pursuant to Article 110 prior to the revision, the provisions then in force shall remain applicable after the enforcement of this Act.

5 (罰則)

(5) (Penal Provisions)

この法律の施行前にした行為に対する罰則の適用については、この法律の施行後もなお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則 (昭和二十九年五月二七日法律第一二七号) 抄

Supplementary Provisions (Act No. 127 of May 27, 1954) (Extract)

1 この法律は、昭和二十九年六月一日から施行する。

(1) This Act shall come into effect as from June 1, 1954.

4 この法律の施行前に、高等裁判所の第二審又は第一審の口頭弁論が終結した事件、地方裁判所の第二審の口頭弁論が終結した事件及び簡易裁判所の判決又は地方裁判所の第一審の判決に対して上告をする権利を留保して控訴をしない旨の合意をした事件については、新法第三百九十三条第三項、第三百九十四条、第三百九十七条から第三百九十九条ノ三まで及び第四百九条ノ二第二項の規定並びに私的独占の禁止及び公正取引の確

保に関する法律第八十八条及び中小企業等協同組合法第八十八条の改正規定にかかわらず、なお従前の例による。

(4) With regard to a case for which the oral argument of the second instance or the first instance at a high court has been concluded, a case for which the oral argument of the second instance at a district court has been concluded, or a case for which an agreement has been made on not appealing to a high court against a judgment by a summary court or a judgment of the first instance by a district court, while reserving the right to appeal to the Supreme Court, prior to the enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions of Article 393, paragraph (3), Article 394, Articles 397 to 399-3 and Article 409-2, paragraph (2) of the New Act and the provisions revising Article 88 of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade and Article 108 of the Small and Medium-Sized Enterprise Cooperatives Act.

附則 (昭和三〇年八月二日法律第一二一号) 抄

Supplementary Provisions (Act No. 121 of August 2, 1955) (Extract)

第一条 (施行の期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して三十日を経過した日から施行する。

This Act shall come into effect as from the day on which thirty days have elapsed from the day of promulgation.

第二条 (定義)

Article 2 (Definitions)

この附則において「新法」とは、この法律による改正後の中小企業等協同組合法をいい、「旧法」とは、従前の中小企業等協同組合法をいう。

As used in these Supplementary Provisions, the term "New Act" means the Small and Medium-Sized Enterprise Cooperatives Act prior to the revision by this Act, and the term "Old Act" means the former Small and Medium-Sized Enterprise Cooperatives Act.

第三条 (処分等の効力)

Article 3 (Effects of Dispositions, etc.)

旧法の規定によつてした処分、手続その他の行為は、新法中これに相当する規定があるときは、新法の規定によつてしたものとみなす。

A disposition, procedure, or any other act issued or carried out pursuant to the provisions the Old Act shall be deemed to have been issued or carried out pursuant to the provisions of the New Act if the corresponding provisions exist in the New Act.

第四条 (定款の認証)

Article 4 (Certification of the Articles of Association)

この法律の施行前に発起人が組合の設立につき旧法第二十七条の二第一項の規定による定款の認証を受けているときは、その組合の設立の登記についての新法第百三条にお

いて準用する非訟事件手続法（明治三十一年法律第十四号）第一百五十二条ノ二の規定の適用に関しては、旧法第二十七条の二第一項の規定は、なおその効力を有する。

When the founders received the certification for the articles of formation under the provisions of Article 27-2, paragraph (1) of the Old Act at the time of the formation of the cooperative, prior to the enforcement of this Act, with regard to the application of the provisions of Article 150-2 of the Non-Contentious Cases Procedure Act (Act No. 14 of 1898) as applied mutatis mutandis pursuant to Article 103 of the New Act regarding registration of the formation of said cooperative, the provisions of Article 27-2, paragraph (1) of the Old Act shall remain in force.

第五条 （定款の変更の認証）

Article 5 (Certification of a Change to the Articles of Association)

この法律の施行前に組合が新法第八十四条から第八十六条までの規定による登記をしなければならない事項に係る定款の変更につき旧法第五十一条第二項の規定による認証を受けているときは、その定款の変更に係るこれらの事項についての新法第八十四条から第八十六条までの規定による登記についての新法第一百三十三条において準用する非訟事件手続法第一百五十二条ノ二の規定の適用に関しては、旧法第五十一条第二項の規定は、なおその効力を有する。

When a cooperative has received the certification under the provisions of Article 51, paragraph (2) of the Old Act for a change to the articles of association regarding the matters for which the certification under the provisions of Articles 84 to 86 of the New Act is required, with regard to the application of the provisions of Article 150-2 of the Non-Contentious Cases Procedure Act as applied mutatis mutandis pursuant to Article 103 of the New Act to the registration under the provisions of Articles 84 to 86 of the New Act concerning these matters pertaining to said change of the articles of association, the provisions of Article 51, paragraph (2) of the Old Act shall remain in force.

第六条 （合併の認可）

Article 6 (Approval of a Merger)

この法律の施行前にした総会の決議によつてする組合（信用協同組合及び新法第九条の九第一項第一号の事業を行う協同組合連合会を除く。）の合併については、新法第六十三条第三項の規定は、適用しない。

With regard to the merger of a cooperative (excluding a credit cooperative and a credit cooperative engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the New Act) carried out based on a resolution of the general meeting prior to the enforcement of this Act, the provisions of Article 63, paragraph (3) of the New Act shall not apply.

第十条 （裁判による解散の命令）

Article 10 (Order of Dissolution by a Judicial Decision)

この法律の施行前に裁判所が請求を受けた旧法第一百条において準用する商法第五十八条第一項第一号若しくは第三号又は第二項に定める事件及びその事件に関連する同項

に定める事件については、この法律の施行後も、なお従前の例による。その事件について請求を却下された者の責任についても、同様とする。

With regard to a case specified in Article 58, paragraph (1), item (i) or item (iii) or paragraph (2) of the Commercial Code as applied mutatis mutandis pursuant to Article 110 of the Old Act or a case specified in the same paragraph which is associated with said case, for which a court has received an request prior to the enforcement of this Act, the provisions then in force shall remain applicable after the enforcement of this Act. The same shall apply with regard to the liability of a person whose request for such case has been dismissed.

第二十四条 (罰則)

Article 24 (Penal Provisions)

この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。附則第十七条第三項の規定によりこの法律による改正前の協同組合による金融事業に関する法律第二条の規定がなおその効力を有する間にした行為に対する罰則の適用についても、同様とする。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable. The same shall apply with regard to the application of penal provisions to an act committed while the provisions of Article 2 of the Act on Financial Businesses by Cooperatives prior to the revision by this Act remain effective pursuant to the provisions of Article 17, paragraph (3) of the Supplementary Provisions.

附則 (昭和三一年六月一日法律第一二一号) 抄

Supplementary Provisions (Act No. 121 of June 1, 1956) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して六月を経過した日から施行する。

This Act shall come into effect as from the day on which six months have elapsed from the day of promulgation.

附則 (昭和三二年十一月二五日法律第一八五号) 抄

Supplementary Provisions (Act No. 185 of November 25, 1957) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律 (以下「新法」という。) は、公布の日から起算して六月をこえない範囲内で政令で定める日から施行する。

This Act (hereinafter referred to as "New Act") shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation.

附則（昭和三二年十一月二五日法律第一八六号）抄

Supplementary Provisions (Act No. 186 of November 25, 1957) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、中小企業団体の組織に関する法律（昭和三十二年法律第百八十五号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act on the Organization of Associations of Small and Medium-Sized Enterprises (Act No. 185 of 1957).

第二条（共済金額制限の特例）

Article 2 (Exception to Restriction on the Amount of Mutual Aid Money)

この法律の規定による改正後の中小企業等協同組合法（以下「新法」という。）第九条の二第二項（同法第九条の九第四項において準用する場合を含む。）の規定は、この法律施行の際現に中小企業等協同組合法第九条の二第一項第三号又は同法第九条の九第一項第四号の規定により火災共済事業を行つている事業協同組合又は協同組合連合会については、適用しない。

The provisions of Article 9-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (4) of the same Act) after the revision by the provisions of this Act (hereinafter referred to as "New Act") shall not apply to a business cooperative or a federation of cooperatives which is already engaged in the fire mutual aid activities prescribed in Article 9-2, paragraph (1), item (iii) of the Small and Medium-Sized Enterprise Cooperatives Act or Article 9-9, paragraph (1), item (iv) of the same Act at the time of the enforcement of this Act.

附則（昭和三七年五月一六日法律第一四〇号）抄

Supplementary Provisions (Act no. 140 of May 16, 1962) (Extract)

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act shall come into effect as from October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前に生じた事項にも適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) The provisions after the revision by this Act shall also apply to matters that have occurred prior to the enforcement of this Act, except as otherwise provided for by these Supplementary Provisions; provided, however, that this shall not preclude the effects that have already come into force pursuant to the provisions prior to the revision by this Act.

3 この法律の施行の際現に係属している訴訟については、当該訴訟を提起することができない旨を定めるこの法律による改正後の規定にかかわらず、なお従前の例による。

(3) With regard to a lawsuit which is already pending at the time of the enforcement

of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions after the revision by this Act stipulating that said lawsuit may not be filed.

4 この法律の施行の際現に係属している訴訟の管轄については、当該管轄を専属管轄とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。

(4) With regard to the jurisdiction of a lawsuit which is already pending at the time of the enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions after the revision by this Act stipulating that said jurisdiction shall be an exclusive jurisdiction.

5 この法律の施行の際現にこの法律による改正前の規定による出訴期間が進行している処分又は裁決に関する訴訟の出訴期間については、なお従前の例による。ただし、この法律による改正後の規定による出訴期間がこの法律による改正前の規定による出訴期間より短い場合に限る。

(5) With regard to the statute of limitations for filing an action concerning a disposition or a determination for which the statute of limitations under the provisions prior to the revision by this Act is already running at the time of the enforcement of this Act, the provisions then in force shall remain applicable; provided, however, that this shall be limited to the case where the statute of limitations under the provisions after the revision by this Act is shorter than the statute of limitations under the provisions after the revision by this Act.

6 この法律の施行前にされた処分又は裁決に関する当事者訴訟で、この法律による改正により出訴期間が定められることとなつたものについての出訴期間は、この法律の施行の日から起算する。

(6) With regard to an adversary lawsuit concerning a disposition or determination issued prior to the enforcement of this Act for which the statute of limitations has been decided by the revision by this Act, the statute of limitations shall be counted from the day of enforcement of this Act.

7 この法律の施行の際現に係属している処分又は裁決の取消しの訴えについては、当該法律関係の当事者の一方を被告とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。ただし、裁判所は、原告の申立てにより、決定をもつて、当該訴訟を当事者訴訟に変更することを許すことができる。

(7) With regard to an action for rescission of a disposition or determination which is already pending at the time of the enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions after the revision by this Act stipulating that either of the parties in the relevant legal relationship shall be the defendant; provided, however, that it shall be permissible to change said lawsuit to an adversary lawsuit by a ruling, on a motion by the plaintiff.

8 前項ただし書の場合には、行政事件訴訟法第十八条後段及び第二十一条第二項から第五項までの規定を準用する。

(8) In the case set forth in the proviso to the preceding paragraph, the provisions of

the second sentence of Article 18 and Article 21, paragraphs (2) to (5) of the Administrative Litigation Act shall apply mutatis mutandis.

附則（昭和三十七年五月一七日法律第一四一号）抄

Supplementary Provisions (Act No. 141 of May 17, 1962) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して三月をこえない範囲内で政令で定める日から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation.

附則（昭和三十七年九月一五日法律第一六一号）抄

Supplementary Provisions (Act No. 161 of September 15, 1962) (Extract)

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act shall come into effect as from October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不作为その他この法律の施行前に生じた事項についても適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) The provision after the revision by this Act shall also apply to a disposition that has been given by an administrative agency prior to the enforcement of this Act, an inaction by an administrative agency pertaining to an application filed prior to the enforcement of this Act, and any other matters that have occurred prior to the enforcement of this Act, except as otherwise provided for by these Supplementary Provisions; provided, however, that this shall not preclude the effects that have already come into force pursuant to the Old Act.

3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁決等にさらに不服がある場合の訴願等についても、同様とする。

(3) With regard to a petition, a request for an examination, an objection, or any other appeal (hereinafter referred to as "petition, etc.") filed prior to the enforcement of this Act, the provisions then in force shall remain applicable after the enforcement of this Act. The same shall apply to a petition, etc. filed in the case where the party is dissatisfied with the determination, ruling or any other disposition (hereinafter referred to as "determination, etc.") for a petition, etc. issued prior to the enforcement of this Act or with a determination, etc. issued after the enforcement of this Act for a petition, etc. filed prior to the enforcement of this Act.

- 4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てをすることができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。
- (4) A petition, etc. prescribed in the preceding paragraph, which pertains to a disposition for which an appeal under the Administrative Appeal Act shall be permitted after the enforcement of this Act, shall be deemed to be an appeal under the Administrative Appeal Act with regard to the application of Acts other than this Act.
- 5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。
- (5) An appeal under the Administrative Appeal Act may not be filed against a determination, etc. issued, after the enforcement of this Act, for a request for examination, an objection or any other appeal pursuant to the provisions of paragraph (3).
- 6 この法律の施行前にされた行政庁の処分で、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったものについて、行政不服審査法による不服申立てを行うことができる期間は、この法律の施行の日から起算する。
- (6) With regard to a disposition by an administrative agency issued prior to the enforcement of this Act for which a petition, etc. may be filed pursuant to the provisions prior to the revision by this Act and for which the statute of limitations had not been stipulated, the period in which an appeal under the Administrative Appeal Act may be filed shall be counted from the day of enforcement of this Act.
- 8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (8) With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.
- 9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。
- (9) In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則 (昭和三八年七月九日法律第一二六号) 抄

Supplementary Provisions (Act No. 126 of July 9, 1963) (Extract)

この法律は、商業登記法の施行の日(昭和三十九年四月一日)から施行する。

This Act shall come into effect as from the day of enforcement of the Commercial Registration Act (April 1, 1964).

附則 (昭和三八年七月二〇日法律第一五五号) 抄

Supplementary Provisions (Act No. 155 of July 20, 1963) (Extract)

1 この法律は、中小企業基本法（昭和三十八年法律第百五十四号）の施行の日から施行する。

(1) This Act shall come into effect as from the day of enforcement of the Basic Act for Small and Medium-Sized Enterprises (Act No. 154 of 1963).

附則（昭和四〇年三月三十一日法律第三六号）抄

Supplementary Provisions (Act No. 36 of March 31, 1965) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、昭和四十年四月一日から施行する。

This Act shall come into effect as from April 1, 1965.

第五条（その他の法令の一部改正に伴う経過規定の原則）

Article 5 (Principles of the Progress Provisions for Partial Revision of Any Other Laws and Regulations)

第二章の規定による改正後の法令の規定は、別段の定めがあるものを除き、昭和四十年分以後の所得税又はこれらの法令の規定に規定する法人の施行日以後に終了する事業年度分の法人税について適用し、昭和三十九年分以前の所得税又は当該法人の同日前に終了した事業年度分の法人税については、なお従前の例による。

The provisions of laws and regulations after the revision by the provisions of Chapter II shall, except as otherwise provided, apply to the income tax for 1965 onward or corporation tax of a juridical person prescribed in any of the provisions of these laws and regulations for the business year ending on or after the enforcement date, and with regard to the income tax for up to 1964 or corporation tax of said juridical person for a business year ending prior to said date, the provisions then in force shall remain applicable.

第十五条（政令への委任）

Article 15 (Delegation to a Cabinet Order)

附則第一条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in Article 1 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則（昭和四二年七月二九日法律第九八号）抄

Supplementary Provisions (Act No. 98 of July 29, 1967) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

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

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation.

附則（昭和四三年六月一日法律第八五号）抄

Supplementary Provisions (Act No. 85 of June 1, 1968) (Extract)

1（施行期日）

(1) (Effective Date)

この法律は、公布の日から施行する。

This Act shall come into effect as from the day of promulgation.

附則（昭和四八年七月二日法律第四二号）

Supplementary Provisions (Act No. 42 of July 2, 1973)

1 この法律は、公布の日から施行する。

(1) This Act shall come into effect as from the day of promulgation.

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

(2) With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則（昭和四八年一〇月一五日法律第一一五号）抄

Supplementary Provisions (Act No. 115 of October 15, 1973) (Extract)

1（施行期日）

(1) (Effective Date)

この法律は、公布の日から施行する。

This Act shall come into effect as from the day of promulgation.

4（経過措置）

(4) (Transitional Measure)

この法律の施行前にした行為に対する中小企業協同組合法の罰則の適用については、なお従前の例による。

With regard to the application of penal provisions of the Small and Medium-Sized Enterprise Cooperatives Act to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則（昭和四九年四月二日法律第二三号）抄

Supplementary Provisions (Act No. 23 of April 2, 1974) (Extract)

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

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation.

附則（昭和五二年六月三日法律第六三号）抄

Supplementary Provisions (Act No. 63 of June 3, 1977) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation.

附則 (昭和五二年六月二五日法律第七四号) 抄

Supplementary Provisions (Act No. 74 of June 25, 1977) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation

附則 (昭和五五年六月九日法律第七九号) 抄

Supplementary Provisions (Act No. 79 of June 9, 1980) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。ただし、第一条中中小企業等協同組合法第九条の二第二項、第九条の七の二第一項第一号及び第二項、第九条の七の三、第九条の七の四第一項並びに第五十九条第二項の改正規定、第六条中商店街振興組合法第十三条第二項の改正規定並びに次条及び附則第三条の規定は、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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation; provided, however, that from Article 1, the provisions revising Article 9-2, paragraph (2), Article 9-7-2, paragraph (1), item (i) and paragraph (2), Article 9-7-3, Article 9-7-4, paragraph (1), and Article 59, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act, from Article 6, the provisions revising Article 13, paragraph (2) of the Shopping District Promotion Cooperatives Act, and the provisions of the following Article and Article 3 of the Supplementary Provisions shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation.

第二条 (共済金額の制限の特例)

Article 2 (Exception to Restriction on the Amount of Mutual Aid Money)

中小企業等協同組合法の一部を改正する法律(昭和三十二年法律第百八十六号)附則第二条の規定により同法による改正後の中小企業等協同組合法第九条の二第二項(同法

第九条の九第四項において準用する場合を含む。)の規定を適用しないものとされた事業協同組合又は協同組合連合会であつて、前条ただし書に定める日において現に第一条の規定による改正後の中小企業等協同組合法（以下「新組合法」という。）第九条の七の二第一項第一号の火災共済事業を行つているものについては、新組合法第九条の二第二項（新組合法第九条の九第四項において準用する場合を含む。）の規定にかかわらず、なお従前の例による。

With regard to a business cooperative or a federation of cooperatives for which the provisions of Article 9-2, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (4) of the same Act) after the revision by the Act for Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 186 of 1957) shall not apply pursuant to the provisions of Article 2 of the Supplementary Provisions of the same Act, and which is already engaged in the fire mutual aid activities set forth in Article 9-7-2, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by the provisions of Article 1 (hereinafter referred to as "New Cooperatives Act") on the date specified by the proviso to the preceding Article, the provisions then in force shall remain applicable, notwithstanding the provisions of Article 9-2, paragraph (2) of the New Cooperatives Act (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (4) of the New Cooperatives Act).

第四条（罰則に関する経過措置）

Article 4 (Transitional Measures Concerning Penal Provisions)

この法律（附則第一条ただし書に規定する改正規定については、当該改正規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the revising provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, said revising provisions), the provisions then in force shall remain applicable.

附則（昭和五六年六月一日法律第六〇号）抄

Supplementary Provisions (Act No. 60 of June 1, 1981) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から施行する。

This Act shall come into effect as from the day of promulgation.

第二条（預金等の受入れを行う協同組合連合会の会員外貸付けに関する経過措置）

Article 2 (Transitional Measures Concerning Loans to Non-Members Provided by a Federation of Cooperatives Accepting Deposits, etc.)

第三条の規定による改正後の中小企業等協同組合法（以下この条及び次条において「改正後の協同組合法」という。）第九条の九第五項において準用する改正後の協同組合法

第九条の八第四項の規定及び第四条の規定による改正後の協同組合による金融事業に関する法律（次条において「改正後の協同組合金融事業法」という。）第三条第二号の規定（改正後の協同組合法第九条の九第五項において準用する改正後の協同組合法第九条の八第二項第十号の事業に係る部分に限る。）は、この法律の施行の日（以下「施行日」という。）以後に改正後の協同組合法第九条の九第一項第一号の事業を行う協同組合連合会が行う会員以外の者に対する資金の貸付け（手形の割引を含む。以下この条において同じ。）について適用し、施行日前に当該協同組合連合会が行った第四条の規定による改正前の協同組合による金融事業に関する法律（次条において「改正前の協同組合金融事業法」という。）第四条第一号に規定する貸付け及び国、地方公共団体その他営利を目的としない法人に対する預金を担保とする資金の貸付け並びに会員である信用協同組合の組合員に対する資金の貸付けについては、なお従前の例による。

The provisions of Article 9-8, paragraph (4) of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by the provisions of Article 2 (hereinafter referred to as "Cooperatives Act after the revision" in this Article and the following Article) as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of the Cooperatives Act after the revision and the provisions of Article 3, item (ii) (limited to the portions pertaining to the activities set forth in Article 9-8, paragraph (2), item (x) of the Cooperatives Act after the revision as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of the Cooperatives Act after the revision) of the Act on Financial Businesses by Cooperatives after the revision by the provisions of Article 4 (referred to as the "Cooperative Financial Business Act after the revision" in the following Article) shall apply to a loan of funds (including discounting of bills; hereinafter the same shall apply in this Article) to non-partner provided, on or after the day of enforcement of this Act (hereinafter referred to as "enforcement date"), by a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the Cooperatives Act after the revision, and with regard to loans prescribed in Article 4, item (i) of the Act on Financial Businesses by Cooperatives prior to the revision by the provisions of Article 4 (referred to as the "Cooperative Financial Business Act prior to the revision" in the following Article), a loan of funds secured on deposits from the State, local public entities and other not-for-profit juridical persons, and a loan of funds to partner of member credit cooperatives, provided by said federation of cooperatives prior to the enforcement date, the provisions then in force shall remain applicable.

第三条（信用協同組合等の内国為替取引についての認可に関する経過措置）

Article 3 (Transitional Measures Concerning Approval for Domestic Exchange Transactions of a Credit Cooperative, etc.)

施行日前に改正前の協同組合金融事業法第三条の規定により行政庁のした認可（第三条の規定による改正前の中小企業等協同組合法第九条の八第二項第一号（同法第九条の九第五項において準用する場合を含む。）の事業に係る認可に限る。）は、施行日において改正後の協同組合金融事業法第三条第一号の規定によりした行政庁の認可とみなす。

Approval granted prior to the enforcement date by an administrative agency pursuant to the provisions of Article 3 of the Cooperative Financial Business Act prior to the revision (limited to approval pertaining to the activities set forth in Article 9-8, paragraph (2), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act [including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of the same Act] prior to the revision by the provisions of Article 3) shall be deemed to be approval granted on the enforcement date by the administrative agency pursuant to the provisions of Article 3, item (i) of the Cooperative Financial Business Act after the revision.

第五条 (罰則に関する経過措置)

Article 5 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則 (昭和五六年六月九日法律第七五号) 抄

Supplementary Provisions (Act No. 75 of June 9, 1981) (Extract)

この法律は、商法等の一部を改正する法律の施行の日（昭和五十七年十月一日）から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code, etc. (October 1, 1982).

附則 (昭和五九年五月一六日法律第三一号) 抄

Supplementary Provisions (Act No. 31 of May 16, 1984) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation.

第二条 (経過措置)

Article 2 (Transitional Measures)

この法律の施行の際現に改正前の中小企業等協同組合法による火災共済契約を締結している火災共済協同組合の組合員たる法人の役員又は火災共済協同組合の組合員の使用人については、当該火災共済契約の期間内は組合員とみなし、改正後の同法第九条の七の二第二項の規定を適用する。

With regard to officers of member juridical persons of a fire mutual aid cooperative or employees of partner of a fire mutual aid cooperative who are already under a fire mutual aid contract based on the Small and Medium-Sized Enterprise Cooperatives Act at the time of the enforcement of this Act, they shall be deemed to be partner

during the period of said fire mutual aid contract, and the provisions of Article 9-7-2, paragraph (2) of the same Act after the revision shall apply thereto.

第三条

Article 3

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則（昭和六三年五月三十一日法律第七七号）抄

Supplementary Provisions (Act No. 77 of May 31, 1988) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して一年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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation.

附則（昭和六三年六月一日法律第八一号）抄

Supplementary Provisions (Act No. 81 of June 11, 1988) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して二十日を経過した日から施行する。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。

This Act shall come into effect as from the day on which twenty days have elapsed from the day of promulgation; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

- 一 第一条中不動産登記法第四章の次に一章を加える改正規定のうち第一百五十一条ノ三第二項から第四項まで、第一百五十一条ノ五及び第一百五十一条ノ七の規定に係る部分、第二条中商業登記法の目次の改正規定並びに同法第三章の次に一章を加える改正規定のうち第百十三条の二、第百十三条の三、第百十三条の四第一項、第四項及び第五項並びに第百十三条の五の規定に係る部分並びに附則第八条から第十条までの規定 公布の日から起算して一年を超えない範囲内において政令で定める日

- (i) From the provisions of Article 1 adding an additional Chapter after Chapter IV of the Real Estate Registration Act, the portions pertaining to the provisions of Article 1511-3, paragraphs (2) to (4), Article 151-5, and Article 151-7; from the provisions of Article 2 revising the Table of Contents of the Commercial Registration Act and those adding an additional Chapter after Chapter III of the same Act, the portions pertaining to Article 113-2, Article 113-3, Article 113-4, paragraph (1), paragraph (4), and paragraph (5), and Article 113-5; and the

provisions of Articles 8 to 9 of the Supplementary Provisions-The date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation

附則 (平成元年一二月二二日法律第九一号) 抄

Supplementary Provisions (Act No. 91 of December 22, 1989) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して二年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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding two years from the day of promulgation.

附則 (平成二年六月二九日法律第六五号) 抄

Supplementary Provisions (Act No. 65 of June 29, 1990) (Extract)

この法律は、商法等の一部を改正する法律の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Provisions of the Commercial Code, etc.

第四十二条 (罰則の適用に関する経過措置)

Article 42 (Transitional Measures on Application of Penal Provisions)

この法律の施行前にした行為並びに商法等の一部を改正する法律附則第三条(第十条において準用する場合を含む。)の規定及び第十二条の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an Act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of Article 3 (including the case where it is applied mutatis mutandis pursuant to Article 10) and the provisions of Article 12 of the Supplementary Provisions of the Act for Partial Revision of the Commercial Code, etc., the provisions then in force shall remain applicable.

附則 (平成四年六月二六日法律第八七号) 抄

Supplementary Provisions (Act No. 87 of June 26, 1992) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して一年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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation

附則（平成五年六月一四日法律第六三号）

Supplementary Provisions (Act No. 63 of June 14, 1993)

この法律は、商法等の一部を改正する法律の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code, etc.

附則（平成五年十一月一二日法律第八九号）抄

Supplementary Provisions (Act No. 89 of November 12, 1993) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

第二条（諮問等がされた不利益処分に関する経過措置）

Article 2 (Transitional Measures Concerning an Adverse Disposition for which Consultation, etc. Has Been Requested)

この法律の施行前に法令に基づきその他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

In the case where a request for consultation or any other request has been made based on a law or regulation prior to the enforcement of this Act to a council or any other consultative organ to carry out a procedure equivalent to the procedure for the hearing or the grant of an opportunity for an explanation or any other procedure for hearing statements of opinion prescribed in Article 13 of the Administrative Procedure Act, with regard to the procedure of an adverse disposition to which said request for consultation or any other respect pertains, the provisions then in force shall remain applicable, notwithstanding the provisions of the relevant Act after the revision by this Act.

第十三条（罰則に関する経過措置）

Article 13 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第十四条（聴聞に関する規定の整理に伴う経過措置）

Article 14 (Transitional Measures Concerning Coordination of the Provisions on Hearing)

この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処

分に係るものを除く。)又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Hearings (excluding those concerning adverse dispositions) carried out pursuant to the provisions of an Act prior to the enforcement of this Act or procedures therefor shall be deemed to have been carried out pursuant to the corresponding provisions of the relevant Act after the revision by this Act.

第十五条 (政令への委任)

Article 15 (Delegation to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則 (平成六年十一月一日法律第九七号) 抄

Supplementary Provisions (Act No. 97 of November 11, 1994) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から施行する。

This Act shall come into effect as from the day of promulgation.

第二十条 (罰則に関する経過措置)

Article 20 (Transitional Measures Concerning Penal Provisions)

この法律(附則第一条各号に掲げる規定については、当該各規定)の施行前にした行為並びに附則第二条、第四条、第七条第二項、第八条、第十一条、第十二条第二項、第十三条及び第十五条第四項の規定によりなお従前の例によることとされる場合における第一条、第四条、第八条、第九条、第十三条、第二十七条、第二十八条及び第三十条の規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, prior to the enforcement of said provisions) or an act committed after the enforcement of the provisions of Article 1, Article 4, Article 8, Article 9, Article 13, Article 27, Article 28 and Article 30 in the case where the provisions then in force shall remain applicable pursuant to the provisions of Article 2, Article 4, Article 7, paragraph (2), Article 8, Article 11, Article 12, paragraph (2), Article 13, and Article 15, paragraph (4) of the Supplementary Provisions, the provisions then in force shall remain applicable.

第二十一条 (政令への委任)

Article 21 (Delegation to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要となる経過措置(罰則に関する経過措置を含む。)は、政令で定める。

In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act (including transitional measures concerning penal provisions) shall be specified by a Cabinet Order.

附則 (平成七年六月七日法律第一〇六号) 抄

Supplementary Provisions (Act No. 106 of June 7, 1995) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、保険業法（平成七年法律第百五号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Insurance Business Act (Act No. 105 of 1995).

第三条 (中小企業等協同組合法の一部改正に伴う経過措置)

Article 3 (Transitional Measures for Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

1 火災共済契約の募集を行う組合員が施行日前にした第五条の規定による改正前の中小企業等協同組合法（以下この条において「旧協同組合法」という。）第九条の七の五第二項において準用する保険業法附則第二条の規定による廃止前の保険募集の取締に関する法律（昭和三十二年法律第七十一号。以下この条において「旧募集取締法」という。）第二十条第一項各号に規定する行為は、第五条の規定による改正後の中小企業等協同組合法（以下この条において「新協同組合法」という。）第九条の七の五第二項において準用する保険業法第三百七条第一項第三号に規定する行為とみなして、同項の規定を適用する。

(1) Any of the acts prescribed in the items of Article 20, paragraph (1) of the Insurance Solicitation Control Act (Act No. 171 of 1948; hereinafter referred to as the "Old Solicitation Control Act" in this Article) prior to being repealed by the provisions of Article 2 of the Supplementary Provisions of the Insurance Business Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act prior to the revisions by the provisions of Article 5 (hereinafter referred to as the "Old Cooperatives Act" in this Article), which has been committed prior to the enforcement date by a member soliciting fire mutual aid contracts shall be deemed to be an act prescribed in Article 307, paragraph (1), item (iii) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by the provisions of Article 5 (hereinafter referred to as the "New Cooperatives Act" in this Article), and the provisions of Article 307, paragraph (1) of the Insurance Business Act shall apply thereto.

2 新協同組合法第九条の七の五第二項において準用する保険業法第二百八十三条の規定は、施行日以後に火災共済協同組合の役員及び使用人並びに当該火災共済協同組合

の組合員並びにその役員及び使用人が火災共済契約の募集につき共済契約者に加えた損害の賠償について適用し、施行日前に火災共済協同組合の役員及び使用人並びに当該火災共済協同組合の組合員が募集につき共済契約者に加えた損害の賠償については、なお従前の例による。

- (2) The provisions of Article 283 of the Insurance Business Act as applied mutatis mutandis to Article 9-7-5, paragraph (2) of the New Cooperatives Act shall apply to compensation for damages caused on or after the enforcement date to a mutual aid contractor with regard to the solicitation of a fire mutual aid contract by an officer or employee of a fire mutual aid cooperative, a member of said fire mutual aid cooperative, or an officer or employee of such member, and with regard to compensation for damages caused prior to the enforcement date to a mutual aid contractor with regard to the solicitation of a fire mutual aid contract by an officer or employee of a fire mutual aid cooperative or a member of said fire mutual aid cooperative, the provisions then in force shall remain applicable.
- 3 火災共済協同組合又は新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会が施行日前にした旧協同組合法第百六条の三において準用する旧保険業法第十二条第一項に規定する行為は、新協同組合法第百六条の三において準用する保険業法第百三十三条第一号又は第三号に規定する行為とみなして、同条の規定を適用する。
- (3) An act prescribed in Article 12, paragraph (1) of the Old Insurance Business Act as applied mutatis mutandis pursuant to Article 106-3 of the Old Cooperatives Act, which has been committed by a fire mutual aid cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act prior to the enforcement date, shall be deemed to be an act prescribed in Article 133, item (i) or item (iii) of the Insurance Business Act as applied mutatis mutandis pursuant to Article 106-3 of the New Cooperatives Act, and the provisions of Article 133 of the Insurance Business Act shall apply thereto.
- 4 施行日前に旧協同組合法第百六条の三において準用する旧保険業法第十二条第一項の規定による処分に係る旧協同組合法第百六条の三において準用する旧保険業法第十二条第三項の規定による通知及び公示がされた場合においては、施行日以後も旧協同組合法第百六条の三において準用する旧保険業法第十二条第二項及び第四項の規定の例により手続を続行して、当該処分に相当する新協同組合法第百六条の三において準用する保険業法第百三十三条の規定による処分をすることができる。
- (4) In the case where a notice or public notice under the provisions of Article 12, paragraph (3) of the Old Insurance Business Act as applied mutatis mutandis pursuant to Article 106-3 of the Old Cooperatives Act pertaining to a disposition under the provisions of Article 12, paragraph (1) of the Old Insurance Business Act as applied mutatis mutandis pursuant to Article 106-3 of the Old Cooperatives Act has been given prior to the enforcement date, a disposition under the provisions of Article 133 of the Insurance Business Act as applied mutatis mutandis pursuant to

Article 106-3 of the New Cooperatives Act, which is equivalent to said disposition, may be issued by continuing with the procedure pursuant to the provisions of Article 12, paragraph (2) and paragraph (4) of the Old Insurance Business Act as applied mutatis mutandis pursuant to Article 106-3 of the Old Cooperatives Act on or after the enforcement date.

5 施行日前に旧協同組合法において準用する旧保険業法又は旧募集取締法の規定によってした処分が新協同組合法において準用する保険業法に相当の規定があるものは、この附則に別段の定めがあるものを除き、新協同組合法において準用する保険業法の相当の規定によってした処分とみなす。

(5) A disposition that has been issued, prior to the enforcement date, pursuant to the provisions of the Old Insurance Business Act or the Old Solicitation Control Act as applied mutatis mutandis pursuant to the Old Cooperatives Act and for which corresponding provisions exist in the Insurance Business Act as applied mutatis mutandis pursuant to the New Cooperatives Act shall be deemed to be a disposition that has been issued pursuant to the corresponding provisions of the Insurance Business Act as applied mutatis mutandis pursuant to the New Cooperatives Act, except as otherwise provided for by these Supplementary Provisions.

第六条 (罰則の適用に関する経過措置)

Article 6 (Transitional Measures Concerning Application of Penal Provisions)

施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係る施行日以後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement date or an act committed on or after the enforcement date pertaining to a matter for which the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第七条 (政令への委任)

Article 7 (Delegation to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則 (平成七年一二月二〇日法律第一三七号) 抄

Supplementary Provisions (Act No. 137 of December 20, 1995) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して一年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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation.

附則（平成八年六月二一日法律第九四号）抄

Supplementary Provisions (Act No. 94 of June 21, 1996) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、平成九年四月一日から施行する。

This Act shall come into effect as from April 1, 1997.

第五条（中小企業等協同組合法の一部改正に伴う経過措置）

Article 5 (Transitional Measures for Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

1 この法律の施行の際現に存する中小企業等協同組合については、第六条の規定による改正後の中小企業等協同組合法（以下この条において「新協同組合法」という。）第三十八条の二第三項（新協同組合法第四十二条及び第六十九条において準用する場合を含む。）の規定は、施行日以後にされる記載、登記又は公告について適用し、施行日前にされた記載、登記又は公告については、なお従前の例による。

(1) With regard to a small and medium-sized enterprise cooperative which already exists at the time of the enforcement of this Act, the provisions of Article 38-2, paragraph (3) of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by Article 6 (hereinafter referred to as the "New Cooperatives Act" in this Article) (including the case where it is applied mutatis mutandis pursuant to Article 42 and Article 69 of the New Cooperatives Act) shall apply to a statement of matters, registration, or public notice made or given on or after the enforcement date, and with regard to a statement of matters, registration, or public notice made or given prior to the enforcement date, the provisions then in force shall remain applicable.

2 この法律の施行の際現に存する信用協同組合又は中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会（以下この条及び次条において「信用協同組合等」という。）については、新協同組合法第三十八条の二第四項（新協同組合法第四十二条及び第六十九条において準用する場合を含む。）及び第四十条第四項（新協同組合法第六十九条において準用する場合を含む。）の規定は、施行日以後に終了する事業年度に係る書類について適用し、施行日前に終了した事業年度に係る書類については、なお従前の例による。

(2) With regard to a credit cooperative or a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (hereinafter referred to as a "credit cooperative, etc."), the provisions of Article 38-2, paragraph (4) of the New Cooperatives Act (including the case where it is applied mutatis mutandis

pursuant to Article 69 of the New Cooperatives Act) and Article 40, paragraph (4) of the New Cooperatives Act (including the case where it is applied mutatis mutandis pursuant to Article 69 of the New Cooperatives Act) shall apply to documents pertaining to a business year ending on or after the effective date, and with regard to documents pertaining to a business year that has ended prior to the effective date, the provisions then in force shall remain applicable.

3 この法律の施行の際現に存する信用協同組合等がその理事若しくは清算人に対し、又は理事若しくは清算人がその信用協同組合等に対して提起する訴えについて当該信用協同組合等を代表すべき者に関しては、施行日以後最初に招集される通常総会の終結の時までは、この法律の施行後も、なお従前の例による。

(3) With regard to the person to represent a credit cooperative, etc. in an action filed by a credit cooperative, etc., which already exists at the time of the enforcement of this Act, against its director or liquidator or an action filed by a director or liquidator against said credit cooperative, etc., the provisions then in force shall remain applicable after the enforcement of this Act until the time of the conclusion of the ordinary general meeting convened for the first time on or after the enforcement date.

4 新協同組合法第五十七条の三の規定は、施行日以後に議決される営業又は事業の譲渡又は譲受けについて適用し、施行日前に議決され、又は行われた事業の譲渡又は譲受けについては、なお従前の例による。

(4) The provisions of Article 57-3 of the New Cooperatives Act shall apply to the transfer or receipt of transfer of business or activities decided on or after the enforcement date, and with regard to a transfer or receipt of transfer of activities decided or carried out prior to the enforcement date, the provisions then in force shall remain applicable.

5 新協同組合法第六十三条及び第六十六条の規定は、施行日以後に議決される合併について適用し、施行日前に議決された合併については、なお従前の例による。

(5) The provisions of Article 63 and Article 66 of the New Cooperatives Act shall apply to a merger decided on or after the enforcement date, and with regard to a merger decided prior to the enforcement date, the provisions then in force shall remain applicable.

第十二条 (罰則の適用に関する経過措置)

Article 121 (Transitional Measures Concerning Application of Penal Provisions)

この法律の各改正規定の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係るこの法律の各改正規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of the respective revising provisions of this Act or an act committed after the enforcement of the respective revising provisions of this Act pertaining to a matter for which the provisions then in force shall remain applicable pursuant to the

provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第十三条 (その他の経過措置の政令への委任)

Article 13 (Delegation of Other Transitional Measures to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則 (平成八年六月二一日法律第九五号) 抄

Supplementary Provisions (Act No. 95 of June 21, 1996) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成九年四月一日から施行する。

This Act shall come into effect as from April 1, 1997.

附則 (平成九年五月二三日法律第五九号) 抄

Supplementary Provisions (Act No. 59 of May 23, 1997) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十年四月一日から施行する。

This Act shall come into effect as from April 1, 1998.

附則 (平成九年六月六日法律第七二号)

Supplementary Provisions (Act No. 72 of June 6, 1997)

1 (施行期日)

(1) (Effective Date)

この法律は、商法等の一部を改正する法律(平成九年法律第七十一号)の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code, etc. (Act No. 71 of 1997).

2 (経過措置)

(2) (Transitional Measures)

この法律の施行前に締結された合併契約に係る合併に関しては、この法律の施行後も、なお従前の例による。

With regard to a merger pertaining to a merger contract concluded prior to the enforcement of this Act, the provisions then in force shall remain applicable after the enforcement of this Act.

3 (罰則の適用に関する経過措置)

(3) (Transitional Measures Concerning Application of Penal Provisions)

この法律の施行前にした行為及び前項の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an Act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force shall remain applicable.

附則 (平成九年六月二〇日法律第一〇二号) 抄

Supplementary Provisions (Act No. 102 of June 20, 1997) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、金融監督庁設置法（平成九年法律第百一号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Establishment of the Financial Supervisory Agency (Act No. 101 of 1997).

第二条 (大蔵大臣等がした処分等に関する経過措置)

Article 2 (Transitional Measures Concerning a Disposition, etc. Issued by the Minister of Finance, etc.)

- 1 この法律による改正前の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、証券投資信託法、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、外国為替銀行法、自動車損害賠償保障法、農業信用保証保険法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、預金保険法、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法又は銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律（以下「旧担保附社債信託法等」という。）の規定により大蔵大臣その他の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、この法律による改正後の担保附社債信託法、信託業法、農林

中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、証券投資信託法、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、外国為替銀行法、自動車損害賠償保障法、農業信用保証保険法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、預金保険法、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法又は銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律（以下「新担保附社債信託法等」という。）の相当規定に基づいて、内閣総理大臣その他の相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

- (1) A license, permission, approval, recognition, designation, or any other disposition or notice granted or issued or any other act conducted by the Minister of Finance or any other national organ pursuant to the provisions of the Secured Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act for Simplifying the Affairs of Banks, etc., the Act on Provision, etc. of Trust Business by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on the Casualty Insurance Rating Organization of Japan, the Fisheries Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Securities Investment Trust Act, the Shinkin Bank Act, the Long-Term Credit Bank Act, the Loan Trust Act, the Small and Medium Fisheries Loan Guarantee Act, the Credit Guarantee Corporation Act, the Labor Bank Act, the Foreign Exchange Bank Act, the Automobile Liability Security Act, the Agricultural Credit Guarantee Insurance Act, the Act on Merger and Conversion of Financial Institutions, the Act on Foreign Securities Brokers, the Deposit Insurance Act, the Act on the Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls, etc. on Money Lending, the Act on Regulation, etc. of Investment Advisory Business Pertaining to Securities, the Act on Regulation, etc. of Mortgage Corporations, the

Financial Futures Trading Act, the Act on Regulation, etc. of Advanced Payment Certificates, the Act on Control for Business Pertaining to Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulation of Business Pertaining to Specified Claims, etc., the Act on Coordination, etc. of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Real Estate Specified Joint Enterprise Act, the Insurance Business Act, the Act on Special Provisions, etc. on Financial Institution Reorganization Proceedings, the Act on Mergers, etc. between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, or the Act on Special Provisions, etc. on the Merger Procedure for Banks, etc. for the Establishment of a Bank Holding Company prior to the revision by this Act (hereinafter referred to as "Old Secured Bonds Trust Act, etc.") shall be deemed to be a license, permission, approval, recognition, designation, or any other disposition or notice granted or issued or any other act conducted by the Prime Minister or any other corresponding national organ based on the corresponding provisions of the Secured Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act for Simplifying the Affairs of Banks, etc., the Act on Provision etc. of Trust Business by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on the Casualty Insurance Rating Organization of Japan, the Fisheries Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Securities Investment Trust Act, the Shinkin Bank Act, the Long-Term Credit Bank Act, the Loan Trust Act, the Small and Medium Fisheries Loan Guarantee Act, the Credit Guarantee Corporation Act, the Labor Bank Act, the Foreign Exchange Bank Act, the Automobile Liability Security Act, the Agricultural Credit Guarantee Insurance Act, the Act on Merger and Conversion of Financial Institutions, the Act on Foreign Securities Brokers, the Deposit Insurance Act, the Act on the Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls, etc. on Money Lending, the Act on Regulation, etc. of Investment Advisory Business Pertaining to Securities, the Act on Regulation, etc. of Mortgage Corporations, the Financial Futures Trading Act, the Act on Regulation, etc. of Advanced Payment Certificates, the Act on Control for Business Pertaining to Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control

Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulation of Business Pertaining to Specified Claims, etc., the Act on Coordination, etc. of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Real Estate Specified Joint Enterprise Act, the Insurance Business Act, the Act on Special Provisions, etc. on Financial Institution Reorganization Proceedings, the Act on Mergers, etc. between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, or the Act on Special Provisions, etc. on the Merger Procedure for Banks, etc. for the Establishment of a Bank Holding Company after the revision by this Act (hereinafter referred to as "New Secured Bonds Trust Act, etc.").

2 この法律の施行の際現に旧担保附社債信託法等の規定により大蔵大臣その他の国の機関に対してされている申請、届出その他の行為は、新担保附社債信託法等の相当規定に基づいて、内閣総理大臣その他の相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) An application, a notification, or any other act which has been already filed with, given or directed to the Minister of Finance or any other national organ pursuant to the provisions of the Old Secured Bonds Trust Act, etc. at the time of the enforcement of this Act shall be deemed to be an application, a notification, or any other act which has been filed with or given or directed to the Prime Minister or any other corresponding national organ based on the corresponding provisions of the New Secured Bonds Trust Act, etc.

3 旧担保附社債信託法等の規定により大蔵大臣その他の国の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、これを、新担保附社債信託法等の相当規定により内閣総理大臣その他の相当の国の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、新担保附社債信託法等の規定を適用する。

(3) With regard to a matter which requires reporting, notification or submission to or any other procedure with the Minister of Finance or any other national organ pursuant to the provisions of the Old Secured Bonds Trust Act, etc. and for which said procedure has not been carried out prior to the day of enforcement of this Act, the provisions of the New Secured Bonds Trust Act, etc., shall apply by deeming that a matter which requires reporting, notification or submission to or any other procedure with the Prime Minister or any other corresponding national organ pursuant to the provisions of the New Secured Bonds Trust Act, etc. has yet to undergo said procedure.

第五条 (罰則に関する経過措置)

Article 5 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第六条 (政令への委任)

Article 6 (Delegation to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則 (平成九年十一月二七日法律第一〇六号)

Supplementary Provisions (Act No. 106 of November 27, 1997)

1 (施行期日)

(1) (Effective Date)

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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation.

2 (罰則に関する経過措置)

(2) (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則 (平成九年十二月一〇日法律第一一七号) 抄

Supplementary Provisions (Act No. 117 of December 10, 1997) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して二十日を経過した日から施行する。

This Act shall come into effect as from the day on which twenty days have elapsed from the day of promulgation.

附則 (平成九年十二月一二日法律第一二一号) 抄

Supplementary Provisions (Act No. 121 of December 12, 1997) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、持株会社の設立等の禁止の解除に伴う金融関係法律の整備等に関する法律(平成九年法律第百二十号)の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act on Coordination, etc. of Finance-Related Acts in Line with Cancellation of the Prohibition of Formation, etc. of Holding Companies (Act No. 120 of 1997).

附則 (平成一〇年六月一五日法律第一〇六号)

Supplementary Provisions (Act No. 106 of June 15, 1998)

この法律は、特定目的会社による特定資産の流動化に関する法律（平成十年法律第百五号）の施行の日（平成十年九月一日）から施行する。ただし、第十七条中地方税法附則第五条の改正規定は、平成十一年四月一日から施行する。

This Act shall come into effect as from the day of enforcement (September 1, 1998) of the Act on Securities of Specified Assets by Special Purpose Companies (Act No. 105 of 1998); provided, however, that from Article 17, the provisions revising Article 5 of the Supplementary Provisions of the Local Tax Act shall come into effect as from April 1, 1999.

附則 (平成一〇年六月一五日法律第一〇七号) 抄

Supplementary Provisions (Act No. 107 of June 15, 1998) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十年十二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。

This Act shall come into effect as from December 1, 1998; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively prescribed in those items:

- 一 第一条中証券取引法第四章の次に一章を加える改正規定（第七十九条の二十九第一項に係る部分に限る。）並びに同法第百八十九条第二項及び第四項の改正規定、第二十一条の規定、第二十二条中保険業法第二編第十章第二節第一款の改正規定（第二百六十五条の六に係る部分に限る。）、第二十三条の規定並びに第二十五条の規定並びに附則第四十条、第四十二条、第五十八条、第百三十六條、第百四十條、第百四十三條、第百四十七條、第百四十九條、第百五十八條、第百六十四條、第百八十七條（大蔵省設置法（昭和二十四年法律第百四十四号）第四条第七十九号の改正規定を除く。）及び第百八十八條から第百九十條までの規定 平成十年七月一日

- (i) From Article 1, the provisions adding an additional Chapter after Chapter IV of the Securities and Exchange Act (limited to the portions pertaining to Article 79-29, paragraph (1)) and the provisions revising Article 189, paragraph (2) and paragraph (4) of the same Act; the provisions of Article 21; the provisions of Article 22 revising Part 2, Chapter X, Section 2, Subsection 1 of the Insurance Business Act (limited to the portions pertaining to Article 265-6); the provisions of Article 23; and the provisions of Article 25; and the provisions of Article 40, Article 42, Article 58, Article 136, Article 140, Article 143, Article 147, Article

149, Article 158, Article 164, Article 187 (excluding the provisions revising Article 4, item (lxxix [79]) of the Act for Establishment of the Ministry of Finance (Act No. 144 of 1949), and Articles 188 to 190 of the Supplementary Provisions-July 1, 1998

第四百七十七条 (権限の委任)

Article 147 (Delegation of Authority)

1 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

(1) The Prime Minister shall delegate his/her authority under this Act (excluding the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限並びにこの附則の規定による農林水産大臣及び厚生労働大臣の権限については、政令で定めるところにより、その一部を財務局長若しくは財務支局長（農林水産大臣及び労働大臣の権限にあつては、地方支分部局の長）に委任することができる。

(2) A part of the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph and the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare under the provisions of these Supplementary Provisions may be delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau (the head of a Local Branch Office in the case of the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare), pursuant to the provisions of a Cabinet Order.

第四百八十八条 (処分等の効力)

Article 188 (Effects of Dispositions, etc.)

この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions) pursuant to the provisions of a relevant Act prior to the revision (including an order based thereon; hereinafter the same shall apply in this Article) for which corresponding provisions exist in the relevant Act after the revision shall be deemed to have been issued or carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第四百八十九条 (罰則の適用に関する経過措置)

Article 189 (Transitional Measures Concerning Application of Penal Provisions)

この法律（附則第一条各号に掲げる規定にあっては、当該規定）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions or in the case where the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第百九十条（その他の経過措置の政令への委任）

Article 190 (Delegation of Other Transitional Measures to a Cabinet Order)

附則第二条から第百四十六条まで、第百五十三条、第百六十九条及び前条に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第百九十一条（検討）

Article 191 (Review)

1 政府は、この法律の施行後においても、新保険業法の規定による保険契約者等の保護のための特別の措置等に係る制度の実施状況、保険会社の経営の健全性の状況等にかんがみ必要があると認めるときは、保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

(1) When the government finds it necessary, even after the enforcement of this Act, by taking into consideration the status of the implementation of systems pertaining to special measures, etc. to protect policyholders, etc. pursuant to the provisions of the Insurance Business Act, the status of the soundness of the management of insurance companies, etc., it shall take measures necessary for maintaining the reliability of the insurance business.

2 政府は、前項に定めるものを除くほか、この法律の施行後五年以内に、この法律による改正後の規定の実施状況、金融システムを取り巻く社会経済状況の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) In addition to what is provided for in the preceding paragraph, the government shall review the financial systems after the revision by this Act, within five years from the enforcement of this Act, by taking into account the status of the implementation of the provisions revised by this Act, changes to the social and economic conditions surrounding the financial systems, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則（平成一〇年一〇月一六日法律第一三一号）

Supplementary Provisions (Act No. 131 of October 16, 1998)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、金融再生委員会設置法（平成十年法律第百三十号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Establishment of the Financial Reconstruction Commission (Act No. 130 of 1998).

第二条（経過措置）

Article 2 (Transitional Measures)

- 1 この法律による改正前の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、地方税法、証券投資信託及び証券投資法人に関する法律、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、自動車損害賠償保障法、農業信用保証保険法、地震保険に関する法律、登録免許税法、金融機関の合併及び転換に関する法律、外国証券業者に関する法律、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証券の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関等の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法、銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律、特定目的会社による特定資産の流動化に関する法律又は金融システム改革のための関係法律の整備等に関する法律（以下「旧担保附社債信託法等」という。）の規定により内閣総理大臣その他の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、この法律による改正後の担保附社債信託法、信託業法、農林中央金庫法、無尽業法、銀行等の事務の簡素化に関する法律、金融機関の信託業務の兼営等に関する法律、私的独占の禁止及び公正取引の確保に関する法律、農業協同組合法、証券取引法、損害保険料率算出団体に関する法律、水産業協同組合法、中小企業等協同組合法、協同組合による金融事業に関する法律、船主相互保険組合法、地方税法、証券投資信託及び証券投資法人に関する法律、信用金庫法、長期信用銀行法、貸付信託法、中小漁業融資保証法、信用保証協会法、労働金庫法、自動車損害賠償保障法、農業信用保証保険法、地震保険に関する法律、登録免許税法、金融機関の合併

及び転換に関する法律、外国証券業者に関する法律、農村地域工業等導入促進法、農水産業協同組合貯金保険法、銀行法、貸金業の規制等に関する法律、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律、特定債権等に係る事業の規制に関する法律、金融制度及び証券取引制度の改革のための関係法律の整備等に関する法律、協同組織金融機関の優先出資に関する法律、不動産特定共同事業法、保険業法、金融機関等の更生手続の特例等に関する法律、農林中央金庫と信用農業協同組合連合会との合併等に関する法律、日本銀行法、銀行持株会社の創設のための銀行等に係る合併手続の特例等に関する法律、特定目的会社による特定資産の流動化に関する法律又は金融システム改革のための関係法律の整備等に関する法律（以下「新担保附社債信託法等」という。）の相当規定に基づいて、金融再生委員会その他の相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

- (1) A license, permission, approval, recognition, designation, or any other disposition or notice granted or issued or any other act conducted by the Prime Minister or any other national organ pursuant to the provisions of the Secured Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act for Simplifying the Affairs of Banks, etc., the Act on Provision etc. of Trust Business by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on the Casualty Insurance Rating Organization of Japan, the Fisheries Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Local Tax Act, the Act on Securities Investment Trust and Securities Investment Corporations, the Shinkin Bank Act, the Long-Term Credit Bank Act, the Loan Trust Act, the Small and Medium Fisheries Loan Guarantee Act, the Credit Guarantee Juridical Person Act, the Labor Bank Act, the Automobile Liability Security Act, the Agricultural Credit Guarantee Insurance Act, the Act on Earthquake Insurance, the Registration and License Tax Act, the Act on Merger and Conversion of Financial Institutions, the Act on Foreign Securities Brokers, the Act on the Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls, etc. on Money Lending, the Act on Regulation, etc. of Investment Advisory Business Pertaining to Securities, the Act on Regulation, etc. of Mortgage Corporations, the Financial Futures Trading Act, the Act on Regulation, etc. of Advanced Payment Certificates, the Act on Control for Business Pertaining to Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of

Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulation of Business Pertaining to Specified Claims, etc., the Act on Coordination, etc. of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Real Estate Specified Joint Enterprise Act, the Insurance Business Act, the Act on Special Provisions, etc. on Financial Institution Reorganization Proceedings, the Act on Mergers, etc. between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, the Act on Special Provisions, etc. on the Merger Procedure for Banks, etc. for the Establishment of a Bank Holding Company, the Act on Securities of Specified Assets by Special Purpose Companies, or the Act on Coordination, etc. of Relevant Acts for the Reform of the Financial System prior to the revision by this Act (hereinafter referred to as "Old Secured Bonds Trust Act, etc.") shall be deemed be a license, permission, approval, recognition, designation, or any other disposition or notice granted or issued or any other act conducted by the Financial Reconstruction Commission or any other corresponding national organ based on the corresponding provisions of the Secured Bonds Trust Act, the Trust Business Act, the Norinchukin Bank Act, the Mutual Loan Business Act, the Act for Simplifying the Affairs of Banks, etc., the Act on Provision etc. of Trust Business by Financial Institutions, the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, the Agricultural Cooperative Act, the Securities and Exchange Act, the Act on the Casualty Insurance Rating Organization of Japan, the Fisheries Cooperatives Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Businesses by Cooperatives, the Ship Owners' Mutual Insurance Union Act, the Local Tax Act, the Act on Securities Investment Trust and Securities Investment Corporations, the Shinkin Bank Act, the Long-Term Credit Bank Act, the Loan Trust Act, the Small and Medium Fisheries Loan Guarantee Act, the Credit Guarantee Juridical Person Act, the Labor Bank Act, the Automobile Liability Security Act, the Agricultural Credit Guarantee Insurance Act, the Act on Earthquake Insurance, the Registration and License Tax Act, the Act on Merger and Conversion of Financial Institutions, the Act on Foreign Securities Brokers, the Act on the Promotion of Introduction of Industry into Agricultural Regions, the Agricultural and Fishery Cooperation Savings Insurance Act, the Banking Act, the Act on Controls, etc. on Money Lending, the Act on Regulation, etc. of Investment Advisory Business Pertaining to Securities, the Act on Regulation, etc. of Mortgage Corporations, the Financial Futures Trading Act, the Act on Regulation, etc. of Advanced Payment Certificates, the Act on Control for Business Pertaining to Commodity Investment, the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act, etc.

and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation, the Act on Regulation of Business Pertaining to Specified Claims, etc., the Act on Coordination, etc. of Relevant Acts for the Reform of the Financial System and the Securities and Exchange System, the Act on Preferred Equity Investment by Cooperative Structured Financial Institutions, the Real Estate Specified Joint Enterprise Act, the Insurance Business Act, the Act on Special Provisions, etc. on Financial Institution Reorganization Proceedings, the Act on Mergers, etc. between the Norinchukin Bank and a Federation of Credit Agricultural Cooperatives, the Bank of Japan Act, the Act on Special Provisions, etc. on the Merger Procedure for Banks, etc. for the Establishment of a Bank Holding Company, the Act on Securities of Specified Assets by Special Purpose Companies, or the Act on Coordination, etc. of Relevant Acts for the Reform of the Financial System after the revision by this Act (hereinafter referred to as "New Secured Bonds Trust Act, etc.").

2 この法律の施行の際現に旧担保附社債信託法等の規定により内閣総理大臣その他の国の機関に対してされている申請、届出その他の行為は、新担保附社債信託法等の相当規定に基づいて、金融再生委員会その他の相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) An application, a notification, or any other act which has been already filed with or given or directed to the Prime Minister or any other national organ pursuant to the provisions of the Old Secured Bonds Trust Act, etc. at the time of the enforcement of this Act shall be deemed to be an application, a notification, or any other act which has been filed with or given or directed to the Financial Reconstruction Commission or any other corresponding national organ based on the corresponding provisions of the New Secured Bonds Trust Act, etc.

3 旧担保附社債信託法等の規定により内閣総理大臣その他の国の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、これを、新担保附社債信託法等の相当規定により金融再生委員会その他の相当の国の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、新担保附社債信託法等の規定を適用する。

(3) With regard to a matter which requires reporting, notification or submission to or any other procedure with the Prime Minister or any other national organ pursuant to the provisions of the Old Secured Bonds Trust Act, etc. and for which said procedure has not been carried out prior to the day of enforcement of this Act, the provisions of the New Secured Bonds Trust Act, etc., shall apply by deeming that a matter which requires reporting, notification or submission to or any other procedure with the Financial Reconstruction Commission or any other corresponding national organ pursuant to the provisions of the New Secured Bonds

Trust Act, etc. has yet to undergo said procedure.

第三条

Article 3

この法律の施行の際現に効力を有する旧担保附社債信託法等の規定に基づく命令は、新担保附社債信託法等の相当規定に基づく命令としての効力を有するものとする。

An order issued based on the provisions of the Old Secured Bonds Trust Act, etc. which is already in force at the time of the enforcement of this Act shall be deemed to have the effect of an order based on the corresponding provisions of the New Secured Bonds Trust Act, etc.

第四条

Article 4

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第五条（政令への委任）

Article 5 (Delegation to a Cabinet Order)

前三条に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding three Articles, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則（平成十一年五月二八日法律第五六号）抄

Supplementary Provisions (Act No. 56 of May 28, 1999) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、平成十一年十月一日から施行する。

This Act shall come into effect as from October 1, 1999.

附則（平成十一年六月二三日法律第八〇号）抄

Supplementary Provisions (Act No. 80 of June 23, 1999) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して一月を経過した日から施行する。

This Act shall come into effect as from the day on which one month has elapsed from the day of promulgation.

第五条（罰則に関する経過措置）

Article 5 (Transitional Measures Concerning Penal Provisions)

この法律の施行前にした行為及び附則第三条第一項の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、

なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions, the provisions then in force shall remain applicable.

附則（平成十一年七月一六日法律第八七号）抄

Supplementary Provisions (Act No. 87 of July 16, 1999) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、平成十二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。

This Act shall come into effect as from April 1, 2000; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

- 一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第六十条、第六十三条、第六十四条並びに第二百二条の規定 公布の日

- (i) From Article 1, the provisions adding five Articles, a Section name, two Subsections and Subsection names after Article 250 of the Local Autonomy Act (limited to the portions pertaining to Article 250-9, paragraph (1) of the same Act [limited to the portions pertaining to the obtainment of consent of both houses]); from Article 40, the provisions revising paragraph (9) and paragraph (10) of the Natural Parks Act (limited to the portion pertaining to paragraph (10) of the Supplementary Provisions of the same Act); the provisions of Article 244 (excluding the portions pertaining to the provisions revising Article 14-3 of the Agricultural Improvement Promotion Act); and the provisions of Article 472 (excluding the portions pertaining to the provisions revising Article 6, Article 8, and Article 17 of the Act on Special Provisions on Mergers of Municipalities); and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, Article 60, paragraph (4) and paragraph (5), Article 73, Article 77, Article 157, paragraphs (4) to (6), Article 160, Article 163, Article 164, and Article 202-The day of promulgation

第百五十九条 (国等の事務)

Article 159 (Affairs of the State)

この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

In addition to those prescribed in the respective Acts prior to the revision by this Act, the affairs of the State, other local public entities, or any other public entities (referred to as the "Affairs of the State, etc." in Article 161 of the Supplementary Provisions) which are managed or executed by an organ of a local public entity pursuant to an Act or a Cabinet Order based thereon prior to the enforcement of this Act shall be processed by the local public entity as the affairs of said local public entity pursuant to an Act or a Cabinet Order based thereon after the enforcement of this Act.

第百六十条 (処分、申請等に関する経過措置)

Article 160 (Transitional Measures Concerning Dispositions, Applications, etc.)

1 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

(1) A disposition on permission, etc. or any other act (hereinafter referred to as an "act of disposition, etc." in this Article) issued or conducted prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions; hereinafter the same shall apply in this Article and Article 163 of the Supplementary Provisions) pursuant to the provisions of the relevant Act prior to the revision, or an application for permission, etc. or any other act (hereinafter referred to as an "act of application, etc." in this Article) already filed or conducted at the time of the enforcement of this Act pursuant to the provisions of the relevant Act prior to the revision, for which the person to carry out the administrative affairs pertaining to said act changes on the day of enforcement of this Act, shall be deemed to be an act of disposition, etc. or an act of application, etc. conducted pursuant to the corresponding provisions of the relevant Act after the revision, with regard to the

application of the relevant Act after the revision on or after the day of enforcement of this Act, except one specified by the provisions of Article 2 of the Supplementary Provisions to the preceding Article or by the provisions on transitional measures of the relevant Act after the revision (including an order based thereon).

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) With regard to a matter which requires reporting, notification or submission to or any other procedure with an organ of the State or of a local public entity prior to the enforcement of this Act pursuant to the provisions of the relevant Act prior to the revision and for which said procedure has not been carried out prior to the day of enforcement of this Act, the provisions of the relevant Act after the revision by this Act shall apply by deeming that a matter which requires reporting, notification or submission to or any other procedure with a corresponding organ of the State or of a local public entity pursuant to the corresponding provisions of the relevant Act after the revision has yet to undergo said procedure, except as otherwise provided for by this Act or a Cabinet Order based thereon.

第六十一条 (不服申立てに関する経過措置)

Article 161 (Transitional Measures Concerning Appeal)

1 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

(1) With regard to an appeal under the Administrative Appeal Act against a disposition pertaining to affairs of the State, etc. issued prior to the enforcement date where the administrative agency which has issued said disposition (hereinafter referred to as the "acting agency" in this Article) had a higher administrative agency prescribed in the same Act (hereinafter referred to as a "higher administrative agency" in this Article) prior to the enforcement date, the provisions of the Administrative Appeal Act shall apply by deeming that said acting agency still has a higher administrative agency on or after the enforcement date. In this case, the administrative agency which shall be deemed to be the higher administrative agency of said acting agency shall be one which was the

higher administrative agency of said acting agency prior to the enforcement date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case of the preceding paragraph, if the administrative agency which shall be deemed to be the higher administrative agency is an organ of a local public entity, the affairs to be processed by said organ pursuant to the provisions of the Administrative Appeal Act shall be the item (i) statutory commissioned affairs prescribed in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

第百六十二条 (手数料に関する経過措置)

Article 162 (Transitional Measures Concerning Fees)

施行日前においてこの法律による改正前のそれぞれの法律(これに基づく命令を含む。)の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

With regard to a fee which should have been paid prior to the enforcement date pursuant to the provisions of a relevant Act prior to the revision by this Act (including an order based on), the provisions then in force shall remain applicable, except as otherwise provided for by this Act or a Cabinet Order based on.

第百六十三条 (罰則に関する経過措置)

Article 163 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第百六十四条 (その他の経過措置の政令への委任)

Article 164 (Delegation of Other Transitional Measures to a Cabinet Order)

1 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置(罰則に関する経過措置を含む。)は、政令で定める。

(1) In addition to what is provided for in these Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act (including transitional measures concerning penal provisions) shall be specified by a Cabinet Order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Necessary matters concerning the application of the provisions of Article 18, Article 51 and Article 184 of the Supplementary Provisions shall be specified by a Cabinet Order.

第二百五十条 (検討)

Article 250 (Review)

新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの

及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

The additional creation of the item (i) statutory commissioned affairs provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act shall be avoided as much as possible, and those listed in appended table 1 of the New Local Autonomy Act and those indicated in a Cabinet Order based on the New Local Autonomy Act shall be reviewed from the viewpoint of promoting decentralization and be revised appropriately as needed.

第二百五十一条

Article 251

政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

In order for local public entities to execute their affairs and services autonomously and independently, the government shall, while taking into account changes to the economic situation, examine ways by which to increase and secure financial resources for local tax in accordance with the sharing of roles between the State and local public entities, and shall take necessary measures based on the results of the examination.

第二百五十二条

Article 252

政府は、医療保険制度、年金制度等の改革に伴い、社会保険の事務処理の体制、これに従事する職員の在り方等について、被保険者等の利便性の確保、事務処理の効率化等の視点に立って、検討し、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

In line with reforms to the medical insurance system, the pension system, and other systems, the government shall examine the framework of administrative processing for social security, the requirements for officials engaged therein, and other matters, from the viewpoint of securing the convenience of the insured, etc. and improving the efficiency of administrative processing.

附則 （平成十一年一二月三日法律第一四六号） 抄

Supplementary Provisions (Act No. 146 of December 3, 1999) (Extract)

第一条 （施行期日）

Article 1 (Effective Date)

この法律は、公布の日から施行する。

This Act shall come into effect as from the day of promulgation.

第四条 （中小企業等協同組合法の一部改正に伴う経過措置）

Article 4 (Transitional Measures for Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

第四条の規定による改正後の中小企業等協同組合法（以下この条において「新法」という。）第七条第一項第一号に掲げる事業協同組合、火災共済協同組合若しくは信用協同組合であつて第四条の規定による改正前の中小企業等協同組合法（以下この条において「旧法」という。）第七条第一項第一号に掲げる事業協同組合、火災共済協同組合若しくは信用協同組合でないもの又は新法第七条第一項第一号若しくは第二号に掲げる組合をもって組織する協同組合連合会であつて旧法第七条第一項第一号若しくは第二号に掲げる組合をもって組織する協同組合連合会でないものの行為で第四条の規定の施行前にあつたものに対する私的独占の禁止及び公正取引の確保に関する法律（以下「私的独占禁止法」という。）の適用については、なお従前の例による。

With regard to the application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (hereinafter referred to as "Antimonopoly Act") to an act committed prior to the enforcement of the provisions of Article 4 by a business cooperative, fire mutual aid cooperative, or credit cooperative set forth in Article 7, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by the provisions of Article 4 (hereinafter referred to as "New Act" in this Article) which is not a business cooperative, fire mutual aid cooperative, or credit cooperative set forth in Article 7, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act prior to the revision by the provisions of Article 4 (hereinafter referred to as "Old Act" in this Article) or by a federation of cooperatives composed of cooperatives set forth in Article 7, paragraph (1), item (i) or item (ii) of the New Act which is not a federation of cooperatives composed of cooperatives set forth in Article 7, paragraph (1), item (i) or item (ii) of the Old Act, the provisions then in force shall remain applicable.

第十四条 （罰則に関する経過措置）

Article 14 (Transitional Measures Concerning Penal Provisions)

この法律（附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, said provisions; hereinafter the same shall apply in this Article) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第十五条 （政令への委任）

Article 15 (Delegation to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要となる経過措置は、政令で定める。

In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則（平成十一年一月二二日法律第一六〇号）抄
Supplementary Provisions (Act No. 160 of December 22, 1999) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。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。

This Act (excluding Article 2 and Article 3) shall come into effect as from January 6, 2001; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

二 第三章（第三条を除く。）及び次条の規定 平成十二年七月一日

(ii) The provisions of Chapter III (excluding Article 3) and the following Article-July 1, 2000

附則（平成十二年五月一九日法律第七六号）抄
Supplementary Provisions (Act No. 76 of May 19, 2000) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、平成十三年一月六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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from January 6, 2001.

附則（平成十二年五月三十一日法律第九一号）
Supplementary Provisions (Act No. 91 of May 31, 2000)

1（施行期日）

(1) (Effective Date)

この法律は、商法等の一部を改正する法律（平成十二年法律第九十号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code, etc. (Act No. 90 of 2000).

2（経過措置）

(2) (Transitional Measures)

この法律の施行の日が独立行政法人農林水産消費技術センター法（平成十一年法律第百八十三号）附則第八条の規定の施行の日前である場合には、第三十一条のうち農林物資の規格化及び品質表示の適正化に関する法律第十九条の五の二、第十九条の六第一項第四号及び第二十七条の改正規定中「第二十七条」とあるのは、「第二十六条」とする。

In the case where the day of enforcement of this Act is prior to the day of enforcement of the provisions of Article 8 of the Supplementary Provisions of the Act on the Center for Quality Control and Consumer Services (Act No. 183 of 1999), the term "Article 27" in the provisions of Article 31 revising Article 19-5-2, Article 19-6, paragraph (1), item (iv) and Article 27 of the Act Concerning Standardization and Proper Labeling of Agricultural and Forestry Products shall be deemed to be replaced with "Article 26."

附則 (平成一二年五月三十一日法律第九二号) 抄

Supplementary Provisions (Act No. 92 of May 31, 2000) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。ただし、第一条中保険業法第二百六十五条の四十二の次に次の一条を加える改正規定並びに第二百七十五条及び第三百十七条の二の改正規定並びに附則第十九条の規定は、平成十三年四月一日から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation; provided, however, that, from Article 1, the provisions adding an additional Article after Article 265-42 of the Insurance Business Act and the provisions revising Article 275 and Article 317-2 and the provisions of Article 19 of the Supplementary Provisions shall come into effect as from April 1, 2001.

第二十九条 (罰則の適用に関する経過措置)

Article 29 (Transitional Measures Concerning Application of Penal Provisions)

この法律(附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。)の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, said provisions; hereinafter the same shall apply in this Article) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第三十条 (その他の経過措置の政令への委任)

Article 30 (Delegation of Other Transitional Measures to a Cabinet Order)

附則第二条から第十七条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

In addition to what is provided for in Articles 2 to 17 of the Supplementary

Provisions, necessary transitional measures for the enforcement of this Act shall be specified by a Cabinet Order.

第三十一条 (検討)

Article 31 (Review)

政府は、この法律の施行後三年以内に、保険契約者等の保護のための特別の措置等に係る制度等の実施状況、保険会社の経営の健全性の状況等を勘案し、この法律による改正後の保険契約者等の保護のための制度について検討を加え、必要があると認めるときは、その結果に基づいて保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

The government shall review the system for the protection of policyholders, etc. after the revision by this Act, within three years from the enforcement of this Act, by taking into account the status of the implementation of systems pertaining to special measures, etc. to protect policyholders, etc., the status of the soundness of the management of insurance companies, etc., and shall, when it finds it necessary, take measures necessary for maintaining the reliability of the insurance business based on the results of the review.

附則 (平成十二年五月三十一日法律第九六号) 抄

Supplementary Provisions (Act No. 96 of May 31, 2000) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十二年十二月一日 (以下「施行日」という。) から施行する。

This Act shall come into effect as from December 1, 2000 (hereinafter referred to as "enforcement date").

第四十九条 (処分等の効力)

Article 49 (Effects of Dispositions, etc.)

この法律 (附則第一条各号に掲げる規定にあっては、当該規定) の施行前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions) pursuant to the provisions of a relevant Act prior to the revision for which corresponding provisions exist in the relevant Act after the revision shall be deemed to have been issued or carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第五十条 (罰則の適用に関する経過措置)

Article 50 (Transitional Measures Concerning Application of Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第五十一条 (その他の経過措置の政令への委任)

Article 51 (Delegation of Other Transitional Measures to a Cabinet Order)

附則第二条から第十一条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

In addition to what is provided for in Articles 2 to 11 of the Supplementary Provisions and the preceding Article, necessary transitional measures for the enforcement of this Act shall be specified by a Cabinet Order.

第五十二条 (検討)

Article 52 (Review)

政府は、この法律の施行後五年を経過した場合において、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新証券取引法第二条第十六項に規定する証券取引所及び新金融先物取引法第二条第六項に規定する金融先物取引所に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the systems pertaining to the securities exchanges prescribed in Article 2, paragraph (16) of the New Securities and Exchange Act and the financial futures exchanges prescribed in Article 2, paragraph (6) of the New Financial Futures Trading Act by taking into account the status of the implementation of the New Securities and Exchange Act and the New Financial Futures Trading Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一二年五月三十一日法律第九七号) 抄

Supplementary Provisions (Act No. 97 of May 31, 2000) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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(以下「施行日」という。)から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation (hereinafter referred to as "enforcement date").

第三十六条 (中小企業等協同組合法の一部改正)

Article 36 (Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

1 略

(1) Omitted

2 前項の規定による改正後の中小企業等協同組合法第九条の八第六項第二号の二の規

定の適用については、旧特定目的会社並びに旧特定目的会社に係る資産流動化計画及び特定社債は、それぞれ新資産流動化法の規定により設立された特定目的会社並びに特定目的会社に係る資産流動化計画及び特定社債とみなす。

(2) With regard to the application of the provisions of Article 9-8, paragraph (6), item (ii)-2 of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by the provisions of the preceding paragraph, a former special purpose company and the asset liquidation plan and specified company bonds of a former special purpose company shall be respectively deemed to be a special purpose company formed pursuant to the provisions of the New Asset Liquidation Act and the asset liquidation plan and specified company bonds of such special purpose company.

第六十四条 (処分等の効力)

Article 64 (Effects of Dispositions, etc.)

この法律（附則第一条ただし書の規定にあっては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act (with regard to the provisions set forth in the proviso to Article 1 of the Supplementary Provisions, said provisions) pursuant to the provisions of a relevant Act prior to the revision (including an order based thereon; hereinafter the same shall apply in this Article) for which corresponding provisions exist in the relevant Act after the revision shall be deemed to have been issued or carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第六十五条 (罰則の適用に関する経過措置)

Article 65 (Transitional Measures Concerning Application of Penal Provisions)

この法律（附則第一条ただし書の規定にあっては、当該規定）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions set forth in the proviso to Article 1 of the Supplementary Provisions, said provisions) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第六十六条

Article 66

附則第六十二条の規定による改正後の組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（以下この条において「新組織的犯罪処罰法」という。）の規定（前条の規定

により適用されることとなる罰則の規定を除く。)の適用については、附則第二条第一項本文の規定によりなお効力を有することとされている場合における旧資産流動化法第七十一条、第七十二条、第七十四条、第七十九条第一項並びに第八十二条第二項及び第四項の罪は、新組織的犯罪処罰法別表第五十八号に掲げる罪とみなし、前条の規定によりなお従前の例によることとされている場合における旧投信法第二百二十八条、第二百三十条、第二百三十五条第一項並びに第二百三十六条第二項及び第四項の罪は、新組織的犯罪処罰法別表第二十三号に掲げる罪とみなす。

With regard to the application of the Act for Punishment of Organized Crimes, Control of Crime Proceeds and Other Matters after the revision by the provisions of Article 62 of the Supplementary Provisions (hereinafter referred to as the "New Organized Crime Punishment Act) (excluding the penal provisions which are to be applied pursuant to the provisions of the preceding Article), the offenses set forth in Article 171, Article 172, Article 174, Article 179, paragraph (1) and Article 182, paragraph (2) and paragraph (4) of the Old Asset Liquidation Act in the case where the provisions then in effect shall remain applicable pursuant to the provisions of the main clause of Article 2, paragraph (1) of the Supplementary Provisions shall be deemed to be the offenses set forth in item (xxiii) of the appended table of the New Organized Crime Punishment Act.

第六十七条 (その他の経過措置の政令への委任)

Article 67 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第六十八条 (検討)

Article 68 (Review)

政府は、この法律の施行後五年以内に、新資産流動化法、新投信法及び第八条の規定による改正後の宅地建物取引業法(以下この条において「新宅地建物取引業法」という。)の施行状況、社会経済情勢の変化等を勘案し、新資産流動化法及び新投信法の規定並びに新宅地建物取引業法第五十条の二第二項に規定する認可宅地建物取引業者に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall review the provisions of the New Asset Liquidation Act and the New Investment Trust Act and the systems pertaining to approved real estate transaction operators prescribed in Article 50-2, paragraph (2) of the Building Lots and Buildings Transaction Business Act after the revision by the provisions of Article 8 (hereinafter referred to as the "New Building Lots and Buildings Transaction Business Act" in this Article), within five years from the enforcement of this Act, by taking into account the status of the implementation of the New Asset Liquidation

Act, the New Investment Trust Act, and the New Building Lots and Buildings Transaction Business Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則（平成一二年十一月二七日法律第一二六号）抄

Supplementary Provisions (Act No. 126 of November 27, 2000) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して五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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding five months from the day of promulgation; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

第二条（罰則に関する経過措置）

Article 2 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則（平成一三年六月八日法律第四二号）抄

Supplementary Provisions (Act No. 42 of June 8, 2001) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation (hereinafter referred to as "enforcement date").

附則（平成一三年六月二七日法律第七五号）抄

Supplementary Provisions (Act No. 75 of June 27, 2001) (Extract)

第一条（施行期日等）

Article 1 (Effective Date, etc.)

この法律は、平成十四年四月一日（以下「施行日」という。）から施行し、施行日以後に発行される短期社債等について適用する。

This Act shall come into effect as from April 1, 2002 (hereinafter referred to as "enforcement date"), and shall apply to short term company bonds, etc. issued on or after the enforcement date.

第七条 (罰則の適用に関する経過措置)

Article 7 (Transitional Measures Concerning Application of Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement date or an act committed on or after the enforcement date in the case where the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第八条 (その他の経過措置の政令への委任)

Article 8 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding eight paragraphs, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第九条 (検討)

Article 9 (Review)

政府は、この法律の施行後五年を経過した場合において、この法律の施行状況、社会経済情勢の変化等を勘案し、振替機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を構ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the systems pertaining to transfer agencies by taking into account the status of the implementation of this Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, consider necessary measures based on the results of the review.

附則 (平成一三年六月二九日法律第八〇号)

Supplementary Provisions (Act No. 80 of June 29, 2001)

この法律は、商法等改正法の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code, etc.

附則 (平成一三年十一月九日法律第一一七号) 抄

Supplementary Provisions (Act No. 117 of November 9, 2001)

第一条 (施行期日)

Article 1 (Effective Date)

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(以下「施行日」という。)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。

This Act shall come into effect as from the date specified by a Cabinet Order

within a period not exceeding six months from the day of promulgation (hereinafter referred to as "enforcement date"); provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

一 第一条中銀行法第十七条の二を削る改正規定及び第四十七条第二項の改正規定（「、第十七条の二」を削る部分に限る。）、第三条中保険業法第一百十二条の二を削る改正規定及び第二百七十条の六第二項第一号の改正規定、第四条中第五十五条の三を削る改正規定、第八条、第九条、第十三条並びに第十四条の規定並びに次条、附則第九条及び第十三条から第十六条までの規定 公布の日から起算して一月を経過した日

(i) From Article 1, the provisions deleting Article 17-2 of the Banking Act and the provisions revising Article 47, paragraph (2) (limited to the portion deleting ", Article 17-2"); from Article 3, the provisions deleting Article 112-2 of the Insurance Business Act and the provisions revising Article 270-6, paragraph (2), item (i); from Article 4, the provisions deleting Article 55-3; the provisions of Article 8, Article 9, Article 13, and Article 14; and the provisions of the following Article, Article 9, and Articles 13 to 16 of the Supplementary Provisions-The day on which one month has elapsed from the day of promulgation

第十三条 （権限の委任）

Article 13 (Delegation of Authority)

1 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

(1) The Prime Minister shall delegate his/her authority under the provisions of these Supplementary Provisions (excluding the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、その一部を財務局長又は財務支局長に委任することができる。

(2) A part of the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph may be delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of a Cabinet Order.

第十四条 （処分等の効力）

Article 14 (Effects of Dispositions, etc.)

この法律の各改正規定の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of the respective revising provisions of this Act pursuant to the provisions of a relevant Act prior to the revision (including an order based thereon; hereinafter the same shall apply in this Article) for which corresponding provisions

exist in the relevant Act after the revision shall be deemed to have been issued or carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第十五条 （罰則に関する経過措置）

Article 15 (Transitional Measures Concerning Penal Provisions)

この法律の各改正規定の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係る各改正規定の施行後にした行為に対する罰則の適用については、それぞれなお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of the respective revising provisions of this Act or an act committed after the enforcement of the respective revising provisions of this Act pertaining to a matter for which the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第十六条 （その他の経過措置の政令への委任）

Article 16 (Delegation of Other Transitional Measures to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に係る経過措置を含む。）は、政令で定める。

In addition to what is provided for in Articles 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures for the enforcement of this Act (including transitional measures pertaining to penal provisions) shall be specified by a Cabinet Order.

附則 （平成一三年十一月二八日法律第一二九号） 抄

Supplementary Provisions (Act No. 129 of November 28, 2001) (Extract)

1 （施行期日）

(1) (Effective Date)

この法律は、平成十四年四月一日から施行する。

This Act shall come into effect as from April 1, 2002.

2 （罰則の適用に関する経過措置）

(2) (Transitional Measures Concerning Application of Penal Provisions)

この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force shall remain applicable.

附則 (平成一三年一二月一二日法律第一五〇号) 抄

Supplementary Provisions (Act No. 150 of December 12, 2001) (Extract)

この法律は、商法及び株式会社の監査等に関する商法の特例に関する法律の一部を改正する法律の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act for Partial Revision of the Commercial Code and the Act on Special Provisions on the Commercial Code Concerning Audits, etc. of Stock Companies.

附則 (平成一四年五月二九日法律第四五号)

Supplementary Provisions (Act No. 45 of May 29, 2002)

1 (施行期日)

(1) (Effective Date)

この法律は、公布の日から起算して一年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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation.

2 (経過措置)

(2) (Transitional Measures)

この法律の施行の日が農業協同組合法等の一部を改正する法律(平成十三年法律第九十四号)第二条の規定の施行の前である場合には、第九条のうち農業協同組合法第三十条第十二項の改正規定中「第三十条第十二項」とあるのは、「第三十条第十一項」とする。

In the case where the day of enforcement of this Act is prior to the day of enforcement of the provisions of Article 2 of the Act for Partial Revision of the Agricultural Cooperative Act (Act No. 94 of 2001), the term "Article 30, paragraph (12)" in the provisions of Article 9 revising Article 30, paragraph (12) of the Agricultural Cooperative Act shall be deemed to be replaced with "Article 30, paragraph (11)."

附則 (平成一四年五月二九日法律第四七号) 抄

Supplementary Provisions (Act No. 47 of May 29, 2002) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。ただし、第七条第二項、第八条の二第二項、第四十八条第二項、第四十八条の二第三項及び第五項、第五十条第一項及び第四項、第五十四条第二項、第五十八条第一項並びに第六十九条の二の改正規定、同条を第六十九条の三とする改正規定、同条の次に一条を加える改正規定、第六十九条の次に一条を加える改正規定、第九十五条第一項第一号及び第二項第一号の改正規定、次条の規定、附則第九条中水産業協同組合法(昭和二十三年法律第二百四十二号)第九十五条の四の改正規定並びに附則第十条及び

第十四条の規定は、公布の日から起算して一月を経過した日から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation; provided, however, that the provisions revising Article 7, paragraph (2), Article 8-2, paragraph (2), Article 48, paragraph (2), Article 48-2, paragraph (3) and paragraph (5), Article 50, paragraph (1) and paragraph (4), Article 54, paragraph (2), Article 58, paragraph (1), and Article 69-2, the provisions changing Article 69-2 to Article 69-3, the provisions adding an additional Article after Article 69-3, the provisions adding an additional Article after Article 69, the provisions revising Article 95, paragraph (1), item (i) and paragraph (2), item (i), the provisions of the following Article, the provisions of Article 9 of the Supplementary Provisions revising Article 95-4 of the Fisheries Cooperatives Act (Act No. 242 of 1948), and the provisions of Article 10 and Article 14 of the Supplementary Provisions shall come into effect as from the day on which one month has elapsed from the day of promulgation.

附則 (平成一四年六月一二日法律第六五号) 抄

Supplementary Provisions (Act No. 65 of June 12, 2002) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十五年一月六日から施行する。

This Act shall come into effect as from January 6, 2003.

第八十四条 (罰則の適用に関する経過措置)

Article 84 (Transitional Measures Concerning Application of Penal Provisions)

この法律(附則第一条各号に掲げる規定にあっては、当該規定。以下この条において同じ。)の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions; hereinafter the same shall apply in this Article) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第八十五条 (その他の経過措置の政令への委任)

Article 85 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第八十六条 (検討)

Article 86 (Review)

政府は、この法律の施行後五年を経過した場合において新社債等振替法、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一项に規定する加入者保護信託、新証券取引法第二条第三十一项に規定する証券取引清算機関及び新金融先物取引法第二条第十五项に規定する金融先物清算機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the systems pertaining to protective trusts prescribed in Article 2, paragraph (11) of the New Act concerning Book-entry Transfer of Company Bonds and Other Securities, etc., clearing agencies for securities transactions prescribed in Article 2, paragraph (31) of the New Securities and Exchange Act, and clearing agencies for financial futures prescribed in Article 2, paragraph (15) of the New Financial Futures Trading Act by taking into account the status of the implementation of the New Act concerning Book-entry Transfer of Company Bonds and Other Securities, etc., the New Securities and Exchange Act, and the New Financial Futures Trading Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一四年七月三日法律第七九号) 抄

Supplementary Provisions (Act No. 79 of July 3, 2002) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十四年八月一日から施行する。

This Act shall come into effect as from August 1, 2002.

附則 (平成一四年十一月二二日法律第一一〇号) 抄

Supplementary Provisions (Act No. 110 of November 22, 2002) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。ただし、附則第三条の規定は、公布の日から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation; provided, however, that the provisions of Article 3 of the Supplementary Provisions shall come into effect as from the day of promulgation.

第二条 (罰則に関する経過措置)

Article 2 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第三条（経過措置の政令への委任）

Article 3 (Delegation to a Cabinet Order)

前条に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則（平成一四年一二月一三日法律第一五二号）抄

Supplementary Provisions (Act No. 152 of December 13, 2002) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act on Utilizing Information Communications Technology in Administrative Procedures, etc. (Act No. 151 of 2002).

附則（平成一四年一二月一三日法律第一五五号）抄

Supplementary Provisions (Act No. 155 of December 13, 2002) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、会社更生法（平成十四年法律第百五十四号）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Corporate Reorganization Act (Act No. 154 of 2002).

第三条（罰則の適用に関する経過措置）

Article 3 (Transitional Measures Concerning Application of Penal Provisions)

この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force shall remain applicable.

附則（平成一五年五月三〇日法律第五四号）抄

Supplementary Provisions (Act No. 54 of May 30, 2003) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十六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。

This Act shall come into effect as from April 1, 2004; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

二 第一条中証券取引法第二条第八項、第二十七条の二第四項、第二十七条の二十八第三項及び第三十二条第三項の改正規定、同条第五項の改正規定（「、銀行」の下に「、協同組織金融機関」を加える部分に限る。）、同条第六項、同法第五十四条第一項第四号及び同法第六十五条第一項の改正規定、同条第二項の改正規定（同項第一号の改正規定を除く。）並びに同法第六十五条の二第一項、同条第三項、同条第九項、第六十五条の三、第百六十六条第五項及び第二百一条第二項の改正規定、第二条中外国証券業者に関する法律第二条第一号の改正規定、同法第十四条第一項の改正規定（「のうち銀行」の下に「、協同組織金融機関」を加える部分に限る。）、同法第二十二条第一項第四号の改正規定（「銀行」の下に「、協同組織金融機関」を加える部分に限る。）及び同項第五号の改正規定、第六条中商工組合中央金庫法第二十八条第一項第七号及び第十九号の改正規定、同条第六項を削る改正規定並びに同条第三項の次に一項を加える改正規定、第七条中農業協同組合法第十条第六項第三号の次に一号を加える改正規定、同項第六号の二、同項第十五号及び同条第十二項の改正規定、同条第十三項及び第十六項を削る改正規定並びに同条第九項の次に二項を加える改正規定、第八条中水産業協同組合法第十一条第三項第三号の次に一号を加える改正規定、同項第六号の改正規定、同法第八十七条第四項第三号の次に一号を加える改正規定、同法第九十三条第二項第三号の次に一号を加える改正規定及び同法第九十七条第三項第三号の次に一号を加える改正規定、第九条中中小企業等協同組合法第九条の八第二項第七号の改正規定、第十条中信用金庫法第五十三条第三項第二号及び第五十四条第四項第二号の改正規定、第十一条中労働金庫法第五十八条第二項第八号及び第五十八条の二第一項第六号の改正規定、第十二条中農林中央金庫法第五十四条第四項第二号の改正規定、第十三条の規定、附則第十六条中租税特別措置法（昭和三十二年法律第二十六号）第三十七条の十一第一項第一号、第三十七条の十四の二第一項第一号及び第四十一条の十四第三項第二号の改正規定並びに附則第十七条中所得税法（昭和四十年法律第三十三号）第二百二十四条の三第一項第二号の改正規定 公布の日から起算して一月を経過した日

(ii) From Article 1, the provisions revising Article 2, paragraph (8), Article 27-2, paragraph (4), Article 27-28, paragraph (3) and Article 32, paragraph (3) of the Securities and Exchange Act, the provisions revising paragraph (5) of the same Article (limited to the portion adding ", a bank" after ", a cooperative structured financial institution"), the provisions revising paragraph (6) of the same Article, Article 54, paragraph (1), item (iv) of the same Act, and Article 45, paragraph (1)

of the same Act, the provisions revising paragraph (2) of the same Article (excluding the provisions revising item (i) of the same paragraph), and the provisions revising Article 65-2, paragraph (1) of the same Act, paragraph (3) of the same Article, paragraph (9) of the same Article, Article 65-3, Article 166, paragraph (5), and Article 201, paragraph (2); from Article 2, the provisions revising Article 2, item (i) of the Act on Foreign Securities Brokers, the provisions revising Article 14, paragraph (1) of the same Act (limited to the portion adding ", a cooperative structured financial institution" after "a bank,"), the provisions revising Article 22, paragraph (1), item (iv) of the same Act (limited to the portion adding ", a cooperative structured financial institution" after "a bank,"), and the provisions revising item (v) of the same paragraph; from Article 6, the provisions revising Article 28, paragraph (1), item (vii) and item (xix) of the Shoko Chukin Bank Act, the provisions deleting paragraph (6) of the same Article, and the provisions adding an additional paragraph after paragraph (3) of the same Article; from Article 7, the provisions adding an additional item after Article 10, paragraph (6), item (iii) of the Agricultural Cooperative Act, the provisions revising item (vi)-2 of the same paragraph, item (xv) of the same paragraph, and paragraph (12) of the same Article, the provisions deleting paragraph (13) and paragraph (16) of the same Article, and the provisions adding two paragraphs after paragraph (9) of the same Article; from Article 8, the provisions adding an additional item after Article 11, paragraph (3), item (iii) of the Fisheries Cooperatives Act, the provisions revising item (vi) of the same paragraph, the provisions adding an additional item after Article 87, paragraph (4), item (iii) of the same Act, the provisions adding an additional item after Article 93, paragraph (2), item (iii) of the same Act, and the provisions adding an additional item after Article 97, paragraph (3), item (iii); from Article 9, the provisions revising Article 9-8, paragraph (2), item (vii) of the Small and Medium-Sized Enterprise Cooperatives Act; from Article 10, the provisions revising Article 53, paragraph (3), item (ii) and Article 54, paragraph (4), item (ii) of the Shinkin Bank Act; from Article 11, the provisions revising Article 58, paragraph (2), item (viii) and Article 58-2, paragraph (1), item (vi) of the Labor Bank Act; from Article 12, the provisions revising Article 54, paragraph (4), item (ii) of the Norinchukin Bank Act; the provisions of Article 13; from Article 16 of the Supplementary Provisions, Article 37-11, paragraph (1), item (i), Article 37-14-2, paragraph (1), item (i), and Article 41-14, paragraph (3), item (ii) of the Special Tax Measures Act (Act No. 26 of 1957); and from Article 17 of the Supplementary Provisions, the provisions revising Article 224-3, paragraph (1), item (ii) of the Income Tax Act (Act No. 33 of 1965)-The day on which one month has elapsed from the day of promulgation

第三十八条 (罰則の適用に関する経過措置)

Article 38 (Transitional Measures Concerning Application of Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第三十九条 (その他の経過措置の政令への委任)

Article 39 (Delegation of Other Transitional Measures to a Cabinet Order)

この法律に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in this Act, transitional measures necessary in line with the enforcement of this Act shall be specified by a Cabinet Order.

第四十条 (検討)

Article 40 (Review)

政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the financial systems after the revision by this Act by taking into account the status of the implementation of the provisions after the revision by this Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一六年四月二一日法律第三四号) 抄

Supplementary Provisions (Act No. 34 of April 21, 2004) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

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。ただし、附則第十二条の規定は、公布の日から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation; provided, however, that the provisions of Article 12 of the Supplementary Provisions shall come into effect as from the day of promulgation.

第十二条 (施行期日)

Article 12 (Effective Date)

この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures in line with the enforcement of this Act shall be specified by a Cabinet Order.

附則 (平成一六年六月二日法律第七六号) 抄

Supplementary Provisions (Act No. 76 of June 2, 2004) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Bankruptcy Act (Act No. 75 of 2004; referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article and Article 3, paragraph (8), Article 5, paragraph (8), paragraph (16), and paragraph (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions).

第十四条 (政令への委任)

Article 14 (Delegation to a Cabinet Order)

附則第二条から前条までに規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

附則 (平成一六年六月九日法律第八八号) 抄

Supplementary Provisions (Act No. 88 of June 9, 2004) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して五年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding five years from the day of promulgation (hereinafter referred to as "enforcement date").

第三百三十五条 (罰則の適用に関する経過措置)

Article 135 (Transitional Measures Concerning Application of Penal Provisions)

この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable or the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第三百三十六条 (その他の経過措置の政令への委任)

Article 136 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第百三十七条 (検討)

Article 137 (Review)

政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の株式等の取引に係る決済制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the settlement system pertaining to transactions of shares, etc. after the revision by this Act by taking into account the status of the implementation of the provisions after the revision by this Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一六年六月九日法律第九七号) 抄

Supplementary Provisions (Act No. 97 of June 9, 2004) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十七年四月一日 (以下「施行日」という。) 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。

This Act shall come into effect as from April 1, 2005 (hereinafter referred to as "enforcement date"); provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

- 一 第一条中証券取引法第三十三条の三、第六十四条の二第一項第二号及び第六十四条の七第五項の改正規定、同法第六十五条の二第五項の改正規定 (「及び第七号」を「、第七号及び第十二号」に改める部分に限る。) 並びに同法第百四十四条、第百六十三条第二項並びに第二百七条第一項第一号及び第二項の改正規定、第二条中外国証券業者に関する法律 (以下この条において「外国証券業者法」という。) 第三十六条第二項の改正規定、第四条中投資信託及び投資法人に関する法律 (以下この条において「投資信託法」という。) 第十条の五の改正規定、第六条中有価証券に係る投資顧問業の規制等に関する法律 (以下この条において「投資顧問業法」という。) 第二十九条の三の改正規定、第十一条及び第十二条の規定、第十三条中中小企業等協同組合法第九条の八第六項第一号に次のように加える改正規定並びに第十四条から第十九条までの規定 この法律の公布の日

(i) From Article 1, the provisions revising Article 33-3, Article 64-2, paragraph (1),

item (ii) and Article 64-7, paragraph (5) of the Securities and Exchange Act, the provisions revising Article 65-2, paragraph (5) of the same Act (limited to the portions changing "and item (vii)" to ", item (vii) and item (xii)"), and the provisions revising Article 144, Article 163, paragraph (2) and Article 207, paragraph (1), item (i) and paragraph (2) of the same Act; from Article 2, the provisions revising Article 36, paragraph (2) of the Act on Foreign Securities Brokers (hereinafter referred to as the "Foreign Securities Brokers Act" in this Article); from Article 4, the provisions revising Article 10-5 of the Act on Securities Investment Trust and Securities Investment Corporations (hereinafter referred to as the "Investment Trust Act" in this Article); from Article 6, the provisions revising Article 29-3 of the Act on Regulation, etc. of Investment Advisory Business Pertaining to Securities (hereinafter referred to as the "Investment Advisory Business Act" in this Article); the provisions of Article 11 and Article 12; from Article 13, the provisions adding the following to Article 9-8, paragraph (6), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act; and the provisions of Articles 14 to 19-The day of promulgation of this Act

三 第一条中証券取引法目次の改正規定（「発行者である会社」を「発行者」に改める部分に限る。）、同法第二条第二項第三号の改正規定、同号を同項第五号とし、同項第二号の次に二号を加える改正規定、同条第十項及び同法第十三条第一項から第五項までの改正規定、同条第六項を削る改正規定、同法第十五条第一項及び第二項の改正規定（「又は登録金融機関は」を「、登録金融機関又は証券仲介業者は」に改める部分を除く。）、同条第三項の改正規定、同条第二項の次に三項を加える改正規定、同法第十七条、第十八条第二項、第二十条及び第二十一条第三項の改正規定、同条の次に二条を加える改正規定、同法第二十二条、第二十三条の二並びに第二十三条の十二第二項から第五項まで及び第九項の改正規定、同条第六項から第八項までを削る改正規定、同法第二十四条の四、第二十四条の五第五項並びに第二十四条の六第一項及び第三項の改正規定、同法第二章の二第一節の節名の改正規定、同法第二十七条の二第一項、第七項第二号及び第八項、第二十七条の三第四項、第二十七条の五、第二十七条の十第一項から第三項まで、第二十七条の十一第一項及び第四項、第二十七条の十二、第二十七条の十三第三項及び第五項並びに第二十七条の十五第二項の改正規定、同法第二章の二第二節の節名の改正規定、同法第二十七条の二十二の二第一項から第三項まで、第十一項及び第十二項並びに第二十七条の三十の九第一項及び第三項の改正規定、同条第二項を削る改正規定、同法第二十七条の三十の十一第一項及び第三項、第二十八条の二第三項、第二十八条の四第一項第七号並びに第六十五条第二項の改正規定、同項第六号及び第七号を削り、同項第八号を同項第六号とする改正規定、同法第六十五条の二第三項の改正規定、同条第五項の改正規定（「及び第四十四条第一号」を「、第四十四条（第二号を除く。）及び第四十五条」に改める部分及び後段を加える部分に限る。）、同法第六十五条の二第七項から第九項まで及び第十一項並びに第七十九条の五の改正規定、同法第七十九条の五十七第一項に一号を加える改正規定並びに同法第一百七条の二第一項第二号、

第一百七条の三第一項第二号、第一百五十五条第一項第二号、第一百九十四条の六第二項第二号、第二百条第三号及び第二百五条第一号の改正規定、第二条中外国証券業者法第二条第三号の改正規定、第四条中投資信託法第二条第五項及び第三十三条第一項の改正規定、第六条中投資顧問業法第二条第五項の改正規定、第十三条中中小企業等協同組合法第八条第六項第三号の改正規定並びに次条から附則第七条まで並びに附則第十三条、第十四条及び第十七条から第十九条までの規定 平成十六年十二月一日

- (iii) From Article 1, the provisions revising the Table of Contents of the Securities and Exchange Act (limited to the portions changing "company which is the issuer" to "issuer"), the provisions revising Article 2, paragraph (2), item (iii) of the same Article, the provisions changing item (iii) to item (v) of the same paragraph and adding two items after item (ii) of the same paragraph, the provisions revising paragraph (10) of the same Article and Article 13, paragraphs (1) to (5) of the same Act, the provisions deleting paragraph (6) of the same Article, the provisions revising Article 15, paragraph (1) and paragraph (2) (excluding the portions changing "or a registered financial institution" to ", a registered financial institution, or an introducing brokerage service provider"), the provisions revising paragraph (3) of the same Article, the provisions adding three paragraphs after paragraph (2) of the same Article, the provisions revising Article 17, Article 18, paragraph (2), Article 20, and Article 21, paragraph (3) of the same Act, the provisions adding two Articles after the same Article, the provisions revising Article 22, Article 23-2, and Article 23-12, paragraphs (2) to (5) and paragraph (9) of the same Act, the provisions deleting paragraphs (6) to (8) of the same Article, the provisions revising Article 24-4, Article 24-5, paragraph (5), and Article 24-6, paragraph (1) and paragraph (3) of the same Act, the provisions revising the Section name of Chapter II-2, Section 1 of the same Act, the provisions revising Article 27-2, paragraph (1), paragraph (7), item (ii), and paragraph (8), Article 27-3, paragraph (4), Article 27-5, Article 27-10, paragraphs (1) to (3), Article 27-11, paragraph (1) and paragraph (4), Article 27-12, Article 27-13, paragraph (3) and paragraph (5), and Article 27-15, paragraph (2) of the same Act, the provisions revising the Section name of Chapter II-2, Section 2 of the same Act, the provisions revising Article 27-22-2, paragraphs (1) to (3), paragraph (11), and paragraph (12), and Article 27-30-9, paragraph (1) and paragraph (3) of the same Act, the provisions deleting paragraph (2) of the same Article, the provisions revising Article 27-30-11, paragraph (1) and paragraph (3), Article 28-2, paragraph (3), Article 28-4, paragraph (1), item (vii), and Article 65, paragraph (2) of the same Act, the provisions deleting item (vi) and item (vii) of the same paragraph, the provisions changing item (viii) of the same paragraph to item (vi) of the same paragraph, the provisions revising Article 65-2, paragraph (3) of the same Act, the provisions

revising paragraph (5) of the same Act (limited to the portions changing "and Article 44, item (i)" to ", Article 44 [excluding item (ii)], and Article 45" and the portions adding a second sentence), the provisions revising Article 65-2, paragraphs (7) to (9) and paragraph (11) and Article 79-5 of the same Act, the provisions adding an additional item to Article 79-57, paragraph (1) of the same Act, and the provisions revising Article 107-2, paragraph (1), item (ii), Article 107-3, paragraph (1), item (ii), Article 155, paragraph (1), item (ii), Article 194-6, paragraph (2), item (ii), Article 200, item (iii), and Article 205, item (i) of the same Act; from Article 2, the provisions revising Article 2, item (iii) of the Foreign Securities Brokers Act; from Article 4, the provisions revising Article 2, paragraph (5) and Article 33, paragraph (1) of the Investment Trust Act; from Article 6, the provisions revising Article 2, paragraph (5) of the Investment Advisory Business Act; from Article 13, the provisions revising Article 8, paragraph (6), item (iii) of the Small and Medium-Sized Enterprise Cooperatives Act; and the provisions of the following Article to Article 7 of the Supplementary Provisions, and Article 13, Article 14, and Articles 17 to 19 of the Supplementary Provisions-December 1, 2004

第二十二條 (罰則の適用に関する経過措置)

Article 22 (Transitional Measures Concerning Application of Penal Provisions)

この法律（附則第一条各号に掲げる規定については、当該規定。以下この条において同じ。）の施行前にした行為及び附則第三条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions; hereinafter the same shall apply in this Article) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of Article 3 of the Supplementary Provisions, the provisions then in force shall remain applicable.

第二十三條 (その他の経過措置の政令への委任)

Article 23 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, transitional measures necessary in line with the enforcement of this Act shall be specified by a Cabinet Order.

第二十四條 (検討)

Article 24 (Review)

政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規

定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the financial systems after the revision by this Act by taking into account the status of the implementation of the provisions after the revision by this Act, changes to the social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則（平成一六年六月一八日法律第一二四号）抄

Supplementary Provisions (Act No. 124 of June 18, 2004) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、新不動産登記法の施行の日から施行する。

This Act shall come into effect as from the date of enforcement of the Real Estate Registration Act.

第二条（経過措置）

Article 2 (Transitional Measures)

この法律の施行の日が行政機関の保有する個人情報保護に関する法律の施行の日後である場合には、第五十二条のうち商業登記法第百十四条の三及び第百七条から第百十九条までの改正規定中「第百十四条の三」とあるのは、「第百十四条の四」とする。

In the case where the day of enforcement of this Act is prior to the day of enforcement of the Act on the Protection of Personal Information Held by Administrative Organs, the term "Article 114-3" in the provisions of Article 52 revising Article 114-3 and Articles 117 to 119 of the Commercial Registration Act shall be deemed to be replaced with "Article 114-4."

附則（平成一六年一二月一日法律第一四七号）抄

Supplementary Provisions (Act No. 147 of December 1, 2004) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation.

附則（平成一六年一二月一日法律第一五〇号）抄

Supplementary Provisions (Act No. 150 of December 1, 2004) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、平成十七年四月一日から施行する。

This Act shall come into effect as from April 1, 2005.

第四条（罰則に関する経過措置）

Article 4 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附則（平成一六年一二月三日法律第一五四号）抄

Supplementary Provisions (Act No. 154 of December 3, 2004) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

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（以下「施行日」という。）から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation.

第二百二十一条（処分等の効力）

Article 121 (Effects of Dispositions, etc.)

この法律の施行前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act pursuant to the provisions of a relevant Act prior to the revision (including an order based thereon; hereinafter the same shall apply in this Article) for which corresponding provisions exist in the relevant Act after the revision shall be deemed to have been carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第二百二十二条（罰則に関する経過措置）

Article 122 (Transitional Measures Concerning Penal Provisions)

この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions or in the case where the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第二百二十三条 (その他の経過措置の政令への委任)

Article 123 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures in line with the enforcement of this Act shall be specified by a Cabinet Order.

第二百二十四条 (検討)

Article 124 (Review)

政府は、この法律の施行後三年以内に、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall review the status of the operation of this Act within three years from the enforcement of this Act, and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一六年一二月八日法律第一五九号) 抄

Supplementary Provisions (Act No. 159 of December 8, 2004) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十七年七月一日から施行する。

This Act shall come into effect as from July 1, 2005.

附則 (平成一七年四月二七日法律第三五号) 抄

Supplementary Provisions (Act No. 35 of April 27, 2005) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して一年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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation.

第十七条 (中小企業等協同組合法の一部改正に伴う経過措置)

Article 17 (Transitional Measures for Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

施行日前に前条の規定による改正前の中小企業等協同組合法第百八条において準用する旧法第四十八条第一項の規定による勧告又は旧法第五十条第二項の規定による審判開始決定書の謄本の送達があった場合における排除措置の処理の手続(速記者の立会いその他の公正取引委員会規則で定める事項に係るものを除く。)については、なお従前の例による。

With regard to the procedures for processing a cease and desist order (excluding those pertaining to the attendance of a stenographer and any other matters specified

by the Rules of the Fair Trade Commission) in the case where a recommendation under the provisions of Article 48, paragraph (1) of the Old Act as applied mutatis mutandis pursuant to Article 108 of the Small and Medium-Sized Enterprise Cooperatives Act prior to the revision by the provisions of the preceding Article or a transcript of the written decision of commencement of the hearing under the provisions of Article 50, paragraph (2) of the Old Act has been served prior to the enforcement date, the provisions then in force shall remain applicable.

附則 (平成一七年五月二日法律第三八号) 抄

Supplementary Provisions (Act No. 38 of May 2, 2005) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日(以下「施行日」という。)から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation (hereinafter referred to as "enforcement date").

第三十四条 (内閣府令への委任)

Article 34 (Delegation to a Cabinet Office Ordinance)

この附則に定めるもののほか、この附則の規定による認可又は承認に関する申請の手續、書類の提出その他この法律を実施するため必要な事項は、内閣府令で定める。

In addition to what is provided for in these Supplementary Provisions, the application procedure for approval or recognition under the provisions of these Supplementary Provisions, submission of documents, and other necessary matters for the enforcement of this Act shall be specified by a Cabinet Office Ordinance.

第三十五条 (罰則に関する経過措置)

Article 35 (Transitional Measures Concerning Penal Provisions)

この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第三十六条 (権限の委任)

Article 36 (Delegation of Authority)

1 内閣総理大臣は、この附則による権限(政令で定めるものを除く。)を金融庁長官に委任する。

(1) The Prime Minister shall delegate his/her authority under these Supplementary

Provisions (excluding the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、その一部を財務局長又は財務支局長に委任することができる。

(2) A part of the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph may be delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of a Cabinet Order.

第三十七条 (政令への委任)

Article 37 (Delegation to a Cabinet Order)

この附則に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第三十八条 (検討)

Article 38 (Review)

1 政府は、この法律の施行後三年以内に、生命保険契約者保護機構に対する政府の補助及び生命保険契約者保護機構による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係る制度等の実施状況、生命保険契約者保護機構の財務の状況、保険会社の経営の健全性の状況等を勘案し、生命保険契約者保護機構の資金援助等に要する費用に係る負担の在り方、政府の補助に係る規定の継続の必要性等について検討を行い、適切な見直しを行うものとする。

(1) The government shall review how the expenses required for fund assistance, etc. by the Life Insurance Policyholders Protection Corporation of Japan should be burdened, the need for the continuance of the provisions on government assistance, etc., within three years from the enforcement of this Act, by taking into account the status of the implementation of the systems, etc. pertaining to the special measures, etc. for the protection of policyholders, etc. such as government assistance to the Life Insurance Policyholders Protection Corporation of Japan and fund assistance, etc. by the Life Insurance Policyholders Protection Corporation of Japan, the financial status of the Life Insurance Policyholders Protection Corporation of Japan, the status of the soundness of the management of insurance companies, etc., and shall make appropriate revisions.

2 政府は、この法律の施行後五年以内に、再保険を保険会社に付して行う業務その他の少額短期保険業者の業務の状況、保険会社が引き受ける保険の多様化の状況、経済社会情勢の変化等を勘案し、この法律に規定する保険業に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) The government shall review the systems pertaining to the insurance business prescribed in this Act, within five years from the enforcement of this Act, by taking

into account the status of operations conducted by entrusting reinsurance to an insurance company, and any other operations of small-sum, short term insurance business operators, the status of the diversity of insurance underwritten by insurance companies, changes to social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一七年七月二六日法律第八七号) 抄

Supplementary Provisions (Act No. 87 of July 26, 2005) (Extract)

この法律は、会社法の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Companies Act.

附則 (平成一七年一〇月二一日法律第一〇二号) 抄

Supplementary Provisions (Act No. 102 of October 21, 2005) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、郵政民営化法の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Postal Service Privatization Act.

第百十七条 (罰則に関する経過措置)

Article 117 (Transitional Measures Concerning Penal Provisions)

この法律の施行前にした行為、この附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為、この法律の施行後附則第九条第一項の規定によりなおその効力を有するものとされる旧郵便為替法第三十八条の八（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第十三条第一項の規定によりなおその効力を有するものとされる旧郵便振替法第七十条（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第二十七条第一項の規定によりなおその効力を有するものとされる旧郵便振替預り金寄附委託法第八条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第三十九条第二項の規定によりなおその効力を有するものとされる旧公社法第七十条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第四十二条第一項の規定によりなおその効力を有するものとされる旧公社法第七十一条及び第七十二条（第十五号に係る部分に限る。）の規定の失効前にした行為並びに附則第二条第二項の規定の適用がある場合における郵政民営化法第百四条に規定する郵便貯金銀行に係る特定日前にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the

provisions of these Supplementary Provisions, an act committed prior to the lapse of the provisions of Article 38-8 (limited to the portions pertaining to item (ii) and item (iii)) of the Old Postal Money Exchange Act which shall remain in force pursuant to the provisions of Article 9, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, an act committed prior to the lapse of the provisions of Article 70 (limited to the portions pertaining to item (ii) and item (iii)) of the Old Postal Transfer Act which shall remain in force pursuant to the provisions of Article 13, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, an act committed prior to the lapse of the provisions of Article 8 (limited to the portions pertaining to item (ii)) of the Old Postal Transfer Deposit Contribution Entrustment Act which shall remain in force pursuant to the provisions of Article 27, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, an act committed prior to the lapse of the provisions of Article 70 (limited to the portions pertaining to item (ii)) of the Old Japan Post Public Corporation Act which shall remain in force pursuant to the provisions of Article 39, paragraph (2) of the Supplementary Provisions after the enforcement of this Act, an act committed prior to the lapse of the provisions of Article 71 and Article 72 (limited to the portions pertaining to item (xv)) of the Old Japan Post Public Corporation Act which shall remain in force pursuant to the provisions of Article 42, paragraph (1) of the Supplementary Provisions after the enforcement of this Act, or an act committed prior to a specified date pertaining to a postal savings bank prescribed in Article 104 of the Postal Service Privatization Act in the case where the provisions of Article 2, paragraph (2) of the Supplementary Provisions apply, the provisions then in force shall remain applicable.

附則 (平成一七年十一月二日法律第一〇六号) 抄

Supplementary Provisions (Act No. 106 of November 2, 2005) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation (hereinafter referred to as "enforcement date").

第三十八条 (処分等の効力)

Article 38 (Effects of Dispositions, etc.)

この法律の施行前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act pursuant to the provisions of a relevant Act prior to the revision (including an order based thereon; hereinafter the same shall apply in this Article) for which corresponding provisions exist in the relevant Act after the revision shall be deemed to have been carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第三十九条 (罰則の適用に関する経過措置)

Article 39 (Transitional Measures Concerning Application of Penal Provisions)

この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第四十条 (権限の委任)

Article 40 (Delegation of Authority)

1 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

(1) The Prime Minister shall delegate his/her authority under these Supplementary Provisions (excluding the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限並びにこの附則の規定による農林水産大臣及び厚生労働大臣の権限については、政令で定めるところにより、その一部を財務局長又は財務支局長（農林水産大臣及び厚生労働大臣にあつては、地方支分部局の長）に委任することができる。

(2) A part of the authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of the preceding paragraph and the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare under the provisions of these Supplementary Provisions may be delegated to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau (the head of a Local Branch Office in the case of the authority of the Minister of Agriculture, Forestry and Fisheries and the Minister of Health, Labour and Welfare), pursuant to the provisions of a Cabinet Order.

第四十一条 (その他の経過措置の政令への委任)

Article 41 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures in line with the enforcement of this Act shall be specified by a Cabinet Order.

第四十二条 (検討)

Article 42 (Review)

政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を行い、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the financial systems after the revision by this Act by taking into account the status of the implementation of the provisions after the revision by this Act, changes to social and economic conditions, etc., and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一八年六月二日法律第五〇号) 抄

Supplementary Provisions (Act No. 50 of June 2, 2006) (Extract)

1 (施行期日)

(1) (Effective Date)

この法律は、一般社団・財団法人法の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the Act on General Associations and Foundations.

2 (調整規定)

(2) (Adjustment Provisions)

犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律(平成十八年法律第 号)の施行の日が施行日後となる場合には、施行日から同法の施行の日の前日までの間における組織的な犯罪の処罰及び犯罪収益の規制等に関する法律(平成十一年法律第百三十六号。次項において「組織的犯罪処罰法」という。)別表第六十二号の規定の適用については、同号中「中間法人法(平成十三年法律第四十九号)第百五十七条(理事等の特別背任)の罪」とあるのは、「一般社団法人及び一般財団法人に関する法律(平成十八年法律第四十八号)第三百三十四条(理事等の特別背任)の罪」とする。

In the case where the day of enforcement of the Act for Partial Revision of the Penal Code, etc. to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing (Act No. of 2006) comes after the enforcement date, with regard to the application of the provisions of item (lxii[62]) of the appended table of the Act for Punishment of Organized Crimes, Control of Crime Proceeds and Other Matters (Act No. 136 of 1999; hereinafter referred to as (the "Organized Crime Punishment Act" in the next paragraph) for the period from the effective date until the day preceding the day of enforcement of the Act for Partial

Revision of the Penal Code, etc. to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing, the phrase "offense under Article 157 (Special Breach of Trust by Directors, etc.) of the Intermediate Juridical Person Act (Act No. 49 of 2001)" in item (lxii [62]) shall be deemed to be replaced with "offense under Article 334 (Special Breach of Trust by Directors, etc.) of the Act on General Associations and Foundations (Act No. 48 of 2006)."

3 前項に規定するもののほか、同項の場合において、犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律の施行の日の前日までの間における組織的犯罪処罰法の規定の適用については、第四百五十七条の規定によりなお従前の例によることとされている場合における旧中間法人法第百五十七条（理事等の特別背任）の罪は、組織的犯罪処罰法別表第六十二号に掲げる罪とみなす。

(3) In addition to what is provided for in the preceding paragraph, in the case referred to in the same paragraph, with regard to the application of the provisions of the Organized Crime Punishment Act for the period until the day preceding the day of enforcement of the Act for Partial Revision of the Penal Code, etc. to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing, the offense under Article 157 (Special Breach of Trust by Directors, etc.) of the Old Intermediate Juridical Person Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of Article 457 shall be deemed to be the offense set forth in item (lxii [62]) of the appended table of the Organized Crime Punishment Act.

附則（平成一八年六月一四日法律第六五号）抄

Supplementary Provisions (Act No. 65 of June 14, 2006) (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して一年六月を超えない範囲内において政令で定める日（以下「施行日」という。）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。

This Act shall come into effect as from the date specified by a Cabinet Order within a period not exceeding one year and six months from the day of promulgation; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

- 一 第一条の規定、第八条中農業協同組合法第三十条の四第二項第二号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。）、第九条中水産業協同組合法第三十四条の四第二項第二号の改正規定（「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七

条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。)、第十一条中協同組合による金融事業に関する法律第五条の四第四号の改正規定(「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号(有価証券の無届募集等の罪)」を「第百九十七条の二第一号から第十号まで若しくは第十三号(有価証券の無届募集等の罪)、第百九十八条第八号(裁判所の禁止又は停止命令違反の罪)」に改める部分に限る。)、第十三条中信用金庫法第三十四条第四号の改正規定(「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号(有価証券の無届募集等の罪)」を「第百九十七条の二第一号から第十号まで若しくは第十三号(有価証券の無届募集等の罪)、第百九十八条第八号(裁判所の禁止又は停止命令違反の罪)」に改める部分に限る。)、第十五条中労働金庫法第三十四条第四号の改正規定(「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号(有価証券の無届募集等の罪)」を「第百九十七条の二第一号から第十号まで若しくは第十三号(有価証券の無届募集等の罪)、第百九十八条第八号(裁判所の禁止又は停止命令違反の罪)」に改める部分に限る。)、第十八条中保険業法第五十三条の二第一項第三号の改正規定(「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項」を「第百九十七条」に、「第百九十八条第一号から第十号まで、第十八号若しくは第十九号(有価証券の無届募集等の罪)」を「第百九十七条の二第一号から第十号まで若しくは第十三号(有価証券の無届募集等の罪)、第百九十八条第八号(裁判所の禁止又は停止命令違反の罪)」に改める部分に限る。)、第十九条中農林中央金庫法第二十四条の四第四号の改正規定(「第百九十七条第一項第一号から第四号まで若しくは第七号若しくは第二項、第百九十八条第一号から第十号まで、第十八号若しくは第十九号」を「第百九十七条、第百九十七条の二第一号から第十号まで若しくは第十三号、第百九十八条第八号」に改める部分に限る。)並びに附則第二条、第四条、第百八十二条第一項、第百八十四条第一項、第百八十七条第一項、第百九十条第一項、第百九十三条第一項、第百九十六条第一項及び第百九十八条第一項の規定 公布の日から起算して二十日を経過した日

- (i) The provisions of Article 1; from Article 8, the provisions revising Article 30-4, paragraph (2), item (ii) of the Agricultural Cooperative Act (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2), Article 198, items (i) to (x), item (xviii) or item (xix)" to "Article 197, Article 197-2, items (i) to (x) or item (xiii), Article 198, item (viii)"); from Article 9, the provisions revising Article 34-4, paragraph (2), item (ii) of the Fisheries Cooperatives Act (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2), Article 198, items (i) to (x), item (xviii) or item (xix)" to "Article 197, Article 197-2, items (i) to (x) or item (xiii), Article 198, item (viii)"); from Article 11, the provisions revising Article 5-4, item

(iv) of the Act on Financial Businesses by Cooperative (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) to (x), item (xviii) or item (xix) (Offense of Solicitation Without Notification, etc. of Securities)" to "Article 197-2, items (i) to (x) or item (xiii) (Offense of Solicitation Without Notification, etc. of Securities), Article 198, item (viii) (Offense of Violation of Prohibition or Suspension Order by a Court)"); from Article 13, the provisions revising Article 34, item (iv) of the Shinkin Bank Act (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) to (x), item (xviii) or item (xix) (Offense of Solicitation Without Notification, etc. of Securities)" to "Article 197-2, items (i) to (x) or item (xiii) (Offense of Solicitation Without Notification, etc. of Securities), Article 198, item (viii) (Offense of Violation of Prohibition or Suspension Order by a Court)"); from Article 15, the provisions revising Article 34, item (iv) of the Labor Bank Act (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) to (x), item (xviii) or item (xix) (Offense of Solicitation Without Notification, etc. of Securities)" to "Article 197-2, items (i) to (x) or item (xiii) (Offense of Solicitation Without Notification, etc. of Securities), Article 198, item (viii) (Offense of Violation of Prohibition or Suspension Order by a Court)"); from Article 18, the provisions revising Article 53-2, paragraph (1), item (iii) of the Insurance Business Act (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2)" to "Article 197," "Article 198, items (i) to (x), item (xviii) or item (xix) (Offense of Solicitation Without Notification, etc. of Securities)" to "Article 197-2, items (i) to (x) or item (xiii) (Offense of Solicitation Without Notification, etc. of Securities), Article 198, item (viii) (Offense of Violation of Prohibition or Suspension Order by a Court)"); from Article 19, the provisions revising Article 24-4, item (iv) of the Norinchukin Bank Act (limited to the portion changing "Article 197, paragraph (1), items (i) to (iv) or item (vii) or paragraph (2), Article 198, items (i) to (x), item (xviii) or item (xix)" to "Article 197, Article 197-2, items (i) to (x) or item (xiii), Article 198, item (viii)"); and the provisions of Article 2, Article 4, Article 182, paragraph (1), Article 184, paragraph (1), Article 187, paragraph (1), Article 190, paragraph (1), Article 193, paragraph (1), Article 196, paragraph (1), and Article 198, paragraph (1) of the Supplementary Provisions-The day on which twenty days have elapsed from the day of promulgation

二 附則第三条の規定 犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十八年法律第 号）の施行の日又は前号に掲げる規定の施行の日のいずれか遅い日

(ii) The provisions of Article 3 of the Supplementary Provisions-The day of

enforcement of the Act for Partial Revision of the Penal Code, etc. to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing (Act No. of 2006) or the day of enforcement of the provisions set forth in the preceding item, whichever comes later

三 第二条の規定（証券取引法第二十七条の二十三の改正規定（「第二十七条の二十五第一項」の下に「及び第二十七条の二十六」を加える部分を除く。）、同法第二十七条の二十四の改正規定、同法第二十七条の二十五の改正規定、同法第二十七条の二十六の改正規定（「株券等の発行者である会社の事業活動を支配する」を「株券等の発行者の事業活動に重大な変更を加え、又は重大な影響を及ぼす行為として政令で定めるもの（第四項及び第五項において「重要提案行為等」という。）を行う」に改める部分及び同条に三項を加える部分を除く。）、同法第二十七条の二十七の改正規定及び同法第二十七条の三十の二の改正規定（「第二十七条の十第二項」を「第二十七条の十第八項及び第十二項」に改める部分及び「第二十七条の十第一項」の下に「若しくは第十一項」を加える部分を除く。）を除く。）並びに附則第七条、第八条及び第十二条の規定 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

(iii) The provisions of Article 2 (excluding the provisions revising Article 27-23 of the Securities and Exchange Act [excluding the portion adding "and Article 27-26" after "Article 27-25, paragraph (1)"], the provisions revising Article 27-24 of the same Act, the provisions revising Article 27-25 of the same Act, the provisions revising Article 27-26 of the same Act [excluding the portion changing "controlling the business activities of a company which is an issuer of share certificates, etc." to "conducting acts specified by a Cabinet Order as those that impose serious changes or have a serious impact on the business activities of the issuer of share certificates, etc. (referred to as "important proposal acts, etc." in paragraph (4) and paragraph (5))," and the portion adding three paragraphs to the same Article], the provisions revising Article 27-27 of the same Act, and the provisions revising Article 27-30-2 of the same Act [excluding the portion changing "Article 27-10, paragraph (2)" to "Article 27-10, paragraph (8) and paragraph (12)" and the portion adding "or paragraph (11)" after "Article 27-10, paragraph (1)"]); and the provisions of Article 7, Article 8, and Article 12 of the Supplementary Provisions-The date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation

四 第二条中証券取引法第二十七条の二十三の改正規定（「第二十七条の二十五第一項」の下に「及び第二十七条の二十六」を加える部分を除く。）、同法第二十七条の二十四の改正規定、同法第二十七条の二十五の改正規定、同法第二十七条の二十六の改正規定（「株券等の発行者である会社の事業活動を支配する」を「株券等の発行者の事業活動に重大な変更を加え、又は重大な影響を及ぼす行為として政令で定めるもの（第四項及び第五項において「重要提案行為等」という。）を行う」に改める部分及び同条に三項を加える部分を除く。）、同法第二十七条の二十七の改正規

定及び同法第二十七条の三十の二の改正規定（「第二十七条の十第二項」を「第二十七条の十第八項及び第十二項」に改める部分及び「第二十七条の十第一項」の下に「若しくは第十一項」を加える部分を除く。）並びに附則第九条から第十一条まで及び第十三条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(iv) From Article 2, the provisions revising Article 27-23 of the Securities and Exchange Act (excluding the portion adding "and Article 27-26" after "Article 27-25, paragraph (1)"), the provisions revising Article 27-24 of the same Act, the provisions revising Article 27-25 of the same Act, the provisions revising Article 27-26 of the same Act (excluding the portion changing "controlling the business activities of a company which is an issuer of share certificates, etc." to "conducting acts specified by a Cabinet Order as those that impose serious changes or have a serious impact on the business activities of the issuer of share certificates, etc. (referred to as "important proposal acts, etc." in paragraph (4) and paragraph (5))," and the portion adding three paragraphs to the same Article), the provisions revising Article of the same Act, and the provisions revising Article 27-30-2 (excluding the portion changing "Article 27-10, paragraph (2)" to "Article 27-10, paragraph (8) and paragraph (12)" and the portion adding "or paragraph (11)" after "Article 27-10, paragraph (1)"; and the provisions of Articles 9 to 11 and Article 13 of the Supplementary Provisions-The date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation

五 第四条の規定 一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）の施行の日

(v) The provisions of Article 4-The day of enforcement of the Act on General Associations and Foundations (Act No. 48 of 2006)

第百八十六条（中小企業等協同組合法の一部改正に伴う経過措置）

Article 186 (Transitional Measures in Line with Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

共済事業を行う組合（第十条の規定による改正後の中小企業等協同組合法（以下この条において「新中小企業等協同組合法」という。）第九条の二第七項に規定する共済事業を行う新中小企業等協同組合法第三条に規定する組合をいう。）は、この法律の施行後最初に特定共済契約（新中小企業等協同組合法第九条の七の五第三項に規定する特定共済契約をいう。）の申込みを利用者（新金融商品取引法第二条第三十一項第四号に掲げる者に限る。）から受けた場合であって、この法律の施行前に、当該利用者に対し、この法律の施行後に当該利用者が新中小企業等協同組合法第九条の七の五第三項（新中小企業等協同組合法第九条の九第五項又は第八項において準用する場合を含む。以下この条において同じ。）において準用する新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を新中小企業等協同組合法第九条の七の五第三項において準用する新金融商品取引法第三十四条の例により告知しているときには、当該利用者に対し、

新中小企業等協同組合法第九条の七の五第三項において準用する新金融商品取引法第三十四条に規定する告知をしたものとみなす。

In the case where a cooperative engaged in mutual aid activities (which means a cooperative prescribed in Article 3 of the Small and Medium-Sized Enterprise Cooperatives Act after the revision under the provisions of Article 10 [hereinafter referred to as the "New Small and Medium-Sized Enterprise Cooperatives Act" in this Article] engaged in mutual aid activities prescribed in Article 9-2, paragraph (7) of the New Small and Medium-Sized Enterprise Cooperatives Act) has received an offer for a specified mutual aid contract (which means a specific mutual aid contract prescribed in Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act) from a user (limited to a person set forth in Article 2, paragraph (31), item (iv) of the New Small and Medium-Sized Enterprise Cooperatives Act) for the first time since the enforcement of this Act, if it has, prior to the enforcement of this Act, notified said user in accordance with Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis in Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act that he/she may make a offer under the provisions of Article 34-2, paragraph (1) of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act (including the case where it is applied mutatis mutandis pursuant to Article 9-9, paragraph (5) or paragraph (8) of the New Small and Medium-Sized Enterprise Cooperatives Act; hereinafter the same shall apply in this Article) after the enforcement of this Act, it shall be deemed to have given the notice prescribed in Article 34 of the New Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 9-7-5, paragraph (3) of the New Small and Medium-Sized Enterprise Cooperatives Act to said user.

第二百十六条 (権限の委任)

Article 216 (Delegation of Authority)

1 内閣総理大臣は、この附則の規定による権限（政令で定めるものを除く。）を金融庁長官に委任する。

(1) The Prime Minister shall delegate his/her authority under these Supplementary Provisions (excluding the authority specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 前項の規定により金融庁長官に委任された権限については、政令で定めるところにより、その一部を財務局長又は財務支局長に委任することができる。

(2) The Commissioner of the Financial Services Agency may delegate part of the authority that has been delegated pursuant to the provisions of the preceding paragraph to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau, pursuant to the provisions of a Cabinet Order.

第二百十七条 (処分等の効力)

Article 217 (Effects of Dispositions, etc.)

この法律の施行前にした旧証券取引法、旧投資信託法若しくは旧信託業法又はこれらに基づく命令の規定によってした処分、手続その他の行為であつて、新金融商品取引法の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、新金融商品取引法の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act pursuant to the provisions of the Old Securities and Exchange Act, the Old Investment Trust Act, or the Old Trust Business Act, or an order based on any of these Acts for which corresponding provisions exist in the New Financial Instruments and Exchange Act shall be deemed to have been issued or carried out pursuant to the corresponding provisions of the New Financial Instruments and Exchange Act, except as otherwise provided for by these Supplementary Provisions.

第二百十八条 (罰則の適用に関する経過措置)

Article 218 (Transitional Measures Concerning Application of Penal Provisions)

この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions; hereinafter the same shall apply in this Article) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable or in the case where the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第二百十九条 (その他の経過措置の政令等への委任)

Article 219 (Delegation of Other Transitional Measures to a Cabinet Order, etc.)

1 この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

(1) In addition to what is provided for in these Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

2 第三条の規定による証券取引法の一部改正に伴う登記に関する手続について必要な経過措置は、法務省令で定める。

(2) Transitional measures necessary for the procedure related to registration in line with the partial revision of the Securities and Exchange Act by the provisions of Article 3 shall be specified by an Ordinance of the Ministry of Justice.

第二百二十条 (検討)

Article 220 (Review)

政府は、この法律の施行後五年以内に、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall review the status of the operation of this Act within five years from the enforcement of this Act, and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一八年六月一五日法律第七五号) 抄

Supplementary Provisions (Act No. 75 of June 15, 2006) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成十九年四月一日から施行する。

This Act shall come into effect as from April 1, 2007.

第二条 (中小企業等協同組合法の一部改正に伴う経過措置)

Article 2 (Transitional Measures in Line with Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

この法律の施行の際現に存する事業協同組合若しくは事業協同小組合であつて第一条の規定による改正後の中小企業等協同組合法（以下「新協同組合法」という。）第九条の二第七項に規定する特定共済組合に該当するもの又はこの法律の施行の際現に存する協同組合連合会であつて新協同組合法第九条の九第四項に規定するに該当するものについては、新協同組合法第六条第一項の規定は、この法律の施行の日（以下「施行日」という。）以後最初に招集される通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

With regard to a business cooperative or a minor business cooperative which already exists at the time of the enforcement of this Act and which is a specified mutual aid association prescribed in Article 9-2, paragraph (7) of the Small and Medium-Sized Enterprise Cooperatives Act after the revision by the provisions of Article 1 (hereinafter referred to as "New Cooperatives Act") or a federation of cooperatives which already exists at the time of the enforcement of this Act and which is a specified federation of mutual aid associations prescribed in Article 9-9, paragraph (4) of the New Cooperatives Act, the provisions of Article 6, paragraph (1) of the New Cooperatives Act shall apply from the time of the conclusion of the ordinary general meeting convened for the first time on or after the day of enforcement of this Act (hereinafter referred to as "enforcement date"), and the provisions then in force shall remain applicable prior to the conclusion of said ordinary general meeting.

第三条

Article 3

この法律の施行の際現に共済事業及びこれに附帯する事業並びに新協同組合法第九条の二第六項に規定する事業以外の事業を行う事業協同組合又は事業協同小組合であつて同条第七項に規定する特定共済組合に該当するものは、施行日から起算して五年を経過

する日までの間は、同項本文の規定にかかわらず、引き続き当該事業を行うことができる。

A business cooperative or a minor business cooperative which is already engaged in activities other than mutual aid activities, activities incidental thereto, or activities prescribed in Article 9-2, paragraph (6) of the New Cooperatives Act at the time of the enforcement of this Act and which is a specified mutual aid association prescribed in paragraph (7) of the same Article may continue to engage in said activities until the day on which five years have elapsed from the enforcement date, notwithstanding the provisions of the main clause of the same paragraph.

第四条

Article 4

- 1 この法律の施行の際現に共済事業を行う事業協同組合又は事業協同小組合は、施行日から起算して六月を経過する日までの間は、新協同組合法第九条の六の二第一項の規定にかかわらず、引き続き当該共済事業を行うことができる。
- (1) A business cooperative or a minor business cooperative which is already engaged in mutual aid activities at the time of the enforcement of this Act may continue to engage in said mutual aid activities until the day on which six months have elapsed from the enforcement date, notwithstanding the provisions of Article 9-6-2, paragraph (1) of the New Cooperatives Act.
- 2 前項の規定により引き続き共済事業を行うことができる場合においては、その事業協同組合又は事業協同小組合を新協同組合法第九条の六の二第一項に定める行政庁の認可を受けた事業協同組合又は事業協同小組合とみなして、新協同組合法の規定を適用する。
- (2) In the case where a business cooperative or a minor business cooperative may continue to engage in mutual aid activities pursuant to the provisions of the preceding paragraph, the provisions of the New Cooperatives Act shall apply by deeming said business cooperative or minor business cooperative to be a business cooperative or a minor business cooperative which has obtained the approval of the administrative agency specified by Article 9-6-2, paragraph (1) of the New Cooperatives Act.
- 3 この法律の施行の際現に共済事業を行う協同組合連合会は、施行日から起算して六月を経過する日までの間は、新協同組合法第九条の九第五項において準用する新協同組合法第九条の六の二第一項の規定にかかわらず、引き続き当該共済事業を行うことができる。
- (3) A federation of cooperatives which is already engaged in mutual aid activities at the time of the enforcement of this Act may continue to engage in said mutual aid activities until the day on which six months have elapsed from the enforcement date, notwithstanding the provisions of Article 9-6-2, paragraph (1) of the New Cooperatives Act as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of the New Cooperatives Act.

4 前項の規定により引き続き共済事業を行うことができる場合においては、その協同組合連合会を新協同組合法第九条の九第五項において準用する新協同組合法第九条の六の二第一項に定める行政庁の認可を受けた協同組合連合会とみなして、新協同組合法の規定を適用する。

(4) In the case where a federation of cooperatives may continue to engage in mutual aid activities pursuant to the provisions of the preceding paragraph, the provisions of the New Cooperatives Act shall apply by deeming said federation of cooperatives to be a federation of cooperatives which has obtained the approval of the administrative agency specified by Article 9-6-2, paragraph (1) of the New Cooperatives Act as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) of the New Cooperatives Act.

第五条

Article 5

この法律の施行の際現に共済事業及び新協同組合法第九条の九第一項第二号の事業並びにこれらに附帯する事業並びに同条第五項において準用する新協同組合法第九条の二第六項に規定する事業以外の事業を行う協同組合連合会であつて新協同組合法第九条の九第四項に規定する特定共済組合連合会に該当するものは、施行日から起算して五年を経過する日までの間は、同項本文の規定にかかわらず、引き続き当該事業を行うことができる。

A federation of cooperatives which is already engaged in activities other than mutual aid activities, activities set forth in Article 9-9, paragraph (1), item (ii) of the New Cooperatives Act, or activities incidental thereto, or those other than activities prescribed in Article 9-2, paragraph (6) of the New Cooperatives Act as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) at the time of the enforcement of this Act and which is a specified federation of mutual aid associations prescribed in Article 9-9, paragraph (4) of the New Cooperatives Act may continue to engage in said activities until the day on which five years have elapsed from the enforcement date, notwithstanding the provisions of the main clause of the same paragraph.

第六条

Article 6

この法律の施行の際現に共済事業を行う協同組合（新協同組合法第三条に規定する中小企業等協同組合をいう。以下同じ。）（火災共済協同組合及び新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会を除く。）については、新協同組合法第十二条第二項の規定は、施行日以後最初に招集される通常総会の終了の時までは、適用しない。

With regard to a cooperative (which means a small and medium-sized enterprise cooperative prescribed in Article 3 of the New Cooperatives Act; the same shall apply hereinafter) (excluding a fire mutual aid cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New

Cooperatives Act) which is engaged in mutual aid activities at the time of the enforcement of this Act, the provisions of Article 12, paragraph (2) of the New Cooperatives Act shall not apply until the time of the conclusion of the ordinary general meeting convened for the first time on or after the enforcement date.

第七条

Article 7

1 この法律の施行の際現に存する次に掲げる協同組合であつてその出資の総額が千万円に満たないものについては、新協同組合法第二十五条第一項の規定は、施行日から起算して五年を経過する日までの間は、適用しない。この場合において、火災共済協同組合の出資の総額については、なお従前の例による。

(1) With regard to any of the following cooperatives which exist at the time of the enforcement of this Act and whose total amount of contribution is less than ten million yen, the provisions of Article 25, paragraph (1) of the New Cooperatives Act shall not apply until the day on which five years have elapsed from the enforcement date. In this case, the provisions then in force shall remain applicable with regard to the total amount of contribution of a fire mutual aid cooperative:

一 新協同組合法第九条の二第七項に規定する特定共済組合（再共済又は再再共済の事業を行うものを除く。）に該当する事業協同組合又は事業協同小組合

(i) A business cooperative or a minor business cooperative which is a specified mutual aid association (excluding one engaged in the activities of reinsurance or retrocession) prescribed in Article 9-2, paragraph (7) of the New Cooperatives Act

二 火災共済協同組合

(ii) A fire mutual aid cooperative

三 新協同組合法第九条の九第四項に規定する（再共済又は再再共済の事業を行うものを除く。）に該当する協同組合連合会

(iii) A federation of cooperatives which is a specified federation of mutual aid associations (excluding one engaged in the activities of reinsurance or retrocession) prescribed in Article 9-9, paragraph (4) of the New Cooperatives Act

2 この法律の施行の際現に新協同組合法第九条の二第七項に規定する特定共済組合（再共済又は再再共済の事業を行うものに限る。）に該当する事業協同組合若しくは事業協同小組合又は新協同組合法第九条の九第四項に規定する（再共済又は再再共済の事業を行うものに限る。）に該当する協同組合連合会であつてその出資の総額が三千万円に満たないものについては、新協同組合法第二十五条第二項の規定は、施行日から起算して五年を経過する日までの間は、適用しない。

(2) With regard to a business cooperative or a minor business cooperative which is already a specified mutual aid association (limited to one engaged in the activities of reinsurance or retrocession) prescribed in Article 9-2, paragraph (7) of the New Cooperatives Act or a federation of cooperatives which is already a specified federation of mutual aid associations (limited to one engaged in the activities of reinsurance or retrocession) prescribed in Article 9-2, paragraph (4) of the New

Cooperatives Act at the time of the enforcement of this Act whose total amount of contribution is less than thirty million yen, the provisions of Article 25, paragraph (2) of the New Cooperatives Act shall not apply until the day on which five years have elapsed from the enforcement date.

3 この法律の施行の際現に新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会であってその出資の総額が五千万円に満たないものについては、新協同組合法第二十五条第三項の規定は、施行日から起算して五年を経過する日までの間は、適用しない。この場合において、当該協同組合連合会の出資の総額については、なお従前の例による。

(3) With regard to a federation of cooperatives which is already engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act at the time of the enforcement of this Act and whose total amount of contribution is less than fifty million yen, the provisions of Article 25, paragraph (3) of the New Cooperatives Act shall not apply until the day on which five years have elapsed from the enforcement date. In this case, the provisions then in force shall remain applicable to the total amount of contribution of the federation of cooperatives.

第八条

Article 8

この法律の施行の際現に共済事業を行う協同組合（火災共済協同組合及び新協同組合法第九条の九第一項第三号の事業を行う協同組合連合会を除く。）については、新協同組合法第三十三条第二項の規定は、施行日以後最初に招集される通常総会の終了の時までは、適用しない。

With regard to a cooperative (excluding a fire mutual aid cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (iii) of the New Cooperatives Act) which is already engaged in mutual activities at the time of the enforcement of this Act, the provisions of Article 33, paragraph (2) of the New Cooperatives Act shall not apply until the time of the conclusion of the ordinary general meeting convened for the first time on or after the enforcement date.

第九条

Article 9

この法律の施行の際現に存する協同組合であって新協同組合法第三十五条第六項に規定する組合に該当するものについては、同項の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時までは、適用しない。

With regard to a cooperative which already exists at the time of the enforcement of this Act and which is a cooperative prescribed in Article 35, paragraph (6) of the New Cooperatives Act, the provisions of the same paragraph shall not apply until the time of the conclusion of the ordinary general meeting concerning settlement of the accounts for the first business year ending on or after the enforcement date.

第十条

Article 10

この法律の施行の際現に存する協同組合又は新協同組合法第七十条に規定する中小企業団体中央会の役員であつて施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了前に在任するものの任期に関しては、この法律の施行後も、なお従前の例による。

With regard to the term of office of an officer of a cooperative or a federation of small business associations prescribed in Article 70 of the New Cooperatives Act which already exists at the time of the enforcement of this Act, who is in office prior to the conclusion of the ordinary general meeting concerning settlement of the accounts for the first business year ending on or after the enforcement date, the provisions then in force shall remain applicable after the enforcement of this Act.

第十一条

Article 11

この法律の施行の際現に存する協同組合については、新協同組合法第三十六条の三の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

With regard to a cooperative which already exists at the time of the enforcement of this Act, the provisions of Article 36-3 of the New Cooperatives Act shall apply from the time of the conclusion of the ordinary general meeting concerning settlement of the accounts for the first business year ending on or after the enforcement date, and the provisions then in force shall remain applicable prior to the conclusion of said ordinary general meeting.

第十二条

Article 12

この法律の施行の際現に存する協同組合については、新協同組合法第三十六条の七第一項の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

With regard to a cooperative which already exists at the time of the enforcement of this Act, the provisions of Article 36-7 of the New Cooperatives Act shall apply from the time of the conclusion of the ordinary general meeting concerning settlement of the accounts for the first business year ending on or after the enforcement date, and the provisions then in force shall remain applicable prior to the conclusion of said ordinary general meeting.

第十三条

Article 13

第一条の規定による改正前の中小企業等協同組合法（以下「旧協同組合法」という。）の規定による役員の施行日前の行為に基づく損害賠償責任については、なお従前の例による。

With regard to liability for damages based on an act committed by an officer prior

to the enforcement date under the provisions of the Small and Medium-Sized Enterprise Cooperatives Act prior to the revision by the provisions of Article 1 (hereinafter referred to as "Old Cooperatives Act"), the provisions then in force shall remain applicable.

第十四条

Article 14

この法律の施行の際現に存する協同組合であつて新協同組合法第四十条の二第一項に規定する組合に該当するものについては、同条及び新協同組合法第四十条の三の規定は、施行日以後最初に終了する事業年度に係る決算に関する通常総会の終了の時までは、適用しない。

With regard to a cooperative which already exists at the time of the enforcement of this Act and which is a cooperative prescribed in Article 40-2, paragraph (1) of the New Cooperatives Act, the provisions of Article 40-3 of the New Cooperatives Act shall not apply until the time of the conclusion of the ordinary general meeting concerning settlement of the accounts for the first business year ending on or after the enforcement date.

第十五条

Article 15

この法律の施行の際現に新協同組合法第五十七条の五に規定する方法以外でその業務上の余裕金を運用する共済事業を行う協同組合及び共済事業を行う協同組合以外の協同組合（信用協同組合及び新協同組合法第九条の九第一項第一号の事業を行う協同組合連合会を除く。）であつて組合員（協同組合連合会にあつては、会員たる組合の組合員）の総数が新協同組合法第三十五条第六項の政令で定める基準を超えるものは、施行日から起算して三年を経過する日までの間に当該運用に係る資産を処分しなければならない。

A cooperative engaged in mutual aid activities or a cooperative other than one engaged in mutual aid activities (excluding a credit cooperative and a federation of cooperatives engaged in the activities set forth in Article 9-9, paragraph (1), item (i) of the New Cooperatives Act) which is already investing the surplus funds that were accrued during the course of its activities by a method other than the methods prescribed in Article 57-5 of the New Cooperatives Act at the time of the enforcement of this Act and whose total number of partner (partner of the member cooperatives in the case of a federation of cooperatives) exceeds the standard specified by a Cabinet Order set forth in Article 35, paragraph (6) of the New Cooperatives Act shall dispose of its assets pertaining to said investment by the day on which three years have elapsed from the enforcement date.

第十六条

Article 16

- 1 新協同組合法第五十八条第一項及び第五項の規定は、施行日以後に開始する事業年度に係る準備金の積立てから適用し、施行日前に開始した事業年度に係る準備金の積立てについては、なお従前の例による。

(1) The provisions of Article 58, paragraph (1) and paragraph (5) of the New Cooperatives Act shall apply to the setting aside of reserve funds pertaining to a business year starting on or after the enforcement date, and the provisions then in force shall remain applicable to the setting aside of reserve funds pertaining to a business year starting prior to the enforcement date.

2 この法律の施行の際現に存する協同組合については、新協同組合法第五十八条第二項の規定は、施行日以後最初に招集される通常総会の終了の時から適用し、当該通常総会の終了前は、なお従前の例による。

(2) With regard to a cooperative which already exists at the time of the enforcement of this Act, the provisions of Article 58, paragraph (2) of the New Cooperatives Act shall apply from the time of the conclusion of the ordinary general meeting convened for the first time on or after the enforcement date, and the provisions then in force shall remain applicable prior to the conclusion of said ordinary general meeting.

第十七条

Article 17

新協同組合法第五十八条の二の規定は、施行日以後に開始する事業年度に係る会計の区分から適用し、施行日前に開始した事業年度に係る会計の区分については、なお従前の例による。

The provisions of Article 58-2 of the New Cooperatives Act shall apply to the division of accounting pertaining to a business year starting on or after the enforcement date, and the provisions then in force shall remain applicable to the division of accounting pertaining to a business year starting prior to the enforcement date.

第十八条

Article 18

新協同組合法第五十八条の三の規定は、施行日以後に開始する事業年度に係る資金運用について適用する。

The provisions of Article 58 of the New Cooperatives Act shall apply to the investment of funds pertaining to a business year starting on or after the enforcement date.

第十九条

Article 19

新協同組合法第五十八条の六の規定は、この法律の施行の際現に存する協同組合であって同条第一項に規定する組合に該当するものについては、施行日から起算して六月を経過する日までの間は、適用しない。

The provisions of Article 58-6 of the New Cooperatives Act shall not apply to a cooperative which already exists at the time of the enforcement of this Act, and which is not a cooperative prescribed in paragraph (1) of the same Article, until the day on which six months have elapsed from the enforcement date.

第二十条

Article 20

新協同組合法第五十八条の七の規定は、共済計理人を選任した日以後に開始する事業年度に係る事項に関する共済計理人の職務について適用する。

The provisions of Article 58-7 of the New Cooperatives Act shall apply to the duties of a mutual aid actuary concerning matters pertaining to a business year starting on or after the day on which the mutual aid actuary has been appointed.

第二十一条

Article 21

新協同組合法第六十一条の二第一項及び第二項の規定は、施行日以後に開始する事業年度に係る説明書類について適用する。

The provisions of Article 61-2, paragraph (1) and paragraph (2) of the New Cooperatives Act shall apply to explanatory documents pertaining to a business year starting on or after the enforcement date.

第二十二条

Article 22

この法律の施行の際現に存する協同組合については、新協同組合法第百五条の二第二項の規定は、施行日以後最初に終了する事業年度の翌事業年度から適用する。

With regard to a cooperative which already exists at the time of the enforcement of this Act, the provisions of Article 105-2, paragraph (2) of the New Cooperatives Act shall apply to the business year following the first business year ending on or after the enforcement date.

第二十三条

Article 23

この法律の施行の際現に存する協同組合については、新協同組合法第百六条の三の規定は、施行日から起算して六月を経過する日までの間は、適用しない。

With regard to a cooperative which already exists at the time of the enforcement of this Act, the provisions of Article 106-3 of the New Cooperatives Act shall not apply until the day on which six months have elapsed from the enforcement date.

第五十三条（処分等の効力）

Article 53 (Effects of Dispositions, etc.)

旧協同組合法、旧輸出入法、旧輸出水産業法、旧団体会法、旧鉱工業組合法又は旧商店街組合法の規定によってした処分、手続その他の行為は、それぞれ新協同組合法、新輸出入法、新輸出水産業法、新団体会法、新鉱工業組合法又は新商店街組合法の相当規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out pursuant to the provisions of the Old Cooperatives Act, the Old Export and Import Act, the Old Export Fisheries Processing Act, the Old Association Act, the Old Mining and Manufacturing Cooperative Act, or the Old Shopping District Cooperatives Act shall be deemed to have been issued or carried out pursuant to the corresponding

provisions of the New Cooperatives Act, the New Export and Import Act, the New Export Fisheries Processing Act, the New Association Act, the New Mining and Manufacturing Cooperative Act, or the New Shopping District Cooperatives Act.

第五十四条 (罰則に関する経過措置)

Article 54 (Transitional Measures Concerning Penal Provisions)

この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第五十五条 (政令への委任)

Article 55 (Delegation to a Cabinet Order)

附則第二条から第五十二条まで及び前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in Articles 2 to 52 of the Supplementary Provisions and the preceding Article, transitional measures necessary in line with the enforcement of this Act shall be specified by a Cabinet Order.

第五十六条 (検討)

Article 56 (Review)

政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

The government shall, when five years have elapsed from the enforcement of this Act, review the status of the implementation of this Act, and shall, when it finds it necessary, take necessary measures based on the results of the review.

附則 (平成一八年一二月一五日法律第一〇九号) 抄

Supplementary Provisions (Act No. 109 of December 15, 2006) (Extract)

この法律は、新信託法の施行の日から施行する。

This Act shall come into effect as from the day of enforcement of the New Trust Act.

附則 (平成一九年五月二五日法律第五八号) 抄

Supplementary Provisions (Act No. 58 of May 25, 2007) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成二十年十月一日から施行する。

This Act shall come into effect as from October 1, 2008.

第八条 (罰則に関する経過措置)

Article 8 (Transitional Measures Concerning Penal Provisions)

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

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

第九条 (政令への委任)

Article 9 (Delegation to a Cabinet Order)

附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

In addition to what is provided for in Article 2 of the Supplementary Provisions to the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

第十条 (調整規定)

Article 10 (Adjustment Provisions)

この法律及び株式会社商工組合中央金庫法（平成十九年法律第 号）、株式会社日本政策投資銀行法（平成十九年法律第 号）又は地方公営企業等金融機構法（平成十九年法律第 号）に同一の法律の規定についての改正規定がある場合において、当該改正規定が同一の日に施行されるときは、当該法律の規定は、株式会社商工組合中央金庫法、株式会社日本政策投資銀行法又は地方公営企業等金融機構法によってまず改正され、次いでこの法律によって改正されるものとする。

In the case where this Act and the Stock Company Shoko Chukin Bank Act (Act No. of 2007), the Stock Company Development Bank of Japan Act (Act No. of 2007), or the Act on the Financial Institution for Local Publicly Managed Enterprises, etc. (Act No. of 2007) have provisions revising the provisions of the same Act, if said revising provisions come into effect on the same day, the provisions of said Act shall be revised first by the Stock Company Shoko Chukin Bank Act, the Stock Company Development Bank of Japan Act, or the Act on the Financial Institution for Local Publicly Managed Enterprises, etc., and then revised by this Act.

附則 (平成十九年六月一日法律第七四号) 抄

Supplementary Provisions (Act No. 74 of June 1, 2007) (Extract)

第一条 (施行期日)

Article 1 (Effective Date)

この法律は、平成二十年十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。

This Act shall come into effect as from October 1, 2008; provided, however, that the provisions listed in the following items shall come into effect as from the dates respectively specified in those items:

- 一 附則第三条から第二十二條まで、第二十五條から第三十條まで、第百一條及び第

百二条の規定 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

- (i) The provisions of Articles 3 to 22, Articles 25 to 30, Article 101, and Article 102 of the Supplementary Provisions-The date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation

第五十二条 (中小企業等協同組合法の一部改正に伴う経過措置)

Article 52 (Transitional Measures in Line with Partial Revision of the Small and Medium-Sized Enterprise Cooperatives Act)

施行日前に転換前の法人が発行した短期商工債についての中小企業等協同組合法の規定の適用については、当該短期商工債を同法第九条の八第六項第一号に規定する短期社債等とみなす。

With regard to the application of the provisions of the Small and Medium-Sized Enterprise Cooperatives Act to short term commercial and industrial bonds issued prior to the enforcement date by a juridical person prior to the conversion, said short term commercial and industrial bonds shall be deemed to be short term company bonds, etc. prescribed in Article 9-8, paragraph (6), item (i) of the same Act.

第一百条 (処分等に関する経過措置)

Article 100 (Transitional Measures Concerning Punishment, etc.)

この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

A disposition, procedure, or any other act issued or carried out prior to the enforcement of this Act pursuant to a relevant Act prior to the revision (including an order based thereon; hereinafter the same shall apply in this Article) for which corresponding provisions exist in the relevant Act after the revision shall be deemed to have been issued or carried out pursuant to the corresponding provisions of the relevant Act after the revision, except as otherwise provided for by these Supplementary Provisions.

第一百一条 (罰則の適用に関する経過措置)

Article 101 (Transitional Measures Concerning Application of Penal Provisions)

この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to an act committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, said provisions) or an act committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of these Supplementary Provisions or in the

case where the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

第一百二条 （その他の経過措置の政令への委任）

Article 102 (Delegation of Other Transitional Measures to a Cabinet Order)

この附則に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

In addition to what is provided for in these Supplementary Provisions, necessary transitional measures in line with the enforcement of this Act shall be specified by a Cabinet Order.