

弁護士法 Attorney Act

(昭和二十四年六月十日法律第二百五号)
(Act No. 205 of June 10, 1949)

第一章 弁護士の使命及び職務 Chapter I The Mission and Duties of an Attorney

(弁護士の使命)

(The mission of an Attorney)

第一条 弁護士は、基本的人権を擁護し、社会正義を実現することを使命とする。

Article 1 (1) An attorney is entrusted with the mission of protecting fundamental human rights and achieving social justice.

2 弁護士は、前項の使命に基き、誠実にその職務を行い、社会秩序の維持及び法律制度の改善に努力しなければならない。

(2) An attorney shall, in keeping with the mission specified set forth in the preceding paragraph, perform his/her duties in good faith and endeavor to maintain the social order and to improve the legal system.

(弁護士の職責の根本基準)

(The standards underlying the responsibilities of an attorney)

第二条 弁護士は、常に、深い教養の保持と高い品性の陶やに努め、法令及び法律事務に精通しなければならない。

Article 2 An attorney shall strive to remain highly cultured and have an upright character and shall be well-versed in laws, regulations and legal practices.

(弁護士の職務)

(The duties of an attorney)

第三条 弁護士は、当事者その他関係人の依頼又は官公署の委嘱によつて、訴訟事件、非訟事件及び審査請求、異議申立て、再審査請求等行政庁に対する不服申立事件に関する行為その他一般の法律事務を行うことを職務とする。

Article 3 (1) The duties of an attorney, upon the request of the party or the concerned parties, or upon the entrustment of public agency, shall be to engage in acts relating to lawsuits, non-contentious cases, and objections, request for re-examination, appeals, and other petitions against administrative agencies and other general legal services.

2 弁護士は、当然、弁理士及び税理士の事務を行うことができる。

(2) An attorney may, without any further qualification, provide the services of a patent attorney and/or a tax attorney.

第二章 弁護士資格

Chapter II Qualifications for Becoming an attorney

(弁護士の資格)

(Qualifications for becoming an attorney)

第四条 司法修習生の修習を終えた者は、弁護士となる資格を有する。

Article 4 A person who has completed the legal apprentice training course shall be qualified to become an attorney.

(法務大臣の認定を受けた者についての弁護士の資格の特例)

(Attorney qualification exemptions for certain persons certified by the Minister of Justice)

第五条 法務大臣が、次の各号のいずれかに該当し、その後に弁護士業務について法務省令で定める法人が実施する研修であつて法務大臣が指定するものの課程を修了したと認定した者は、前条の規定にかかわらず、弁護士となる資格を有する。

Article 5 Notwithstanding the provisions of the preceding Article, a person who has met any of the requirements set forth in either of the following items and who is certified by the Minister of Justice as having thereafter completed a training course for attorney services, as designated by the Minister of Justice and implemented by a juridical person as specified in an Ordinance of the Ministry of Justice, shall be qualified to become an attorney.

一 司法修習生となる資格を得た後に簡易裁判所判事、検察官、裁判所調査官、裁判所事務官、法務事務官、司法研修所、裁判所職員総合研修所若しくは法務省設置法（平成十一年法律第九十三号）第四条第三十六号若しくは第三十八号の事務をつかさどる機関で政令で定めるものの教官、衆議院若しくは参議院の議員若しくは法制局参事、内閣法制局参事官又は学校教育法（昭和二十二年法律第二十六号）による大学で法律学を研究する大学院の置かれているものの法律学を研究する学部、専攻科若しくは大学院における法律学の教授若しくは准教授の職に在つた期間が通算して五年以上になること。

(i) After acquiring the qualification to become a legal apprentice, to have served, in total, not less than five years as a judge of a summary court, a public prosecutor, a research law clerk, a court administrative official, a law official of the Ministry of Justice, an instructor at the Legal Training and Research Institute, the Research and Training Institute for Court Officials or government organ, as prescribed by Cabinet Order, in charge of the practices set forth in items (xxxvi) or (xxxviii) of Article 4 of the Act for Establishment of the Ministry of Justice (Act No. 93 of 1999), a member of the House of Representatives or of the House of Councilors or a councilor (Sanji-kan) of the Legislative Bureau of the House of Representatives or of the House of Councilors, a councilor (Sanji-kan) of the Legislative Bureau of the Cabinet,

or as a professor or associate professor of law at a department, major course or graduate school for the study of law at a university as stipulated by the School Education Act (Act No. 26 of 1947) that has a graduate school for the study of law;

二 司法修習生となる資格を得た後に自らの法律に関する専門的知識に基づいて次に掲げる事務のいずれかを処理する職務に従事した期間が通算して七年以上になること。

(ii) After acquiring the qualification to become a legal apprentice, to have utilized his/her own specialized knowledge of law in the discharge of duties dealing with any of the following matters, for a total of not less than seven years:

イ 企業その他の事業者（国及び地方公共団体を除く。）の役員、代理人又は使用人その他の従業者として行う当該事業者の事業に係る事務であつて、次に掲げるもの（第七十二条の規定に違反しないで行われるものに限る。）

(a) Matters concerning the business of a corporation or other business operator (excluding national or local government) that were conducted as a officer, agent, employee or other person working for such business operator and that fall under any of the following (limited to matters conducted not in contravention with the provisions of Article 72):

(1) 契約書案その他の事業活動において当該事業者の権利義務についての法的な検討の結果に基づいて作成することを要する書面の作成

1. To produce drafts of contracts or other documents found to require preparation based on the results of a legal analysis concerning the rights and obligations of the business operator in its business activities;

(2) 裁判手続等（裁判手続及び法務省令で定めるこれに類する手続をいう。以下同じ。）のための事実関係の確認又は証拠の収集

2. To confirm facts or to collect evidence for court proceedings, etc. (here and hereinafter "court proceedings, etc." refers to court proceedings and similar proceedings as specified in an Ordinance of the Ministry of Justice.);

(3) 裁判手続等において提出する訴状、申立書、答弁書、準備書面その他の当該事業者の主張を記載した書面の案の作成

3. To prepare drafts of complaints, motions, answers, briefs or other documents to be submitted in court proceedings, etc. setting forth the assertions of the business operator;

(4) 裁判手続等の期日における主張若しくは意見の陳述又は尋問

4. To present assertions or opinions or to make examination of witnesses on hearing dates for court proceedings, etc.; or

(5) 民事上の紛争の解決のための和解の交渉又はそのために必要な事実関係の確認若しくは証拠の収集

5. To negotiate settlements resolving civil disputes, or to confirm facts or to collect evidence necessary for such settlements.

ロ 公務員として行う国又は地方公共団体の事務であつて、次に掲げるもの

(b) Matters of national or local government that are performed as a public officer and that come under any of the following:

(1) 法令（条例を含む。）の立案、条約その他の国際約束の締結に関する事務又は条例の制定若しくは改廃に関する議案の審査若しくは審議

1. To draft laws and/or regulations (including Prefectural Ordinance and Municipal ordinance), to perform matters relating to the signing of treaties or other international agreements, or to engage in the review or deliberation regarding bills relating to the enactment, modification or repeal of Prefectural Ordinance and Municipal ordinances;

(2) イ(2)から(5)までに掲げる事務

2. To perform matters set forth in 2. through 5. of sub-item (a) hereof; or

(3) 法務省令で定める審判その他の裁判に類する手続における審理又は審決、決定その他の判断に係る事務であつて法務省令で定める者が行うもの

3. To perform matters, to be handled by a person designated in an Ordinance of the Ministry of Justice, that are associated with hearings or trial decisions (shinketsu), rulings (kettei), or other determinations in administrative hearings (shinpan) or other judicial decision-like proceedings specified in an Ordinance of the Ministry of Justice.

三 検察庁法（昭和二十二年法律第六十一号）第十八条第三項に規定する試験を経た後に検察官（副検事を除く。）の職に在つた期間が通算して五年以上になること。

(iii) After passing the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act (Act No. 61 of 1947), to have served, in total, not less than 5 years, as a public prosecutor (excluding assistant prosecutor).

四 前三号に掲げるもののほか、次のイ又はロに掲げる期間（これらの期間のうち、第一号に規定する職に在つた期間及び第二号に規定する職務に従事した期間については司法修習生となる資格を得た後のものに限り、前号に規定する職に在つた期間については検察庁法第十八条第三項に規定する試験を経た後のものに限る。）が、当該イ又はロに定める年数以上になること。

(iv) Other than the minimum periods set forth in the preceding three items, the period listed in either of sub-item (a) or (b) below must not be less than the number of years set forth in the respective sub-item. (The periods of serving in the positions or discharging the duties provided in items (i) and (ii) below are limited to the period that elapsed after acquiring the qualification to become a legal apprentice, and the periods of serving in the positions provided in the preceding item are limited to the period that elapsed after passing the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act.)

イ 第一号及び前号に規定する職に在つた期間を通算した期間 五年

(a) The total period of time in which he/she served in the positions set forth in item (i) hereof and in which he/she served in the positions set forth in the preceding item - five years

ロ 第二号に規定する職務に従事した期間に第一号及び前号に規定する職に在った期間を通算した期間 七年

(b) The total period of time in which he/she discharged the duties set forth in item (ii) hereof, the period in which he/she served in the positions set forth in item (i) hereof, and the preceding item - seven years

(認定の申請)

(Application for certification)

第五条の二 前条の規定により弁護士となる資格を得ようとする者は、氏名、司法修習生となる資格を取得し、又は検察庁法第十八条第三項の考試を経た年月日、前条第一号若しくは第三号の職に在った期間又は同条第二号の職務に従事した期間及び同号の職務の内容その他の法務省令で定める事項を記載した認定申請書を法務大臣に提出しなければならない。

Article 5-2 (1) A person who wishes to become qualified as an attorney as set forth in the preceding Article shall submit to the Minister of Justice a written application for certification containing his/her name, the date he/she acquired the qualification to become a legal apprentice or passed the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act, the period during which the positions set forth in item (i) or (iii) of the preceding Article were served or the period during which the duties set forth in item (ii) of said Article were discharged, as well as the details of such duties, and such other matters as are specified in an Ordinance of the Ministry of Justice.

2 前項の認定申請書には、司法修習生となる資格を取得し、又は検察庁法第十八条第三項の考試を経たことを証する書類、前条第一号若しくは第三号の職に在った期間又は同条第二号の職務に従事した期間及び同号の職務の内容を証する書類その他の法務省令で定める書類を添付しなければならない。

(2) The following documents must be attached to the written application for certification prescribed in the preceding paragraph: a document verifying the acquisition of the qualification to become a legal apprentice or the passing of the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act; documents verifying the period during which the positions set forth in items (i) or (iii) of the preceding Article were served or the period during which the duties set forth in item (ii) of said Article were discharged, as well as the details of such duties; and other documents specified in an Ordinance of the Ministry of Justice.

3 第一項の規定による申請をする者は、実費を勘案して政令で定める額の手数料を納めなければならない。

(3) A person submitting an application in accordance with the provisions of

paragraph (1) shall pay a fee in an amount stipulated by Cabinet Order in consideration of actual expenses.

(認定の手續等)

(Proceedings, etc. for certification)

第五条の三 法務大臣は、前条第一項の規定による申請をした者（以下この章において「申請者」という。）が第五条各号のいずれかに該当すると認めるときは、申請者に対し、その受けるべき同条の研修（以下この条において単に「研修」という。）を定めて書面で通知しなければならない。

Article 5-3 (1) If the Minister of Justice confirms that a person submitting an application in accordance with the provisions of paragraph (1) of the preceding Article (hereinafter referred to as the "Applicant" in this Chapter) falls under any item of Article 5, the Minister shall assign the Applicant the training course set forth in said Article (hereinafter simply referred to as the "Training Course" in this Article) and give written notice to the Applicant of such assignment.

2 研修を実施する法人は、申請者がその研修の課程を終えたときは、遅滞なく、法務省令で定めるところにより、当該申請者の研修の履修の状況（当該研修の課程を修了したと法務大臣が認めてよいかどうかの意見を含む。）を書面で法務大臣に報告しなければならない。

(2) When an Applicant completes all Training Course programs, the juridical person implementing the Training Course shall, without delay, provide a written report to the Minister of Justice regarding the Applicant's training status in the Training Course (including an opinion of whether or not the Minister of Justice may certify that the Applicant has completed all Training Course programs), pursuant to the provision of an Ordinance of the Ministry of Justice.

3 法務大臣は、前項の規定による報告に基づき、申請者が研修の課程を修了したと認めるときは、当該申請者について第五条の認定（以下この章において単に「認定」という。）を行わなければならない。

(3) When the Minister of Justice confirms that the Applicant has completed all Training Course programs based on the report set forth in the preceding paragraph, the Minister shall issue the certification set forth in Article 5 (hereinafter simply referred to as "Certification") with respect to the Applicant.

4 法務大臣は、前条第一項の規定による申請につき認定又は却下の処分をするときは、申請者に対し、書面によりその旨を通知しなければならない。

(4) When the Minister of Justice issues a Certification or makes a disposition of rejection with respect to an application submitted in accordance with the provisions of paragraph (1) of the preceding Article, the Minister shall give written notice to the Applicant to that effect.

(研修の指定)

(Designation of Training Course)

第五条の四 法務大臣は、研修の内容が、弁護士業務を行うのに必要な能力の習得に適切かつ十分なものと認めるときでなければ、第五条の規定による研修の指定をしてはならない。

Article 5-4 (1) The Minister of Justice shall not issue the designation of a Training Course in accordance with the provisions of Article 5 unless the Minister confirms that the contents of the Training Course are appropriate and sufficient for the acquisition of the abilities necessary to engage in attorney services.

2 研修を実施する法人は、前項の研修の指定に関して法務大臣に対して意見を述べることができる。

(2) The juridical person implementing the Training Course may state an opinion to the Minister of Justice regarding the designation of the Training Course as set forth in the preceding paragraph.

3 法務大臣は、第五条の研修の適正かつ確実な実施を確保するために必要な限度において、当該研修を実施する法人に対し、当該研修に関して、必要な報告若しくは資料の提出を求め、又は必要な意見を述べることができる。

(3) The Minister of Justice may, to the extent necessary to ensure the proper and sound implementation of the Training Course set forth in Article 5, require the juridical person implementing the Training Course to submit necessary reports or materials on the Training Course, and may state any necessary opinions.

(資料の要求等)

(Request for information, etc.)

第五条の五 法務大臣は、認定に関する事務の処理に関し必要があると認めるときは、申請者に対し必要な資料の提出を求め、又は公務所、公私の団体その他の関係者に照会して必要な事項の報告を求めることができる。

Article 5-5 If the Minister of Justice finds it necessary for the administration of affairs relating to Certifications, the Minister may request an Applicant to submit necessary materials, or make inquiries to public offices, public or private organizations or other related parties and request them to report on necessary matters.

(法務省令への委任)

(Delegation to an Ordinance of the Ministry of Justice)

第五条の六 この法律に定めるもののほか、認定の手續に関し必要な事項は、法務省令で定める。

Article 5-6 In addition to what is provided for in this Act, necessary matters concerning certification procedures shall be prescribed by an Ordinance of the Ministry of Justice.

(最高裁判所の裁判官の職に在った者についての弁護士の特例)

(Attorney qualification exemptions for certain persons who have served as Justices of the Supreme Court)

第六条 最高裁判所の裁判官の職に在った者は、第四条の規定にかかわらず、弁護士となる資格を有する。

Article 6 Notwithstanding the provisions of Article 4, a person who has served as Justices of the Supreme Court shall be qualified to become an attorney.

(弁護士の欠格事由)

(Disqualification of an Attorney)

第七条 次に掲げる者は、第四条、第五条及び前条の規定にかかわらず、弁護士となる資格を有しない。

Article 7 Notwithstanding the provisions of Articles 4, 5 or 6, no person specified below shall be qualified to be an attorney:

一 禁錮以上の刑に処せられた者

(i) A person who has been sentenced to imprisonment without work or severer punishment;

二 弾劾裁判所の罷免の裁判を受けた者

(ii) A person who has been subject to a judicial decision of dismissal from the Impeachment Court;

三 懲戒の処分により、弁護士若しくは外国法事務弁護士であつて除名され、弁理士であつて業務を禁止され、公認会計士であつて登録を抹消され、税理士であつて業務を禁止され、又は公務員であつて免職され、その処分を受けた日から三年を経過しない者

(iii) A person who, through disciplinary action, has been disbarred as an attorney or as a Registered Foreign Lawyer, has been prohibited from practicing as a patent attorney, has had his/her registration as a certified public accountant revoked, has been prohibited from practicing business as a tax attorney, or has been dismissed from his/her office as a public officer, and three years have not elapsed since the date such disciplinary action was imposed;

四 成年被後見人又は被保佐人

(iv) A person who has been subject to an order for commencement of guardianship of an adult ward or a person under curatorship;

五 破産者であつて復権を得ない者

(v) A person who has been declared bankrupt and has not had his/her civil rights restored.

第三章 弁護士名簿

Chapter III Roll of Attorneys

(弁護士の登録)

(Registration of attorneys)

第八条 弁護士となるには、日本弁護士連合会に備えた弁護士名簿に登録されなければならない。

Article 8 To become an attorney, a person must have his/her name registered in the roll of attorneys held by the Japan Federation of Bar Associations.

(登録の請求)

(Requests for the registration)

第九条 弁護士となるには、入会しようとする弁護士会を経て、日本弁護士連合会に登録の請求をしなければならない。

Article 9 To become an attorney, a person shall make a registration request with the Japan Federation of Bar Associations through the bar association to which he/she intends to be admitted anew.

(登録換の請求)

(Requests for transfer of registration)

第十条 弁護士は、所属弁護士会を変更するには、新たに入会しようとする弁護士会を経て、日本弁護士連合会に登録換の請求をしなければならない。

Article 10 (1) For an attorney to transfer the bar association to which he/she belongs, he/she shall make a request with the Japan Federation of Bar Associations to transfer his/her registration through the bar association to which he/she intends to be admitted anew.

2 弁護士は、登録換の請求をする場合には、所属弁護士会にその旨を届け出なければならない。

(2) If an attorney makes a request to transfer his/her registration, he/she shall make report to such effect to the bar association to which he/she belongs.

(登録取消の請求)

(Request for rescission of registration)

第十一条 弁護士がその業務をやめようとするときは、所属弁護士会を経て、日本弁護士連合会に登録取消の請求をしなければならない。

Article 11 If an attorney intends to cease his/her practice, he/she shall make a request to the Japan Federation of Bar Associations to rescind his/her registration through the bar association of which he/she belongs.

(登録又は登録換えの請求の進達の拒絶)

(Refusal to transmit requests for registration or transfer of registration)

第十二条 弁護士会は、弁護士会の秩序若しくは信用を害するおそれがある者又は次に掲げる場合に該当し弁護士の職務を行わせることがその適正を欠くおそれがある者に

ついて、資格審査会の議決に基づき、登録又は登録換えの請求の進達を拒絶することができる。

Article 12 (1) If there is a likelihood that an applicant may harm the bar association's order or reputation, or an applicant falls under one of the following items and there is a likelihood that he/she may be unfit to practice law, the bar association may refuse to transmit his/her request for registration or transfer of registration, pursuant to a resolution of its Qualifications Screening Board:

一 心身に故障があるとき。

(i) If the person is mentally or physically disabled; or

二 第七条第三号に当たる者が、除名、業務禁止、登録の抹消又は免職の処分を受けた日から三年を経過して請求したとき。

(ii) If a person who falls under the provisions of Article 7, item (iii) makes a request after three years from the date of imposition of a disposition such as disbarment, prohibition to practice his/her profession, revocation of registration, or dismissal.

2 登録又は登録換えの請求前一年以内に当該弁護士会の地域内において常時勤務を要する公務員であつた者で、その地域内において弁護士の職務を行わせることが特にその適正を欠くおそれがあるものについてもまた前項と同様とする。

(2) The preceding paragraph shall apply to an applicant who, in the one year prior to his/her request for registration or transfer of registration, was a full-time public officer in the district of the applicable bar association, and who may be particularly likely to be unfit to practice law within that district.

3 弁護士会は、前二項の規定により請求の進達を拒絶する場合には、登録又は登録換えを請求した者に、速やかに、その旨及びその理由を書面により通知しなければならない。

(3) If a bar association refuses to transmit a request pursuant to the provisions of the preceding two paragraphs, it shall promptly give written notice to the person who has requested registration or requested for transfer of registration of that fact and the reasons therefore.

4 弁護士会が登録又は登録換えの請求の進達を求められた後三箇月を経てもなお日本弁護士連合会にその進達をしないときは、その登録又は登録換えの請求をした者は、その登録又は登録換えの請求の進達を拒絶されたものとみなし、行政不服審査法（昭和三十七年法律第百六十号）による審査請求をすることができる。

(4) If three months after receiving the request for registration or transfer of registration, a bar association has failed to transmit the request to the Japan Federation of Bar Associations, it shall be deemed that the transmittal of such a request was denied, and the person who made the request may request for examination pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

第十二条の二 日本弁護士連合会は、前条の規定による登録又は登録換えの進達の拒絶

についての行政不服審査法による審査請求（同条第四項の規定による審査請求を含む。）に対して裁決をする場合には、資格審査会の議決に基づかなければならない。

Article 12-2 (1) If the Japan Federation of Bar Associations is to rule on a request for investigation pursuant to the Administrative Appeal Act (including the request for examination pursuant to paragraph (4) of the preceding Article) regarding a refusal to transmit a request for registration or transfer of registration pursuant to the preceding Article, the Japan Federation of Bar Associations shall act on the basis of the resolution of its Qualifications Screening Board.

2 日本弁護士連合会は、前項の審査請求に理由があると認めるときは、弁護士会に対し登録又は登録換えの請求の進達を命じなければならない。

(2) If the Japan Federation of Bar Associations finds grounds for the request for examination set forth in the preceding paragraph, it shall order the bar association to transmit the request for registration or transfer of registration.

（弁護士会による登録取消しの請求）

(Request by a bar association for rescission of registration)

第十三条 弁護士会は、弁護士が第十二条第一項第一号、第二号及び第二項に掲げる事項について虚偽の申告をしていたとき、又は心身の故障により弁護士の職務を行わせることがその適正を欠くおそれがあるときは、資格審査会の議決に基き、日本弁護士連合会に登録取消しの請求をすることができる。

Article 13 (1) If an attorney has made false statements regarding the matters set forth in paragraph (1), items (i) or (ii), or in paragraph (2) of Article 12, or there is a likelihood that the attorney may be unfit to practice law because of a mental or physical disability, the bar association may, upon the resolution of its Qualifications Screening Board, request that the Japan Federation of Bar Associations rescind the attorney's registration.

2 弁護士会は、前項の請求をした場合には、その弁護士に、速やかに、その旨及びその理由を書面により通知しなければならない。

(2) If a bar association requests rescission as set forth in the preceding paragraph, it shall promptly give written notice to the attorney of that fact and the reasons therefore.

第十四条 前条の規定により登録取消の請求をされた者は、その通知を受けた日の翌日から起算して六十日以内に日本弁護士連合会に異議を申し出ることができる。

Article 14 (1) A person against whom a registration rescission has been requested pursuant to the preceding Article may file an objection with the Japan Federation of Bar Associations within a period of sixty days commencing on the date following the date notice of such rescission was received.

2 日本弁護士連合会は、前項の申出を受けた場合においては、資格審査会の議決に基き、その申出に理由があると認めるときは、弁護士会に登録取消の請求を差し戻し、

その申出に理由がないと認めるときは、これを棄却しなければならない。

(2) If the Japan Federation of Bar Associations receives an objection as set forth in the preceding paragraph, it shall, based on the resolution of its Qualifications Screening Board, either refer the request for rescission of registration back to the bar association if it finds that there are grounds for such objection, or reject the objection if it finds it to be groundless.

3 日本弁護士連合会は、前項の処分をした場合には、異議の申出をした者に、速やかに、その旨及びその理由を書面により通知しなければならない。

(3) If the Japan Federation of Bar Associations makes the disposition set forth in the preceding paragraph, it shall promptly give written notice to the person who has filed the objection of that fact and the reasons therefore.

(登録及び登録換の拒絶)

(Refusal of registration or transfer of registration)

第十五条 日本弁護士連合会は、弁護士会から登録及び登録換の請求の進達を受けた場合において、第十二条第一項又は第二項に掲げる事由があつて登録又は登録換を拒絶することを相当と認めるときは、資格審査会の議決に基き、その登録又は登録換を拒絶することができる。

Article 15 (1) When a bar association transmits a request for registration or transfer of registration to the Japan Federation of Bar Associations, and the Federation finds it proper to refuse such request for the reasons set forth in Article 12, paragraphs (1) and (2), it may refuse such registration or transfer of registration based upon the resolution of its Qualifications Screening Board.

2 日本弁護士連合会は、前項の規定により登録又は登録換えを拒絶する場合には、登録又は登録換えを請求した者及びこれを進達した弁護士会に、速やかに、その旨及びその理由を書面により通知しなければならない。

(2) If the Japan Federation of Bar Associations refuses registration or transfer of registration pursuant to the preceding paragraph, it shall promptly give written notice to the person who has requested the registration or transfer of registration and to the bar association which transmitted the request, of that fact and the reasons therefor.

(訴えの提起)

(Institution of lawsuit)

第十六条 第十二条の規定による登録若しくは登録換えの請求の進達の拒絶についての審査請求を却下され若しくは棄却され、第十四条第一項の規定による異議の申出を棄却され、又は前条の規定により登録若しくは登録換えを拒絶された者は、東京高等裁判所にその取消しの訴えを提起することができる。

Article 16 (1) A person whose request for examination of a refusal to transmit his/her request for registration or transfer of registration in accordance with the provisions of Article 12 was dismissed or rejected, or whose filing of an

objection in accordance with the provisions of Article 14, paragraph (1) was rejected, or whose request for registration or transfer of registration was refused in accordance with the provisions of the preceding Article, may institute a lawsuit for the rescission of such decision in the Tokyo High Court.

2 日本弁護士連合会が第十二条の規定による登録若しくは登録換えの請求の進達の拒絶についての審査請求若しくは第十四条第一項の規定による異議の申出を受けた後三箇月を経てもなお裁決若しくは第十四条第二項の処分をせず、又は登録若しくは登録換えの請求の進達を受けた後三箇月を経てもなお弁護士名簿に登録若しくは登録換えをしないときは、審査請求若しくは異議の申出をし、又は登録若しくは登録換えの請求をした者は、その審査請求若しくは異議の申出を棄却され、又は登録若しくは登録換えを拒絶されたものとみなし、前項の訴えを提起することができる。

(2) If, three months after receiving a request for examination of the refusal to transmit the request for registration or transfer of registration in accordance with the provisions of Article 12 or the filing of objection in accordance with the provisions of Article 14, paragraph (1), the Japan Federation of Bar Associations has not made a ruling or a disposition as set forth in Article 14, paragraph (2), or if it has not effected the registration or transfer of registration in the roll of attorneys within three months of receiving the transmission of a request for registration or transfer of registration, it shall be deemed that the request for review or the filing of the objection has been rejected or the request for registration or transfer of registration has been refused, and the person who made such a request for review or filed such an objection or made such a request for registration or transfer of registration may institute a lawsuit pursuant to the preceding paragraph.

3 登録又は登録換えの請求の進達の拒絶に関しては、これについての日本弁護士連合会の裁決に対してのみ、取消しの訴えを提起することができる。

(3) With regard to the refusal to transmit the request for registration or transfer of registration, a lawsuit for the rescission of such refusal may be instituted only against the ruling thereon of the Japan Federation of Bar Associations.

(登録取消しの事由)

(Reasons for rescission of registration)

第十七条 日本弁護士連合会は、次に掲げる場合においては、弁護士名簿の登録を取り消さなければならない。

Article 17 The Japan Federation of Bar Associations shall rescind the registration of an attorney from its roll of attorneys under the following circumstances:

一 弁護士が第七条第一号又は第三号から第五号までのいずれかに該当するに至ったとき。

(i) If an attorney falls under any provision of Article 7, items (i) or (iii) to (v), inclusive;

二 弁護士が第十一条の規定により登録取消しの請求をしたとき。

(ii) If an attorney requests rescission of registration in accordance with the provisions of Article 11;

三 弁護士について退会命令、除名又は第十三条の規定による登録取消しが確定したとき。

(iii) If a final ruling has been issued for the withdrawal, disbarment, or rescission of the registration of an attorney in accordance with the provisions of Article 13; or

四 弁護士が死亡したとき。

(iv) If an attorney dies.

(登録取消の事由の報告)

(Reporting the reasons for rescinding a registration)

第十八条 弁護士会は、所属の弁護士に弁護士名簿の登録取消の事由があると認めるときは、日本弁護士連合会に、すみやかに、その旨を報告しなければならない。

Article 18 If a bar association finds grounds to rescind the registration of an attorney from its roll of attorneys, it shall promptly report that fact to the Japan Federation of Bar Associations.

(登録等の通知及び公告)

(Notice and public notice of registration, etc.)

第十九条 弁護士名簿の登録、登録換及び登録取消は、すみやかに、日本弁護士連合会から当該弁護士の所属弁護士会に通知し、且つ、官報をもつて公告しなければならない。

Article 19 The Japan Federation of Bar Associations shall promptly give notice of an attorney's registration, transfer of registration, or rescission of registration from the roll of attorneys to the bar association to which the attorney belongs, and publicize such registration, transfer of registration, or rescission of registration in the Official Gazette.

第四章 弁護士の権利及び義務

Chapter IV The Rights and Obligations of an attorney

(法律事務所)

(Law offices)

第二十条 弁護士の事務所は、法律事務所と称する。

Article 20 (1) The office of an attorney shall be called a "law office".

2 法律事務所は、その弁護士の所属弁護士会の地域内に設けなければならない。

(2) A law office shall be established within the district of the bar association to which the attorney belongs.

3 弁護士は、いかなる名義をもつてしても、二箇以上の法律事務所を設けることがで

きない。但し、他の弁護士の法律事務所において執務することを妨げない。

(3) An attorney may not establish two or more law offices under any name whatsoever; provided, however, that he/she is not prohibited from practicing at the law office of another attorney.

(法律事務所の届出義務)

(Duty to report regarding a law office)

第二十一条 弁護士が法律事務所を設け、又はこれを移転したときは、直ちに、所属弁護士会及び日本弁護士連合会に届け出なければならない。

Article 21 An attorney must immediately notify the applicable bar association to which he/she belongs and the Japan Federation of Bar Associations when he/she establishes or relocates his/her law office.

(会則を守る義務)

(Duty to observe the articles of association of an association)

第二十二条 弁護士は、所属弁護士会及び日本弁護士連合会の会則を守らなければならない。

Article 22 An attorney shall observe the articles of association of the bar association to which he/she belongs and of the Japan Federation of Bar Associations.

(秘密保持の権利及び義務)

(Right and duty to maintain confidentiality)

第二十三条 弁護士又は弁護士であつた者は、その職務上知り得た秘密を保持する権利を有し、義務を負う。但し、法律に別段の定めがある場合は、この限りでない。

Article 23 Unless otherwise provided by law, an attorney or a former attorney shall have the right and bear the duty to maintain the confidentiality of any facts which he/she may have learned in the course of performing his/her duties.

(報告の請求)

(Request for information)

第二十三条の二 弁護士は、受任している事件について、所属弁護士会に対し、公務所又は公私の団体に照会して必要な事項の報告を求めることを申し出ることができる。申出があつた場合において、当該弁護士会は、その申出が適当でないとき、これを拒絶することができる。

Article 23-2 (1) An attorney may request the bar association to which he/she belongs to make inquiries to public offices or public or private organizations for information necessary for a case to which he/she has been retained. The bar association may refuse the request if it finds such request to be inappropriate.

2 弁護士会は、前項の規定による申出に基き、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(2) A bar association may, pursuant to the request set forth in the preceding paragraph, request public offices or public or private organizations to provide necessary information.

(委嘱事項等を行う義務)

(Duty to perform entrusted matters, etc.)

第二十四条 弁護士は、正当の理由がなければ、法令により官公署の委嘱した事項及び会則の定めるところにより所属弁護士会又は日本弁護士連合会の指定した事項を行うことを辞することができない。

Article 24 An attorney shall not refuse, without due reason, to undertake matters entrusted by the government or public agencies in accordance with laws and regulations, or to undertake matters designated by the bar association to which he/she belongs or by the Japan Federation of Bar Associations in accordance with the provisions of their articles of association.

(職務を行ない得ない事件)

(Cases that an attorney may not undertake)

第二十五条 弁護士は、次に掲げる事件については、その職務を行つてはならない。ただし、第三号及び第九号に掲げる事件については、受任している事件の依頼者が同意した場合は、この限りでない。

Article 25 An attorney shall not undertake the cases specified below; provided, however, that the foregoing shall not apply for the cases specified in items (iii) and (ix), if the client of a case that has already been undertaken by the attorney consents:

一 相手方の協議を受けて賛助し、又はその依頼を承諾した事件

(i) Cases in which he/she provided support to the other party after consultations, or accepted the other party as his/her client;

二 相手方の協議を受けた事件で、その協議の程度及び方法が信頼関係に基づくと思われるもの

(ii) Cases in which he/she was consulted by the other party and where the extent and form of the consultation is found to be based on a relationship of mutual trust;

三 受任している事件の相手方からの依頼による他の事件

(iii) Cases requested by the other party to a case that has already been undertaken by the attorney;

四 公務員として職務上取り扱った事件

(iv) Cases that he/she handled as a public officer in the course of performing his/her duties;

五 仲裁手続により仲裁人として取り扱った事件

(v) Cases that he/she handled as an arbitrator in arbitration procedures;

六 第三十条の二第一項に規定する法人の社員又は使用人である弁護士としてその業

務に従事していた期間内に、その法人が相手方の協議を受けて賛助し、又はその依頼を承諾した事件であつて、自らこれに関与したもの

(vi) Cases in which, during the period in which he/she engaged in services as a member or employee of a juridical person as set forth in Article 30-2, paragraph (1), said juridical person provided support to the other party after consultation or accepted the other party as a client, and in which he/she personally involved;

七 第三十条の二第一項に規定する法人の社員又は使用人である弁護士としてその業務に従事していた期間内に、その法人が相手方の協議を受けた事件で、その協議の程度及び方法が信頼関係に基づくものと認められるものであつて、自らこれに関与したもの

(vii) Cases in which, during the period in which he/she engaged in services as a member or employee of a juridical person as set forth in Article 30-2, paragraph (1), said juridical person was consulted by the other party, and where the extent and form of the consultation is found to be based on a relationship of mutual trust, and in which he/she personally involved;

八 第三十条の二第一項に規定する法人の社員又は使用人である場合に、その法人が相手方から受任している事件

(viii) Cases accepted from the other party by a juridical person as set forth in Article 30-2, paragraph (1), of which he/she is a member or an employee; or

九 第三十条の二第一項に規定する法人の社員又は使用人である場合に、その法人が受任している事件（当該弁護士が自ら関与しているものに限る。）の相手方からの依頼による他の事件

(ix) Cases requested by the other party to a case to which a juridical person as set forth in Article 30-2, paragraph (1), of which he/she is a member or an employee, has already undertaken (limited to cases in which he/she was personally involved in).

(汚職行為の禁止)

(Prohibition of corruption)

第二十六条 弁護士は、受任している事件に関し相手方から利益を受け、又はこれを要求し、若しくは約束してはならない。

Article 26 An attorney shall not, in connection with any case that he/she has undertaken, receive, demand, or promise to receive any profit from the other party.

(非弁護士との提携の禁止)

(Prohibition against collaboration with non-attorneys)

第二十七条 弁護士は、第七十二条乃至第七十四条の規定に違反する者から事件の周旋を受け、又はこれらの者に自己の名義を利用させてはならない。

Article 27 An attorney shall not undertake any cases referred by a person who is

in violation of any of the provisions of Articles 72 to 74 (inclusive), or allow such a person to utilize his/her name.

(係争権利の譲受の禁止)

(Prohibition against obtaining any rights that are in dispute)

第二十八条 弁護士は、係争権利を譲り受けることができない。

Article 28 An attorney shall not obtain any rights that are in dispute.

(依頼不承諾の通知義務)

(Duty to give notice of decision not to undertake a case)

第二十九条 弁護士は、事件の依頼を承諾しないときは、依頼者に、すみやかに、その旨を通知しなければならない。

Article 29 When an attorney decides not to undertake a case, he/she shall promptly give notice to the client of that fact.

(営利業務の届出等)

(Notification, etc. of profit-making business)

第三十条 弁護士は、次の各号に掲げる場合には、あらかじめ、当該各号に定める事項を所属弁護士会に届け出なければならない。

Article 30 (1) If any of the following items applies to an attorney, he/she shall give prior notification to the bar association to which he/she belongs of the matters set forth in the respective item.

一 自ら営利を目的とする業務を営もうとするとき 商号及び当該業務の内容

(i) When he/she intends to personally operate a profit-making business - the trade name and the details of the business; or

二 営利を目的とする業務を営む者の取締役、執行役その他業務を執行する役員（以下この条において「取締役等」という。）又は使用人になろうとするとき その業務を営む者の商号若しくは名称又は氏名、本店若しくは主たる事務所の所在地又は住所及び業務の内容並びに取締役等になろうとするときはその役職名

(ii) When he/she intends to become a director, executive officer or other officer of a person operating profit-making business (hereinafter referred to as "Director, etc." in this Article) or an employee of such a person - the trade name or name of the person operating the business, the location or address of the head office or principal place of business, the details of the business, and if he/she intends to become a Director, etc., the title.

2 弁護士会は、前項の規定による届出をした者について、同項各号に定める事項を記載した営利業務従事弁護士名簿を作成し、弁護士会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) A bar association shall prepare a Roll of Attorneys at Law Engaged in Profit-Making Businesses, listing, for each attorney who has made notification in accordance with the provisions of the preceding paragraph, the matters as set

forth in each item of that paragraph, and keep the register at the office of the bar association for public inspection.

3 第一項の規定による届出をした者は、その届出に係る事項に変更を生じたときは、遅滞なく、その旨を所属弁護士会に届け出なければならない。届出に係る業務を廃止し、又は届出に係る取締役等若しくは使用人でなくなつたときも、同様とする。

(3) A person who has made notification in accordance with paragraph (1) hereof shall, without delay, notify the bar association to which he/she belongs should any changes to the notified matters occur. The same shall apply if a person has made a notification regarding a business, and such business is discontinued or such person ceases to serve as a Director, etc. or an employee.

4 弁護士会は、前項の規定による届出があつたときは、直ちに、営利業務従事弁護士名簿の記載を訂正し、又はこれを抹消しなければならない。

(4) When a notification is made in accordance with the provisions set forth in the preceding paragraph, the bar association shall immediately modify or delete the matters set forth in the Roll of Attorneys at Law Engaged in Profit-Making Businesses.

第四章の二 弁護士法人

Chapter IV-2 Legal Professional Corporation

(設立等)

(Establishment, etc.)

第三十条の二 弁護士は、この章の定めるところにより、第三条に規定する業務を行うことを目的とする法人（以下「弁護士法人」という。）を設立することができる。

Article 30-2 (1) An attorney may establish a juridical person to perform the duties set forth in Article 3 (hereinafter referred to as "Legal Professional Corporation") in accordance with the provisions of this Chapter.

2 第一条の規定は、弁護士法人について準用する。

(2) The provisions of Article 1 shall apply mutatis mutandis to Legal Professional Corporations.

(名称)

(Name)

第三十条の三 弁護士法人は、その名称中に弁護士法人という文字を使用しなければならない。

Article 30-3 A Legal Professional Corporation shall include the words "legal professional corporation" in its name.

(社員の資格)

(Eligibility for membership)

第三十条の四 弁護士法人の社員は、弁護士でなければならない。

Article 30-4 (1) The members of a Legal Professional Corporation shall be attorneys.

2 次に掲げる者は、社員となることができない。

(2) The persons specified below shall not be eligible to be members of a Legal Profession Corporation.

一 第五十六条又は第六十条の規定により業務の停止の懲戒を受け、当該業務の停止の期間を経過しない者

(i) Any person who has been disciplined with suspension pursuant to Article 56 or 60, and the applicable suspension period has not yet elapsed; or

二 第五十六条又は第六十条の規定により弁護士法人が除名され、又は弁護士法人の業務の停止の懲戒を受けた場合において、その処分を受けた日以前三十日以内にその社員であつた者でその処分を受けた日から三年（弁護士法人の業務の停止の懲戒を受けた場合にあつては、当該業務の停止の期間）を経過しないもの

(ii) Any person who was a member of a Legal Professional Corporation within 30 days prior to the date such Legal Professional Corporation is disbarred or disciplined with suspension pursuant to Article 56 or 60, and three years have not elapsed from the date of such disciplinary action (or in case the Legal Professional Corporation has been suspended from the practice of law, the applicable suspension period).

(業務の範囲)

(Scope of practice)

第三十条の五 弁護士法人は、第三条に規定する業務を行うほか、定款で定めるところにより、法令等に基づき弁護士が行うことができるものとして法務省令で定める業務の全部又は一部を行うことができる。

Article 30-5 In addition to the practices set forth in Article 3, a Legal Professional Corporation may, by making provisions in its articles of incorporation, engage in all or part of any businesses that an attorney may practice in accordance with laws and regulations, as designated by an Ordinance of the Ministry of Justice.

(訴訟関係事務の取扱い)

(Handling of matters related to litigation)

第三十条の六 弁護士法人は、次に掲げる事務については、依頼者からその社員又は使用人である弁護士（以下「社員等」という。）に行わせる事務の委託を受けるものとする。この場合において、当該弁護士法人は、依頼者に、当該弁護士法人の社員等のうちからその代理人、弁護人、付添人又は補佐人を選任させなければならない。

Article 30-6 (1) For the matters set forth below, a Legal Professional Corporation shall assign matters it undertakes from its clients to attorneys who are its members or employees ("Members, etc."). In such a case, the Legal Professional Corporation shall allow the client to appoint its representative, defense counsel,

attendant, or assistant in court from among the Legal Professional Corporation's Members, etc.

一 裁判所における事件（刑事に関するものを除く。）の手續についての代理又は補佐

(i) Representation or assistance in the procedures for court cases (excluding criminal cases); or

二 刑事に関する事件の手續についての代理、刑事に関する事件における弁護人としての活動、少年の保護事件における付添人としての活動又は逃亡犯罪人引渡審査請求事件における補佐

(ii) Representation in procedures for criminal cases, acting as a defense counsel in criminal cases, acting as an attendant in juvenile protection cases, or assistance in extradition review request cases

2 弁護士法人は、前項に規定する事務についても、社員等がその業務の執行に関し注意を怠らなかつたことを証明しなければ、依頼者に対する損害賠償の責めを免れることはできない。

(2) A Legal Professional Corporation shall not be relieved of liability to the client for damages incurred in connection with the matters set forth in the preceding paragraph, unless it proves that the Members, etc. used due care in the execution of the practice of law.

(登記)

(Registration)

第三十条の七 弁護士法人は、政令で定めるところにより、登記をしなければならない。

Article 30-7 (1) All Legal Professional Corporations shall be registered in accordance with Cabinet Order.

2 前項の規定により登記をしなければならない事項は、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。

(2) Matters required to be registered as provided in the preceding paragraph may not be duly asserted against a third party until after they are so registered.

(設立の手續)

(Establishment procedure)

第三十条の八 弁護士法人を設立するには、その社員になろうとする弁護士が、定款を定めなければならない。

Article 30-8 (1) In order to establish a Legal Professional Corporation, the attorneys who are to become members thereof shall adopt articles of incorporation.

2 会社法（平成十七年法律第八十六号）第三十条第一項の規定は、弁護士法人の定款について準用する。

(2) The provisions of Article 30, paragraph (1) of the Companies Act (Act No. 86 of 2005) shall apply mutatis mutandis to the articles of incorporation of a Legal

Professional Corporation.

3 定款には、少なくとも次に掲げる事項を記載しなければならない。

(3) The articles of incorporation of a Legal Profession Corporation shall state, at a minimum, the following.

一 目的

(i) Business purposes;

二 名称

(ii) Name;

三 法律事務所の所在地

(iii) The location/locations of the law office/offices;

四 所属弁護士会

(iv) The bar association to which the Legal Profession Corporation belongs;

五 社員の氏名、住所及び所属弁護士会

(v) The names and addresses of its members and the bar associations to which they belong;

六 社員の出資に関する事項

(vi) Matters concerning capital contributions by its members; and

七 業務の執行に関する事項

(vii) Matters concerning the execution of its practice.

(成立の時期)

(Time of establishment)

第三十条の九 弁護士法人は、その主たる法律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。

Article 30-9 A Legal Professional Corporation shall be formed upon registration of its establishment in the location of its principal law office.

(成立の届出)

(Notification of establishment)

第三十条の十 弁護士法人は、成立したときは、成立の日から二週間以内に、登記事項証明書及び定款の写しを添えて、その旨を所属弁護士会及び日本弁護士連合会に届け出なければならない。

Article 30-10 A Legal Professional Corporation shall, within two weeks from the date of its establishment, give notification of such establishment to the bar association to which it belongs and to the Japan Federation of Bar Associations, together with a certified copy of registration and a copy of its articles of incorporation.

(定款の変更)

(Amendment to the articles of incorporation)

第三十条の十一 弁護士法人は、定款に別段の定めがある場合を除き、総社員の同意に

よつて、定款の変更をすることができる。

Article 30-11 (1) A Legal Professional Corporation may change its articles of incorporation by an agreement of all its members, unless otherwise provided for in the articles of incorporation.

2 弁護士法人は、定款を変更したときは、変更の日から二週間以内に、変更に係る事項を所属弁護士会及び日本弁護士連合会に届け出なければならない。

(2) A Legal Professional Corporation shall, within two weeks from the date of an amendment to its articles of incorporation, notify the bar association to which it belongs and the Japan Federation of Bar Associations of such amendment.

(業務の執行)

(Execution of the practice)

第三十条の十二 弁護士法人の社員は、定款で別段の定めがある場合を除き、すべて業務を執行する権利を有し、義務を負う。

Article 30-12 The members of a Legal Professional Corporation shall have the right and bear the obligation to execute all of its practices unless otherwise provided for in its articles of incorporation.

(法人の代表)

(Representation of a juridical person)

第三十条の十三 弁護士法人の業務を執行する社員は、各自弁護士法人を代表する。

Article 30-13 (1) Each member of a Legal Professional Corporation who executes its practice shall represent such Legal Professional Corporation.

2 前項の規定は、定款又は総社員の同意によつて、業務を執行する社員中特に弁護士法人を代表すべき社員を定めることを妨げない。

(2) The provisions set forth in the preceding paragraph shall not preclude a Legal Professional Corporation from specifying certain members who are to execute its practice as its representatives, in accordance with its articles of incorporation or pursuant to the consent of all its members.

3 弁護士法人を代表する社員は、弁護士法人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。

(3) A member who represents a Legal Professional Corporation shall have the authority to conduct all judicial and non-judicial activities regarding the practice of the Legal Professional Corporation.

4 前項の権限に加えた制限は、善意の第三者に対抗することができない。

(4) The Legal Profession Corporation may not duly assert the restrictions imposed on the authority set forth in the preceding paragraph against a third party acting in good faith.

(指定社員)

(Designated member)

第三十条の十四 弁護士法人は、特定の事件について、業務を担当する社員を指定することができる。

Article 30-14 (1) A Legal Professional Corporation may designate a member to be in charge of a specific case.

2 前項の規定による指定がされた事件（以下「指定事件」という。）については、指定を受けた社員（以下「指定社員」という。）のみが業務を執行する権利を有し、義務を負う。

(2) If designation is made for a case pursuant to the preceding paragraph ("Designated Case"), only the designated member ("Designated Member") shall have the right and bear the obligation to perform the matters related to the Designated Case.

3 指定事件については、前条の規定にかかわらず、指定社員のみが弁護士法人を代表する。

(3) Notwithstanding the provisions of the preceding Article, only the Designated Member shall represent the Legal Professional Corporation with respect to the Designated Case.

4 弁護士法人は、第一項の規定による指定をしたときは、指定事件の依頼者に対し、その旨を書面により通知しなければならない。

(4) If a Legal Professional Corporation designates a case pursuant to paragraph (1), it shall give written notice to such effect to the client of the Designated Case.

5 依頼者は、その依頼に係る事件について、弁護士法人に対して、相当の期間を定め、その期間内に第一項の規定による指定をするかどうかを明らかにすることを求めることができる。この場合において、弁護士法人が、その期間内に前項の通知をしないときは、弁護士法人は、その後において、指定をすることができない。ただし、依頼者の同意を得て指定をすることを妨げない。

(5) A client may request that the Legal Professional Corporation clarify, within a reasonable period of time as specified by the client, whether or not the Legal Professional Corporation will, pursuant to paragraph (1), designate a case it has been requested to undertake. In such an event, if the Legal Professional Corporation fails to give notice within such period as set forth in the preceding paragraph, it may not make such designation thereafter; provided, however, that the Legal Professional Corporation shall not be precluded from making such designation with the consent of the client.

6 指定事件について、委任事務の終了前に指定社員が欠けたときは、弁護士法人は、新たな指定をしなければならない。その指定がされなかつたときは、全社員を指定したものとみなす。

(6) If the Designated Member becomes unavailable before completion of the work undertaken for the Designated Case, the Legal Professional Corporation shall make a new designation. Failing such designation, the Legal Professional Corporation shall be deemed to have designated all of its members to handle

the Designated Case.

7 社員が一人の弁護士法人が、事件の依頼を受けたときは、その社員を指定したものとみなす。

(7) When a Legal Professional Corporation that has only one member is requested to undertake a case, the Legal Professional Corporation shall be deemed to have designated that member to handle the case.

(社員の責任)

(Member's liabilities)

第三十条の十五 弁護士法人の財産をもつてその債務を完済することができないときは、各社員は、連帯してその弁済の責めに任ずる。

Article 30-15 (1) If a Legal Professional Corporation is unable to fully satisfy its obligations with its assets, each member shall be jointly and severally liable for such liabilities.

2 弁護士法人の財産に対する強制執行がその効を奏しなかつたときも、前項と同様とする。

(2) If the results of a compulsory execution against a Legal Professional Corporation's assets are inadequate, the preceding paragraph shall also apply.

3 前項の規定は、社員が弁護士法人に資力があり、かつ、執行が容易であることを証明したときは、適用しない。

(3) The provisions set forth in the preceding paragraph shall not apply if a member proves that the Legal Professional Corporation has sufficient resources and that a compulsory execution can be easily achieved.

4 前条第一項の規定による指定がされ、同条第四項の規定による通知がされている場合（同条第六項又は第七項の規定により指定したものとみなされる場合を含む。）において、指定事件に関し依頼者に対して負担することとなつた弁護士法人の債務をその弁護士法人の財産をもつて完済することができないときは、第一項の規定にかかわらず、指定社員（指定社員であつた者を含む。以下この条において同じ。）が、連帯してその弁済の責めに任ずる。ただし、脱退した指定社員が脱退後の事由により生じた債務であることを証明した場合は、この限りでない。

(4) If a case has been designated pursuant to paragraph (1) of the preceding Article and notice has been given pursuant to paragraph (4) of said Article (including cases in which such designation shall be deemed to have been made pursuant to paragraph (6) or (7) of said Article), and the Legal Professional Corporation is unable to satisfy its obligations owed to the client with respect to the Designated Case with only its assets, then, notwithstanding the provisions of paragraph (1), the Designated Member (here and hereinafter in this Article, including all former Designated Members) shall be jointly and severally liable for such obligations; provided, however, that this shall not apply to a Designated Member who has resigned from the Legal Professional Corporation and proves that such obligations were incurred for reasons which

occurred after his/her resignation.

5 前項の場合において、指定事件に関し依頼者に生じた債権に基づく弁護士法人の財産に対する強制執行がその効を奏しなかつたときは、指定社員が、弁護士法人に資力があり、かつ、執行が容易であることを証明した場合を除き、同項と同様とする。

(5) If, in the situation set forth in the preceding paragraph, the results of a compulsory execution against a Legal Professional Corporation's assets based on a client's claims with respect to a Designated Case are inadequate, the preceding paragraph shall also apply, except where a Designated Member proves that the Legal Professional Corporation has sufficient resources and that a compulsory execution can be easily achieved.

6 第四項の場合において、指定を受けていない社員が指定の前後を問わず指定事件に係る業務に関与したときは、当該社員は、その関与に当たり注意を怠らなかつたことを証明した場合を除き、指定社員が前二項の規定により負う責任と同一の責任を負う。弁護士法人を脱退した後も同様とする。

(6) If, in the situation set forth in paragraph (4), a member who is not a Designated Member has been involved in a Designated Case, whether before or after such a designation is made, he/she shall assume liability equal to that which the Designated Member assumed pursuant to the provisions of the preceding two paragraphs, unless he/she is able to prove that he/she used due care when he/she involved in the case. The same shall also apply after he/she resigns from the Legal Professional Corporation.

7 会社法第六百十二条の規定は、弁護士法人の社員の脱退について準用する。ただし、第四項の場合において、指定事件に関し依頼者に対して負担することとなつた弁護士法人の債務については、この限りでない。

(7) The provisions of Article 612 of the Companies Act shall apply mutatis mutandis to the resignation of a member of a Legal Professional Corporation; provided, however, that the foregoing shall not apply to the obligations of a Legal Professional Corporation owed to a client with respect to a Designated Case as set forth in paragraph (4).

(社員であると誤認させる行為をした者の責任)

(Liability of a person whose conduct misled others to believe that he/she is a member)

第三十条の十六 社員でない者が自己を社員であると誤認させる行為をしたときは、当該社員でない者は、その誤認に基づいて弁護士法人と取引をした者に対し、社員と同一の責任を負う。

Article 30-16 Any person whose conduct misleads others to believe that he/she is a member shall bear the same liability as a member with respect to any party who entered into a transaction with the Legal Professional Corporation as a result of being misled.

(社員の常駐)

(Permanent Assignment of Members)

第三十条の十七 弁護士法人は、その法律事務所に、当該法律事務所の所在する地域の弁護士会（その地域に二個以上の弁護士会があるときは、当該弁護士法人の所属弁護士会。以下この条において同じ。）の会員である社員を常駐させなければならない。ただし、従たる法律事務所については、当該法律事務所の所在する地域の弁護士会が当該法律事務所の周辺における弁護士の分布状況その他の事情を考慮して常駐しないことを許可したときは、この限りでない。

Article 30-17 A Legal Professional Corporation shall assign to each of its law offices, on a permanent basis, a member who belongs to the bar association of the district in which the law office is located (here and hereinafter in this Article, if there are two or more bar associations in that district, the member must belong to the bar association to which the Legal Professional Corporation belongs); provided, however, that the foregoing shall not apply to secondary offices if the bar association of the district in which such secondary law office is located decides not to require such an assignment after taking into consideration the distribution of attorneys in the vicinity of said secondary office and other factors.

(特定の事件についての業務の制限)

(Restrictions on the practice of law in specific cases)

第三十条の十八 弁護士法人は、次の各号のいずれかに該当する事件については、その業務を行ってはならない。ただし、第三号に規定する事件については、受任している事件の依頼者が同意した場合は、この限りでない。

Article 30-18 A Legal Professional Corporation shall not undertake a case that falls under any of the following; provided, however, that the foregoing shall not apply in the case set forth in item (iii) below if the client of a case already undertaken by the Legal Professional Corporation consents.

一 相手方の協議を受けて賛助し、又はその依頼を承諾した事件

(i) Cases in which the Legal Professional Corporation has provided support to the other party after consultation, or in which the Legal Professional Corporation has accepted the other party as its client;

二 相手方の協議を受けた事件で、その協議の程度及び方法が信頼関係に基づくと認められるもの

(ii) Cases in which the Legal Professional Corporation has been consulted upon by the other party, and the extent and form of the consultation was such that it is found to be based on a relationship of mutual trust;

三 受任している事件の相手方からの依頼による他の事件

(iii) Cases requested by the other party to a case already undertaken by the Legal Professional Corporation;

四 社員等が相手方から受任している事件

(iv) Cases that the Members, etc. have already undertaken for the other party;
or

五 第二十五条第一号から第七号までに掲げる事件として社員の半数以上の者が職務を行つてはならないこととされる事件

(v) Cases set forth in Article 25, items (i) through (vii) in which one-half or more of the Legal Professional Corporation's members may not be engaged.

(他の弁護士法人への加入の禁止等)

(Prohibition on joining another Legal Professional Corporation, etc.)

第三十条の十九 弁護士法人の社員は、他の弁護士法人の社員となつてはならない。

Article 30-19 (1) A member of a Legal Professional Corporation shall not become a member of another Legal Professional Corporation.

2 弁護士法人の社員は、他の社員の承諾がなければ、自己又は第三者のために、その弁護士法人の業務の範囲に属する業務を行つてはならない。ただし、法令により官公署の委嘱した事項を行うときは、この限りでない。

(2) No member of a Legal Professional Corporation shall, without the approval of the other members, perform any undertaking within the scope of the Legal Professional Corporation's practice for his/her own or a third party's benefit; provided, however, that the foregoing shall not apply when he/she handles matters entrusted by a government or a public agency pursuant to laws and regulations.

3 弁護士法人の社員が前項の規定に違反して自己又は第三者のためにその弁護士法人の業務の範囲に属する業務を行つたときは、当該業務によつて当該社員又は第三者が得た利益の額は、弁護士法人に生じた損害の額と推定する。

(3) If a member violates the provisions of the preceding paragraph and performs any undertaking within the scope of the Legal Professional Corporation's practice for his/her own or a third party's benefit, the amount of profit earned by that member or third party shall be presumed to be the amount of damages incurred by the Legal Professional Corporation.

(弁護士法人の社員等の汚職行為の禁止)

(Prohibition of corruption by the Members, etc. of a Legal Professional Corporation)

第三十条の二十 弁護士法人の社員等は、その弁護士法人が受任している事件に関し、相手方から利益の供与を受け、又はその供与の要求若しくは約束をしてはならない。

Article 30-20 (1) The Members, etc. of a Legal Professional Corporation shall not accept, demand, or promise to accept, any profit from the other party in connection with a case that the Legal Professional Corporation has undertaken.

2 弁護士法人の社員等は、その弁護士法人が受任している事件に関し、相手方から当該弁護士法人に利益を供与させ、又はその供与の要求若しくは約束をしてはならない。

(2) The Members, etc. of a Legal Professional Corporation shall not, in connection

with any case that the Legal Professional Corporation has undertaken, cause the Legal Professional Corporation to accept, demand, or promise to accept any profit from the other party in connection with a case that the Legal Professional Corporation has undertaken.

(弁護士の義務等の規定の準用)

(Mutatis mutandis application of provisions for the obligations, etc. of an attorney)

第三十条の二十一 第二十条第一項及び第二項、第二十一条、第二十二条、第二十三条の二、第二十四条並びに第二十七条から第二十九条までの規定は、弁護士法人について準用する。

Article 30-21 The provisions of Article 20, paragraphs (1) and (2), Articles 21, 22, 23-2, 24, and 27 through 29 shall apply mutatis mutandis to Legal Professional Corporations.

(法定脱退)

(Statutory resignation)

第三十条の二十二 弁護士法人の社員は、次に掲げる理由によつて脱退する。

Article 30-22 A member of a Legal Professional Corporation shall resign from the Legal Professional Corporation for the following reasons:

一 定款に定める理由の発生

(i) The occurrence of any of the reasons stipulated in the articles of incorporation;

二 総社員の同意

(ii) The agreement by all members;

三 死亡

(iii) Death;

四 第七条第一号又は第三号から第五号までのいずれかに該当することとなつたとき。

(iv) He/she falls under Article 7, item (i), (iii), (iv), or (v);

五 第十一条の規定による登録取消しの請求をしたとき。

(v) He/she makes a request for rescission of his/her registration pursuant to Article 11;

六 第五十七条第一項第二号から第四号までに規定する処分を受けたとき又は第十三条第一項の規定による登録取消しが確定したとき。

(vi) He/she becomes subject to any of the disciplinary actions prescribed in Article 57, paragraph (1), items (ii) through (iv), or a request for rescission of his/her registration made pursuant to Article 13, paragraph (1) is irrevocably approved; or

七 第三十条の三十第一項において準用する会社法第八百五十九条の規定による除名

(vii) He/she is disbarred pursuant to Article 859 of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1).

(解散)

(Dissolution)

第三十条の二十三 弁護士法人は、次に掲げる理由によつて解散する。

Article 30-23 (1) A Legal Professional Corporation shall be dissolved for any of the following reasons:

一 定款に定める理由の発生

(i) The occurrence of any of the reasons stipulated in the articles of incorporation;

二 総社員の同意

(ii) The agreement by all members to the dissolution;

三 他の弁護士法人との合併

(iii) A merger with another Legal Professional Corporation;

四 破産手続開始の決定

(iv) A decision to commence bankruptcy proceedings;

五 解散を命ずる裁判

(v) The issuance of a judgment ordering its dissolution;

六 第五十六条又は第六十条の規定による除名

(vi) Disbarment pursuant to Article 56 or 60; or

七 社員の欠亡

(vii) Unavailability or death of its members.

2 弁護士法人は、前項第三号及び第六号の事由以外の事由により解散したときは、解散の日から二週間以内に、その旨を所属弁護士会及び日本弁護士連合会に届け出なければならない。

(2) If a Legal Professional Corporation is dissolved for any reason other than those set forth in items (iii) and (vi) of the preceding paragraph, it shall provide notification thereof to the bar association to which it belongs and to the Japan Federation of Bar Associations within two weeks from the date of dissolution.

(弁護士法人の継続)

(Continuation of a Legal Professional Corporation)

第三十条の二十四 清算人は、社員の死亡により前条第一項第七号に該当するに至つた場合に限り、当該社員の相続人（第三十条の三十第二項において準用する会社法第六百七十五条において準用する同法第六百八条第五項の規定により社員の権利を行使する者が定められている場合にはその者）の同意を得て、新たに社員を加入させて弁護士法人を継続することができる。

Article 30-24 If and to the extent that a Legal Professional Corporation falls under item (vii) of paragraph (1) of the preceding Article due to the death of a member, the liquidator may, with the consent of the heir to that member (or, if a person is appointed to exercise the rights of that member pursuant to Article

608, paragraph (5) of the Companies Act as applied mutatis mutandis in Article 675 of the Companies Act as applied mutatis mutandis in Article 30-30, paragraph (2), then with the consent of such person), continue the Legal Professional Corporation by admitting a new member into the Legal Professional Corporation.

(解散を命ずる裁判)

(Judgment ordering dissolution)

第三十条の二十五 会社法第八百二十四条、第八百二十六条、第八百六十八条第一項、第八百七十条（第十三号に係る部分に限る。）、第八百七十一条本文、第八百七十二條（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、第八百七十六条、第九百四条及び第九百三十七条第一項（第三号ロに係る部分に限る。）の規定は弁護士法人の解散の命令について、同法第八百二十五条、第八百六十八条第一項、第八百七十条（第二号に係る部分に限る。）、第八百七十一条、第八百七十二條（第一号及び第四号に係る部分に限る。）、第八百七十三条、第八百七十四条（第二号及び第三号に係る部分に限る。）、第八百七十五条、第八百七十六条、第九百五条及び第九百六条の規定はこの項において準用する同法第八百二十四条第一項の申立てがあつた場合における弁護士法人の財産の保全について、それぞれ準用する。この場合において、同法第九百三十七条第一項中「本店（第一号トに規定する場合であつて当該決議によって第九百三十条第二項各号に掲げる事項についての登記がされているときにあつては、本店及び当該登記に係る支店）」とあるのは、「主たる事務所及び従たる事務所」と読み替えるものとする。

Article 30-25 (1) The provisions of Article 824, Article 826, Article 868, paragraph (1), Article 870 (only with regard to item (xiii)), the main text of Article 871, Article 872 (only with regard to item (iv)), the main text of Article 873, Article 875, Article 876, Article 904 and Article 937, paragraph (1) (only with regard to item (iii) (b)) of the Companies Act shall apply mutatis mutandis to the order to dissolve Legal Professional Corporations. The provisions of Article 825, Article 868, paragraph (1), Article 870 (only with regard to item (ii)), Article 871, Article 872 (only with regard to items (i) and (iv)), Article 873, Article 874 (only with regard to items (ii) and (iii)), Article 875, Article 876, Article 905 and Article 906 of the Companies Act shall apply mutatis mutandis to the preservation of the Legal Professional Corporation's assets when a petition is made pursuant to Article 824, paragraph (1) of the Companies Act as applied mutatis mutandis in this item. In such a case, "principal office (principal office and registered branch offices where matters listed in each item of Article 930, paragraph (2) are registered by the resolutions set forth in item (i) (g))" as used in Article 937, paragraph (1) shall be read as "principal office and secondary office."

2 会社法第八百三十三条第二項、第八百三十四条（第二十一号に係る部分に限る。）、第八百三十五条第一項、第八百三十七条、第八百三十八条、第八百四十六条及び第九

百三十七条第一項（第一号りに係る部分に限る。）の規定は、弁護士法人の解散の訴えについて準用する。この場合において、同項中「本店（第一号トに規定する場合であつて当該決議によって第九百三十条第二項各号に掲げる事項についての登記がされているときにあつては、本店及び当該登記に係る支店）」とあるのは、「主たる事務所及び従たる事務所」と読み替えるものとする。

(2) The provisions of Article 833, paragraph (2), Article 834 (only with regard to item (xxi), Article 835, paragraph (1), Article 837, Article 838, Article 846, Article 937, paragraph (1) (only regard to item (i) (i)) of the Companies Act shall apply mutatis mutandis to an action for dissolution of Legal Professional Corporations. In such case, "principal office (principal office and registered branch offices where matters listed in each item of Article 930, paragraph (2) are registered by the resolutions set forth in item (i) (g))" as used in Article 937, paragraph (1) shall be read as "principal office and secondary office."

3 法務大臣は、第一項において準用する会社法第八百二十四条第一項の規定による解散命令を請求しようとするときは、あらかじめ、日本弁護士連合会の意見を聴くものとする。

(3) If the Minister of Justice intends to seek an order for dissolution under Article 824, paragraph (1) of the Companies Act as applied mutatis mutandis to the paragraph (1), the Minister shall first ask for the opinion of the Japan Federation of Bar Associations.

(清算)

(Liquidation)

第三十条の二十六 弁護士法人の清算人は、弁護士でなければならない。

Article 30-26 (1) The liquidator of a Legal Professional Corporation shall be an attorney.

2 清算人は、清算が終了したときは、清算終了の登記後速やかに、登記事項証明書を添えて、その旨を当該弁護士法人の所属弁護士会及び日本弁護士連合会に届け出なければならない。

(2) Upon completion of liquidation, the liquidator shall, upon registration of the completion of liquidation, promptly give notification thereof to the bar association to which the Legal Professional Corporation belonged and to the Japan Federation of Bar Associations, together with a certified copy of the registration.

(合併)

(Merger)

第三十条の二十七 弁護士法人は、総社員の同意があるときは、他の弁護士法人と合併することができる。

Article 30-27 (1) A Legal Professional Corporation may merge with another Legal Professional Corporation with the consent of all members.

2 合併は、合併後存続する弁護士法人又は合併により設立する弁護士法人が、その主たる法律事務所の所在地において登記をすることによつて、その効力を生ずる。

(2) A merger between Legal Professional Corporations shall take effect upon registration by the Legal Professional Corporation surviving the merger or newly created through the merger at the location of its principal law office.

3 弁護士法人は、合併したときは、合併の日から二週間以内に、登記事項証明書（合併により設立する弁護士法人にあつては、登記事項証明書及び定款の写し）を添えて、その旨を所属弁護士会及び日本弁護士連合会に届け出なければならない。

(3) A Legal Professional Corporation that merges shall, within two weeks from the date of the merger, give notification thereof to the bar association to which it belongs and to the Japan Federation of Bar Associations, together with a certified copy of the register (and a copy of the articles of incorporation if a new Legal Professional Corporation is created through a merger).

4 合併後存続する弁護士法人又は合併により設立する弁護士法人は、当該合併により消滅する弁護士法人の権利義務を承継する。

(4) The Legal Professional Corporation surviving the merger or newly created through the merger shall succeed to all rights and obligations of the Legal Professional Corporation which is dissolved by the merger.

（債権者の異議等）

(Creditor's objections)

第三十条の二十八 合併をする弁護士法人の債権者は、当該弁護士法人に対し、合併について異議を述べることができる。

Article 30-28 (1) A creditor of a Legal Profession Corporations that is merging may lodge an objection against the merger of the Legal Professional Corporation.

2 合併をする弁護士法人は、次に掲げる事項を官報に公告し、かつ、知っている債権者には、各別にこれを催告しなければならない。ただし、第三号の期間は、一箇月を下ることができない。

(2) Each Legal Profession Corporation that is merging shall give public notice in the Official Gazette (kanpou) and notify each known creditor individually of the following matters; provided, however that the period set forth in item (iii) below cannot be less than one month:

一 合併をする旨

(i) That it is being merged;

二 合併により消滅する弁護士法人及び合併後存続する弁護士法人又は合併により設立する弁護士法人の名称及び主たる事務所の所在地

(ii) Name and location of principal office of the Legal Professional Corporation to be dissolved, and of the Legal Professional Corporation to survive or to be established as a result of the merger; and

三 債権者が一定の期間内に異議を述べることができる旨

(iii) That a creditor may object to the merger within a certain period.

3 前項の規定にかかわらず、合併をする弁護士法人が同項の規定による公告を、官報のほか、第六項において準用する会社法第九百三十九条第一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 preceding paragraph, individual notifications will not be required if the Legal Professional Corporation to merge or to be merged, in accordance with its articles of incorporation, to which the provisions of paragraph (1) of Article 939 of the Companies Act applies mutatis mutandis to paragraph (6) below, gives public notice in the manner set forth in items (ii) or (iii) of Article 939, paragraph (1) of the Companies Act, as well as in the Official Gazette (kanpou).

4 債権者が第二項第三号の期間内に異議を述べなかつたときは、当該債権者は、当該合併について承認をしたものとみなす。

(4) A creditor shall be deemed to have approved the merger unless it objects to the merger within the period set forth in paragraph (2), item (iii).

5 債権者が第二項第三号の期間内に異議を述べたときは、合併をする弁護士法人は、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、当該合併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 a creditor objects within the period set forth in paragraph (2), item (iii), the Legal Professional Corporation to merge or to be merged shall repay the obligations to the creditor, provide sufficient security or entrust sufficient properties to a trust company (this refers to a trust company or a financial institution approved pursuant to Article 1, paragraph (1) of the Act on Concurrent Operation, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943)) for the purpose of causing the creditor to accept repayment; provided, however, that the foregoing shall not apply if there is no likelihood that the merger will harm the creditor.

6 会社法第九百三十九条第一項（第二号及び第三号に係る部分に限る。）及び第三項、第九百四十条第一項（第三号に係る部分に限る。）及び第三項、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、第九百五十三条並びに第九百五十五条の規定は、弁護士法人が第二項の規定による公告をする場合について準用する。この場合において、同法第九百三十九条第一項及び第三項中「公告方法」とあるのは「合併の公告の方法」と、同法第九百四十六条第三項中「商号」とあるのは「名称」と読み替えるものとする。

(6) The provisions of Article 939, paragraph (1) (only with regard to items (ii) and (iii)) and paragraph (3), Article 940, paragraph (1) (only with regard to item

(iii) and paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953 and Article 955 of the Companies Act shall apply mutatis mutandis to the public notice by a Legal Professional Corporation pursuant to the paragraph (2). In such case, "method of public notice" as used in Article 939, paragraphs (1) and (3) shall be read as "method of public notice of merger" and "trade name" as used in Article 946, paragraph (3) shall be read as "name."

(合併の無効の訴え)

(Petition to Invalidate a Merger)

第三十条の二十九 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、第八百三十六條第二項及び第三項、第八百三十七條から第八百三十九條まで、第八百四十三條（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條の規定は弁護士法人の合併の無効の訴えについて、同法第八百六十八條第五項、第八百七十條（第十五号に係る部分に限る。）、第八百七十一條本文、第八百七十二條（第四号に係る部分に限る。）、第八百七十三條本文、第八百七十五條及び第八百七十六條の規定はこの条において準用する同法第八百四十三條第四項の申立てについて、それぞれ準用する。

Article 30-29 The provisions of Article 828, paragraph (1) (only with regard to items (vii) and (viii)) and paragraph (2) (only with regard to items (vii) and (viii)), Article 834 (only with regard to items (vii) and (viii)), Article 835, paragraph (1), Article 836, paragraphs (2) and (3), Articles 837 through 839, Article 843 (excluding paragraph (1), items (iii) and (iv) and the proviso to paragraph (2)) and Article 846 of the Companies Act shall apply mutatis mutandis to a petition to invalidate a merger of Legal Professional Corporation. The provisions of Article 868, paragraph (5), Article 870 (only with regard to item (xv)), the main text of Article 871, Article 872 (only with regard to item (iv)), the main text of Article 873, Article 875 and Article 876 of the Companies Act shall apply mutatis mutandis to a petition set forth in Article 843, paragraph (4) of the Companies Act applied mutatis mutandis in this Article.

(民法及び会社法の準用等)

(Mutatis mutandis application, etc. of the Civil Code and the Companies Act)

第三十条の三十 民法（明治二十九年法律第八十九号）第五十条並びに会社法第六百条、第六百十四条から第六百九条まで、第六百二十一条及び第六百二十二條の規定は弁護士法人について、民法第五十五条並びに会社法第五百八十一条、第五百八十二条、第五百八十五条第一項及び第四項、第五百八十六条、第五百九十三条、第五百九十五条、第五百九十六条、第六百一条、第六百五条、第六百六条、第六百九条第一項及び第二項、第六百十一条（第一項ただし書を除く。）並びに第六百十三條の規定は弁護士

士法人の社員について、同法第八百五十九条から第八百六十二条までの規定は弁護士法人の社員の除名並びに業務を執行する権利及び代表権の消滅の訴えについて、それぞれ準用する。この場合において、同法第六百十三条中「商号」とあるのは「名称」と、同法第八百五十九条第二号中「第五百九十四条第一項（第五百九十八条第二項において準用する場合を含む。）」とあるのは「弁護士法（昭和二十四年法律第二百五号）第三十条の十九第一項又は第二項」と読み替えるものとする。

Article 30-30 (1) The provisions of Article 50 of the Civil Code (Act No. 89 of 1896) and Article 600, Articles 614 through 619, Article 621 and Article 622 of the Companies Act shall apply mutatis mutandis to Legal Professional Corporations. The provisions of Articles 55 of the Civil Code and Article 581, Article 582, Article 585, paragraphs (1) and (4), Article 586, Article 593, Article 595, Article 596, Article 601, Article 605, Article 606, Article 609, paragraphs (1) and (2), Article 611 (excluding the proviso to paragraph (1)) and Article 613 of the Companies Act shall apply mutatis mutandis to a member of Legal Professional Corporations. The provisions of Articles 859 through 862 of the Companies Act shall apply mutatis mutandis to an expulsion of a member of a Legal Professional Corporation or an action for nullifying the authority to execute activities for, or to represent, the Legal Professional Corporation. In such cases, "trade name" as used in Article 613 shall be read as "name" and "Article 594, paragraph (1) (including a case of mutatis mutandis application in Article 598, paragraph (2))" as used in Article 859, item (ii) shall be read as "Attorney Act (Act No. 205 of 1949) Article 30-19, paragraph (1) or (2)."

2 民法第八十二条、非訟事件手続法（明治三十一年法律第十四号）第三十五条第二項及び第四十条並びに会社法第六百四十四条（第三号を除く。）、第六百四十五条から第六百四十九条まで、第六百五十条第一項及び第二項、第六百五十一条第一項及び第二項（同法第五百九十四条の準用に係る部分を除く。）、第六百五十二条、第六百五十三条、第六百五十五条から第六百五十九条まで、第六百六十二条から第六百六十四条まで、第六百六十六条から第六百七十三条まで、第六百七十五条、第八百六十三条、第八百六十四条、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の規定は、弁護士法人の解散及び清算について準用する。この場合において、同法第六百四十四条第一号中「第六百四十一条第五号」とあるのは「弁護士法第三十条の二十三第一項第三号」と、同法第六百四十七条第三項中「第六百四十一条第四号又は第七号」とあるのは「弁護士法第三十条の二十三第一項第五号から第七号まで」と、同法第六百六十八条第一項及び第六百六十九条中「第六百四十一条第一号から第三号まで」とあるのは「弁護士法第三十条の二十三第一項第一号又は第二号」と同法第六百七十条第三項中「第九百三十九条第一項」とあるのは「弁護士法第三十条の二十八第六項において準用する第九百三十九条第一項」と、同法第六百七十三条第一項中「第五百八十条」とあるのは「弁護士法第三十条の十五」と読み替えるものとする。

(2) The provisions of Article 82 of the Civil Code and Article 35, paragraph (2), Article 40 of the Non-Contentious Cases Procedures Act (Act No. 14 of 1898), Companies Act Article 644 (excluding item (iii)), Articles 645 through 649, Article 650, paragraphs (1) and (2), Article 651, paragraphs (1) and (2) (excluding portions relating to reference to Article 594), Article 652, Article 653, Articles 655 through 659, Articles 662 through 664, Articles 666 through 673, Article 675, Article 863, Article 864, Article 868, paragraph (1), Article 869, Article 870 (only with regard to items (ii) and (iii)), Article 871, Article 872 (only with regard to item (iv)), Article 874 (only with regard to items (i) and (iv)), Article 875 and Article 876 shall apply mutatis mutandis to dissolution and liquidation of Legal Professional Corporations. In such a case, "Article 641, item (v)" as used in Article 644, item (i) shall be read as "Attorney Act Article 30-23, paragraph (1), item (iii)" and "Article 641, item (iv) or (vii)" as used in Article 647, paragraph (3) shall be read as "Attorney Act Article 30-23, paragraph (1), items (v) through (vii)" and "Article 641, items (i) through (iii)" as used in Article 668, paragraph (1) and Article 669 shall be read as "Attorney Act Article 30-23, paragraph (1), item (i) or (ii)" and "Article 939, paragraph (1)" as used in Article 670, paragraph (3) shall be read as "Article 939, paragraph (1) as referred to in Attorney Act Article 30-28, paragraph (6)" and "Article 580" as used in Article 673, paragraph (1) shall be read as "Attorney Act Article 30-15."

3 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、第八百三十七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は、弁護士法人の設立の無効の訴えについて準用する。

(3) The provisions of Article 828, paragraph (1) (only with regard to item (i)) and paragraph (2) (only with regard to item (i)), Article 834 (only with regard to item (i)), Article 835, paragraph (1), Articles 837 through 839 and Article 846 of the Companies Act shall apply mutatis mutandis to a petition to invalidate the incorporation of a Legal Professional Corporation.

4 弁護士法人の解散及び清算を監督する裁判所は、日本弁護士連合会に対し、意見を求め、又は調査を囑託することができる。

(4) A court overseeing the dissolution and liquidation of a Legal Professional Corporation may ask for the opinion of, or request an investigation by, the Japan Federation of Bar Associations.

5 日本弁護士連合会は、前項に規定する裁判所に対し、意見を述べることができる。

(5) The Japan Federation of Bar Associations may state its opinion to the court referred to in the preceding paragraph.

6 破産法（平成十六年法律第七十五号）第十六条の規定の適用については、弁護士法人は、合名会社とみなす。

(6) For the purposes of Article 16 of the Bankruptcy Act (Act No. 75 of 2004), a

Legal Professional Corporation shall be deemed to be a general partnership company.

第五章 弁護士会 Chapter V Bar Associations

(目的及び法人格)

(Purpose and juridical personality)

第三十一条 弁護士会は、弁護士及び弁護士法人の使命及び職務にかんがみ、その品位を保持し、弁護士及び弁護士法人の事務の改善進歩を図るため、弁護士及び弁護士法人の指導、連絡及び監督に関する事務を行うことを目的とする。

Article 31 (1) The purpose of a bar association, in view of the mission and duties of attorneys and Legal Professional Corporations, is to manage matters relating to the guidance, liaison, and supervision of its members in order to maintain their integrity and improve and advance their work.

2 弁護士会は、法人とする。

(2) A bar association shall be a juridical person.

(設立の基準となる区域)

(District to serve as basis of establishment)

第三十二条 弁護士会は、地方裁判所の管轄区域ごとに設立しなければならない。

Article 32 A bar association shall be established in the jurisdictional district of each district court.

(会則)

(Articles of association)

第三十三条 弁護士会は、日本弁護士連合会の承認を受けて、会則を定めなければならない。

Article 33 (1) A bar association shall formulate its articles of association with the approval of the Japan Federation of Bar Associations.

2 弁護士会の会則には、次に掲げる事項を記載しなければならない。

(2) The following matters shall be stipulated in the articles of association of a bar association:

一 名称及び事務所の所在地

(i) Name of the bar association and location of its office;

二 会長、副会長その他会の機関の選任、構成及び職務権限に関する規定

(ii) Rules pertaining to the selection, structure and duties of its president, vice presidents and other officers and organs;

三 入会及び退会に関する規定

(iii) Rules pertaining to admission to or resignation from the association;

四 資格審査会に関する規定

- (iv) Rules pertaining to the Qualifications Screening Board;
五 会議に関する規定
 - (v) Rules pertaining to the meetings of the bar association;
六 弁護士名簿の登録、登録換え及び登録取消しの請求の進達並びに第十三条の規定による登録取消しの請求に関する規定
 - (vi) Rules pertaining to the transmittal of requests for registration, transfer of registration and rescission of registration in the roll of attorneys, and requests for rescission of registration as specified in Article 13;
七 弁護士道德その他会員の綱紀保持に関する規定
 - (vii) Rules pertaining to the ethics of attorneys and maintaining the discipline of its members;
八 懲戒並びに懲戒委員会及び綱紀委員会に関する規定
 - (viii) Rules pertaining to disciplinary matters, the Disciplinary Actions Committee and the Disciplinary Enforcement Committee;
九 無資力者のためにする法律扶助に関する規定
 - (ix) Rules pertaining to legal support to be provided to indigent persons;
十 官公署その他に対する弁護士の推薦に関する規定
 - (x) Rules pertaining to the recommendation of an attorney to a government or a public agency etc. ;
十一 司法修習生の修習に関する規定
 - (xi) Rules pertaining to the training of legal apprentices;
十二 会員の職務に関する紛議の調停に関する規定
 - (xii) Rules pertaining to settlement of disputes concerning the performance of duties of a member
十三 建議及び答申に関する規定
 - (xiii) Rules pertaining to proposals and replies to the Japan Federation of Bar Associations, the government, or public offices;
十四 営利業務の届出及び営利業務従事弁護士名簿に関する規定
 - (xiv) Rules pertaining to notifications to engage in a profit-making business and rules pertaining to the Roll of Attorneys at Law Engaged in Profit-Making Businesses;
十五 会費に関する規定
 - (xv) Rules pertaining to membership fees; and
十六 会計及び資産に関する規定
 - (xvi) Rules pertaining to accounting and assets.
- 3 前項に掲げる事項を変更するときは、日本弁護士連合会の承認を受けなければならない。
- (3) Any amendment in the matters stipulated in the preceding paragraph shall be subject to the approval of the Japan Federation of Bar Associations.

(登記)

(Registration)

第三十四条 弁護士会は、そ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。

Article 34 (1) A bar association shall be formed upon the registration in its location of its establishment.

2 弁護士会の設立の登記には、次に掲げる事項を登記しなければならない。

(2) The following matters shall be included in the registration of establishment of a bar association:

一 名称

(i) Name;

二 設立の基準となる地方裁判所の名称及び管轄区域

(ii) Name and jurisdictional district of the district court which is the basis of its establishment;

三 事務所の所在場所

(iii) Location of its office;

四 会長及び副会長の氏名及び住所

(iv) Full names and addresses of its president and vice-presidents;

五 第四十三条第三項において準用する第三十条の二十八第二項の公告を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によりする旨の会則の定めがあるときは、その定め

(v) If its articles of association stipulate that public notices shall be made by publishing matters regarding current affairs in a daily newspaper as set forth in Article 30-28, paragraph (2), as applied mutatis mutandis to Article 43, paragraph (3), such stipulations; and

六 第四十三条第三項において準用する第三十条の二十八第二項の公告を電子公告（会社法第二条第三十四号に規定する電子公告をいう。イにおいて同じ。）によりする旨の会則の定めがあるときは、その定め及び次に掲げる事項

(vi) If its articles of association stipulate that a public notice as set forth in Article 30-28, paragraph (2), as applied mutatis mutandis to Article 43, paragraph (3), should be made by electronic notices (this term herein and in subsection (a) refers to an electronic notice as stipulated in Article 2, item (xxxiv) of the Companies Act), such stipulations, as well as 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) Such matters that are necessary in order for the general public to receive information regarding which a public notice should be made electronically and that are prescribed in a Ministry of Justice ordinance; and

ロ 第四十三条第三項において準用する第三十条の二十八第六項において準用する会社法第九百三十九条第三項後段の規定による会則の定めがあるときは、その定め

(b) If the articles of association contain stipulations pursuant to the latter

part of Article 939, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 30-28, paragraph (6) as applied mutatis mutandis in a bar association pursuant to Article 43, paragraph (3), such stipulations.

- 3 弁護士会が解散したときは、二週間以内に解散の登記をしなければならない。
- (3) If a bar association is dissolved, it shall register its dissolution within two weeks.
- 4 第二項に掲げる事項に変更を生じたときは、二週間以内に変更の登記をしなければならない。
- (4) If there are any changes to the matters specified in paragraph (2) of this Article, such changes shall be registered within two weeks.
- 5 弁護士会において登記すべき事項は、登記の後でなければ、これをもって第三者に対抗することができない。
- (5) Matters that must be registered by a bar association cannot be duly asserted against a third party until after such matters have been registered.
- 6 この法律に規定するものの外、弁護士会の登記の手續に関して必要な事項は、政令で定める。
- (6) Any matter concerning the registration procedures of a bar association that is not prescribed in this Act, shall be stipulated by Cabinet Order.

(会長及び副会長)

(President and vice-presidents)

第三十五条 弁護士会の代表者は、会長とする。

Article 35 (1) The representative of a bar association shall be its president.

- 2 会長に事故のあるとき又は会長が欠けたときは、副会長がこの法律及び会則に規定する会長の職務を行う。
- (2) If the president is unable to perform his/her duties or the position is vacant, the vice-president shall perform the duties of the president as provided in this Act and in the articles of association of the bar association.
- 3 会長及び副会長は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。
- (3) In the application of criminal penalties pursuant to the Penal Code (Act No. 45 of 1907) or other laws, the president and vice-presidents shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations,.

(入会及び退会)

(Admission and resignation)

第三十六条 弁護士名簿に登録又は登録換を受けた者は、当然、入会しようとする弁護士会の会員となり、登録換を受けた場合には、これによつて旧所属弁護士会を退会するものとする。

Article 36 (1) A person who is registered or whose registration has been transferred on the roll of attorneys shall, as a matter of course, become a member of the bar association to which he/she intends to be admitted, and by changing his/her registration, he/she shall thereby resign from his/her former bar association.

2 第十一条に規定する請求により登録取消を受けた者は、当然、所属弁護士会を退会するものとする。

(2) A person whose registration has been rescinded upon a request as set forth in Article 11 shall as a matter of course resign from the bar association to which he/she belongs.

(弁護士法人の入会及び退会)

(Admission and withdrawal of a Legal Professional Corporation)

第三十六条の二 弁護士法人は、その成立の時に、主たる法律事務所の所在する地域の弁護士会（二個以上の弁護士会があるときは、当該弁護士法人が定款に記載した弁護士会）の会員となる。

Article 36-2 (1) A Legal Professional Corporation shall, upon its establishment, become a member of the bar association of the district in which its principal law office is located (if there are two or more bar associations in that district, the one that is specified in the Legal Professional Corporation's articles of incorporation).

2 弁護士法人は、所属弁護士会の地域外に法律事務所を設け、又は移転したときは、法律事務所の新所在地においてその旨の登記をした時に、当該法律事務所の所在する地域の弁護士会（二個以上の弁護士会があるときは、当該弁護士法人が定款に記載した弁護士会）の会員となる。

(2) A Legal Professional Corporation that establishes a new law office or relocates its existing law office outside the district of the bar association to which it belongs shall, upon registration thereof at the location of such new or relocated law office, become a member of the bar association of the district in which such law office is located (if there are two or more bar associations in that district, then the one that is specified in its articles of incorporation).

3 弁護士法人は、その法律事務所の移転又は廃止により、所属弁護士会の地域内に法律事務所を有しないこととなつたときは、旧所在地においてその旨の登記をした時に、当該弁護士会を退会するものとする。

(3) A Legal Professional Corporation that no longer has a law office in the district of the bar association to which it belongs due to relocation or closing shall, upon registration of relocation or closing of the former location of that office, withdraw from the association.

4 弁護士法人は、その法律事務所の所在地に二個以上の弁護士会がある場合に限り、定款を変更することにより、所属弁護士会を変更することができる。

(4) A Legal Professional Corporation may transfer its bar association to which

he/she belongs by modifying its articles of incorporation accordingly, provided that there are two or more bar associations in the district in which its law office is located.

5 弁護士法人は、同一の地域にある複数の弁護士会に所属することはできない。

(5) A Legal Professional Corporation may not belong to more than one bar associations in the same district.

6 弁護士法人は、第二項又は第四項の規定により、新たに弁護士会に入会したときは、入会の日から二週間以内に、登記事項証明書及び定款の写しを添えて、その旨を当該弁護士会及び日本弁護士連合会に届け出なければならない。

(6) A Legal Professional Corporation that is admitted to a member of a new bar association pursuant to paragraph (2) or (4) shall, within two weeks from the date of admission, give notification thereof to said bar association and to the Japan Federation of Bar Associations, together with a certified copy of the register and a copy of its articles of incorporation.

7 弁護士法人は、第三項又は第四項の規定により、所属弁護士会を退会したときは、退会の日から二週間以内に、その旨を当該弁護士会及び日本弁護士連合会に届け出なければならない。

(7) Any Legal Professional Corporation that withdraws from a bar association pursuant to paragraph (3) or (4) shall, within two weeks from the date of such withdrawal, give notification thereof to said bar association and to the Japan Federation of Bar Associations.

(総会)

(General meeting)

第三十七条 弁護士会は、毎年定期総会を開かなければならない。

Article 37 (1) A bar association shall hold an ordinary general meeting every year.

2 弁護士会は、必要と認める場合には、臨時総会を開くことができる。

(2) A bar association may convene an extraordinary general meeting when it deems necessary.

(総会の決議等の報告)

(Report on resolutions, etc. of general meeting)

第三十八条 弁護士会は、総会の決議並びに役員就任及び退任を日本弁護士連合会に報告しなければならない。

Article 38 A bar association shall report to the Japan Federation of Bar Associations on resolutions adopted at its general meeting, on its officers' taking office and on their retirement.

(総会の決議を必要とする事項)

(Matters requiring a resolution of a general meeting)

第三十九条 弁護士会の会則の変更、予算及び決算は、総会の決議によらなければならない。

Article 39 Any amendment of its articles of association, budgets and settlement of accounts shall be approved by a resolution adopted at its general meeting.

(総会の決議の取消)

(Rescission of a resolution adopted at a general meeting)

第四十条 弁護士会の総会の決議が公益を害するときその他法令又はその弁護士会若しくは日本弁護士連合会の会則に違反するときは、日本弁護士連合会は、その決議を取り消すことができる。

Article 40 If a resolution adopted at the general meeting of a bar association adversely affects the public interest, violates the provisions of any laws or regulations or the articles of association of the bar association or the Japan Federation of Bar Associations, the latter may rescind such resolution.

(紛議の調停)

(Mediation of disputes)

第四十一条 弁護士会は、弁護士の職務又は弁護士法人の業務に関する紛議につき、弁護士、弁護士法人又は当事者その他関係人の請求により調停をすることができる。

Article 41 A bar association may, upon request of an attorney, a Legal Professional Corporation, the party in question, or other concerned parties, mediate any dispute regarding the duties of an attorney or the activities of a Legal Professional Corporation.

(答申及び建議)

(Replies and proposals)

第四十二条 弁護士会は、日本弁護士連合会から諮問又は協議を受けた事項につき答申をしなければならない。

Article 42 (1) A bar association shall reply to inquiries and requests for consultation from the Japan Federation of Bar Associations.

2 弁護士会は、弁護士及び弁護士法人の事務その他司法事務に関して官公署に建議し、又はその諮問に答申することができる。

(2) A bar association may make its proposals or reply to a request for consultation, to government or public agencies regarding the professional affairs of attorneys and Legal Professional Corporations, and other judicial affairs.

(合併及び解散)

(Merger and dissolution)

第四十三条 地方裁判所の管轄区域が変更されたためその区域内に在る弁護士会が合併し又は解散する必要があるときは、その弁護士会は、総会の決議により合併し又は解

散する。

Article 43 (1) If the jurisdictional district of a district court is changed and consequently it becomes necessary for a bar association within such district to merge or dissolve, said bar association shall merge or dissolve by means of a resolution adopted at its general meeting.

2 合併後存続する弁護士会又は合併により設立する弁護士会は、当該合併により消滅する弁護士会の権利義務を承継する。

(2) The bar association surviving the merger or newly created through the merger shall succeed to all rights and obligations of the bar association which is extinguished by the merger.

3 第三十条の二十八の規定は、弁護士会が合併をする場合について準用する。この場合において、同条第三項中「定款」とあるのは「会則」と、同条第六項中「同法第九百三十九条第一項及び第三項」とあるのは「同法第九百三十九条第一項中「定款」とあるのは「会則」と、同項及び同条第三項」と読み替えるものとする。

(3) The provisions of Article 30-28 shall apply mutatis mutandis to a merger of bar associations. In such case, "articles of incorporation" as used in paragraph (3) shall be read as "articles of association" and "Article 939, paragraphs (1) and (3)" as used in paragraph (6) shall be read as ""articles of incorporation" as used in Article 939, paragraph (1) shall be read as "articles of association" and the same paragraph and paragraph (3) of the same Article."

4 民法第七十三条から第七十六条まで、第七十八条から第八十条まで及び第八十二条並びに民法施行法（明治三十一年法律第十一号）第二十七条の規定は、弁護士会が解散した場合について準用する。

(4) The provisions of Articles 73 through 76, 78 through 80, and 82 of the Civil Code and Article 27 of the Act for Enforcement of the Civil Code (Act No. 11 of 1898) shall apply mutatis mutandis to the dissolution of bar associations.

5 弁護士会が合併したときは、合併により解散する弁護士会に所属した弁護士又は弁護士法人は、当然、合併後存続し又は合併により設立する弁護士会の会員となる。

(5) Where there is a merger of bar associations, attorneys who were members of the bar association which was dissolved on account of said merger shall automatically become members of the bar association which survives the merger or is newly established as a result of the merger.

6 第十条第一項の規定は、前項の場合に弁護士について準用する。

(6) The provisions of Article 10, paragraph (1) shall apply mutatis mutandis in the case specified in the preceding paragraph.

(行政手続法の適用除外)

(Exemption from application of the Administrative Procedure Act)

第四十三条の二 弁護士会がこの法律に基づいて行う処分については、行政手続法（平成五年法律第八十八号）第二章及び第三章の規定は、適用しない。

Article 43-2 Chapters II and III of the Administrative Procedure Act (Act No. 88

of 1993) shall not apply to an action taken by a bar association pursuant to this Act.

(弁護士会連合会)

(A federation of bar associations)

第四十四条 同じ高等裁判所の管轄区域内の弁護士会は、共同して特定の事項を行うため、規約を定め、日本弁護士連合会の承認を受けて、弁護士会連合会を設けることができる。

Article 44 Bar associations situated in an area within the jurisdictional district of the same high court may, in order to jointly perform certain matters, formulate rules and establish a federation of bar associations with the approval of the Japan Federation of Bar Associations.

第六章 日本弁護士連合会

Chapter VI The Japan Federation of Bar Associations

(設立、目的及び法人格)

(Establishment, purpose, and juridical personality)

第四十五条 全国の弁護士会は、日本弁護士連合会を設立しなければならない。

Article 45 (1) All bar associations in Japan shall together establish the Japan Federation of Bar Associations.

2 日本弁護士連合会は、弁護士及び弁護士法人の使命及び職務にかんがみ、その品位を保持し、弁護士及び弁護士法人の事務の改善進歩を図るため、弁護士、弁護士法人及び弁護士会の指導、連絡及び監督に関する事務を行うことを目的とする。

(2) The purpose of the Japan Federation of Bar Associations shall be, in view of the mission and duties of attorneys and Legal Professional Corporations, to manage matters relating to the guidance, liaison, and supervision of attorneys, Legal Professional Corporations, and bar associations, in order to maintain the dignity and improve and advance the work of attorneys and Legal Professional Corporations.

3 日本弁護士連合会は、法人とする。

(3) The Japan Federation of Bar Associations shall be a juridical person.

(会則)

(Articles of association)

第四十六条 日本弁護士連合会は、会則を定めなければならない。

Article 46 (1) The Japan Federation of Bar Associations shall formulate its articles of association.

2 日本弁護士連合会の会則には、次に掲げる事項を記載しなければならない。

(2) The following matters shall be stipulated in the articles of association of the Japan Federation of Bar Associations.

- 一 第三十三条第二項第一号から第五号まで、第七号から第十一号まで、第十三号、第十五号及び第十六号に掲げる事項
(i) Matters specified in items (i) to (v) inclusive, (vii) to (xi) inclusive, (xiii), (xv) and (xvi) of paragraph (2) of Article 33;
- 二 弁護士名簿の登録、登録換え及び登録取消しに関する規定
(ii) Provisions regarding registration, transfer and rescission of registration in the roll of attorneys; and
- 三 綱紀審査会に関する規定
(iii) Provisions regarding the Board of Discipline Review.

(会員)

(Membership)

第四十七条 弁護士、弁護士法人及び弁護士会は、当然、日本弁護士連合会の会員となる。

Article 47 Attorneys, Legal Professional Corporations, and bar associations shall as a matter of course become members of the Japan Federation of Bar Associations.

(調査の依頼)

(Request for investigation)

第四十八条 日本弁護士連合会は、弁護士、弁護士法人及び弁護士会の指導、連絡及び監督に関する事務について、官公署その他に必要な調査を依頼することができる。

Article 48 The Japan Federation of Bar Associations may request that government and public agencies investigate necessary matters relating to its functions concerning the guidance, liaison, and supervision of attorneys, Legal Professional Corporations, and bar associations.

(最高裁判所の権限)

(Powers of the Supreme Court)

第四十九条 最高裁判所は、必要と認める場合には、日本弁護士連合会に、その行う事務について報告を求め、又は弁護士、弁護士法人及び弁護士会に関する調査を依頼することができる。

Article 49 The Supreme Court may, if it deems necessary, demand that the Japan Federation of Bar Associations report on its affairs, or request that it investigate matters regarding attorneys, Legal Professional Corporations, or bar associations.

(行政手続法の適用除外)

(Exemption from application of the Administrative Procedure Act)

第四十九条の二 日本弁護士連合会がこの法律に基づいて行う処分については、行政手続法第二章及び第三章の規定は、適用しない。

Article 49-2 Chapters II and III of the Administrative Procedure Act shall not apply to an action taken by the Japan Federation of Bar Associations pursuant to this Act.

(不服申立ての制限)

(Restriction on the filing of complaints)

第四十九条の三 日本弁護士連合会がこの法律に基づいてした処分については、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。

Article 49-3 No complaint under the Administrative Appeal Act can be filed against the dispositions made by the Japan Federation of Bar Associations in accordance with this Act.

(準用規定)

(Mutatis mutandis application)

第五十条 第三十四条、第三十五条、第三十七条、第三十九条及び第四十二条第二項の規定は、日本弁護士連合会に準用する。

Article 50 The provisions of Article 34, 35, 37, 39 and Article 42, paragraph (2) shall apply mutatis mutandis to the Japan Federation of Bar Associations.

第七章 資格審査会

Chapter VII The Qualifications Screening Board

(設置及び機能)

(Establishment and functions)

第五十一条 各弁護士会及び日本弁護士連合会にそれぞれ資格審査会を置く。

Article 51 (1) Each bar association and the Japan Federation of Bar Associations shall respectively establish a Qualifications Screening Board.

2 資格審査会は、その置かれた弁護士会又は日本弁護士連合会の請求により、登録、登録換及び登録取消の請求に関して必要な審査をする。

(2) A Qualifications Screening Board shall, upon request by the bar association or the Japan Federation of Bar Associations in which it is established, conduct necessary examinations regarding requests for registration or transfer and rescission thereof.

(組織)

(Organization)

第五十二条 資格審査会は、会長及び委員若干人をもつて組織する。

Article 52 (1) A Qualifications Screening Board shall be composed of a president and several board members.

2 会長は、その資格審査会の置かれた弁護士会又は日本弁護士連合会の会長をもつてこれに充てる。

(2) The president of the bar association or the Japan Federation of Bar Associations in which a Qualifications Screening Board is established shall become the ex-officio president of said Board.

3 委員は、弁護士、裁判官、検察官及び学識経験のある者の中から会長が委嘱する。但し、弁護士会の資格審査会においては、裁判官又は検察官である委員はその地の高等裁判所若しくは地方裁判所又は高等検察庁検事長若しくは地方検察庁検事正の推薦に基き、その他の委員はその弁護士会の総会の決議に基き、日本弁護士連合会の資格審査会においては、裁判官又は検察官である委員は最高裁判所又は検事総長の推薦に基き、その他の委員は日本弁護士連合会の総会の決議に基かなければならない。

(3) The president of the Qualifications Screening Board shall appoint board members from among attorneys, judges, public prosecutors and academic experts; provided, however, that appointment of board members who are judges or prosecutors to the Qualifications Screening Board of a bar association shall be based upon the recommendations respectively of the High Court, the District Court, the superintendent public prosecutor of the High Public Prosecutors Office, or the chief public prosecutor of the District Public Prosecutors Office, located within the same jurisdiction, and the other members shall be appointed based on a resolution adopted at a general meeting of the bar association. The appointment of members who are judges or prosecutors to the Qualifications Screening Board of the Japan Federation of Bar Associations shall be based on the recommendations of the Supreme Court or the Prosecutor-General, and the other members shall be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

4 委員の任期は、二年とする。但し、補欠の委員の任期は、前任者の残任期間とする。

(4) The term of office of board members shall be two years; provided, however, that the term of office of substituting board member shall be the remaining term of office of the member they replace.

(予備委員)

(Reserve members)

第五十三条 資格審査会に予備委員若干人を置く。

Article 53 (1) Each Qualifications Screening Board shall have several reserve members.

2 前条第三項及び第四項の規定は、予備委員に準用する。

(2) The provisions of paragraphs (3) and (4) of the preceding Article shall apply *mutatis mutandis* to reserve members.

3 委員に事故のあるとき又は委員が欠けたときは、会長は、同じ資格を有する予備委員の中からその代理をする者を命ずる。

(3) If a board member is unable to perform his/her duties or there is a vacancy, the president shall appoint a person to act in place of such member or fill the

vacancy from among such reserve members having the same qualifications.

(会長の職務及びその身分等)

(Duties and status of a president, etc.)

第五十四条 会長は、会務を総理する。

Article 54 (1) The president shall supervise all affairs of the Board.

2 会長、委員及び予備委員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the president, board members and reserve board members shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(審査手続)

(Screening procedures)

第五十五条 資格審査会は、審査に関し必要があるときは、当事者、関係人及び官公署その他に対して陳述、説明又は資料の提出を求めることができる。

Article 55 (1) The Qualifications Screening Board may, when necessary for screening, request the party in question, concerned parties, government and public agencies or others to submit statements, explanations or information.

2 資格審査会は、登録の請求、登録換の請求若しくはこれらの進達を拒絶することを可とし、又は第十三条の規定による登録取消の請求を可とする議決をする場合には、あらかじめ、当事者に対してその旨を通知し、且つ、これに関して陳述及び資料の提出をする機会を与えなければならない。

(2) If the Qualifications Screening Board makes a resolution refusing a request for registration, a request for transfer of registration or the transmittal thereof, or approves a request for rescission of registration as specified in Article 13, it shall provide notice of that fact to the party in question and give him/her an opportunity to submit statements and information.

第八章 懲戒

Chapter VIII Disciplinary action

第一節 懲戒事由及び懲戒権者等

Section 1 Grounds for Disciplinary Actions and the Organ Empowered to Take Disciplinary Action, etc.

(懲戒事由及び懲戒権者)

(Grounds for disciplinary actions and the organ empowered to take disciplinary action)

第五十六条 弁護士及び弁護士法人は、この法律又は所属弁護士会若しくは日本弁護士連合会の会則に違反し、所属弁護士会の秩序又は信用を害し、その他職務の内外を問

わずその品位を失うべき非行があつたときは、懲戒を受ける。

Article 56 (1) An attorney or Legal Professional Corporation shall be subject to disciplinary actions if he/she or it violates this Act or the articles of association of the bar association to which he/she or it belongs or of the Japan Federation of Bar Associations, or damages the order or reputation of said bar association or misbehaves in a manner impairing his/her or its own integrity, whether in the conduct of his/her professional activities or not.

2 懲戒は、その弁護士又は弁護士法人の所属弁護士会が、これを行う。

(2) Disciplinary actions shall be taken by the bar association to which the attorney or Legal Professional Corporation belongs.

3 弁護士会がその地域内に従たる法律事務所のみを有する弁護士法人に対して行う懲戒の事由は、その地域内にある従たる法律事務所に係るものに限る。

(3) The grounds for disciplinary actions that a bar association may impose on a Legal Professional Corporation having a secondary law office within the jurisdiction of the bar association shall be limited to grounds involving the secondary law office.

(懲戒の種類)

(Kinds of disciplinary actions)

第五十七条 弁護士に対する懲戒は、次の四種とする。

Article 57 (1) There shall be four kinds of disciplinary actions against attorneys, as follows

一 戒告

(i) Admonition;

二 二年以内の業務の停止

(ii) Suspension for not more than two years;

三 退会命令

(iii) Order to withdraw from the bar association to which he/she belongs; or

四 除名

(iv) Disbarment.

2 弁護士法人に対する懲戒は、次の四種とする。

(2) There shall be four kinds of disciplinary actions against Legal Professional Corporations, as follows:

一 戒告

(i) Admonition;

二 二年以内の弁護士法人の業務の停止又はその法律事務所の業務の停止

(ii) Suspension of the Legal Professional Corporation or of its law office for not more than two years;

三 退会命令（当該弁護士会の地域内に従たる法律事務所のみを有する弁護士法人に対するものに限る。）

(iii) Order to withdraw from the bar association to which it belongs (this action

shall be limited to Legal Professional Corporations with only a secondary law office within the jurisdiction of the association); or

四 除名（当該弁護士会の地域内に主たる法律事務所を有する弁護士法人に対するものに限る。）

(iv) Disbarment (this action shall be limited to Legal Professional Corporations whose principal law office is within the district of the association).

3 弁護士会は、その地域内に従たる法律事務所のみを有する弁護士法人に対して、前項第二号の懲戒を行う場合にあっては、その地域内にある法律事務所の業務の停止のみを行うことができる。

(3) If a bar association takes the disciplinary action set forth in item (ii) of the preceding paragraph against a Legal Professional Corporation with only a secondary law office within the district of said bar association, the only action it may take is to order the suspension at the law office located within its district.

4 第二項又は前項の規定の適用に当たっては、日本弁護士連合会は、その地域内に当該弁護士法人の主たる法律事務所がある弁護士会とみなす。

(4) In connection with the application of the provisions of paragraph (2) or paragraph (3), the Japan Federation of Bar Associations shall be deemed to be the bar association in whose district the Legal Professional Corporation in question has its principal law office.

（弁護士法人に対する懲戒に伴う法律事務所の設置移転の禁止）

(Prohibition of the establishment or relocation of a law office by a Legal Professional Corporation subject to disciplinary action)

第五十七条の二 弁護士法人は、特定の弁護士会の地域内にあるすべての法律事務所について業務の停止の懲戒を受けた場合には、当該業務の停止の期間中、その地域内において、法律事務所を設け、又は移転してはならない。

Article 57-2 (1) If a Legal Professional Corporation is ordered to suspend the practice of all of its law offices within a bar association's district as a result of a disciplinary action, it shall not establish or relocate a law office within such district during the term of suspension.

2 弁護士法人は、前条第二項第三号の懲戒を受けた場合には、その処分を受けた日から三年間、当該懲戒を行つた弁護士会の地域内において、法律事務所を設け、又は移転してはならない。

(2) A Legal Professional Corporation that has been subject to the disciplinary action set forth in item (iii) of paragraph (2) of the preceding Article shall not establish or relocate a law office within the district of the bar association taking such action for three years from the date of such action.

（懲戒の請求、調査及び審査）

(Request for disciplinary action, investigation and examination)

第五十八条 何人も、弁護士又は弁護士法人について懲戒の事由があると思料するときは、その事由の説明を添えて、その弁護士又は弁護士法人の所属弁護士会にこれを懲戒することを求めることができる。

Article 58 (1) Any person who believes that there are grounds for disciplining an attorney or a Legal Professional Corporation may make a request for disciplinary action to the bar association to which said attorney or Legal Professional Corporation belongs, attaching thereto an explanation of such grounds.

2 弁護士会は、所属の弁護士又は弁護士法人について、懲戒の事由があると思料するとき又は前項の請求があつたときは、懲戒の手續に付し、綱紀委員会に事案の調査をさせなければならない。

(2) If a bar association finds that there are grounds for disciplining an attorney or a Legal Professional Corporation who/which is a member thereof, or if there has been a request as set forth in the preceding paragraph, the bar association shall cause its Disciplinary Enforcement Committee to make an investigation regarding the disciplinary procedures against such member.

3 綱紀委員会は、前項の調査により対象弁護士等（懲戒の手續に付された弁護士又は弁護士法人をいう。以下同じ。）につき懲戒委員会に事案の審査を求めることを相当と認めるときは、その旨の議決をする。この場合において、弁護士会は、当該議決に基づき、懲戒委員会に事案の審査を求めなければならない。

(3) If a Disciplinary Enforcement Committee finds, based on an examination pursuant to the preceding paragraph, that it would be appropriate to refer the matter to the Disciplinary Actions Committee to examine the case with respect to the Accused Attorney, etc. (the "Accused Attorney, etc." here and hereinafter mean refers to the attorney or Legal Professional Corporation being subject to the disciplinary procedure), the Disciplinary Enforcement Committee shall adopt a resolution to that effect. In such a case, the bar association shall, based on said resolution, refer the matter to the Disciplinary Actions Committee for examination.

4 綱紀委員会は、第二項の調査により、第一項の請求が不適法であると認めるとき若しくは対象弁護士等につき懲戒の手續を開始することができないものであると認めるとき、対象弁護士等につき懲戒の事由がないと認めるとき又は事案の軽重その他情状を考慮して懲戒すべきでないことが明らかであると認めるときは、懲戒委員会に事案の審査を求めないことを相当とする議決をする。この場合において、弁護士会は、当該議決に基づき、対象弁護士等を懲戒しない旨の決定をしなければならない。

(4) If the Disciplinary Enforcement Committee finds, based on an investigation pursuant to paragraph (2), that the request mentioned in paragraph (1) hereof is not legitimate, or is unable to commence the disciplinary procedure against the Accused Attorney, etc., or finds that there are no grounds to discipline the Accused Attorney, etc., or it is apparent that disciplinary action should not be imposed in light of the relative importance of the case or other extenuating

circumstances, the Disciplinary Enforcement Committee shall adopt a resolution that it shall not refer the matter to the Disciplinary Actions Committee for examination. In such a case, the bar association shall issue a ruling to the effect that it will not discipline the Accused Attorney, etc.

5 懲戒委員会は、第三項の審査により対象弁護士等につき懲戒することを相当と認めるときは、懲戒の処分の内容を明示して、その旨の議決をする。この場合において、弁護士会は、当該議決に基づき、対象弁護士等を懲戒しなければならない。

(5) If the Disciplinary Actions Committee finds, based on an examination pursuant to paragraph (3), that it is appropriate to discipline the Accused Attorney, etc. it shall adopt a resolution to that effect setting forth the details of the disposition to be undertaken. In such a case, the bar association shall, based on said resolution, discipline the Accused Attorney, etc.

6 懲戒委員会は、第三項の審査により対象弁護士等につき懲戒しないことを相当と認めるときは、その旨の議決をする。この場合において、弁護士会は、当該議決に基づき、対象弁護士等を懲戒しない旨の決定をしなければならない。

(6) If the Disciplinary Actions Committee finds, based on an examination pursuant to paragraph (3), that it is appropriate not to discipline the Accused Attorney, etc., it shall adopt a resolution to that effect. In such a case, the bar association shall, based on said resolution, issue a ruling that it will not discipline the Accused Attorney, etc.

(懲戒を受けた者の審査請求に対する裁決)

(Ruling on an appeal by a person subject to discipline)

第五十九条 日本弁護士連合会は、第五十六条の規定により弁護士会がした懲戒の処分について行政不服審査法による審査請求があつたときは、日本弁護士連合会の懲戒委員会に事案の審査を求め、その議決に基づき、裁決をしなければならない。

Article 59 When the Japan Federation of Bar Associations receives an appeal under the Administrative Appeal Act regarding a disciplinary action imposed by a bar association pursuant to the provisions of Article 56, it shall refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination, and shall issue a resolution based on the ruling of its Disciplinary Actions Committee.

(日本弁護士連合会の懲戒)

(Discipline by the Japan Federation of Bar Associations)

第六十条 日本弁護士連合会は、第五十六条第一項に規定する事案について自らその弁護士又は弁護士法人を懲戒することを相当と認めるときは、次項から第六項までに規定するところにより、これを懲戒することができる。

Article 60 (1) If the Japan Federation of Bar Associations itself finds that it is appropriate to discipline an attorney or Legal Professional Corporation regarding the circumstances set forth in Article 56, paragraph (1), it may

discipline him/her or it as set forth in the following paragraphs (2) through (6).

2 日本弁護士連合会は、弁護士又は弁護士法人について懲戒の事由があると思料するときは、懲戒の手續に付し、日本弁護士連合会の綱紀委員会に事案の調査をさせることができる。

(2) If the Japan Federation of Bar Associations finds that there are grounds to discipline an attorney or a Legal Professional Corporation, it may cause the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations to investigate the matter.

3 日本弁護士連合会の綱紀委員会は、前項の調査により対象弁護士等につき日本弁護士連合会の懲戒委員会に事案の審査を求めるときを相当と認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、日本弁護士連合会の懲戒委員会に事案の審査を求めなければならない。

(3) If the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds, based on an examination pursuant to the preceding paragraph, that it would be appropriate to refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination with respect to the Accused Attorney, etc., the Disciplinary Enforcement Committee shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination.

4 日本弁護士連合会の綱紀委員会は、第二項の調査により、対象弁護士等につき懲戒の手續を開始することができないものであると認めるとき、対象弁護士等につき懲戒の事由がないと認めるとき又は事案の軽重その他情状を考慮して懲戒すべきでないことが明らかであると認めるときは、日本弁護士連合会の懲戒委員会に事案の審査を求めないことを相当とする議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、対象弁護士等を懲戒しない旨の決定をしなければならない。

(4) If the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds, based on an investigation pursuant to paragraph (2), that it is not able to commence disciplinary procedures against the Accused Attorney, etc., or that there are no grounds to discipline the Accused Attorney, etc., or it is apparent that disciplinary actions should not be imposed in light of the relative importance of the case or other extenuating circumstances, the Disciplinary Enforcement Committee shall adopt a resolution that it will not refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination. In such a case, the Japan Federation of Bar Associations shall issue a ruling that it will not discipline the Accused Attorney, etc.

5 日本弁護士連合会の懲戒委員会は、第三項の審査により対象弁護士等につき懲戒することを相当と認めるときは、懲戒の処分の内容を明示して、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、対象弁護士等を懲戒し

なければならない。

(5) If the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds, based on an examination pursuant to paragraph (3), that it is appropriate to discipline the Accused Attorney, etc., it shall adopt a resolution to that effect setting forth the details of the dispositions to be undertaken. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, discipline the Accused Attorney, etc.

6 日本弁護士連合会の懲戒委員会は、第三項の審査により対象弁護士等につき懲戒しないことを相当と認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、対象弁護士等を懲戒しない旨の決定をしなければならない。

(6) If the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds, based on an examination pursuant to paragraph (3), that it is appropriate not to discipline the Accused Attorney, etc., it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling that it will not discipline the Accused Attorney, etc.

(訴えの提起)

(Institution of lawsuit)

第六十一条 第五十六条の規定により弁護士会がした懲戒の処分についての審査請求を却下され若しくは棄却され、又は第六十条の規定により日本弁護士連合会から懲戒を受けた者は、東京高等裁判所にその取消しの訴えを提起することができる。

Article 61 (1) A person whose appeal regarding a disciplinary action imposed by a bar association pursuant to the provisions of Article 56 is dismissed or rejected or who is subject to disciplinary actions by the Japan Federation of Bar Associations pursuant to the provisions of Article 60, may institute a lawsuit for rescission of such decision with the Tokyo High Court.

2 第五十六条の規定により弁護士会がした懲戒の処分に関しては、これについての日本弁護士連合会の裁決に対してのみ、取消しの訴えを提起することができる。

(2) With respect to disciplinary actions imposed by a bar association pursuant to the provisions of Article 56, a lawsuit for rescission may be instituted only against the ruling of the Japan Federation of Bar Associations.

(登録換等の請求の制限)

(Restrictions on requests for transfer of registration, etc.)

第六十二条 懲戒の手續に付された弁護士は、その手續が終了するまで登録換又は登録取消の請求をすることができない。

Article 62 (1) An attorney against whom disciplinary procedures have been initiated may not make a request for a transfer of registration or a rescission of registration until such procedures have been concluded.

2 懲戒の手續に付された弁護士法人は、その手續が終了するまで、法律事務所の移転又は廃止により、所属弁護士会の地域内に法律事務所を有しないこととなつても、これを退会しないものとする。

(2) A Legal Professional Corporation against which disciplinary procedures have been initiated shall not, even if it no longer has a law office within the district of the bar association to which it belongs due to relocation or closing, withdraw from that bar association until such procedures have been concluded.

3 懲戒の手續に付された弁護士法人は、その手續が終了するまで、第三十六条の二第四項の規定により所属弁護士会を変更することができない。

(3) A Legal Professional Corporation against which disciplinary procedures have been initiated shall not transfer its bar association pursuant to Article 36-2, paragraph (4) until such procedures have been concluded.

4 懲戒の手續に付された弁護士法人が、主たる法律事務所を所属弁護士会の地域外に移転したときは、この章の規定の適用については、その手續が終了するまで、旧所在地にも主たる法律事務所があるものとみなす。

(4) If a Legal Professional Corporation against which disciplinary procedures have been initiated relocates its principal law office outside of the district of the bar association to which it belongs, the Legal Professional Corporation shall, for the purposes of this Chapter, be deemed to have retained its principal law office at its former location until such procedures have been concluded.

5 懲戒の手續に付された弁護士法人は、清算が終了した後においても、この章の規定の適用については、懲戒の手續が終了するまで、なお存続するものとみなす。

(5) For the purposes of this Chapter, a Legal Professional Corporation against which disciplinary procedures have been initiated shall, even after its liquidation has been completed, be deemed to survive until such procedures have been concluded.

(除斥期間)

(Statute of limitations)

第六十三条 懲戒の事由があつたときから三年を経過したときは、懲戒の手續を開始することができない。

Article 63 No disciplinary procedures shall be initiated after the lapse of three years from the time the grounds for such action arose.

第二節 懲戒請求者による異議の申出等

Section 2 Filing of an Objection, etc. by a Party Requesting Discipline

(懲戒請求者による異議の申出)

(Filing of an objection by a party requesting discipline)

第六十四条 第五十八条第一項の規定により弁護士又は弁護士法人に対する懲戒の請求があつたにもかかわらず、弁護士会が対象弁護士等を懲戒しない旨の決定をしたとき

又は相当の期間内に懲戒の手続を終えないときは、その請求をした者（以下「懲戒請求者」という。）は、日本弁護士連合会に異議を申し出ることができる。弁護士会がした懲戒の処分が不当に軽いと思料するときも、同様とする。

Article 64 (1) If, despite a request for discipline made against an attorney or Legal Professional Corporation pursuant to the provisions of Article 58, paragraph (1), a bar association issues a ruling not to discipline the Accused Attorney, etc., or has not concluded disciplinary procedures within a reasonable period, the requesting party (hereinafter referred to as "Discipline Requesting Party") may file an objection thereto with the Japan Federation of Bar Associations. The same shall apply to cases where the Discipline Requesting Party finds that disciplinary actions imposed by the bar association were unjustly lenient.

2 前項の規定による異議の申出（相当の期間内に懲戒の手続を終えないことについてものを除く。）は、弁護士会による当該懲戒しない旨の決定に係る第六十四条の七第一項第二号の規定による通知又は当該懲戒の処分に係る第六十四条の六第二項の規定による通知を受けた日の翌日から起算して六十日以内にしなければならない。

(2) The filing of an objection pursuant to the provisions of the preceding paragraph (other than an objection that disciplinary procedures have not been concluded within a reasonable period) shall be made within 60 days from the day following the day of receipt of a notice from the bar association pursuant to the provisions of Article 64-7, paragraph (1), item (ii), of its decision not to discipline, or the date of receipt of a notice regarding disciplinary actions pursuant to the provisions of Article 64-6, paragraph (2).

3 異議の申出の書面を郵便又は民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者による同条第二項に規定する信書便で提出した場合における前項の異議の申出期間の計算については、送付に要した日数は、算入しない。

(3) If a written objection is submitted by mail or by a general correspondence delivery service operator as set forth in Article 2, paragraph (6) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) or a specified correspondence delivery service operator as set forth in paragraph (9) of the same Article or via postal service as set forth in paragraph (2) of the same Article, the days needed for delivery shall not be included for purposes of calculating the objection period set forth in the preceding paragraph.

（日本弁護士連合会の綱紀委員会による異議の審査等）

(Examination of an objection, etc. by the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations)

第六十四条の二 日本弁護士連合会は、前条第一項の規定による異議の申出があり、当該事案が原弁護士会（懲戒請求者が懲戒の請求をした弁護士会をいう。以下同じ。）の懲戒委員会の審査に付されていないものであるときは、日本弁護士連合会の綱紀委

員会に異議の審査を求めなければならない。

Article 64-2 (1) If, after an objection is filed in accordance with the provisions of paragraph (1) of the preceding Article, the case is not referred to the Disciplinary Actions Committee of the original bar association (the "original bar association" here and hereinafter refers to the bar association to which the Discipline Requesting Party submitted a request for disciplinary action) for examination, the Japan Federation of Bar Associations shall refer the objection to the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations for examination.

2 日本弁護士連合会の綱紀委員会は、原弁護士会が第五十八条第四項の規定により対象弁護士等を懲戒しない旨の決定をしたことについての異議の申出につき、前項の異議の審査により原弁護士会の懲戒委員会に事案の審査を求めることを相当と認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、原弁護士会がした対象弁護士等を懲戒しない旨の決定を取り消して、事案を原弁護士会に送付する。

(2) If an objection is filed regarding the original bar association's ruling not to discipline the Accused Attorney, etc. pursuant to the provisions of Article 58, paragraph (4), and based on an examination of the objection set forth in the preceding paragraph, the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds it appropriate to refer the case back to the Disciplinary Actions Committee of the original bar association for investigation, the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, rescind the original bar association's decision not to discipline the Accused Attorney, etc., and remand the case to the original bar association.

3 前項の規定により事案の送付を受けた原弁護士会は、その懲戒委員会に事案の審査を求めなければならない。この場合においては、第五十八条第五項及び第六項の規定を準用する。

(3) The original bar association that receives a matter in accordance with the provisions of the preceding paragraph shall have its Disciplinary Actions Committee examine the matter. In such a case, the provisions of Article 58, paragraphs (5) and (6) shall apply *mutatis mutandis*.

4 日本弁護士連合会の綱紀委員会は、原弁護士会が相当の期間内に懲戒の手続を終えないことについての異議の申出につき、第一項の異議の審査によりその異議の申出に理由があると認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、原弁護士会に対し、速やかに懲戒の手続を進め、対象弁護士等を懲戒し、又は懲戒しない旨の決定をするよう命じなければならない。

(4) If an objection is filed that the original bar association failed to conclude disciplinary procedures within a reasonable period, and the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations allows the

objection based on an examination of the objection as set forth in paragraph (1), it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, order the original bar association to promptly proceed with disciplinary procedures, and either discipline the Accused Attorney, etc. or issue a ruling that the Accused Attorney, etc. will not be disciplined.

5 日本弁護士連合会の綱紀委員会は、異議の申出を不適法として却下し、又は理由がないとして棄却することを相当と認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、異議の申出を却下し、又は棄却する決定をしなければならない。

(5) If the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds that it is appropriate to dismiss the objection as not being legitimate, or rejects the objection as being groundless, the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, issue a ruling dismissing or rejecting the objection.

(綱紀審査の申出)

(Application for discipline review)

第六十四条の三 懲戒請求者は、日本弁護士連合会が前条第二項に規定する異議の申出につき同条第五項の規定によりこれを却下し、又は棄却する決定をした場合において、不服があるときは、日本弁護士連合会に、綱紀審査会による綱紀審査を行うことを申し出ることができる。この場合において、日本弁護士連合会は、綱紀審査会に綱紀審査を求めなければならない。

Article 64-3 (1) If a Discipline Requesting Party is dissatisfied with a ruling issued by the Japan Federation of Bar Associations in accordance with paragraph (5) of the preceding Article dismissing or rejecting the objection filed pursuant to the provisions of paragraph (2) of the same Article, he/she may apply to the Japan Federation of Bar Associations for a discipline review by the Board of Discipline Review. In such a case, the Japan Federation of Bar Associations shall request the Board of Discipline Review to conduct a discipline review.

2 前項の規定による綱紀審査の申出は、日本弁護士連合会がした当該異議の申出を却下し、又は棄却する決定に係る第六十四条の七第二項第六号の規定による通知を受けた日の翌日から起算して三十日以内にしなければならない。

(2) The application for a discipline review pursuant to the provisions of the preceding paragraph shall be made within a period of 30 days commencing from the date following the date of receipt of notice from the Japan Federation of Bar Association of its ruling dismissing or rejecting the objection in accordance with the provisions of Article 64-7, paragraph (2), item (vi).

3 第六十四条第三項の規定は、前項の綱紀審査の申出に準用する。

(3) The provisions of Article 64, paragraph (3) shall apply mutatis mutandis to the application for discipline review as set forth in the preceding paragraph.

(綱紀審査等)

(Discipline Review, etc.)

第六十四条の四 綱紀審査会は、前条第一項の綱紀審査により原弁護士会の懲戒委員会に事案の審査を求めることを相当と認めるときは、その旨の議決をする。この議決は、出席した委員の三分の二以上の多数をもってしなければならない。

Article 64-4 (1) If, based on the discipline review set forth in paragraph (1) of the preceding Article, the Board of Discipline Review finds that it is appropriate to have the matter examined by the Disciplinary Actions Committee of the original bar association, the Board of Discipline Review shall adopt a resolution to that effect. This resolution must be adopted by a two-third's majority of the committee members present.

2 前項の場合において、日本弁護士連合会は、当該議決に基づき、自らがした異議の申出を却下し、又は棄却する決定及び原弁護士会がした対象弁護士等を懲戒しない旨の決定を取り消して、事案を原弁護士会に送付する。

(2) If the preceding paragraph applies, the Japan Federation of Bar Associations, based on the resolution of the preceding paragraph, shall remand the matter to the original bar association after rescinding its ruling dismissing or rejecting the objection, as well as the ruling rendered by the original bar association not to discipline the Accused Attorney, etc.

3 前項の規定により事案の送付を受けた原弁護士会は、その懲戒委員会に事案の審査を求めなければならない。この場合においては、第五十八条第五項及び第六項の規定を準用する。

(3) The original bar association to which a matter pursuant to the provisions of the preceding paragraph has been remanded shall have its Disciplinary Actions Committee conduct an examination of the matter. In such a case, the provisions of Article 58, paragraphs (5) and (6) shall apply mutatis mutandis.

4 綱紀審査会は、綱紀審査の申出を不合法として却下することを相当と認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、綱紀審査の申出を却下する決定をしなければならない。

(4) If the Board of Discipline Review finds that it is appropriate to dismiss the application for a discipline review as not being legitimate, the Board of Discipline Review shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling dismissing the application for a discipline review.

5 綱紀審査会は、前項の場合を除き、第一項の議決が得られなかつたときは、その旨の議決をしなければならない。この場合において、日本弁護士連合会は、当該議決に基づき、綱紀審査の申出を棄却する決定をしなければならない。

(5) Except for the case set forth in the preceding paragraph, if the Board of Discipline Review is unable to adopt a resolution as set forth in paragraph (1) hereof, the Discipline Review Committee shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling rejecting the application for a discipline review.

(日本弁護士連合会の懲戒委員会による異議の審査等)

(Examination of an objection, etc., by the Disciplinary Actions Committee of the Japan Federation of Bar Associations)

第六十四条の五 日本弁護士連合会は、第六十四条第一項の規定による異議の申出があり、当該事案が原弁護士会の懲戒委員会の審査に付されたものであるときは、日本弁護士連合会の懲戒委員会に異議の審査を求めなければならない。

Article 64-5 (1) If an objection is filed pursuant to the provisions of Article 64, paragraph (1), and the matter had been previously investigated by the Disciplinary Actions Committee of the original bar association, the Japan Federation of Bar Associations shall have its Disciplinary Actions Committee conduct an examination of the objection.

2 日本弁護士連合会の懲戒委員会は、原弁護士会が第五十八条第六項の規定により対象弁護士等を懲戒しない旨の決定をしたことについての異議の申出につき、前項の異議の審査により対象弁護士等を懲戒することを相当と認めるときは、懲戒の処分の内容を明示して、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、原弁護士会がした対象弁護士等を懲戒しない旨の決定を取り消し、自ら対象弁護士等を懲戒しなければならない。

(2) If an objection is filed regarding the original bar association's decision not to discipline the Accused Attorney, etc. pursuant to the provisions of Article 58, paragraph (6), and based on an examination of the objection set forth in the preceding paragraph, the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds that it is appropriate to discipline the Accused Attorney, etc., the Committee shall adopt a resolution to that effect, setting forth the details of the disciplinary action. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, overturn the original bar association's decision not to discipline the Accused Attorney, etc., and discipline the Accused Attorney, etc. itself.

3 日本弁護士連合会の懲戒委員会は、原弁護士会が相当の期間内に懲戒の手続を終えないことについての異議の申出につき、第一項の異議の審査によりその異議の申出に理由があると認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、原弁護士会に対し、速やかに懲戒の手続を進め、対象弁護士等を懲戒し、又は懲戒しない旨の決定をするよう命じなければならない。

(3) If an objection is filed that the original bar association has not concluded disciplinary procedures within a reasonable period, and the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds that

there are grounds for the objection based on an examination of the objection pursuant to paragraph (1) hereof, it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, order the original bar association to promptly proceed with disciplinary procedures, and either discipline the Accused Attorney, etc. or issue a ruling that it will not discipline the Accused Attorney, etc.

4 日本弁護士連合会の懲戒委員会は、原弁護士会がした懲戒の処分が不当に軽いとす
る異議の申出につき、第一項の異議の審査によりその異議の申出に理由があると認め
るときは、懲戒の処分の内容を明示して、懲戒の処分を変更することを相当とする旨
の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、原弁
士会がした懲戒の処分を取り消し、自ら対象弁護士等を懲戒しなければならない。

(4) If an objection is filed that the disciplinary actions imposed by the original
bar association were unjustly lenient, and the Disciplinary Actions Committee
of the Japan Federation of Bar Associations finds that there are grounds for
the objection based on an examination of the objection pursuant to paragraph
(1) hereof, it shall set forth the details of such disciplinary actions and adopt a
resolution ordering that the disciplinary actions be changed. In such a case, the
Japan Federation of Bar Associations shall, based on such resolution, overturn
the disciplinary actions imposed by the original bar association, and itself
impose disciplinary actions against the Accused Attorney, etc.

5 日本弁護士連合会の懲戒委員会は、異議の申出を不適法として却下し、又は理由が
ないとして棄却することを相当と認めるときは、その旨の議決をする。この場合にお
いて、日本弁護士連合会は、当該議決に基づき、異議の申出を却下し、又は棄却する
決定をしなければならない。

(5) If the Disciplinary Actions Committee of the Japan Federation of Bar
Associations finds that it is appropriate to dismiss the objection as not being
legitimate, or to reject the objection as being groundless, it shall adopt a
resolution to that effect. In such a case, the Japan Federation of Bar
Associations shall, based on said resolution, issue a ruling dismissing or
rejecting the objection.

(懲戒の処分の通知及び公告)

(Notice and public notice of disciplinary actions)

第六十四条の六 弁護士会又は日本弁護士連合会は、対象弁護士等を懲戒するときは、
対象弁護士等に懲戒の処分内容及びその理由を書面により通知しなければならない。

Article 64-6 (1) If disciplinary actions are imposed against an Accused Attorney,
etc., the bar association or the Japan Federation of Bar Associations shall
provide the Accused Attorney, etc. with written notice of the details of the
disciplinary actions and the reasons for the imposition thereof.

2 弁護士会又は日本弁護士連合会は、対象弁護士等を懲戒したときは、速やかに、弁
護士会にあつては懲戒請求者、懲戒の手續に付された弁護士法人の他の所属弁護士会

及び日本弁護士連合会に、日本弁護士連合会にあつては懲戒請求者及び対象弁護士等の所属弁護士会に、懲戒の処分内容及びその理由を書面により通知しなければならない。

(2) If disciplinary actions are imposed against an Accused Attorney, etc., the bar association or the Japan Federation of Bar Associations shall promptly send a written notice describing the contents of the disciplinary actions and the reasons for the imposition thereof to, in cases where the bar association imposes the actions, the Discipline Requesting Party, the other bar associations to which the accused Legal Professional Corporation belongs and the Japan Federation of Bar Associations, or, in cases where the Japan Federation of Bar Associations imposes the actions, the Discipline Requesting Party and the bar association to which the Accused Attorney, etc. belongs.

3 日本弁護士連合会は、弁護士会又は日本弁護士連合会が対象弁護士等を懲戒したときは、遅滞なく、懲戒の処分内容を官報をもつて公告しなければならない。

(3) If disciplinary actions are imposed against an Accused Attorney, etc. by the bar association or the Japan Federation of Bar Associations, the Japan Federation of Bar Associations shall make public the details of the disciplinary actions in the Official Gazette without delay.

(懲戒の手續に関する通知)

(Notice regarding disciplinary procedures)

第六十四条の七 弁護士会は、その懲戒の手續に関し、次の各号に掲げる場合には、速やかに、対象弁護士等、懲戒請求者、懲戒の手續に付された弁護士法人の他の所属弁護士会及び日本弁護士連合会に、当該各号に定める事項を書面により通知しなければならない。

Article 64-7 (1) If any of following items applies to a disciplinary procedure, the bar association shall promptly provide written notices of the matters set forth in the relevant item to the Accused Attorney, etc., the Discipline Requesting Party, the other bar associations to which the accused Legal Professional Corporation belongs, and the Japan Federation of Bar Associations.

一 綱紀委員会に事案の調査をさせたとき又は懲戒委員会に事案の審査を求めたとき
その旨及び事案の内容

(i) If the Disciplinary Enforcement Committee has been made to investigate or a request for an examination has been made to the Disciplinary Actions Committee, a statement to such effect and details of the matter

二 対象弁護士等を懲戒しない旨の決定をしたとき その旨及びその理由

(ii) If a ruling not to discipline the Accused Attorney, etc. has been issued, a statement to such effect and reasons therefor

三 懲戒委員会又はその部会が、同一の事由について刑事訴訟が係属していることにより懲戒の手續を中止したとき又はその手續を再開したとき その旨

(iii) If disciplinary proceedings are suspended or resumed by the Disciplinary

Actions Committee or its sub-committee due to pending criminal proceedings for the same event, a statement to such effect

四 懲戒の手續に付された弁護士が死亡したこと又は弁護士でなくなつたことにより懲戒の手續が終了したとき その旨及びその理由

(iv) If disciplinary proceedings are terminated because the attorney subject to the disciplinary proceedings dies or is no longer an attorney, a statement to such effect and the reasons therefor

2 日本弁護士連合会は、その懲戒の手續に関し、次の各号に掲げる場合には、速やかに、対象弁護士等、懲戒請求者及び対象弁護士等の所属弁護士会に、当該各号に定める事項を書面により通知しなければならない。

(2) If any of the following items applies with respect to a disciplinary proceeding, the Japan Federation of Bar Associations shall promptly give written notices of the matters set forth in the relevant item to the Accused Attorney, etc., the Discipline Requesting Party and the bar association to which the Accused Attorney, etc. belongs.

一 綱紀委員会に事案の調査をさせたとき又は懲戒委員会に事案の審査を求めたとき その旨及び事案の内容

(i) If the Disciplinary Enforcement Committee has been made to examine the case, or the Disciplinary Actions Committee has been requested to investigate a matter, a statement to such effect and the details thereof

二 対象弁護士等を懲戒しない旨の決定をしたとき その旨及びその理由

(ii) If a ruling not to discipline the Accused Attorney, etc. has been issued, a statement to such effect and the reasons therefor

三 綱紀委員会に異議の審査を求めたとき、綱紀審査会に綱紀審査を求めたとき又は懲戒委員会に異議の審査を求めたとき その旨

(iii) If the Disciplinary Enforcement Committee has been requested to examine an objection, or the Board of Discipline Review has been requested to conduct a discipline review, or the Disciplinary Actions Committee has been requested to investigate an objection, a statement to such effect

四 第六十四条の二第二項又は第六十四条の四第二項の規定により原弁護士会に事案を送付したとき その旨及びその理由

(iv) If a matter has been remanded to the original bar association pursuant to the provisions of Article 64-2, paragraph (2) or Article 64-4, paragraph (2), a statement to such effect and reasons therefor

五 原弁護士会に対し、速やかに懲戒の手續を進め、対象弁護士等を懲戒し、又は懲戒しない旨の決定をするよう命じたとき その旨及びその理由

(v) If the original bar association has been ordered to promptly proceed with disciplinary procedures, and either discipline the Accused Attorney, etc. or issue a ruling that it will not discipline the Accused Attorney, etc., a statement to such effect and reasons therefor

六 異議の申出を却下し、又は棄却する決定をしたとき その旨及びその理由

- (vi) If a ruling dismissing or rejecting an objection has been issued, a statement to such effect and the reasons therefor
七 綱紀審査の申出を却下し、又は棄却する決定をしたとき その旨及びその理由
- (vii) If a ruling dismissing or rejecting an application for a discipline review has been issued, a statement to such effect and the reasons therefor
八 懲戒委員会又はその部会が、同一の事由について刑事訴訟が係属していることにより懲戒の手続を中止したとき又はその手続を再開したとき その旨
- (viii) If disciplinary proceedings are suspended or resumed by the Disciplinary Actions Committee or its sub-committee due to pending criminal proceedings regarding the same event, a statement to such effect
九 懲戒の手続に付された弁護士が死亡したこと又は弁護士でなくなつたことにより懲戒の手続が終了したとき その旨及びその理由
- (ix) If disciplinary proceedings are terminated because the attorney subject to the disciplinary proceedings has died or is no longer an attorney, a statement to such effect and the reasons therefor

第三節 懲戒委員会

Section 3 The Disciplinary Actions Committee

(懲戒委員会の設置)

(Establishment of a Disciplinary Actions Committee)

第六十五条 各弁護士会及び日本弁護士連合会にそれぞれ懲戒委員会を置く。

Article 65 (1) A Disciplinary Actions Committee shall be established in each bar association and in the Japan Federation of Bar Associations.

2 懲戒委員会は、その置かれた弁護士会又は日本弁護士連合会の求めにより、その所属の弁護士又は弁護士法人の懲戒に関して必要な審査をする。

(2) A Disciplinary Actions Committee shall, upon the request of its bar association or the Japan Federation of Bar Associations conduct necessary examinations regarding the disciplining of an attorney or a Legal Professional Corporation that belongs to said bar association.

(懲戒委員会の組織)

(Composition of a Disciplinary Actions Committee)

第六十六条 懲戒委員会は、四人以上であつてその置かれた弁護士会又は日本弁護士連合会の会則で定める数の委員をもつて組織する。

Article 66 A Disciplinary Actions Committee shall be composed of four or more committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

(懲戒委員会の委員)

(The committee members of a Disciplinary Actions Committee)

第六十六条の二 弁護士会の懲戒委員会の委員は、弁護士、裁判官、検察官及び学識経験のある者の中から、それぞれ弁護士会の会長が委嘱する。この場合において、裁判官又は検察官である委員はその地の高等裁判所若しくは地方裁判所又は高等検察庁検事長若しくは地方検察庁検事正の推薦に基づき、その他の委員はその弁護士会の総会の決議に基づき、委嘱しなければならない。

Article 66-2 (1) The committee members of a Disciplinary Actions Committee of a bar association shall be individually appointed by the president of the bar association from among attorneys, judges, public prosecutors and academic experts. In such a case, the committee members who are judges or public prosecutors shall be appointed based on the recommendations from the High Court or the District Court or by the superintendent public prosecutor of the High Public Prosecutors' Office or the chief public prosecutor of the District Public Prosecutors' Office located within the same jurisdiction, and the other members shall be appointed based on a resolution adopted at a general meeting of the bar association.

2 日本弁護士連合会の懲戒委員会の委員は、弁護士、裁判官、検察官及び学識経験のある者の中から、それぞれ日本弁護士連合会の会長が委嘱する。この場合において、裁判官又は検察官である委員は最高裁判所又は検事総長の推薦に基づき、その他の委員は日本弁護士連合会の総会の決議に基づき、委嘱しなければならない。

(2) The committee members of the Disciplinary Actions Committee of the Japan Federation of Bar Associations shall be individually appointed by the president of the Japan Federation of Bar Associations from among attorneys, judges, public prosecutors and academic experts. In such a case, the committee members who are judges or public prosecutors shall be appointed based upon the recommendations of the Supreme Court or the Secretary General of the Public Prosecutor's Office, and the other members shall be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

3 懲戒委員会の委員の任期は、二年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

(3) The term of committee members of a Disciplinary Actions Committee shall be two years; provided that the term of a substituting committee member shall be the remaining term of his/her predecessor.

4 懲戒委員会の委員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(4) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the committee members of a Disciplinary Actions Committee shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(懲戒委員会の委員長)

(The chairman of a Disciplinary Actions Committee)

第六十六条の三 懲戒委員会に委員長を置き、委員の互選によりこれを定める。

Article 66-3 (1) A Disciplinary Actions Committee shall have a chairman who shall be elected from among its members.

2 委員長は、会務を総理する。

(2) The chairman shall preside over all affairs of the committee.

3 委員長に事故のあるときは、あらかじめ懲戒委員会の定める順序により、他の委員が委員長の職務を行う。

(3) If the chairman is unable to carry out his/her duties, such duties shall be fulfilled by another member of the committee designated according to an order stipulated in advance by the Disciplinary Actions Committee.

4 前条第四項の規定は、委員長に準用する。

(4) The provisions of paragraph (4) of the preceding Article shall apply mutatis mutandis to the chairman.

(懲戒委員会の予備委員)

(Reserve committee members of a Disciplinary Actions Committee)

第六十六条の四 懲戒委員会に、四人以上であつてその置かれた弁護士会又は日本弁護士連合会の会則で定める数の予備委員を置く。

Article 66-4 (1) A Disciplinary Actions Committee shall include four or more reserve committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

2 委員に事故のあるとき又は委員が欠けたときは、弁護士会の会長又は日本弁護士連合会の会長は、その委員と同じ資格を有する予備委員の中からその代理をする者を指名する。

(2) If a committee member is unable to carry out his/her duties or there is a vacancy on the committee, the president of the bar association or the Japan Federation of Bar Associations shall designate a person from among the reserve committee members having the same qualifications as that member to act in his/her place or fill such vacancy.

3 第六十六条の二の規定は、予備委員に準用する。

(3) The provisions of Article 66-2 shall apply mutatis mutandis to reserve committee members.

(懲戒委員会の部会)

(Sub-committees of a Disciplinary Actions Committee)

第六十六条の五 懲戒委員会は、事案の審査をするため、必要に応じ、部会を置くことができる。

Article 66-5 (1) A Disciplinary Actions Committee may establish sub-committees to examine a given case as is necessary.

2 部会は、委員長が指名する弁護士、裁判官、検察官及び学識経験のある者である委

員各一人以上をもって組織する。

(2) A sub-committee shall be composed of one or more sub-committee member(s) who is/are attorney(s), judge(s), public prosecutor(s) or academic expert(s) and is/are designated by the chairman.

3 部会に部会長を置き、部会を組織する委員の互選によりこれを定める。

(3) A sub-committee shall have a chairman, who shall be elected from among the sub-committee members.

4 部会長に事故のあるときは、あらかじめ部会の定める順序により、他の委員が部会長の職務を行う。

(4) If the chairman of the sub-committee is unable to carry out his/her duties, such duties shall be fulfilled by another sub-committee member designated according to an order stipulated in advance by the sub-committee.

5 懲戒委員会は、その定めるところにより、部会が審査をした事案については、部会の議決をもって委員会の議決とすることができる。

(5) A Disciplinary Actions Committee may treat a resolution adopted by a sub-committee for a matter that the sub-committee has examined as a resolution of the Disciplinary Actions Committee, as stipulated by the Committee.

(懲戒委員会の審査手続)

(Examination procedures of a Disciplinary Actions Committee)

第六十七条 懲戒委員会は、事案の審査を求められたときは、速やかに、審査の期日を定め、対象弁護士等にその旨を通知しなければならない。

Article 67 (1) If a Disciplinary Actions Committee has been requested to conduct an examination, it shall promptly set the date of the examination and notify the Accused Attorney, etc. to such effect.

2 審査を受ける弁護士又は審査を受ける弁護士法人の社員は、審査期日に出頭し、かつ、陳述することができる。この場合において、その弁護士又は弁護士法人の社員は、委員長の指揮に従わなければならない。

(2) An attorney or a member of a Legal Professional Corporation subject to an examination may appear before the Committee on the date of examination and make a statement. In such a case, said attorney or member of the Legal Professional Corporation shall follow the directions of the chairman of the Disciplinary Actions Committee.

3 懲戒委員会は、審査に関し必要があるときは、対象弁護士等、懲戒請求者、関係人及び官公署その他に対して陳述、説明又は資料の提出を求めることができる。

(3) If necessary for the examination, the Disciplinary Actions Committee may request the Accused Attorney, etc., the Discipline Requesting Party, concerned parties or public agencies to make statements or submit explanations or information.

(懲戒委員会の議決書)

(The resolution statement of Disciplinary Actions Committee)

第六十七条の二 懲戒委員会は、議決をしたときは、速やかに、理由を付した議決書を作成しなければならない。

Article 67-2 When adopting a resolution, the Disciplinary Actions Committee shall promptly prepare a resolution statement giving the reasons therefor.

(懲戒手続の中止)

(Suspension of disciplinary procedures)

第六十八条 懲戒委員会は、同一の事由について刑事訴訟が係属する間は、懲戒の手続を中止することができる。

Article 68 A Disciplinary Actions Committee may suspend disciplinary proceedings while a criminal action is pending regarding the same event.

(懲戒委員会の部会に関する準用規定)

(Provisions that apply mutatis mutandis to sub-committees of Disciplinary Actions Committee)

第六十九条 前三条の規定は、懲戒委員会の部会に準用する。

Article 69 The provisions of the preceding three Articles shall apply mutatis mutandis to the sub-committees of a Disciplinary Actions Committee.

第四節 綱紀委員会

Section 4 The Disciplinary Enforcement Committee

(綱紀委員会の設置)

(Establishment of a Disciplinary Enforcement Committee)

第七十条 各弁護士会及び日本弁護士連合会にそれぞれ綱紀委員会を置く。

Article 70 (1) A Disciplinary Enforcement Committee shall be established in each bar association and the Japan Federation of Bar Associations.

2 弁護士会の綱紀委員会は、第五十八条第二項及び第七十一条の六第二項の調査その他その置かれた弁護士会所属の弁護士及び弁護士法人の綱紀保持に関する事項をつかさどる。

(2) A Discipline Enforcement Committee of a bar association shall conduct the investigations set forth in Article 58, paragraph (2) and Article 71-6, paragraph (2), and shall handle other matters related to maintaining the discipline of attorneys and Legal Professional Corporations belonging to that bar association.

3 日本弁護士連合会の綱紀委員会は、第六十条第二項及び第七十一条の六第二項の調査並びに第六十四条の二第一項の異議の審査その他弁護士及び弁護士法人の綱紀保持に関する事項をつかさどる。

(3) The Discipline Enforcement Committee of the Japan Federation of Bar Associations shall conduct the investigations set forth in Article 60, paragraph

(2) and Article 71-6, paragraph (2) as well as examinations of the objections set forth in Article 64-2, paragraph (1), and shall handle other matters related to maintaining the discipline of attorneys and Legal Professional Corporations.

(綱紀委員会の組織)

(Composition of a Disciplinary Enforcement Committee)

第七十条の二 綱紀委員会は、四人以上であつてその置かれた弁護士会又は日本弁護士連合会の会則で定める数の委員をもつて組織する。

Article 70-2 A Disciplinary Enforcement Committee shall be composed of four or more committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

(綱紀委員会の委員)

(The committee members of a Disciplinary Enforcement Committee)

第七十条の三 弁護士会の綱紀委員会の委員は、弁護士、裁判官、検察官及び学識経験のある者の中から、それぞれ弁護士会の会長が委嘱する。この場合においては、第六十六条の二第一項後段の規定を準用する。

Article 70-3 (1) The committee members of a Disciplinary Enforcement Committee of a bar association shall be individually appointed by the president of the bar association from among attorneys, judges, public prosecutors and academic experts. In such a case, the provisions of the second sentence of Article 66-2, paragraph (1) shall apply mutatis mutandis.

2 日本弁護士連合会の綱紀委員会の委員は、弁護士、裁判官、検察官及び学識経験のある者の中から、それぞれ日本弁護士連合会の会長が委嘱する。この場合においては、第六十六条の二第二項後段の規定を準用する。

(2) The committee members of the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations shall be individually appointed by the president of the Japan Federation of Bar Associations from among attorneys, judges, public prosecutors and academic experts. In such a case, the provisions of the second sentence of Article 66-2, paragraph (2) shall apply mutatis mutandis.

3 綱紀委員会の委員の任期は、二年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

(3) The term of committee members of a Disciplinary Enforcement Committee shall be two years; provided, however, that the term of a substituting committee member shall be the remaining term of his/her predecessor.

4 綱紀委員会の委員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(4) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the committee members of a Disciplinary Enforcement Committee shall be deemed to be officials engaging in public duties pursuant to

the provisions of laws and regulations.

(綱紀委員会の委員長)

(The chairman of a Disciplinary Enforcement Committee)

第七十条の四 綱紀委員会に委員長を置き、委員の互選によりこれを定める。

Article 70-4 (1) A Disciplinary Enforcement Committee shall have a chairman who shall be elected from among its members.

2 委員長は、会務を総理する。

(2) The chairman shall preside over all affairs of the committee.

3 委員長に事故のあるときは、あらかじめ綱紀委員会の定める順序により、他の委員が委員長の職務を行う。

(3) If the chairman is unable to carry out his/her duties, such duties shall be fulfilled by another member of the committee designated according to an order determined in advance by the Disciplinary Committee.

4 前条第四項の規定は、委員長に準用する。

(4) The provisions of paragraph (4) of the preceding Article shall apply mutatis mutandis to the chairman.

(綱紀委員会の予備委員)

(Reserve committee members of a Disciplinary Enforcement Committee)

第七十条の五 綱紀委員会に、四人以上であつてその置かれた弁護士会又は日本弁護士連合会の会則で定める数の予備委員を置く。

Article 70-5 (1) A Disciplinary Enforcement Committee shall include four or more reserve committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

2 委員に事故のあるとき又は委員が欠けたときは、弁護士会の会長又は日本弁護士連合会の会長は、その委員と同じ資格を有する予備委員の中からその代理をする者を指名する。

(2) If a committee member is unable to carry out his/her duties or there is a vacancy on the committee, the president of the bar association or the Japan Federation of Bar Associations shall designate a person from among the reserve committee members having the same qualifications as that member to act in his/her place or fill such vacancy.

3 第七十条の三の規定は、予備委員に準用する。

(3) The provisions of Article 70-3 shall apply mutatis mutandis to reserve committee members.

(綱紀委員会の部会)

(Sub-Committees of a Disciplinary Enforcement Committee)

第七十条の六 綱紀委員会は、事案の調査又は審査をするため、必要に応じ、部会を置くことができる。

Article 70-6 (1) A Disciplinary Enforcement Committee may establish sub-committees to investigate or examine a case as necessary.

2 部会は、委員長が指名する弁護士、裁判官、検察官及び学識経験のある者である委員各一人以上をもつて組織する。

(2) A sub-committee shall be composed of one or more sub-committee member(s) who is/are attorney(s), court judge(s), public prosecutor(s) or academic expert(s) and is/are designated by the chairman.

3 部会に部会長を置き、部会を組織する委員の互選によりこれを定める。

(3) A sub-committee shall have a chairman who shall be elected from among the sub-committee members.

4 部会長に事故のあるときは、あらかじめ部会の定める順序により、他の委員が部会長の職務を行う。

(4) If the chairman of the sub-committee is unable to carry out his/her duties, such duties shall be fulfilled by another sub-committee member designated according to an order determined in advance by the sub-committee.

5 綱紀委員会は、その定めるところにより、部会が調査又は審査をした事案については、部会の議決をもつて委員会の議決とすることができる。

(5) A Discipline Enforcement Committee may treat a resolution adopted by a sub-committee for a case that the sub-committee has investigated or examined as a resolution of the Discipline Enforcement Committee, as stipulated by the Committee.

(綱紀委員会による陳述の要求等)

(Requests for statements, etc. by a Disciplinary Enforcement Committee)

第七十条の七 綱紀委員会は、調査又は審査に関し必要があるときは、対象弁護士等、懲戒請求者、関係人及び官公署その他に対して陳述、説明又は資料の提出を求めることができる。

Article 70-7 If necessary for an investigation or examination, a Disciplinary Enforcement Committee may request the Accused Attorney, etc., the Discipline Requesting Party, concerned parties or public agencies to make statements or submit explanations or information.

(綱紀委員会の議決書)

(The resolution statement of a Disciplinary Action Committee)

第七十条の八 綱紀委員会は、議決をしたときは、速やかに、理由を付した議決書を作成しなければならない。

Article 70-8 When adopting a resolution, a Disciplinary Committee shall promptly prepare a resolution statement giving the reasons therefor.

(綱紀委員会の部会に関する準用規定)

(Provisions that apply mutatis mutandis to sub-committees of a Disciplinary

Enforcement Committee)

第七十条の九 前二条の規定は、綱紀委員会の部会に準用する。

Article 70-9 The provisions of the preceding two Articles shall apply mutatis mutandis to the sub-committees of a Disciplinary Enforcement Committee.

第五節 綱紀審査会

Section 5 The Board of Discipline Review

(綱紀審査会の設置)

(Establishment of the Board of Discipline Review)

第七十一条 日本弁護士連合会に綱紀審査会を置く。

Article 71 (1) A Board of Discipline Review shall be established in the Japan Federation of Bar Associations.

2 綱紀審査会は、弁護士会が第五十八条第四項の規定により対象弁護士等を懲戒しない旨の決定をし、かつ、日本弁護士連合会がこれに対する懲戒請求者による異議の申出を却下し、又は棄却する決定をした場合において、なお懲戒請求者からの申出があるときに、国民の意見を反映させて懲戒の手續の適正を確保するため必要な綱紀審査を行う。

(2) If a Discipline Requesting Party files a request for a review of a matter regarding which a bar association had issued a ruling not to discipline the Accused Attorney, etc. pursuant to the provisions of Article 58, paragraph (4), and to which the Japan Federation of Bar Associations had issued a ruling dismissing or rejecting the Discipline Requesting Party's objection to the bar association's ruling, the Board of Discipline Review shall reflect the public opinion of Japan and conduct discipline reviews as necessary to ensure that disciplinary procedures are appropriate.

(綱紀審査会の組織)

(Composition of the Board of Discipline Review)

第七十一条の二 綱紀審査会は、委員十一人をもつて組織する。

Article 71-2 The Board of Discipline Review shall be composed of eleven board members.

(綱紀審査会の委員)

(The board members of the Board of Discipline Review)

第七十一条の三 綱紀審査会の委員は、学識経験のある者（弁護士、裁判官若しくは検察官である者又はこれらであつた者を除く。）の中から、日本弁護士連合会の会長が日本弁護士連合会の総会の決議に基づき、委嘱する。

Article 71-3 (1) The board members of the Board of Discipline Review shall be appointed by the president of the Japan Federation of Bar Associations from among academic experts (excluding attorneys, judges, public prosecutors and

persons who formerly served in those professions) based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

2 委員の任期は、二年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

(2) The term of the board members of the Board of Discipline Review shall be two years; provided that the term of a substituting board member shall be the remaining term of his/her predecessor.

3 委員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(3) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the board members shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(綱紀審査会の委員長)

(The chairman of the Board of Discipline Review)

第七十一条の四 綱紀審査会に委員長を置き、委員の互選によりこれを定める。

Article 71-4 (1) The Board of Discipline Review shall have a chairman who shall be elected from among the board members.

2 委員長は、会務を総理する。

(2) The chairman shall preside over all affairs of the board.

3 委員長に事故のあるときは、あらかじめ綱紀審査会の定める順序により、他の委員が委員長の職務を行う。

(3) If the chairman is unable to carry out his/her duties, such duties shall be fulfilled by another board member designated according to an order determined in advance by the Board of Discipline Review.

4 前条第三項の規定は、委員長に準用する。

(4) The provisions of paragraph (3) of the preceding Article shall apply mutatis mutandis to the chairman.

(綱紀審査会の予備委員)

(Reserve board members of the Board of Discipline Review)

第七十一条の五 綱紀審査会に、日本弁護士連合会の会則で定める数の予備委員を置く。

Article 71-5 (1) The Board of Discipline Review shall include reserve board members, the number of which shall be designated in the articles of association of the Japan Federation of Bar Associations.

2 委員に事故のあるとき又は委員が欠けたときは、日本弁護士連合会の会長は、予備委員の中からその代理をする者を指名する。

(2) If a board member is unable to carry out his/her duties or there is a vacancy on the board, the President of the Japan Federation of Bar Associations shall designate a person from among the reserve board members having the same qualifications as that member to service in his/her place or fill such vacancy.

3 第七十一条の三の規定は、予備委員に準用する。

(3) The provisions of Article 71-3 shall apply mutatis mutandis to reserve board members.

(綱紀審査会による陳述の要求等)

(Request for statements, etc. by the Board of Discipline Review)

第七十一条の六 綱紀審査会は、綱紀審査に関し必要があるときは、対象弁護士等、懲戒請求者、関係人及び官公署その他に対して陳述、説明又は資料の提出を求めることができる。

Article 71-6 (1) If necessary for a discipline review, the Board of Discipline Review may request that the Accused Attorney, etc., the Discipline Requesting Party, concerned parties or public agencies make statements or submit explanations or information.

2 綱紀審査会は、綱紀審査に関し必要があるときは、対象弁護士等の所属弁護士会の綱紀委員会又は日本弁護士連合会の綱紀委員会に必要な調査を囑託することができる。

(2) If necessary for a discipline review, the Board of Discipline Review may request the Disciplinary Enforcement Committee of the bar association to which the Accused Attorney, etc. belongs or the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations to conduct any necessary investigations.

(綱紀審査会の議決書)

(The resolution statement of the Board of Discipline Review)

第七十一条の七 綱紀審査会は、議決をしたときは、速やかに、理由を付した議決書を作成しなければならない。

Article 71-7 When adopting a resolution, the Board of Discipline Review shall promptly prepare a resolution statement giving the reasons therefor.

第九章 法律事務の取扱いに関する取締り

Chapter IX Control of the Handling of Legal Services

(非弁護士の法律事務の取扱い等の禁止)

(Prohibition of the provision of legal services by non-attorneys)

第七十二条 弁護士又は弁護士法人でない者は、報酬を得る目的で訴訟事件、非訟事件及び審査請求、異議申立て、再審査請求等行政庁に対する不服申立事件その他一般の法律事件に関して鑑定、代理、仲裁若しくは和解その他の法律事務を取り扱い、又はこれらの周旋をすることを業とすることができない。ただし、この法律又は他の法律に別段の定めがある場合は、この限りでない。

Article 72 No person other than an attorney or a Legal Professional Corporation may, for the purpose of obtaining compensation, engage in the business of providing legal advice or representation, handling arbitration matters, aiding

in conciliation, or providing other legal services in connection with any lawsuits, non-contentious cases, or objections, requesting for re-examination, appeals and other petitions against administrative agencies, etc., or other general legal services, or acting as an intermediary in such matters; provided, however, that the foregoing shall not apply if otherwise specified in this Act or other laws.

(譲り受けた権利の実行を業とすることの禁止)

(Prohibition against the enforcement of assigned rights as a business)

第七十三条 何人も、他人の権利を譲り受けて、訴訟、調停、和解その他の手段によつて、その権利の実行をすることを業とすることができない。

Article 73 No person shall engage in the business of obtaining the rights of others by assignment and enforcing such rights through lawsuits, mediation, conciliation or any other method.

(非弁護士の虚偽標示等の禁止)

(Prohibition against false designations by non-attorneys)

第七十四条 弁護士又は弁護士法人でない者は、弁護士又は法律事務所の標示又は記載をしてはならない。

Article 74 (1) No person who is not an attorney or a Legal Professional Corporation shall use for itself the indication or description of "attorney" or "law office."

2 弁護士又は弁護士法人でない者は、利益を得る目的で、法律相談その他法律事務を取り扱う旨の標示又は記載をしてはならない。

(2) No person who is not an attorney or a Legal Professional Corporation shall, for profit, use a designation or reference indicating that he/she or it handles legal consultations or provides other legal services.

3 弁護士法人でない者は、その名称中に弁護士法人又はこれに類似する名称を用いてはならない。

(3) No person who is not a Legal Professional Corporation shall use "legal professional corporation" or any other similar name in its name.

第十章 罰則

Chapter X Penal Provisions

(虚偽登録等の罪)

(The crime of false registration, etc.)

第七十五条 弁護士となる資格を有しない者が、日本弁護士連合会にその資格につき虚偽の申告をして、弁護士名簿に登録をさせたときは、二年以下の懲役又は百万円以下の罰金に処する。

Article 75 (1) A person without the required qualifications to be an attorney who

has his/her name registered in the roll of attorneys by filing a false statement with the Japan Federation of Bar Associations shall be punished with a term of imprisonment with work of up to two years or by a fine of up to one million yen.

2 第五条の二第一項の規定による申請において、第五条第一号又は第三号に規定する職に在った期間、同条第二号に規定する職務に従事した期間及び同号の職務の内容その他の重要な事項につき虚偽の申請をして、法務大臣に同条の認定をさせた者も、前項と同様とする。

(2) The preceding paragraph shall also apply to a person who obtained from the Minister of Justice the Certification set forth in Article 5 by making a false statement on an application made pursuant to the provisions of Article 5-2, paragraph (1), regarding the period of having assumed a position set forth in Article 5, item (i) or (iii), the period of having discharged the duties set forth in item (ii) of said Article, the details regarding the duties of said item, or any other material matters.

3 前二項の罪の未遂は、罰する。

(3) Any attempt to commit the crimes specified in the preceding two paragraphs shall be punishable.

(汚職の罪)

(Crime of Corruption)

第七十六条 第二十六条又は第三十条の二十の規定に違反した者は、三年以下の懲役に処する。

Article 76 Any person who violates the provisions of Article 26 or Article 30-20 shall be punished with imprisonment at labor at a term of up to three years.

(非弁護士との提携等の罪)

(Crime of acting in concert, etc. with non-attorneys)

第七十七条 次の各号のいずれかに該当する者は、二年以下の懲役又は三百万円以下の罰金に処する。

Article 77 A person who falls under any of the following items shall be punished with imprisonment at labor at a term of up to of two years or a fine of up to three million yen:

一 第二十七条（第三十条の二十一において準用する場合を含む。）の規定に違反した者

(i) A person who has violated Article 27 (including that Article applied *mutatis mutandis* in Article 30-21);

二 第二十八条（第三十条の二十一において準用する場合を含む。）の規定に違反した者

(ii) A person who has violated Article 28 (including that Article applied *mutatis mutandis* in Article 30-21);

三 第七十二条の規定に違反した者

(iii) A person who has violated Article 72; or

四 第七十三条の規定に違反した者

(iv) A person who has violated Article 73.

(虚偽標示等の罪)

(Crime of false indications, etc.)

第七十七条の二 第七十四条の規定に違反した者は、百万円以下の罰金に処する。

Article 77-2 Any person who violates the provisions of Article 74 shall be punished by a fine of up to one million yen.

第七十七条の三 第三十条の二十八第六項（第四十三条第三項において準用する場合を含む。）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、又は当該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。

Article 77-3 Any person who, in violation of the provisions of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6) (including cases of mutatis mutandis application in Article 43, paragraph (3)), does not make entry of or record those matters stipulated by Ministry of Justice ordinance regarding the electronic public notice investigations prescribed in the same paragraph in the investigation record books, etc., prescribed in the same paragraph, or who makes a false entry or recording, or who does not retain such investigation record books, etc., shall be punished by a fine of up to three hundred thousand yen.

(両罰規定)

(Double punishment)

第七十八条 弁護士法人の社員等が、その弁護士法人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、その行為者を罰するほか、その弁護士法人に対して当該各号に定める罰金刑を科する。

Article 78 (1) If Members, etc. of a Legal Professional Corporation violate the following provisions in connection with the legal practice of said corporation, such member shall be punished, and in addition, said Legal Professional Corporation shall be punished by the imposition of a fine as set forth below:

一 第七十六条（第三十条の二十に係る部分に限る。） 三百万円以下の罰金刑

(i) A fine of up to three million yen for a violation of Article 76 (to the extent that it relates to the provisions of Article 30-20); or

二 第七十七条第一号（第三十条の二十一において準用する第二十七条に係る部分に限る。）又は第七十七条第二号（第三十条の二十一において準用する第二十八条に係る部分に限る。） 第七十七条の罰金刑

(ii) The fine set forth in Article 77 for a violation of Article 77, item (i) (to the

extent that it relates to the provisions of Article 27 as applied mutatis mutandis in Article 30-21) or Article 77, item (ii) (to the extent that it relates to the provisions of Article 28 as applied mutatis mutandis in Article 30-21).

2 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して第七十七条第三号若しくは第四号、第七十七条の二又は前条の違反行為をしたときは、その行為者を罰するほか、その法人又は人に対して各本条の罰金刑を科する。

(2) If a representative of a juridical person or the agent, employee, or other worker of a juridical or natural person violates the provisions of Article 77, item (iii) or (iv), Article 77-2 or the preceding Article in connection with the business of said juridical or natural person, such persons in violation shall be punished, and in addition said juridical or natural person shall be punished by the imposition of a fine as stipulated in this article.

(過料)

(Administrative fines)

第七十九条 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。

Article 79 Any person who falls under any of the following items shall be punished by an administrative fine of up to one million yen:

一 第三十条の二十八第六項（第四十三条第三項において準用する場合を含む。次号において同じ。）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 fails to make the report required by the provisions of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6) (here and hereafter, including mutatis mutandis application in Article 43, paragraph (3)), or who falsifies such report.

二 正当な理由がないのに、第三十条の二十八第六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, without justifiable grounds, rejects claims made pursuant to the provisions of any item of Article 951, paragraph (2) and Article 955, paragraph (2) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6).

第七十九条の二 次の各号のいずれかに該当する場合には、弁護士法人の社員又は清算人は、三十万円以下の過料に処する。

Article 79-2 A member or a liquidator of a Legal Professional Corporation who falls under any of the following items shall be punished by an administrative fine of up to three hundred thousand yen:

一 この法律に基づく政令の規定に違反して登記をすることを怠つたとき。

(i) Failure to register, in violation of the provisions of a Cabinet Order issued in accordance with this Act;

- 二 第三十条の二十八第二項又は第五項の規定に違反して合併をしたとき。
- (ii) A merger in violation of the provisions of Article 30-28, paragraph (2) or (5);
- 三 第三十条の二十八第六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。
- (iii) Failure to request an investigation, in violation of the provisions of Article 941 of the Companies Act, as applied mutatis mutandis to Article 30-28, paragraph (6);
- 四 定款又は第三十条の三十第一項において準用する会社法第六百十五条第一項の会計帳簿若しくは第三十条の三十第一項において準用する同法第六百十七条第一項若しくは第二項の貸借対照表に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、又は虚偽の記載若しくは記録をしたとき。
- (iv) Failure to make required statements or entries in, or the falsification of, the articles of incorporation or the account books required by Article 615, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1) or the balance sheet required by Article 617, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1);
- 五 第三十条の三十第二項において準用する会社法第六百五十六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。
- (v) Failure to apply for the commencement of bankruptcy proceedings, in violation of the provisions of Article 656, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2);
- 六 第三十条の三十第二項において準用する会社法第六百六十四条の規定に違反して財産を分配したとき。
- (vi) The distribution of the corporation's assets in violation of the provisions of Article 664 of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2); or
- 七 第三十条の三十第二項において準用する会社法第六百七十条第二項又は第五項の規定に違反して財産を処分したとき。
- (vii) The disposal of the corporation's assets in violation of the provisions of Article 670, paragraph (2) or (5) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2).

附 則

Supplementary Provisions

(施行の日)

(Effective date)

第八十条 この法律は、昭和二十四年九月一日から施行する。

Article 80 This Act shall come into effect as from September 1, 1949.

(従前の弁護士資格者)

(Persons qualified as an attorney pursuant to prior provisions)

第八十一条 従前の規定により弁護士となる資格を有する者は、この法律の適用については、その資格を得たときに司法修習生の修習を終えたものとみなす。

Article 81 With respect to the application of this Act, a person qualified as an attorney pursuant to prior provisions shall be deemed to have completed the course for a legal apprentice at the time such said person obtained such qualification.

(弁護士試補の特例)

(Exceptions for probationary attorneys)

第八十二条 この法律施行の際現に弁護士試補である者が、従前の弁護士法の規定により一年六箇月以上の実務修習を終え考試を経たときは、その考試を経たときに司法修習生の修習を終えたものとみなす。

Article 82 A person who is a probationary attorney (Bengoshi-shiho), at the time this Act becomes effective, and has completed practical training for more than one year and a half and passed the examination in accordance with the prior Attorney Act, shall be deemed to have completed the course for a legal apprentice at the time such person passed said examination.

(弁護士の欠格事由の適用)

(Application of grounds for disqualification of an attorney)

第八十三条 第七条の規定の適用については、従前の計理士法（昭和二年法律第三十一号）の規定により業務の禁止の処分を受けた者は、懲戒の処分により公認会計士の登録を抹消された者とみなし、従前の税務代理士法（昭和十七年法律第四十六号）の規定により税務代理士の許可を取り消された者は、懲戒の処分により税理士の登録を取り消されたものとみなし、官吏懲戒令（明治三十二年勅令第六十三号）により免官の処分を受けた者は、公務員であつて懲戒の処分により免職された者とみなす。

Article 83 In the application of Article 7, a person who has been prohibited from practicing pursuant to the prior Accountant Law (Keirishi-ho, Act No.31 of 1927) shall be deemed to have had his/her registration as a certified public accountant revoked from the register of certified public accountants as a result of such disciplinary action, a person whose license was revoked pursuant to the prior Tax Accountants Law (Zeimu-dairishi-ho, Act No.46 of 1942) shall be deemed to have had his/her registration as a tax accountant revoked as a result of such disciplinary action, and a person who has been dismissed from his/her office as a government official under the order of the disciplinary action for public officials (Imperial Ordinance No. 63 of 1899) shall be deemed to have been discharged from his/her office as a public officer as a result of such disciplinary action.

(従前の弁護士名簿の登録)

(Registration on the former roll of attorneys)

第八十四条 従前の規定による弁護士名簿の登録は、この法律による弁護士名簿の登録とみなす。

Article 84 Registration on the prior roster pursuant to prior provisions shall be deemed as registration on the roll of attorneys pursuant to this Act.

(従前の登録又は登録換の請求)

(Request for registration or change of registration)

第八十五条 従前の規定により法務総裁に対してなされた登録又は登録換の請求は、この法律により日本弁護士連合会に対してなされた登録又は登録換の請求の進達とみなす。

Article 85 Request for registration or change of registration made to the Head of the Bureau of Legal Affairs (Homu-sosai) pursuant to prior provisions shall be deemed as a transmission of request for registration or change of registration to the Japan Federation of Bar Associations.

(従前の弁護士の事務所)

(Attorney's office pursuant to prior provisions)

第八十六条 従前の規定により法務総裁に届け出たある弁護士の事務所は、その弁護士がこの法律の規定により届出をした法律事務所とみなす。

Article 86 An office of an attorney which was notified to the Head of the Bureau of Legal Affairs pursuant to prior provisions shall be deemed as the law office notified pursuant to this Act by such attorney.

(従前の弁護士名簿等の引継)

(Transfer of the roll of attorneys, etc., pursuant to prior provisions)

第八十七条 法務府は、従前の規定により同府に備えられた弁護士名簿その他弁護士及び弁護士会に関する関係書類を、日本弁護士連合会の求めにより、これに引き継がなければならない。

Article 87 Upon request by the Japan Federation of Bar Associations, the Bureau of Legal Affairs (Homu-fu) shall deliver to the Japan Federation of Bar Associations the roll of attorneys and any other documents concerning attorneys and bar associations which have been kept at the Bureau pursuant to prior provisions.

(現存の弁護士会及び弁護士会連合会)

(Current bar associations and federation of bar associations)

第八十八条 この法律施行の際現に存する弁護士会又は同じ高等裁判所の管轄区域内の弁護士会連合会は、この法律により弁護士会又は弁護士会連合会とみなす。

Article 88 (1) Any bar association or federation of bar associations existing in

the jurisdictional district of each high court at the time this Act becomes effective shall be deemed to be a bar association or federation of bar associations pursuant to this Act.

2 前項の弁護士会又は弁護士会連合会は、すみやかに、その会則又は規約について日本弁護士連合会の承認を受け、なお弁護士会にあつては設立の登記をしなければならない。

(2) The bar associations or federations of bar associations set forth in the preceding paragraph shall promptly obtain the approval of the Japan Federation of Bar Associations with respect to their articles of association or rules; in addition, the bar associations shall be required to register their establishment.

3 前項の登記については、第三十四条第二項及び第四項乃至第六項の規定を準用する。

(3) Paragraph (2) and paragraphs (4) through (6) of Article 34 shall apply *mutatis mutandis* to the registration set forth in the preceding paragraph.

(同じ区域内の弁護士会の特例)

(Special provisions for bar associations within the same district)

第八十九条 この法律施行の際現に同じ地方裁判所の管轄区域内に在る二箇以上の弁護士会は、第三十二条の規定にかかわらず、この法律施行後もなお存続させることができる。

Article 89 (1) Notwithstanding the provisions of Article 32, two or more bar associations existing within the jurisdictional district of the same district court may continue to exist as heretofore even after this Act becomes effective.

2 前項の弁護士会は、何時でも合併又は解散することができる。

(2) The bar associations set forth in the preceding paragraph may at any time be merged with each other or be dissolved.

3 前項の合併又は解散については、第四十三条第二項から第六項までの規定を準用する。

(3) In case of merger or dissolution pursuant to the preceding paragraph, paragraphs (2) through (6) of Article 43 shall apply *mutatis mutandis*.

(日本弁護士連合会設立の準備手続)

(Preparatory proceedings for the establishment of the Japan Federation of Bar Associations)

第九十条 日本弁護士連合会設立について必要な準備手続は、第八十条に規定する期日よりも前に行うことができる。

Article 90 Any preparatory proceedings necessary for the establishment of the Japan Federation of Bar Associations may commence prior to the date set forth in Article 80.

(弁護士及び弁護士試補の資格の特例に関する法律の適用)

(Application of Act concerning Exceptions to the Qualification of Attorneys and Probationary Attorneys)

第九十一条 弁護士及び弁護士試補の資格の特例に関する法律（昭和二十一年法律第十一号）の適用については、なお従前の例による。但し、同法に規定する弁護士試補は、司法修習生と読み替え、審査委員会の職務は、この法律に規定する日本弁護士連合会の資格審査会が行うものとする。

Article 91 The Act concerning the Exceptions to the Qualification of Attorney and Probationary Attorney (Act No. 11 of 1946) shall continue to apply as heretofore; provided, however, that a probationary attorney in said Act shall be read as a legal apprentice and the duties of the Examining Committee shall be performed by the Qualifications Screening Board of the Japan Federation of Bar Associations as set forth in this Act.

(法律事務取扱の取締に関する法律の廃止)

(Repeal of the Act concerning Control over the Handling of Legal Matters)

第九十二条 法律事務取扱の取締に関する法律（昭和八年法律第五十四号）は、廃止する。但し、同法廃止前にな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。

Article 92 The Act concerning Control over the Provision of Legal Services (Act No. 54 of 1933) shall be repealed; provided, however, with respect to the application of penal provisions under said Act to any act committed prior to the repeal of said Act, the provisions then in force shall remain applicable.

附 則 〔昭和二十五年四月十四日法律第九十六号〕〔抄〕

Supplementary Provisions [Act No. 96 of April 14, 1950] [Extract]

1 この法律のうち、裁判所法第六十一条の二、第六十一条の三及び第六十五条の改正規定、検察審査会法第六条第六号の改正規定中少年調査官及び少年調査官補に関するもの並びに少年法の改正規定は公布の日から起算して三十日を経過した日から、その他の部分は公布の日から施行する。

(1) Those provisions of this Act amending Articles 61-2, 61-3 and 65 of the Court Act, amending those provisions of Article 6, item (vi) of the Act on Committee for Inquest of Prosecution that concern juvenile investigators and assistant juvenile investigators and amending provisions of the Juvenile Act shall become effective after 30 days have elapsed from the day of the promulgation, and all other provisions shall come into effect as from the day of promulgation.

附 則 〔昭和二十六年六月九日法律第二百二十一号〕

Supplementary Provisions [Act No. 221 of June 9, 1951]

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 〔昭和二十六年六月十五日法律第二百三十七号〕 〔抄〕

Supplementary Provisions [Act No. 237 of June 15, 1951] [Extract]

1 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。

(1) This Act shall come into effect as from the day after one month has elapsed from the day of promulgation of this Act.

附 則 〔昭和二十七年七月三十一日法律第二百六十八号〕 〔抄〕

Supplementary Provisions [Act No. 268 of July 31, 1952] [Extract]

1 この法律は昭和二十七年八月一日から施行する。

(1) This Act shall come into effect as from August 1, 1952.

3 従前の機関及び職員は、この法律に基く相当の機関及び職員となり、同一性をもって存続するものとする。

(3) Previous organs and personnel shall become comparable organs and personnel under this Act and shall continue with the same identity.

4 この法律の施行前における法務府の各長官、法務総裁官房長、法務府事務官及び法務府教官の在職は、裁判所法第四十一条、第四十二条（判事補の職権の特例等に関する法律第一条第二項において準用する場合を含む。）及び第四十四条、検察庁法第十九条、弁護士法第五条並びに司法書士法第二条の規定の適用については、それぞれ法務省の事務次官、法務事務官及び法務教官の在職とみなす。

(4) Tenure of office as each Chief in the Attorney-General's Office, Secretary General of the Attorney-General's Office, officials of the Attorney-General's Office, and educational officials of the Attorney-General's Office before effectuation of this Act shall respectively be regarded as the tenure of office as Vice-Minister of the Ministry of Justice, law officials of the Ministry of Justice, and education officials of the Ministry of Justice for the purpose of the application of the provisions of Article 41, Article 42 (including the case where the same Article is applied mutatis mutandis under Article 1, paragraph (2) of the Act concerning the Exceptions to the Authority of Assistant Judges, etc.) and Article 44 of the Court Act, and Article 19 of the Public Prosecutor's Office Act, Article 5 of the Attorney Act and Article 2 of the Judicial Scrivener Act.

附 則 〔昭和三十年八月十日法律第百五十五号〕 〔抄〕

Supplementary Provisions [Act No. 155 of August 10, 1955] [Extract]

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.

3 この法律の施行の際、現に改正前の弁護士法第七条第一項又は第二項に規定する最

高裁判所の承認を受けている者については、なお従前の例による。

(3) Upon enforcement of this Act, regarding persons who have in fact received the approval of the Supreme Court prescribed in either paragraphs (1) or (2) of Article 7 of the pre-amendment Attorney Act, the provisions then in force shall remain applicable.

4 前項に規定する者を除いて、この法律の施行前に改正前の弁護士法第七条第一項又は第二項に規定する最高裁判所の承認を受けた者が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。

(4) Excluding those persons set forth in the previous paragraph, for purposes of application of penal provisions against acts carried out before the enforcement of this Act by persons who had received the approval of the Supreme Court prescribed in either paragraphs (1) or (2) of Article 7 of the pre-amendment Attorney Act, the provisions then in force shall remain applicable.

附 則 〔昭和三十二年六月一日法律第百五十八号〕 〔抄〕
Supplementary Provisions [Act No. 158 of June 1, 1957] [Extract]

(施行期日)

(Effective date)

1 この法律は、昭和三十二年八月一日から施行する。

(1) This Act shall come into effect as from August 1, 1957.

附 則 〔昭和三十六年六月十五日法律第百三十七号〕 〔抄〕
Supplementary Provisions [Act No. 137 of June 15, 1961] [Extract]

1 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。

(1) This Act shall come into effect as from a date prescribed by a Cabinet Order within a period not exceeding six months from the day of promulgation.

1 5 弁護士法第七条第三号及び第十二条第一項第二号の規定の適用については、旧法の規定による懲戒処分たる税理士の登録の取消しは、新法の規定による懲戒処分たる税理士業務の禁止とみなす。

(15) For the purpose of application of the provisions of item (iii) of Article 7 and item (ii) of paragraph (1) of Article 12 of the Attorney Act, revocation of registration as a tax accountant as disciplinary action pursuant to the former law shall be deemed to be prohibition against the practice of business as a tax accountant as disciplinary action under the new law.

附 則 〔昭和三十七年四月十六日法律第七十七号〕 〔抄〕
Supplementary Provisions [Act No. 77 of April 16, 1962] [Extract]

(施行期日)

(Effective date)

1 この法律は、公布の日から施行する。ただし、第六条及び附則第五項から第十一項までの規定は、昭和三十七年七月一日から施行する。

(1) This Act shall come into effect as from the day of promulgation; provided, however, that the provisions of Article 6 and paragraphs (5) through (11) of the Supplementary Provisions shall come into effect as from July 1, 1962.

1 0 改正後の弁護士法第五条の規定の適用については、第六条の規定の施行前における法務研修所の教官の在職は法務総合研究所の教官の在職と、法制局参事官の在職は内閣法制局参事官の在職とみなす。

(10) For the purpose of application of the provisions of Article 5 of the amended Attorney Act, the tenure of office of an instructor of the Training Institute of the Minister of Justice (houmu kenshyujyo) prior to the enforcement of the provisions of Article 6 shall be deemed to be the tenure of office of an instructor of the Research and Training Institute of the Minister of Justice (houmu sogo kenkyujyo), and the tenure of office of a councilor of the legislative bureau (houseikyoku sanjikan) prior to the enforcement of the provisions of Article 6 shall be deemed to be the term of office of a councilor of the Legislative Bureau of the Cabinet (naikaku houseikyoku sanjikan).

附 則 〔昭和三十七年五月十六日法律第百四十号〕 〔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 revised by this Act shall also apply to matters that arose prior to the enforcement of this Act except as otherwise set forth in these Supplementary Provisions; provided, however, that the foregoing shall not hinder any valid force that arose pursuant to provisions prior to 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 regards to lawsuits actually pending at the time of enforcement of this Act, the provisions then in force shall remain applicable notwithstanding provisions revised by this Act stipulating that such lawsuits 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 respect to the jurisdiction over lawsuits actually pending at the time of

enforcement of this Act, the provisions then in force shall remain applicable notwithstanding provisions revised by this Act stipulating 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 respect to the valid period for filing a lawsuit concerning a disposition or determination for which the valid period for filing a lawsuit pursuant to provisions prior to revision by this Act is actually running at time of enforcement, the provisions then in force shall remain applicable; provided, however, that the foregoing shall apply only in the case where the amended valid period is shorter than the valid period prior to revision.

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) The valid period for filing a party lawsuit concerning a disposition or determination for which the valid period is stipulated through the amendment by this Act shall be counted from the effective date 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 actions for rescission of disposition or determination actually pending at time of enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding provisions revised by this Act stipulating that one party to the legal relationship be the defendant; provided, however, that the court may, upon the plaintiff's request, may rule to permit changing the action into a party suit.

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 〔昭和三十七年九月十五日法律第百六十一号〕 〔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 provisions revised by this Act shall also apply to dispositions by an administrative agency prior to the enforcement of this Act, inactions by an administrative agency pertaining to filings prior to the enforcement of this Act or other matters that have arisen prior to the enforcement of this Act, except as otherwise provided for in these Supplementary Provisions; provided, however, that those provisions shall not hinder legal effects that have arisen pursuant to provisions prior to revision by this 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 respect to petitions, requests for examination, objections or other appeals ("Petitions, etc.") filed prior to the enforcement of this Act, the provisions then in force shall remain applicable even after the enforcement of this Act. The same shall apply to Petitions, etc. filed in the case of dissatisfaction with determinations, rulings, or other dispositions on Petitions, etc., which have been made prior to the enforcement of this Act ("Determinations, etc."), or a judgment, etc., made after the enforcement of this Act in regard to Petitions, 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) Petitions, etc. specified in the preceding paragraph pertaining to a disposition on which after enforcement of this Act an appeal may be filed pursuant to the Administrative Appeal Act shall be deemed to be appeals pursuant to the Administrative Appeal Act with respect to the application of laws other than such 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) No appeal pursuant to the Administrative Appeal Act may be entered against Determinations, etc., on requests for examination, objections or other appeals filed after the enforcement of this Act pursuant to the provision 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 respect to dispositions of an administrative agency prior to the enforcement of this Act on which Petitions, etc. may be filed pursuant to the provisions prior to revision by this Act and for which the valid period has not been stipulated, the valid period for filing an appeal pursuant to the Administrative Appeal Act shall be counted from the effective date 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 respect to the application of penal provisions against acts 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 the provisions of the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act shall be stipulated by Cabinet Order.

10 この法律及び行政事件訴訟法の施行に伴う関係法律の整理等に関する法律（昭和三十七年法律第百四十号）に同一の法律についての改正規定がある場合においては、当該法律は、この法律によつてまず改正され、次いで行政事件訴訟法の施行に伴う関係法律の整理等に関する法律によつて改正されるものとする。

(10) In the event this Act and the Act on the Arrangement, etc. of Relevant Acts with the Enforcement of the Administrative Case Litigation Act (Act No. 140 of 1962) contains provisions amending the same other Act, such Act shall first be amended by this Act and then by the Act on the Arrangement, etc. of Relevant Acts with the Enforcement of the Administrative Case Litigation Act.

附 則 〔昭和四十年五月十八日法律第六十九号〕〔抄〕

Supplementary Provisions [Act No. 69 of May 18, 1965] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、公布の日から起算して九十日をこえない範囲内で政令で定める日から施行する。

Article 1 This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding 90 days from the day of promulgation

附 則 〔昭和四十一年六月二十八日法律第八十九号〕〔抄〕

Supplementary Provisions [Act No. 89 of June 28, 1966] [Extract]

(施行期日)

(Effective date)

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.

附 則 〔昭和五十八年十二月二日法律第七十八号〕

Supplementary Provisions [Act No. 78 of December 2, 1983]

1 この法律（第一条を除く。）は、昭和五十九年七月一日から施行する。

(1) This Act (excluding Article 1) shall come into effect as from July 1, 1984.

2 この法律の施行の日の前日において法律の規定により置かれている機関等で、この法律の施行の日以後は国家行政組織法又はこの法律による改正後の関係法律の規定に基づく政令（以下「関係政令」という。）の規定により置かれることとなるものに関し必要となる経過措置その他この法律の施行に伴う関係政令の制定又は改廃に関し必要となる経過措置は、政令で定めることができる。

(2) Transitional measures necessary for organs, etc. that are in existence pursuant to the provisions of laws on the day prior to the enforcement of this Act and that will be in existence pursuant to the provisions of the National Government Organization Act or Cabinet Order pursuant to the provisions of related laws that are amended by this Act ("Related Cabinet Orders") after the enforcement of this Act, and transitional measures necessary for the enactment or changes to Related Cabinet Orders resulting from the enforcement of this Act, may be stipulated by Cabinet Order.

附 則 〔昭和五十八年十二月二日法律第八十号〕 〔抄〕

Supplementary Provisions [Act. No. 80 of December 2, 1983] [Extract]

（施行期日）

（Effective date）

1 この法律は、総務庁設置法（昭和五十八年法律第七十九号）の施行の日から施行する。

(1) This Act shall come into effect as from the date that the Act for Establishment of the Management and Coordination Agency (Act No. 79 of 1983) becomes effective.

（経過措置）

（Transitional measures）

6 この法律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は、政令で定めることができる。

(6) In addition to the provisions of this Act, transitional measures necessary for the enforcement of this Act may be stipulated by Cabinet Order.

附 則 〔昭和六十一年五月二十三日法律第六十六号〕 〔抄〕

Supplementary Provisions [Act No. 66 of May 23, 1986] [Extract]

(施行期日)

(Effective date)

1 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。

(1) This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding two years from the day of promulgation.

附 則 〔平成五年十一月十二日法律第八十九号〕〔抄〕

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(施行期日)

(Effective date)

第一条 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。

Article 1 This Act shall come into effect as from the day the Administrative Procedure Act (Act No. 88 of 1993) becomes effective.

(諮問等がされた不利益処分に関する経過措置)

(Transitional measures concerning adverse dispositions regarding which an appeal etc. has been made)

第二条 この法律の施行前に法令に基づき審議会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。

Article 2 If prior to the enforcement of this Act, a consultation or other request has been made under laws and regulations to a council or any other panel requesting that procedures corresponding to hearings, grant of opportunity for explanation and other procedures for giving statement of opinion prescribed in Article 13 of the Administrative Procedure Act be implemented, with regard to the procedures for adverse dispositions that are the subject of such consultation or request, the provisions that were then in force shall remain applicable notwithstanding the provisions of relevant Acts after amendment by this Act.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional measures upon arrangement of provisions relating to hearings)

第十四条 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。

Article 14 Procedures for hearings (excluding those concerning adverse

dispositions) implemented under this Act prior to the enforcement of this Act or procedures incidental thereto shall be deemed to have been implemented under corresponding provisions of related laws after amendment by this Act.

附 則 〔平成八年六月二十六日法律第百三号〕〔抄〕

Supplementary Provisions [Act No. 103 of June 26, 1996] [Extract]

(施行期日)

(Effective date)

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.

附 則 〔平成十年三月三十一日法律第十三号〕〔抄〕

Supplementary Provisions [Act No. 13 of March 31, 1998] [Extract]

(施行期日)

(Effective date)

1 この法律は、平成十年四月一日から施行する。

(1) This Act shall come into effect as from April 1, 1998.

附 則 〔平成十一年七月十六日法律第百二号〕〔抄〕

Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as from the effective date of the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999); provided, however, that the provisions in the following items shall come into force on the date stipulated therein.

一 略

(i) Omitted

二 附則第十条第一項及び第五項、第十四条第三項、第二十三条、第二十八条並びに第三十条の規定 公布の日

(ii) The provisions of paragraphs (1) and (5) of Article 10, paragraph (3) of Article 14, Article 23, Article 28 and Article 30 of the Supplementary Provisions: day of promulgation.

(別に定める経過措置)

(Separately stipulated transitional measures)

第三十条 第二条から前条までに規定するもののほか、この法律の施行に伴い必要となる経過措置は、別に法律で定める。

Article 30 In addition to the provisions of Article 2 through the previous Article, transitional measures necessary for the enforcement of this Act shall be separately stipulated by law.

附 則 [平成十一年七月三十日法律第百十六号] [抄]

Supplementary Provisions [Act No. 116 of July 30, 1999] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act shall come into effect as from the day of promulgation.

附 則 [平成十一年十二月八日法律第百五十一号] [抄]

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、平成十二年四月一日から施行する。

Article 1 This Act shall come into effect as from April 1, 2000.

(経過措置)

(Transitional measures)

第三条 民法の一部を改正する法律（平成十一年法律第百四十九号）附則第三条第三項の規定により従前の例によることとされる準禁治産者及びその保佐人に関するこの法律による改正規定の適用については、次に掲げる改正規定を除き、なお従前の例による。

Article 3 With regard to the application of the provisions revised by this Act concerning quasi-incompetent persons and the curators thereof for whom the provisions then in force shall be deemed to remain applicable pursuant to Article 3, paragraph (3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), the provisions then in force shall remain applicable except for the following provisions:

一から二十五まで 略

(i) to (xxv) Omitted

第四条 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。

Article 4 With respect to application of penal provisions to acts carried out prior

to enforcement of this Act, the provisions then in force shall remain applicable.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective date)

第一条 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。

Article 1 This Act (excluding Articles 2 and 3) shall come into effect as from January 16, 2001.

附 則 〔平成十二年十一月二十七日法律第百二十五号〕 〔抄〕

Supplementary Provisions [Act No. 125 of November 27, 2000] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act shall come into effect as from the day of promulgation.

附 則 〔平成十三年六月八日法律第四十号〕 〔抄〕

Supplementary Provisions [Act No. 40 of June 8, 2001] [Extract]

(施行期日)

(Effective date)

- 1 この法律は、平成十四年三月三十一日までの間において政令で定める日から施行する。ただし、第二条中自衛隊法第三十六条の四第一項の改正規定、同条を同法第三十六条の八とする改正規定、同法第三十六条の三を同法第三十六条の七とする改正規定、同法第三十六条の二の前の見出しを削る改正規定、同条の改正規定、同条を同法第三十六条の六とし、同条の前に見出しを付する改正規定及び同法第三十六条の次に四条を加える改正規定並びに第三条（防衛庁の職員の給与等に関する法律第三条第一項、第二十二條第一項、第二十四条の四及び第二十四条の五の改正規定、同条を同法第二十四条の六とする改正規定、同法第二十四条の四の次に一条を加える改正規定並びに同法第二十八条の三の改正規定に係る部分を除く。）、第四条及び附則第三項から第五項までの規定は、公布の日から施行する。

(1) This Act shall come into effect as from a date prescribed by Cabinet Order no later than March 31, 2002; provided, however, the following provisions shall come into effect as from the day of promulgation. Those provisions of Article 2 that amend the following: paragraph (1) of Article 36-4 of the Self Defense Forces Act ("SDF Act"); "Article 36-4" of the SDF Act to read as "Article 36-8" of the SDF Act; "Article 36-3" of the SDF Act to be "Article 36-7" of the SDF Act; the SDF Act by deleting the heading preceding Article 36-2 of the SDF Act;

Article 36-2; "Article 36-2" of the SDF to be "Article 36-6" of the SDF Act; the SDF Act by adding a heading to precede Article 36-6; and the SDF Act by adding four Articles after Article 36. The provisions of Article 3 (excluding parts that amend the following: paragraph (1) of Article 3 of the Act on Remuneration, etc. of Ministry of Defense Personnel; paragraph (1) of Article 22 of such Act; Articles 24-4 and 24-5 of such Act; "Article 24-5" of such Act to be "Article 24-6"; such Act by adding one Article after Article 24-4; and Article 28-3 of such Act). The provisions of Article 4. The provisions of paragraphs (3) through (5) of the Supplementary Provisions.

附 則 〔平成十三年六月八日法律第四十一号〕〔抄〕

Supplementary Provisions [Act No. 41 of June 8, 2001] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、平成十四年四月一日から施行する。

Article 1 This Act shall come into effect as from April 1, 2002.

附 則 〔平成十三年十一月二十八日法律第百二十九号〕〔抄〕

Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]

(施行期日)

(Effective date)

1 この法律は、平成十四年四月一日から施行する。

(1) This Act shall come into effect as from April 1, 2002.

(罰則の適用に関する経過措置)

(Transitional measures regarding the application of penal provisions)

2 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。

(2) With respect to the application of penal provisions to acts committed prior to the enforcement of this Act as well as acts committed after the enforcement of this Act in cases where the provisions then in force are to remain applicable pursuant to the provisions of this Act, the provisions then in force shall remain applicable.

附 則 〔平成十四年五月二十九日法律第四十五号〕

Supplementary Provisions [Act No. 45 of May 29, 2002]

(施行期日)

(Effective date)

1 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。

(1) This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding one year from the day of promulgation.

附 則 〔平成十四年五月二十九日法律第四十八号〕 〔抄〕

Supplementary Provisions [Act No. 48 of May 29, 2002] [Extract]

(施行期日)

(Effective date)

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

Article 1 This Act shall come into effect as from a date prescribed by a Cabinet Order within a period not exceeding three months from the day of promulgation.

附 則 〔平成十五年七月二十五日法律第百二十八号〕 〔抄〕

Supplementary Provisions [Act No. 128 of July 25, 2003] [Extract]

(施行期日)

(Effective date)

第一条 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。

Article 1 This Act shall come into effect as from April 1, 2004; provided, however, that the provisions listed in the following items shall be effective on the date stipulated in the relevant item:

一 附則第六条、第十一条及び第十二条の規定 公布の日

(i) Provisions of Articles 6, 11 and 12 of the Supplementary Provisions: day of promulgation.

(弁護士の営利業務の届出に関する経過措置)

(Transitional measures regarding notification of a profit-making business by an attorney)

第六条 施行日前に第七条の規定による改正前の弁護士法（以下「旧弁護士法」という。）第三十条第三項の許可を受けて営利を目的とする業務を営み、若しくはこれを営む者の使用人となり、又は営利を目的とする法人の業務執行社員、取締役、執行役若しくは使用人となっている弁護士は、施行日において引き続きその業務を営み、又はその地位にあろうとするときは、施行日前に、第七条の規定による改正後の弁護士法（以下「新弁護士法」という。）第三十条第一項各号に掲げる区分に応じ、同項各号に規定する事項を、所属弁護士会に届け出ることができる。

Article 6 (1) If prior to the amendment of the Attorney Act ("Old Attorney Act") pursuant to Article 7, an attorney who prior to the enforcement of this Act obtained the permission set forth in paragraph (3) of Article 30 and operates a profit-making business, or became an employee of a person operating such a business, or became an executive member, director, executive officer or employee of a profit-making juridical person, and wishes to continue such a business or be in such a position after the enforcement of this Act, may, prior to the effective date, in accordance with the classifications set forth in the items in paragraph (1) of Article 30 of the Attorney Act as amended by Article 7 ("New Attorney Act"), provide notification of the matters set forth in the items of the same paragraph to the bar association to which he/she belongs.

2 前項の規定による届出をした者は、その届出に係る事項に変更を生じたときは、遅滞なく、その旨を所属弁護士会に届け出なければならない。施行日前に届出に係る業務を廃止し、又は届出に係る地位を失ったときも、同様とする。

(2) A person who has made notification in accordance with the previous paragraph shall, without delay, notify the bar association to which he/she belongs should any changes to the notified matters occur. The same shall apply if, prior to the effective date, a business subject to such notification is discontinued or a position subject to such notification is lost.

3 前二項の規定による届出のあった事項については、施行日に新弁護士法第三十条第一項の規定による届出があったものとみなす。ただし、前項後段の規定による届出があったものについては、この限りでない。

(3) Any matters regarding which notification has been made pursuant to the provisions of the preceding two paragraphs shall, on the effective date, be deemed to be subject to notification pursuant to paragraph (1) of Article 30 of the New Attorney Act; provided, however, that this shall not apply to the notification pursuant to the provision in the latter part of the previous paragraph.

(弁護士等の懲戒の事由に関する経過措置)

(Transitional measures regarding grounds for disciplinary actions against attorneys, etc.)

第七条 施行日前に弁護士が旧弁護士法第三十条の規定に違反したときは、その弁護士の所属弁護士会又は日本弁護士連合会は、施行日以後も、当該事実に基づきその弁護士を懲戒することができる。

Article 7 If an attorney violates the provisions of Article 30 of the Old Attorney Act prior to the effective date, the bar association to which such attorney belongs or the Japan Federation of Bar Associations may discipline such attorney on such grounds even after the effective date.

(弁護士等の懲戒の手続に関する経過措置の原則)

(General rule for transitional measures regarding procedures for disciplining attorneys, etc.)

第八条 弁護士及び弁護士法人に対する懲戒の手続については、次条に定めるものを除き、施行日前に懲戒の請求があり、又は懲戒の手続が開始された事案についても新弁護士法の規定を適用する。ただし、旧弁護士法の規定により生じた効力を妨げない。

Article 8 Regarding the disciplinary procedures against attorneys or Legal Professional Corporations, except for the matters stipulated in the following Article, the provisions of the New Attorney Act shall apply even to cases where a demand for discipline has been made or disciplinary procedures have been commenced prior to the effective date; provided, however, that the foregoing shall not hinder legal effects that arose pursuant to the Old Attorney Act.

(弁護士等の懲戒の手続に関する経過措置の特則)

(Special provisions for transitional measures regarding disciplinary procedures against attorneys, etc.)

第九条 施行日前に旧弁護士法第六十一条第一項の規定による異議の申出がなされた事案に係る懲戒の手続については、新弁護士法第六十四条の六及び第六十四条の七の規定を除き、なお従前の例による。

Article 9 (1) Regarding disciplinary procedures for cases for which an objection has been filed prior to the effective date pursuant to the provisions of paragraph (1) of Article 61 of the Old Attorney Act, except for the provisions of Articles 64-6 and 64-7 of the New Attorney Act, the provisions then in force shall remain applicable.

2 新弁護士法第六十四条の六第二項及び第三項の規定は、施行日前に弁護士会又は日本弁護士連合会がした懲戒の処分については、適用しない。

(2) The provisions of paragraphs (2) and (3) of Article 64-6 of the New Attorney Act shall not apply in disciplinary actions taken by the bar association or the Japan Federation of Bar Associations prior to the effective date.

3 新弁護士法第六十四条の七の規定は、同条第一項各号又は第二項各号に規定する通知の事由が施行日前に生じた場合については、適用しない。

(3) The provisions of Article 64-7 of the New Attorney Act shall not apply if the grounds for the notice set forth in the items of paragraphs (1) and (2) of said Article arose prior to the effective date.

4 施行日前に弁護士会が弁護士若しくは弁護士法人を懲戒しない旨の決定をし、又はこれを懲戒した場合において、その弁護士又は弁護士法人に対する懲戒の請求をした者が施行日以後にこれについての異議の申出をするときは、その異議の申出は、その懲戒の請求をした者が当該弁護士会からその弁護士若しくは弁護士法人を懲戒しない旨の決定をし、又はこれを懲戒したことの通知を受けた日（通知を受けた日が施行日前である場合は、施行日）の翌日から起算して六十日以内にしなければならない。

(4) If prior to the date of enforcement the bar association makes a ruling not to discipline or disciplines an attorney or a Legal Professional Corporation, and if

the person who made the request for disciplinary action against such attorney or Legal Professional Corporation files an objection regarding such determination or action after the effective date, such objection must be filed within 60 days from the day after the person making the demand for disciplinary action receives notice (if such notice is received prior to the date of enforcement, then from the date of enforcement) from the relevant bar association that it has made a decision not to discipline or that it has disciplined such attorney or Legal Services Corporation.

5 新弁護士法第六十四条第三項の規定は、前項の異議の申出に準用する。

(5) The provisions of paragraph (3) of Article 64 of the New Attorney Act shall apply mutatis mutandis to an objection set forth in the previous paragraph.

(日本弁護士連合会の綱紀委員会等の委員の任期に関する特例)

(Special provisions regarding the term of members of the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations)

第十条 施行日以後最初に委嘱される日本弁護士連合会の綱紀委員会の委員の任期は、新弁護士法第七十条の三第三項の規定にかかわらず、日本弁護士連合会の総会の決議の定めるところにより、当該委員の総数の半数（当該委員の総数が奇数である場合には、その二分の一の数に生じた端数を切り捨てた数）については、一年とする。

Article 10 (1) Notwithstanding the provisions of paragraph (3) of Article 70-3 of the New Attorney Act, the term of members of the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations that are the first to be appointed after the effective date shall be, based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations, one year for half of the total number of such committee members (if the total number of committee members is odd, the number remaining after dividing the total number by two and rounding down to the nearest whole number).

2 施行日以後最初に委嘱される綱紀審査会の委員の任期は、新弁護士法第七十一条の三第二項の規定にかかわらず、日本弁護士連合会の総会の決議の定めるところにより、そのうち五人については、一年とする。

(2) Notwithstanding the provisions of paragraph (2) of Article 71-3 of the New Attorney Act, the term of members of the Board of Discipline Review that are the first to be appointed after the effective date shall be, based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations, one year for five of the board members.

(綱紀委員会の委員等の委嘱手続に関する特例)

(Special provisions regarding procedures to appoint members, etc. to the Disciplinary Enforcement Committee)

第十一条 新弁護士法第七十条の三第一項及び第二項（これらの規定を新弁護士法第七十条の五第三項において準用する場合を含む。）の規定による綱紀委員会の委員及び

予備委員の委嘱並びに新弁護士法第七十一条の三第一項（新弁護士法第七十一条の五第三項において準用する場合を含む。）の規定による綱紀審査会の委員及び予備委員の委嘱のために必要な行為は、施行日前においても行うことができる。

Article 11 All actions necessary for the appointment of members and reserve members to the Disciplinary Enforcement Committee pursuant to paragraphs (1) and (2) of Article 70-3 of the New Attorney Act (including mutatis mutandis application in paragraph (3) of Article 70-5 of the New Attorney Act) and for the appointment of members and reserve members to the Board of Discipline Review pursuant to paragraph (1) of Article 71-3 of the New Attorney Act (including mutatis mutandis application in paragraph (3) of Article 71-5 of the New Attorney Act) shall be carried out prior to the effective date.

附 則 〔平成十六年三月三十一日法律第八号〕 〔抄〕

Supplementary Provisions [Act No. 8 of March 31, 2004] [Extract]

（施行期日）

(Effective date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act shall come into effect as from April 1, 2004.

（裁判所法等に係る資格要件に関する経過措置）

(Transitional Measures for qualifications pertaining to the Court Act, etc.)

第二条 この法律の施行前における裁判所書記官研修所教官の在職は、裁判所法第四十一条、第四十二条（判事補の職権の特例等に関する法律（昭和二十三年法律第四百四十六号）第一条第二項において準用する場合を含む。）及び第四十四条、検察庁法（昭和二十二年法律第六十一号）第十九条並びに弁護士法（昭和二十四年法律第二百五号）第五条の規定の適用については、裁判所職員総合研修所教官の在職とみなす。

Article 2 Tenure of offices as Professors of the Court Clerk Research and Training Institute shall be deemed as the tenure of office as professors of the Training and Research Institute for Court Officials with respect to the application of the provisions of Articles 41, 42 of the Court Act (including application mutatis mutandis under Article 1, paragraph (2) of the Act concerning the Exceptions to the Authority of Assistant Judge (Act No. 146 of 1948)) and Article 44 of the same, Article 19 of the Public Prosecutor's Office Act (Act No. 61 of 1947) and Article 5 of the Attorney Act (Act No. 205 of 1949).

附 則 〔平成十六年三月三十一日法律第九号〕 〔抄〕

Supplementary Provisions [Act No. 9 of March 31, 2004] [Extract]

（施行期日）

(Effective date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act shall come into effect as from April 1, 2004.

(弁護士法第六条第一項第二号に規定する大学を定める法律の廃止)

(Repeal of the Act Stipulating the Universities Prescribed in item (ii), paragraph (1) of Article 6 of the Attorney Act)

第二条 弁護士法第六条第一項第二号に規定する大学を定める法律（昭和二十五年法律第百八十八号）は、廃止する。

Article 2 The Act Stipulating the Universities Prescribed in item (ii), paragraph (1) of Article 6 of the Attorney Act (Act No. 188 of 1950) is repealed.

(弁護士の資格の特例に関する経過措置)

(Transitional measures regarding special provisions for qualifications of an attorney)

第三条 この法律の施行の際現にこの法律による改正前の弁護士法（以下「旧法」という。）第五条又は第六条第一項第二号の規定により弁護士となる資格を有する者の弁護士となる資格については、なお従前の例による。

Article 3 (1) With respect to the qualifications to become an attorney of a person who, at the time of enforcement of this Act, actually has the qualifications to become an attorney pursuant to the Attorney Act prior to its revision ("Old Act"), the provisions then in force shall remain applicable.

2 前項に規定するもののほか、この法律の施行の日前に旧法第六条第一項第二号に規定する職に在った者（この法律による改正後の弁護士法（以下「新法」という。）第五条各号のいずれかに該当する者及び新法第六条に規定する者を除く。）の弁護士となる資格については、なお従前の例による。この場合において、旧法第六条第一項中「次に掲げる者」とあるのは「法務大臣が、弁護士法の一部を改正する法律（平成十六年法律第九号）による改正後の弁護士法第五条から第五条の六までの規定の例により、第二号に該当し、その後に弁護士業務について研修の課程を修了したと認定した者」と、同項第二号中「通算して五年以上となる者」とあるのは「平成二十年三月三十一日までに通算して五年以上になること。」とする。

(2) In addition to the provisions of the previous paragraph with respect to the qualifications of a person (excluding a person who falls under any of the items of Article 5 of the Attorney Act as amended by this Act ("New Act") and a person stipulated in Article 6 of the New Act) serving in a position stipulated in item (ii) of paragraph (1) of Article 6 of the Old Act prior to the effective date to become an attorney, the provisions then in force shall remain applicable. In such case, the text "a person who is listed in the following" in paragraph (1) of Article 6 of the Old Act shall be read as "a person who has met the requirements of item (ii) and who is certified by the Minister of Justice as having thereafter completed a training course for attorney services pursuant to the provisions of Articles 5 through 5-6 of the Attorney Act as amended

pursuant to the Act for Partial Amendment of the Attorney Act (Act No. 9 of 2004)" and the text "a person with a total of not less than five years" in item (ii) of paragraph (1) of Article 6 of the Old Act shall be read as "a total of not less than five years by March 31, 2008".

3 前二項に規定するもののほか、この法律の施行の日前に旧法第六条第一項第二号に規定する職に在った者についての新法第五条の規定の適用については、当該職に在った期間及びこの法律の施行の日から平成二十年三月三十一日までの間におけるこれに相当する職に在った期間（以下この項において「経過在職期間」という。）は、司法修習生となる資格を得た後に同条第一号に規定する職に在った期間、司法修習生となる資格を得た後に同条第二号に規定する職務に従事した期間又は検察庁法第十八条第三項に規定する試験を経た後に新法第五条第三号に規定する職に在った期間（同条第四号において通算する場合におけるこれらの期間を含む。以下この項において「在職等期間」という。）に通算することができる。この場合において、当該経過在職期間は、その通算に係る在職等期間とみなして新法の規定を適用する。

(3) In addition to the provisions of the preceding two paragraphs, regarding the application of the provisions of Article 5 of the New Act to a person who, prior to the effective date of this Act, served in a position as set forth in item (ii), paragraph (1) of Article 6 of the Old Act, the period of time he/she serves in such a position and the period of time between the effective date of this Act and March 31, 2008 during which he/she serves in a corresponding position (hereinafter referred to in this paragraph as the "Transitional Tenure Period") may be added to the following: the period of time he/she serves in a position stipulated in item (i) of said Article after acquiring the qualification to become a legal apprentice; the period of time he/she works at a job stipulated in item (ii) of said Article after acquiring the qualification to become a legal apprentice; and the period of time he/she serves in a position stipulated in item (iii) of Article 5 of the New Act after passing the examination set forth in paragraph (3) of Article 18 of the Public Prosecutor's Office Act (includes the period of time that may be added pursuant to item (iv) of said Article; hereinafter, referred to in this paragraph as the "Tenure, etc. Period"). In such case, the relevant transitional Tenure Period shall be deemed to be included in the Tenure, etc. Period and the provisions of the New Act shall be applied.

（罰則）

(Penal provisions)

第四条 前条第二項の規定によりなお従前の例によることとされる読み替えられた旧法第六条第一項の規定によりその規定の例によることとされた新法第五条の二第一項の規定による申請において、前条第二項の規定によりなお従前の例によることとされる読み替えられた旧法第六条第一項第二号に規定する職に在った期間その他の重要な事項につき虚偽の申請をして、法務大臣に同項の認定をさせた者は、二年以下の懲役又は百万円以下の罰金に処する。

Article 4 (1) A person who, in an application pursuant to the stipulations of paragraph (1) of Article 5-2 of the New Act that, under the provisions of paragraph (1) of Article 6 of the Old Act construed, pursuant to the stipulations of paragraph (2) of the preceding Article, as being applicable in the manner previously applicable, are to be applied in the manner set forth in such provisions, makes a false application with respect to the period of time in which he/she served in the position stipulated in item (ii), paragraph (1) of Article 6 of the Old Act construed, pursuant to the stipulations of paragraph (2) of the preceding Article, as being applicable in the manner previously applicable or with respect to other material matters, thus causing the Minister of Justice to give the certification set forth in that same paragraph, shall be punished with a maximum jail term of two years or a maximum fine of one million yen

2 前項の罪の未遂は、罰する。

(2) Attempts to commit the crime of the preceding paragraph will be punished.

附 則 [平成十六年六月二日法律第七十六号] [抄]

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(施行期日)

(Effective date)

第一条 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。

Article 1 This Act shall come into effect as from the date the Bankruptcy Act (Act No. 75 of 2004; referred to as the "New Bankruptcy Act" in paragraph (8) of the next Article and paragraph (8) of Article 3, paragraphs (8), (16) and (21) of Article 5 and Article 13) becomes effective.

(罰則の適用等に関する経過措置)

(Transitional measures regarding the application of penal provisions)

第十二条 施行日前にした行為並びに附則第二条第一項、第三条第一項、第四条、第五条第一項、第九項、第十七項、第十九項及び第二十一項並びに第六条第一項及び第三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。

Article 12 With respect to the application of penal provisions to acts committed prior to the effective date of this Act as well as acts committed after the effective date for which the provisions then in force shall remain applicable pursuant to article 2 paragraph (1), article 3 paragraph (1), article 4, article 5 paragraph (1), article 9, article 17, article 19 and article 21 of supplementary provisions (Act No. 76, June 2, 2004), article 6 paragraph (1) and paragraph (3)

of the supplementary provisions for which the provisions then in force shall remain applicable pursuant to said provisions after the enforcement of this Act in cases where the provisions then in force are to remain applicable pursuant to the provisions of the previous article, the provisions then in force shall remain applicable.

(政令への委任)

(Delegation to Cabinet Order)

第十四条 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必要な経過措置は、政令で定める。

Article 14 In addition to the matters provided for in Article 2 through the previous Article of the Supplementary Provisions, all other transitional measures necessary with respect to the enforcement of this Act shall be stipulated by Cabinet Order.

附 則 〔平成十六年六月九日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of June 9, 2004] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、公布の日から起算して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。

Article 1 This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding one year from the day of promulgation.

(罰則の適用に関する経過措置)

(Transitional measures regarding the application of penal provisions)

第三条 この法律の施行前にした行為及び前条において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。

Article 3 With respect to the application of penal provisions to acts committed prior to the enforcement of this Act as well as acts committed after the enforcement of this Act in cases where the provisions then in force are to remain applicable pursuant to the provisions of the previous Article, the provisions then in force shall remain applicable.

附 則 〔平成十六年六月十八日法律第百二十四号〕〔抄〕

Supplementary Provisions [Act No. 124 of June 18, 2004] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、新不動産登記法の施行の日から施行する。

Article 1 This Act shall come into effect as from the date the New the Real Property Registration Act becomes effective.

附 則 〔平成十七年七月十五日法律第八十三号〕〔抄〕

Supplementary Provisions [Act No. 83 of July 15, 2005] [Extract]

(施行期日)

(Effective date)

第一条 この法律は、平成十九年四月一日から施行する。

Article 1 This Act shall come into effect as from April 1, 2007.

(助教授の在職に関する経過措置)

(Transitional measures regarding the tenure of assistant professor)

第二条 この法律の規定による改正後の次に掲げる法律の規定の適用については、この法律の施行前における助教授としての在職は、准教授としての在職とみなす。

Article 2 For the purpose of application of the provisions of the following Acts after the revision pursuant to the provisions of this Act, the tenure of assistant professor prior to the enforcement of the provisions of this Act shall be deemed to be the tenure of associate professors;

一から五まで 略

(i) to (v) Omitted

六 弁護士法（昭和二十四年法律第二百五号）第五条

(vi) Article 5 of the Attorney Act (Act No. 205 of 1949)

附 則 〔平成十七年七月二十六日法律第八十七号〕〔抄〕

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

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 date the Companies Act becomes effective.