

# 民事訴訟費用等に関する法律 Act on Costs of Civil Procedure

(昭和四十六年四月六日法律第四十号)  
(Act No. 40 of April 6, 1971)

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**第一章 総則**

**Chapter I General Provisions**

(趣旨)

(Purpose)

第一条 民事訴訟手続、民事執行手続、民事保全手続、行政事件訴訟手続、非訟事件手続、家事審判手続その他の裁判所における民事事件、行政事件及び家事事件に関する手続（以下「民事訴訟等」という。）の費用については、他の法令に定めるもののほか、この法律の定めるところによる。

Article 1 Costs of civil litigation proceedings, civil execution proceedings, civil preservation proceedings, administrative case litigation proceedings, non-contentious case proceedings, domestic-relations adjudication proceedings, and any other proceedings relating to civil cases, administrative cases or domestic-relations cases in court (hereinafter referred to as "civil proceedings, etc.") shall be governed by the provisions of this Act in addition to the provisions of other laws and regulations.

(当事者その他の者が負担すべき民事訴訟等の費用の範囲及び額)

(Scope and Amount of Costs of Civil Proceedings, etc. to Be Borne by the Parties and Other Persons)

第二条 民事訴訟法（平成八年法律第九号）その他の民事訴訟等に関する法令の規定により当事者等（当事者又は事件の関係人をいう。第四号及び第五号を除き、以下同じ。）又はその他の者が負担すべき民事訴訟等の費用の範囲は、次の各号に掲げるものとし、その額は、それぞれ当該各号に定めるところによる。

Article 2 The scope of the costs of civil proceedings, etc. to be borne by a party, etc. (meaning a party or an interested person in the case; the same shall apply hereinafter, except under item (iv) and item (v)) or by any other person pursuant to the provisions of the Code of Civil Procedure (Act No. 109 of 1996) and other laws and regulations concerning civil proceedings, etc. shall be as listed in the following items, and the amounts of such costs shall be as specified in the respective items:

一 次条の規定による手数料 その手数料の額（第九条第三項又は第五項の規定により還付される額があるときは、その額を控除した額）

(i) the fees under the provisions of the following Article: the amount of the fees (or the amount of the fees after deducting the amount to be refunded pursuant to the provisions of Article 9, paragraph (3) or paragraph (5), if there is any such amount to be refunded);

二 第十一条第一項の費用 その費用の額

(ii) the costs set forth in Article 11, paragraph (1): the amount of the costs;

三 執行官法（昭和四十一年法律百十一号）の規定による手数料及び費用 その手数料及び費用の額

(iii) the fees and expenses under the provisions of the Court Execution Officers Act (Act No. 111 of 1966): the amount of the fees and expenses;

四 当事者等（当事者若しくは事件の関係人、その法定代理人若しくは代表者又はこれらに準ずる者をいう。以下この号及び次号において同じ。）が口頭弁論又は審問の期日その他裁判所が定めた期日に出頭するための旅費、日当及び宿泊料（親権者以外の法定代理人、法人の代表者又はこれらに準ずる者が二人以上出頭したときは、そのうちの最も低額となる一人についての旅費、日当及び宿泊料） 次に掲げるところにより算定した旅費、日当及び宿泊料の額

(iv) the travel expenses, daily allowance and accommodation charges to be incurred in order for a party, etc. (meaning a party or an interested person in the case, his/her or its statutory agent or representative, or any other person equivalent thereto; hereinafter the same shall apply in this item and the following item) to appear on the date for oral argument or hearing or any other date designated by the court (if two or more persons appear as statutory agents in lieu of a person with parental authority, as the representative of a juridical person, as any other person equivalent thereto, the lowest amount of travel expenses, daily allowance, and accommodation

charges incurred by any one of these persons): the amount of travel expenses, daily allowance and accommodation charges calculated as prescribed in the following:

イ 旅費

(a) travel expenses:

- (1) 旅行が本邦（国家公務員等の旅費に関する法律（昭和二十五年法律第一百四十四号）第二条第一項第四号に規定する本邦をいう。以下同じ。）と外国（本邦以外の領域（公海を含む。）をいう。以下同じ。）との間のものを含まない場合においては、当事者等の普通裁判籍の所在地を管轄する簡易裁判所の主たる庁舎の所在する場所と出頭した場所を管轄する簡易裁判所の主たる庁舎の所在する場所との間の距離を基準として、その距離を旅行するとき通常要する交通費の額として最高裁判所が定める額（これらの場所が同一となるときは、最高裁判所が定める額）。ただし、旅行が通常の経路及び方法によるものであること並びに現に支払った交通費の額が当該最高裁判所が定める額を超えることを明らかにする領収書、乗車券、航空機の搭乗券の控え等の文書が提出されたときは、現に支払った交通費の額

1. In cases where the travel does not include any travel between Japan (meaning Japan as prescribed in Article 2, paragraph (1), item (iv) of the Act on Travel Expenses of National Public Servants (Act No. 114 of 1950); the same shall apply hereinafter) and a foreign state (meaning territories other than the territory of Japan (including international waters); the same shall apply hereinafter), the amount specified by the Supreme Court as the amount of transportation expenses normally required to travel the distance between the place where the principal building of the summary court that has jurisdiction over the location of the general venue of the party, etc. is located and the place where the principal building of the summary court that has jurisdiction over the place where the party, etc. appears, on the basis of such distance (if these places are the same, the amount specified by the Supreme Court); provided, however, that the amount of transportation expenses actually paid shall apply when the party, etc. submits documents such as receipts, train tickets, airline boarding pass stubs, and the like, which clearly indicate that the travel used an ordinary route and means and that the amount actually paid exceeds the amount specified by the Supreme Court;

- (2) 旅行が本邦と外国との間のものを含む場合において、当該旅行が通常の経路及び方法によるものであるときは、現に支払った交通費の額（当該旅行が通常の経路又は方法によるものでないときは、証人に支給する旅費の例により算定した額）

2. In cases where the travel includes any travel between Japan and a foreign state, the amount of transportation expenses actually paid, if

said travel used an ordinary route and means (or the amount calculated under the same rule as is applicable to the travel expenses to be paid to a witness, if said travel did not use an ordinary route or means);

ロ 日当 出頭及びそのための旅行（通常の経路及び方法によるものに限る。）に現に要した日数に応じて、最高裁判所が定める額。ただし、旅行が通常の経路若しくは方法によるものでない場合又は本邦と外国との間のものを含む場合には、証人に支給する日当の例により算定した額

(b) Daily allowance: the amount specified by the Supreme Court according to the number of days actually required to make an appearance and to travel therefor (limited to travel using an ordinary route and means); provided, however, that the amount calculated under the same rule as is applicable to the daily allowance to be paid to a witness shall apply in cases where the travel did not use an ordinary route or means or where the travel included travel between Japan and a foreign state;

ハ 宿泊料 出頭及びそのための旅行（通常の経路及び方法によるものに限る。）のために現に宿泊した夜数に応じて、宿泊地を区分して最高裁判所が定める額。ただし、旅行が通常の経路若しくは方法によるものでない場合又は本邦と外国との間のものを含む場合には、証人に支給する宿泊料の例により算定した額

(c) Accommodation charges: the amount specified by the Supreme Court by classifying the place of stay according to the number of nights that the party, etc. actually stayed to make an appearance and to travel therefor (limited to such travel using an ordinary route and means); provided, however, that the amount calculated under the same rule that is applicable to accommodation charges to be paid to witnesses shall apply in cases where the travel did not use an ordinary route or means or where the travel included travel between Japan and a foreign state;

五 代理人（法定代理人及び特別代理人を除く。以下この号において同じ。）が前号に規定する期日に出頭した場合（当事者等が出頭命令又は呼出しを受けない期日に出頭した場合を除く。）における旅費、日当及び宿泊料（代理人が二人以上出頭したときは、そのうちの最も低額となる一人についての旅費、日当及び宿泊料）前号の例により算定した額。ただし、当事者等が出頭した場合における旅費、日当及び宿泊料の額として裁判所が相当と認める額を超えることができない。

(v) The travel expenses, daily allowance, and accommodation charges in cases where an agent (excluding statutory agents and special agents; the same shall apply throughout this item) appeared on the date prescribed in the preceding item (excluding cases where the agent appeared on a date for which the party, etc. was not given any order to appear or summons) (if two or more agents appeared, the lowest amount of the travel expenses, daily allowance, and accommodation charges incurred by any one of these persons): the amount calculated by the same rule as that set forth in the

preceding item; provided, however, that such amount may not exceed the amount considered by the court to be a reasonable amount for travel expenses, daily allowance, and accommodation charges in the case of the appearance by the party, etc.;

六 訴状その他の申立書、準備書面、書証の写し、訳文等の書類（当該民事訴訟等の資料とされたものに限る。）の作成及び提出の費用 事件一件につき、事件の種類、当事者等の数並びに書類の種類及び通数（事件の記録が電磁的記録で作成されている場合にあつては、当該電磁的記録に記録された情報の内容を書面に出力したときのその通数）を基準として、通常要する書類の作成及び提出の費用の額として最高裁判所が定める額

(vi) The expenses of preparing and submitting documents, such as written petitions including a complaint, briefs, copies of documentary evidence, translated documents, and the like (limited to those documents used as materials for the civil proceedings, etc.): the amount specified by the Supreme Court, per case, as the amount of expenses normally required to prepare and submit such documents, on the basis of the type of case, the number of the parties, etc., as well as the type and number of documents (in cases where the records of the case are prepared in electromagnetic form, the number of copies prepared by outputting, in the form of hard copies, the content of the information recorded in said electromagnetic records);

七 官庁その他の公の団体又は公証人から前号の書類の交付を受けるために要する費用 当該官庁等に支払うべき手数料の額に交付一回につき第一種郵便物の最低料金の二倍の額の範囲内において最高裁判所が定める額を加えた額

(vii) The expenses required for a government agency, other public body or notary to issue the documents set forth in the preceding item: the amount calculated by adding the amount specified by the Supreme Court, up to double the minimum rate for a first-class mail matter per issue, to the amount of fees payable to said government agency, etc.;

八 第六号の訳文の翻訳料 用紙一枚につき最高裁判所が定める額

(viii) The translation fee for a translated document set forth in item (vi): the amount specified by the Supreme Court per page;

九 文書又は物（裁判所が取り調べたものに限る。）を裁判所に送付した費用 通常の方法により送付した場合における実費の額

(ix) The expenses incurred to send a document or object (limited to those examined by the court) to the court: the actual cost of sending the same by an ordinary method;

十 民事訴訟等に関する法令の規定により裁判所が選任を命じた場合において当事者等が選任した弁護士又は裁判所が選任した弁護士に支払った報酬及び費用 裁判所が相当と認める額

(x) The compensation and expenses paid to an attorney appointed by a party, etc. in cases where the court orders an attorney to be appointed, or an

attorney appointed by the court pursuant to the provisions of the laws and regulations concerning civil proceedings, etc.: the amount considered to be reasonable by the court;

十一 裁判所が囑託する登記又は登録につき納める登録免許税 その登録免許税の額

(xi) The registration and license tax to be paid for registering as commissioned by the court: the amount of such registration and license tax;

十二 強制執行の申立て若しくは配当要求のための債務名義の正本の交付、執行文の付与又は民事執行法（昭和五十四年法律第四号）第二十九条の規定により送達すべき書類の交付を受けるために要する費用 裁判所その他の官庁又は公証人に支払うべき手数料の額に交付又は付与一回につき第一種郵便物の最低料金の二倍の額に書留料を加えた額の範囲内において最高裁判所が定める額を加えた額

(xii) The expenses required to obtain the issuance of an authenticated copy of a title of obligation, the grant of a certificate of execution for the purpose of filing a petition for compulsory execution or making a demand for liquidating distribution or the delivery of the documents to be served pursuant to the provisions of Article 29 of the Civil Execution Act (Act No. 4 of 1979): the amount calculated by adding the amount specified by the Supreme Court, up to the total of double the amount of the minimum rate for a first-class mail matter and the rate for registered mail per issuance, grant or delivery, to the amount of fees payable to the court or any other government agency or notary;

十三 公証人法（明治四十一年法律第五十三号）第五十七条ノ二の規定により公証人がする書類の送達のために要する費用 公証人に支払うべき手数料及び送達に要する料金の額

(xiii) The expenses required for the service of a document by a notary pursuant to the provisions of Article 57-2 of the Notary Act (Act No. 53 of 1908): the amount of the fee payable to the notary and the charges required for the service;

十四 第十二号の交付若しくは付与を受け、又は前号の送達を申し立てるために裁判所以外の官庁又は公証人に提出すべき書類で官庁等の作成に係るものの交付を受けるために要する費用 第七号の例により算定した費用の額

(xiv) The expenses required to obtain a document prepared by a government agency, etc. to be submitted to a government agency other than the court or to a notary for the purpose of obtaining the issuance, grant, or delivery set forth in item (xii) or requesting the service set forth in the preceding item: the expenses calculated using the same rule as that set forth in item (vii);

十五 裁判所が支払うものを除き、強制執行、仮差押えの執行又は担保権の実行（その例による競売を含む。）に関する法令の定めるところにより裁判所が選任した管理人又は管財人が受ける報酬及び費用 当該法令の規定により裁判所が定める額

(xv) The compensation and expenses to be received by an administrator or trustee appointed by the court as provided for by laws and regulations

concerning compulsory execution, execution of a provisional seizure, or exercise of a security interest (including an auction held under the same rule as that applicable thereto), except for those to be paid by the court: the amount specified by the court pursuant to the relevant provisions of laws and regulations;

十六 差押債権者が民事執行法第五十六条第一項（これを準用し、又はその例による場合を含む。）の許可を得て支払った地代又は借賃 その地代又は借賃の額

(xvi) The rent for a superficies right or right of lease paid by an obligee effecting a seizure with the permission obtained under Article 56, paragraph (1) of the Civil Execution Act (including cases where said paragraph is applied mutatis mutandis or where the same rule as that prescribed therein is applied): the amount of the rent for the superficies right or right of lease;

十七 第二十八条の二第一項の費用 同項の規定により算定した額

(xvii) The costs set forth in Article 28-2, paragraph (1): the amount calculated pursuant to the provisions of said paragraph;

十八 民法（明治二十九年法律第八十九号）第三百八十五条（同法その他の法令において準用する場合を含む。）の規定による通知を書面とした場合の通知の費用 通知一回につき第一種郵便物の最低料金に書留料を加えた額の範囲内において最高裁判所が定める額

(xviii) the expenses for giving notice in cases where notice is given in writing under the provisions of Article 385 of the Civil Code (Act No. 89 of 1896) (including cases where applied mutatis mutandis pursuant to said Code and other laws and regulations): the amount specified by the Supreme Court, up to the total of the amount of the minimum rate for first-class mail matter and the rate for registered mail per notice.

## 第二章 裁判所に納める費用

### Chapter II Costs to Be Paid to the Court

#### 第一節 手数料

##### Section 1 Fees

（申立ての手数料）

（Fee for Petition）

第三条 別表第一の上欄に掲げる申立てをするには、申立ての区分に応じ、それぞれ同表の下欄に掲げる額の手数料を納めなければならない。

Article 3 (1) In order to file a petition listed in the left-hand column of Appended Table 1, payment shall be required in the amount of the fee listed in the right-hand column of said table, according to the category of the petition.

2 次の各号に掲げる場合には、当該各号の申立てをした者は、訴えを提起する場合の手数料の額から当該申立てについて納めた手数料の額を控除した額の手数料を納めなければならない。

- (2) In the cases listed in the following items, a person who has filed a petition set forth in one of said items shall pay the fee amount calculated by deducting the fee amount already paid for the petition from the amount of the fee payable for filing an action:
- 一 民事訴訟法第二百七十五条第二項又は第三百九十五条若しくは第三百九十八条第一項（同法第四百二条第二項において準用する場合を含む。）の規定により和解又は支払督促の申立ての時に訴えの提起があつたものとみなされたとき。
    - (i) where it is deemed, pursuant to the provisions of Article 275, paragraph (2), Article 395, or Article 398, paragraph (1) of the Code of Civil Procedure (including cases where applied mutatis mutandis pursuant to Article 402, paragraph (2) of said Code), that an action was filed at the time a petition for settlement or for a demand for payment was filed;
    - 二 労働審判法（平成十六年法律第四十五号）第二十二条第一項（同法第二十三条第二項及び第二十四条第二項において準用する場合を含む。）の規定により労働審判手続の申立ての時に訴えの提起があつたものとみなされたとき。
      - (ii) where it is deemed, pursuant to the provisions of Article 22, paragraph (1) of the Labor Tribunal Act (Act No. 45 of 2004) (including cases where applied mutatis mutandis pursuant to Article 23, paragraph (2) and Article 24, paragraph (2) of said Act), that an action at the time a petition for labor dispute adjudication proceedings was filed;
  - 3 一の判決に対して上告の提起及び上告受理の申立てをする場合において、その主張する利益が共通であるときは、その限度において、その一方について納めた手数料は、他の一方についても納めたものとみなす。一の決定又は命令に対して民事訴訟法第三百三十六条第一項（これを準用し、又はその例による場合を含む。）の規定による抗告の提起及び同法第三百三十七条第二項（これを準用し、又はその例による場合を含む。）の規定による抗告の許可の申立てをする場合も、同様とする。
- (3) Where a final appeal and a petition for acceptance of final appeal are filed against one judgment, if the same interests are claimed therein, the fee paid in relation to either of them shall be deemed to have been paid in relation to the other as well, to the extent that they are the same. The same shall apply where an appeal under the provisions of Article 336, paragraph (1) of the Code of Civil Procedure (including cases where said paragraph is applied mutatis mutandis or where the same rule as that prescribed therein is applied) and a petition for permission to appeal under the provisions of Article 337, paragraph (2) of said Code (including cases where said paragraph is applied mutatis mutandis or the where same rule as that prescribed therein is applied) are filed against one order or direction.
- 4 破産法（平成十六年法律第七十五号）第二百四十八条第四項本文の規定により破産手続開始の申立てと同時に免責許可の申立てをしたものとみなされたときは、当該破産手続開始の申立てをした者は、免責許可の申立ての手数料をも納めなければならない。



(4) Where it is deemed, pursuant to the provisions of the main clause under Article 248, paragraph (4) of the Bankruptcy Act (Act No. 75 of 2004), that a petition for a grant of discharge was filed upon the filing of a petition for commencement of bankruptcy proceedings, the person who filed the petition for commencement of bankruptcy proceedings shall also pay the fee for a petition for grant of discharge.

(訴訟の目的の価額等)

(Value of the Subject Matter of the Suit)

第四条 別表第一において手数料の額の算出の基礎とされている訴訟の目的の価額は、民事訴訟法第八条第一項及び第九条の規定により算定する。

Article 4 (1) The value of the subject matter of the suit used as the basis for the calculation of the amount of the fees in Appended Table 1 shall be calculated pursuant to the provisions of Article 8, paragraph (1) and Article 9 of the Code of Civil Procedure.

2 財産権上の請求でない請求に係る訴えについては、訴訟の目的の価額は、百六十万円とみなす。財産権上の請求に係る訴えで訴訟の目的の価額を算定することが極めて困難なものについても、同様とする。

(2) With regard to an action bringing a claim that is not on a property right, the value of the subject matter of suit shall be deemed to be 1,600,000 yen. The same shall apply to an action bringing a claim on a property right for which it is extremely difficult to calculate the value of the subject matter of suit.

3 一の訴えにより財産権上の請求でない請求とその原因である事実から生ずる財産権上の請求とをあわせてするとき、多額である訴訟の目的の価額による。

(3) When filing an action bringing a claim that is not on a property right together with a claim on a property right which arises from the fact that is the cause of the former claim, the large amount of the values of the subject matter of suit shall apply.

4 第一項の規定は、別表第一の一〇の項の手数料の額の算出の基礎とされている価額について準用する。

(4) The provisions of paragraph (1) shall apply mutatis mutandis to the value that is used as the basis for the calculation of the amount of the fee set forth in row (10) of Appended Table 1.

5 民事訴訟法第九条第一項の規定は、別表第一の一三の項の手数料の額の算出の基礎とされている額について準用する。

(5) The provisions of Article 9, paragraph (1) of the Code of Civil Procedure shall apply mutatis mutandis to the amount that is used as the basis for the calculation of the amount of the fee set forth in row (13) of Appended Table 1.

6 第一項及び第三項の規定は、別表第一の一四の項の手数料の額の算出の基礎とされている価額について準用する。

(6) The provisions of paragraph (1) and paragraph (3) shall apply mutatis

mutandis to the value that is used as the basis for the calculation of the amount of the fee set forth in row (14) of Appended Table 1.

7 前項の価額は、これを算定することができないか又は極めて困難であるときは、百六十万円とみなす。

(7) The value set forth in the preceding paragraph shall be deemed to be 1,600,000 yen when it is impossible or extremely difficult to calculate such value.

(手数料を納めたものとみなす場合)

(Cases of Constructive Payment of Fees)

第五条 民事訴訟法第三百五十五条第二項（第三百六十七条第二項において準用する場合を含む。）、民事調停法（昭和二十六年法律第二百二十二号）第十九条（特定債務等の調整の促進のための特定調停に関する法律（平成十一年法律第百五十八号）第十八条第二項（第十九条において準用する場合を含む。））において準用する場合を含む。）又は家事審判法（昭和二十二年法律第百五十二号）第二十六条第二項の訴えの提起の手数料については、前の訴えの提起又は調停の申立てについて納めた手数料の額に相当する額は、納めたものとみなす。

Article 5 (1) With regard to the fee for filing an action set forth in Article 355, paragraph (2) of the Code of Civil Procedure (including cases where applied mutatis mutandis pursuant to Article 367, paragraph (2) of said Code), Article 19 of the Civil Conciliation Act (Act No. 222 of 1951) (including cases where applied mutatis mutandis pursuant to Article 18, paragraph (2) of the Act on Special Conciliation Proceedings for Expediting Adjustment of Specified Debts, etc. (Act No. 158 of 1999); including cases where applied mutatis mutandis pursuant to Article 19 of said Act) or Article 26, paragraph (2) of the Act on Adjudication of Domestic Relations (Act No. 152 of 1947), it shall be deemed that an amount equivalent to the amount of the fee paid in relation to the filing of the previous action or petition for conciliation has been paid.

2 前項の規定は、民事調停法第十四条（第十五条において準用する場合を含む。）の規定により調停事件が終了し、又は同法第十八条第二項の規定により調停に代わる決定が効力を失った場合において、調停の申立人がその旨の通知を受けた日から二週間以内に調停の目的となつた請求についてする借地借家法（平成三年法律第九十号）第十七条第一項、第二項若しくは第五項（第十八条第三項において準用する場合を含む。）、第十八条第一項、第十九条第一項（同条第七項において準用する場合を含む。）又は第二十条第一項（同条第五項において準用する場合を含む。）の規定による申立ての手数料について準用する。

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to the fee for a petition under the provisions of Article 17, paragraph (1), paragraph (2) or paragraph (5) of the Land and Building Lease Act (Act No. 90 of 1991) (including cases where applied mutatis mutandis pursuant to Article 18, paragraph (3) of said Act), Article 18, paragraph (1) of said Act, Article 19,

paragraph (1) of said Act (including cases where applied mutatis mutandis pursuant to paragraph (7) of said Article) or Article 20, paragraph (1) of said Act (including cases where applied mutatis mutandis pursuant to paragraph (5) of said Article), filed in cases where a conciliation case is concluded under the provisions of Article 14 of the Civil Conciliation Act (including cases where applied mutatis mutandis pursuant to Article 15) or where an order in lieu of conciliation ceases to be effective pursuant to the provisions of Article 18, paragraph (2) of said Act, and where said petition is filed with regard to the claim for which conciliation has been sought, within two weeks from the day on which the petitioner of conciliation received notice to that effect.

(手数料未納の申立て)

(Petitions with Unpaid Fees)

第六条 手数料を納めなければならない申立てでその納付がないものは、不適法な申立てとする。

Article 6 A petition for which a fee is payable but not yet paid shall be unlawful.

(裁判所書記官が保管する記録の閲覧、謄写等の手数料)

(Fees for Inspection, Copying, etc. of Records Retained by a Court Clerk)

第七条 別表第二の上欄に掲げる事項の手数料は、同表の下欄に掲げる額とする。

Article 7 With regard to the matters listed in the left-hand column of Appended Table 2, the amount of the fees shall be as listed in the right-hand column of said table.

(納付の方法)

(Method of Payment)

第八条 手数料は、訴状その他の申立書又は申立ての趣意を記載した調書に収入印紙をはつて納めなければならない。ただし、最高裁判所規則で定める場合には、最高裁判所規則で定めるところにより、現金をもつて納めることができる。

Article 8 Fees shall be paid by affixing fiscal stamps to a complaint or to any other written petition or to a written statement in which the object for the petition are stated; provided, however, that when specified by the Rules of the Supreme Court, it may be paid in cash as provided for in the Rules of the Supreme Court.

(過納手数料の還付等)

(Return of Overpaid Fees, etc.)

第九条 手数料が過大に納められた場合においては、裁判所は、申立てにより、決定で、過大に納められた手数料の額に相当する金額の金銭を還付しなければならない。

Article 9 (1) In the case of overpayment of a fee, the court shall, upon petition, order a refund of the amount of money equivalent to the amount of such

overpaid fee.

2 前項の規定にかかわらず、支払督促若しくは差押処分の申立ての手数料又は別表第二の上欄に掲げる事項の手数料が過大に納められた場合の還付は、申立てにより、裁判所書記官が行う。

(2) Notwithstanding the provisions of the preceding paragraph, in the case of an overpayment of the fee for a petition demand for payment or for disposition of a seizure, or the fee for a matter listed in the left-hand column of Appended Table 2, a refund of such overpayment shall be provided by the court clerk upon petition.

3 次の各号に掲げる申立てについてそれぞれ当該各号に定める事由が生じた場合においては、裁判所は、申立てにより、決定で、納められた手数料の額（第五条の規定により納めたものとみなされた額を除く。）から納めるべき手数料の額（同条の規定により納めたものとみなされた額を除くものとし、民事訴訟法第九条第一項に規定する合算が行われた場合における数個の請求の一に係る手数料にあつては、各請求の価額に応じて案分して得た額）の二分の一の額（その額が四千円に満たないときは、四千円）を控除した金額の金銭を還付しなければならない。

(3) Where any of the events specified in the following items occurs with regard to the petitions listed in the respective items, the court shall, upon petition, order the return of the amount of money calculated by deducting half of the amount of the fee payable (excluding the amount that is deemed to have been paid, pursuant to the provisions of Article 5; in the case of the fee pertaining to one of the two or more claims subject to the totaling prescribed in Article 9, paragraph (1) of the Code of Civil Procedure, the amount obtained by dividing the amount of the fees according to the value of each claim) (or 4,000 yen shall be deducted if half of the amount of the fees payable is less than 4,000 yen) from the amount of fees paid (excluding the amount that is deemed to have been paid pursuant to the provisions of Article 5):

一 訴え若しくは控訴の提起又は民事訴訟法第四十七条第一項若しくは第五十二条第一項の規定若しくはこれらの規定の例による参加の申出 口頭弁論を経ない却下の裁判の確定又は最初にすべき口頭弁論の期日の終了前における取下げ

(i) the filing of an action or an appeal or of an application for intervention pursuant to the provisions of Article 47, paragraph (1) or Article 52, paragraph (1) of the Code of Civil Procedure or the same rule as that set forth in these provisions: the fact that a judicial decision of dismissal without prejudice made without oral argument has become final and binding or the withdrawal prior to the closing of the first date for oral argument;

二 民事調停法による調停の申立て 却下の裁判の確定又は最初にすべき調停の期日の終了前における取下げ

(ii) the filing of a petition for conciliation under the Civil Conciliation Act: the fact that a judicial decision of dismissal without prejudice has become final and binding or the withdrawal prior to the closing of the first date for

conciliation proceedings;

三 労働審判法による労働審判手続の申立て 却下の裁判の確定又は最初にすべき労働審判手続の期日の終了前における取下げ

(iii) the filing of a petition for labor dispute adjudication proceedings under the Labor Tribunal Act: the fact that a judicial decision of dismissal without prejudice has become final and binding or the withdrawal prior to the closing of the first date for labor dispute adjudication proceedings;

四 借地借家法第四十一条の事件の申立て、同条の事件における参加の申出（申立人として参加する場合に限る。）又はその申立て若しくは申出についての裁判に対する抗告（次号に掲げるものを除く。）の提起 却下の裁判の確定又は最初にすべき審問の期日の終了前における取下げ

(iv) the filing of a petition for a case set forth in Article 41 of the Land and Building Lease Act, an application for intervention in a case set forth in said Article (limited to cases of intervention as the petitioner) or an appeal against a judicial decision made on such petition or application (excluding those listed in the following item): the fact that a judicial decision of dismissal without prejudice has become final and binding or the withdrawal prior to the closing of the first hearing date; and

五 上告の提起若しくは上告受理の申立て又は前号の申立て若しくは申出についての裁判に対する借地借家法第四十二条第一項において準用する非訟事件手続法（明治三十一年法律第十四号）第二十五条において準用する民事訴訟法第三百三十条若しくは第三百三十六条第一項の規定による抗告の提起若しくは第三百三十七条第二項の規定による抗告の許可の申立て 原裁判所（抗告の許可の申立てにあつては、その申立てを受けた裁判所。以下この号において同じ。）における却下の裁判の確定又は原裁判所が上告裁判所若しくは抗告裁判所に事件を送付する前における取下げ

(v) the filing of a final appeal or a petition for acceptance of a final appeal, or the filing of an appeal under the provisions of Article 330 or Article 336, paragraph (1) of the Code of Civil Procedure or a petition for permission to appeal under the provisions of Article 337, paragraph (2) of the Code of Civil Procedure which are applied mutatis mutandis pursuant to Article 25 of the Non-Contentious Case Procedure Act (Act No. 14 of 1898), as applied mutatis mutandis pursuant to Article 42, paragraph (1) of the Land and Building Lease Act, against a judicial decision made on a petition or application set forth in the preceding item: the fact that a judicial decision of dismissal without prejudice made by the court of prior instance (in the case of the filing of a petition for permission to appeal, the court with which such petition has been filed; hereinafter the same shall apply in this item) has become final and binding, or the withdrawal prior to the court of prior instance sending the case to the final appellate court or the court in charge of the appeal.

4 前項の規定は、数個の請求の一部について同項各号に定める事由が生じた場合において、既に納めた手数料の全部又は一部がなお係属する請求についても納められたも

のであるときは、その限度においては、適用しない。同項第五号に掲げる申立てについて同号に定める事由が生じた場合において、既に納めた手数料の全部又は一部がなお係属する他の同号に掲げる申立てについても納められたものであるときも、その限度において、同様とする。

- (4) Where any of the events specified in the items of the preceding paragraph occur with regard to one portion of two or more claims, if the whole or part of the fee already paid is intended to cover payment for the other claim(s) that are still pending, the provisions of the preceding paragraph shall not apply to the extent that the payment of the fee is intended for such pending claim(s). Where the event specified in item (v) of said paragraph occurs with regard to the petition set forth in said item, if the whole or part of the fee already paid is intended as payment for any other petition(s) set forth in said item that is still pending, the provisions of the preceding paragraph shall not apply to the extent that the payment of the fee is intended for such pending petition(s).
- 5 支払督促の申立てについて、却下の処分確定又は支払督促の送達前における取下げがあつた場合においては、裁判所書記官は、申立てにより、第三項の規定に準じて算出した金額の金銭を還付しなければならない。ただし、前項前段に規定する場合には、その限度においては、この限りでない。
- (5) Where a petition for a demand for payment is withdrawn before a disposition of dismissal without prejudice becomes final and binding or before the demand for payment is served, the court clerk shall, upon petition, refund the amount of money calculated in accordance with the provisions of paragraph (3); provided, however, that in the case prescribed in the first sentence of the preceding paragraph, this shall not apply to the extent that the payment of the fee is intended for the pending claim(s).
- 6 第一項から第三項まで及び前項の申立ては、一の手数料に係る申立ての申立人が二人以上ある場合においては、当該各申立人がすることができる。
- (6) A petition to be filed under paragraphs (1) through (3) and the preceding paragraph may be filed by each petitioner in cases where there are two or more petitioners for a petition concerning each fee.
- 7 第一項から第三項まで及び第五項の申立ては、その申立てをすることができる事由が生じた日から五年以内にしなければならない。
- (7) A petition to be filed under paragraphs (1) through (3) or paragraph (5) shall be filed within five years from the day on which the event forming the grounds for filing the petition occurred.
- 8 第二項又は第五項の申立てについてされた裁判所書記官の処分に対しては、その告知を受けた日から一週間の不変期間内に、その裁判所書記官の所属する裁判所に異議を申し立てることができる。
- (8) With regard to a disposition by the court clerk on a petition filed under paragraph (2) or paragraph (5), an objection may be filed with the court to which such court clerk belongs within an unextendable period of one week from

the day on which notice of the disposition was received.

9 第一項若しくは第三項の申立て又は前項の規定による異議の申立てについてされた決定に対しては、即時抗告をすることができる。

(9) An immediate appeal may be filed against an order made on a petition filed under paragraph (1) or paragraph (3) and with regard to an objection filed under the provisions of the preceding paragraph.

10 第一項から第三項まで及び第五項の申立て並びにその申立てについての裁判又は裁判所書記官の処分並びに第八項の規定による異議の申立て及びその異議の申立てについての裁判に関しては、その性質に反しない限り、非訟事件手続法第一編の規定を準用する。ただし、同法第十五条及び第三十二条の規定は、この限りでない。

(10) With regard to a petition filed under paragraphs (1) to (3) or paragraph (5), and a judicial decision or a disposition of the court clerk made on such petition, and an objection filed under the provisions of paragraph (8) and a judicial decision made on such objection, unless contrary to the essential nature thereof, the provisions of Part I of the Non-Contentious Case Procedure Act shall apply mutatis mutandis; provided, however, that the provisions of Article 15 and Article 32 of said Act shall not apply.

(再使用証明)

(Certificate of Re-Use)

第十条 前条第一項から第三項まで及び第五項の申立てにおいて、第八条の規定により納めた収入印紙を当該裁判所における他の手数料の納付について再使用したい旨の申出があつたときは、金銭による還付に代えて、還付の日から一年以内に限り再使用をすることができる旨の裁判所書記官の証明を付して還付すべき金額に相当する収入印紙を交付することができる。

Article 10 (1) With regard to a petition filed under paragraphs (1) through (3) or paragraph (5) of the preceding Article, when a request is made to re-use fiscal stamps which have been paid pursuant to the provisions of Article 8 for payment of another fee at the relevant court, the refund may be made by delivering, in lieu of money, revenue stamps equivalent to the amount to be refunded, with a certificate from the court clerk attached thereto allowing the re-use of the fiscal stamps within one year from the date of the refund.

2 前項の証明の付された収入印紙の交付を受けた者が、同項の証明に係る期間内に、当該収入印紙を提出してその額に相当する金額の金銭の還付を受けたい旨の申立てをしたときは、同項の裁判所は、決定で、当該収入印紙の額に相当する金額の金銭を還付しなければならない。

(2) When a recipient of fiscal stamps with a certificate attached thereto as set forth in the preceding paragraph files a petition for a refund within the period pertaining to the certificate set forth in said paragraph by submitting said fiscal stamps and requesting an amount of money equivalent to the amount of the fiscal stamps, the court set forth in said paragraph shall order the refund

as requested.

3 前条第九項及び第十項の規定は、前項の決定について準用する。

(3) The provisions of paragraph (9) and paragraph (10) of the preceding Article shall apply mutatis mutandis to the order set forth in the preceding paragraph.

## 第二節 手数料以外の費用

### Section 2 Costs Other Than Fees

(納付義務)

(Obligation to Pay)

第十一条 次に掲げる金額は、費用として、当事者等が納めるものとする。

Article 11 (1) The amounts listed in the following shall be paid by a party, etc. as costs:

一 裁判所が証拠調べ、書類の送達その他の民事訴訟等における手続上の行為をするため必要な次章に定める給付その他の給付に相当する金額

(i) the amount equivalent to the payment specified in the following Chapter and any other payments necessary in order for the court to conduct the examination of evidence, serve documents, or conduct any other procedural acts in civil proceedings, etc.; and

二 証拠調べ又は調停事件以外の民事事件若しくは行政事件における事実の調査その他の行為を裁判所外である場合に必要な裁判官及び裁判所書記官の旅費及び宿泊料で、証人の例により算定したものに相当する金額

(ii) the amount of travel expenses and accommodation charges for a judge and a court clerk as necessary in cases where the judge and court clerk conduct, an out of court examination of evidence or an examination of facts or any other act in a civil case other than a conciliation case or an administrative case, equivalent to such amount as calculated by the same rule as that applicable to a witness.

2 前項の費用を納めるべき当事者等は、他の法令に別段の定めがある場合を除き、申立てによつてする行為に係る費用についてはその申立人とし、職権とする行為に係る費用については裁判所が定める者とする。

(2) The party, etc. who is to pay the costs set forth in the preceding paragraph shall be the petitioner in the case of the costs pertaining to an act to be conducted upon petition, or a person designated by the court in the case of costs pertaining to an act conducted by the court's own authority, unless otherwise provided for in other laws or regulations.

(予納義務)

(Obligation to Prepay)

第十二条 前条第一項の費用を要する行為については、他の法律に別段の定めがある場合及び最高裁判所が定める場合を除き、裁判所は、当事者等にその費用の概算額を予



納させなければならない。

Article 12 (1) With regard to an act which requires the costs set forth in paragraph (1) of the preceding Article, the court shall have a party, etc. prepay the estimated amount of such costs, except in cases otherwise provided for in other laws and in cases specified by the Supreme Court.

2 裁判所は、前項の規定により予納を命じた場合においてその予納がないときは、当該費用を要する行為を行なわないことができる。

(2) Where the court has ordered prepayment pursuant to the provisions of the preceding paragraph but no prepayment has been made as ordered, the court may decide not to conduct the act which requires the relevant costs.

(郵便切手等による予納)

(Prepayment by Postage Stamps)

第十三条 裁判所は、郵便物の料金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の提供する同条第二項に規定する信書便の役務に関する料金に充てるための費用に限り、金銭に代えて郵便切手又は最高裁判所が定めるこれに類する証票（以下「郵便切手等」という。）で予納させることができる。

Article 13 With regard only to the costs to be appropriated for postal charges or for correspondence delivery services prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) provided by general correspondence delivery operators prescribed in paragraph (6) of said Article or by a specified correspondence delivery operator prescribed in paragraph (9) of said Article, the court may have prepayment made by postage stamps or similar vouchers specified by the Supreme Court (hereinafter referred to as "postage stamps, etc."), in lieu of money.

(裁判所書記官が行う手続に係る費用に関する特例)

(Special Provisions for Costs for Procedures by a Court Clerk)

第十三条の二 次に掲げる手続で裁判所書記官が行うものに係る費用についての第十一条第二項及び前二条の規定の適用については、これらの規定中「裁判所」とあるのは、「裁判所書記官」とする。

Article 13-2 For purposes of the application of the provisions of Article 11, paragraph (2) and the preceding two Articles with regard to the costs of any of the procedures listed in the following that are conducted by a court clerk, the term "court" as used in these provisions shall be deemed to be replaced with "court clerk":

一 督促手続

(i) demand procedure;

二 訴訟費用又は和解の費用の負担の額を定める手続

(ii) procedure for determining the amount of court costs or settlement costs to

be borne;

三 民事執行法第四十二条第四項に規定する執行費用及び返還すべき金銭の額を定める手続

(iii) procedure for determining the amount of the execution costs and the money to be refunded as set forth in Article 42, paragraph (4) of the Civil Execution Act; and

四 少額訴訟債権執行（民事執行法第百六十七条の二第二項に規定する少額訴訟債権執行をいう。以下同じ。）の手続

(iv) procedure for execution against a claim relating to an action on small claim (meaning execution against a claim relating to an action on a small claim prescribed in Article 167-2, paragraph (2) of the Civil Execution Act; the same shall apply hereinafter).

### 第三節 費用の取立て

#### Section 3 Collection of Costs

（裁判により費用の負担を命ぜられた者からの取立て等）

(Collection from Person Ordered to Bear Costs by Judicial Decision, etc.)

第十四条 第十一条第一項の費用で予納がないものは、裁判、裁判上の和解、調停若しくは労働審判によりこれを負担することとされた者又は民事訴訟等に関する法令の規定により費用を負担すべき者から取り立てることができる。

Article 14 If no prepayment is made, the costs set forth in Article 11, paragraph (1) may be collected from the person who is ordered to bear the costs by a judicial decision, judicial settlement, conciliation, or labor tribunal decision or pursuant to the provisions concerning civil proceedings, etc.

（予納がない場合の費用の取立て）

(Collection of Costs in the Case Where There Is No Prepayment)

第十五条 前条の費用の取立てについては、第十一条第二項の規定により費用を納めるべき者に対する場合にあつては記録の存する裁判所の決定により、その他の者に対する場合にあつては第一審の裁判所の決定により、民事執行法その他強制執行の手続に関する法令の規定に従い強制執行をすることができる。この決定は、執行力のある債務名義と同一の効力を有する。

Article 15 (1) For the purpose of collecting the costs set forth in the preceding Article, compulsory execution may be conducted pursuant to the provisions of the Civil Execution Act and other laws and regulations concerning compulsory execution procedure, based on an order of the court where the records are kept in the case of collection from the person who is to bear the costs pursuant to the provisions of Article 11, paragraph (2), or based on an order of the court of first instance in the case of collection from any other person. Such an order shall have the same effect as an enforceable title of obligation.

2 第九条第九項及び第十項の規定は、前項の決定について準用する。

(2) The provisions of Article 9, paragraph (9) and paragraph (10) shall apply mutatis mutandis to the order set forth in the preceding paragraph.

(訴訟上の救助により納付を猶予された費用の取立て)

(Collection of Costs for Which a Grace Period for Payment Is Judicially Granted)

第十六条 民事訴訟法第八十三条第三項又は第八十四条の規定による費用の支払を命ずる裁判は、強制執行に関しては、執行力のある債務名義と同一の効力を有する。

Article 16 (1) A judicial decision ordering the payment of costs under the provisions of Article 83, paragraph (3) or Article 84 of the Code of Civil Procedure shall have the same effect as an enforceable title of obligation with regard to compulsory execution.

2 民事訴訟法第八十五条前段の規定による費用の取立てについては、前条の規定を準用する。

(2) The provisions of the preceding Article shall apply mutatis mutandis to the collection of costs under the provisions of the first sentence of Article 85 of the Code of Civil Procedure.

(準用)

(Application Mutatis Mutandis)

第十七条 民事訴訟法以外の法令において準用する同法の規定により救助を受け納付を猶予された費用の取立てについては、前条の規定を準用する。

Article 17 The provisions of the preceding Article shall apply mutatis mutandis to the collection of costs for which aid is given and a grace period for payment is granted pursuant to the provisions of the Code of Civil Procedure as applied mutatis mutandis pursuant to other laws and regulations.

### 第三章 証人等に対する給付

#### Chapter III Payment to Witnesses, etc.

(証人の旅費の請求等)

(Request for Travel Expenses by a Witness, etc.)

第十八条 証人、鑑定人及び通訳人は、旅費、日当及び宿泊料を請求することができる。ただし、正当な理由がなく、宣誓又は証言、鑑定若しくは通訳を拒んだ者は、この限りでない。

Article 18 (1) A witness, expert witness, or interpreter may request travel expenses, a daily allowance, and accommodation charges; provided, however, that this shall not apply to a person who has refused to swear under oath or testify, give expert testimony, or interpret without justifiable grounds.

2 鑑定人及び通訳人は、鑑定料又は通訳料を請求し、及び鑑定又は通訳に必要な費用

の支払又は償還を受けることができる。

(2) An expert witness or an interpreter may request a fee for expert testimony or for interpretation, and may receive payment or reimbursement of the expenses necessary for expert testimony or interpretation.

3 証人、鑑定人及び通訳人は、あらかじめ旅費、日当、宿泊料又は前項の費用の支払を受けた場合において、正当な理由がなく、出頭せず、又は宣誓、証言、鑑定若しくは通訳を拒んだときは、その支払を受けた金額を返納しなければならない。

(3) Where a witness, expert witness, or interpreter receives an advance of funds for the payment of travel expenses, daily allowance, or accommodation charges or the expenses set forth in the preceding paragraph, if he/she fails to appear, refuses to swear under oath, testify, give expert testimony, or interpret without justifiable grounds, he/she shall return the amount received.

(説明者の旅費の請求等)

(Request for Travel Expenses by an Expositor, etc.)

第十九条 民事訴訟法第二百十八条第二項（これを準用し、又はその例による場合を含む。）又は公害紛争処理法（昭和四十五年法律第八号）第四十二条の三十二第二項の規定による説明者、民事訴訟法第一百八十七条第一項（これを準用し、又はその例による場合を含む。）の規定による審尋をした参考人及び事実の調査のために裁判所から期日に出頭すべき旨の呼出しを受けた者は、旅費、日当及び宿泊料を請求することができる。

Article 19 An expositor under the provisions of Article 218, paragraph (2) of the Code of Civil Procedure (including cases where said paragraph is applied mutatis mutandis or where the same rule as that prescribed therein is applied) or Article 42-32, paragraph (2) of the Act for the settlement of Environmental Pollution Disputes (Act No. 108 of 1970), a witness interrogated under the provisions of Article 187, paragraph (1) of the Code of Civil Procedure (including cases where said paragraph is applied mutatis mutandis or where the same rule as that prescribed therein is applied), or a person summoned by the court to appear on the date for the examination of facts may request travel expenses, daily allowance, and accommodation charges.

(調査の嘱託をした場合の報酬の支給等)

(Payment of Compensation for a Commissioned Examination, etc.)

第二十条 民事訴訟等に関する法令の規定により調査を嘱託し、報告を求め、又は鑑定若しくは専門的な知識経験に基づく意見の陳述を嘱託したときは、請求により、報酬及び必要な費用を支給する。民事訴訟等に関する法令の規定により保管人、管理人若しくは評価人を任命し、又は換価その他の行為を命じたときも、他の法令に別段の定めがある場合を除き、同様とする。

Article 20 (1) When an examination is commissioned, a report is requested, or expert testimony or a statement of opinion based on expert knowledge and

experience is commissioned pursuant to the provisions of laws and regulations concerning civil proceedings, etc., compensation and necessary expenses shall be paid upon request. The same shall apply when a custodian, administrator, or appraiser is appointed or ordered to conduct a realization of property or any other act under the provisions of laws and regulations concerning civil proceedings, etc., unless otherwise provided for in other laws and regulations.

2 民事訴訟法第百三十二条の四第一項第一号の規定により文書（同法第二百三十一条に規定する物件を含む。）の送付を囑託したときは、請求により、当該文書の写しの作成に必要な費用を支給する。

(2) When the sending of a document is commissioned pursuant to the provisions of Article 132-4, paragraph (1), item (i) of the Code of Civil Procedure (including the sending of an object prescribed in Article 231 of said Code), the expenses necessary to prepare a copy of said document shall be paid upon request.

3 第十八条第三項の規定は、前二項の費用について準用する。

(3) The provisions of Article 18, paragraph (3) shall apply mutatis mutandis to the expenses set forth in the preceding two paragraphs.

（旅費の種類及び額）

(Type and Amount of Travel Expenses)

第二十一条 旅費は、鉄道賃、船賃、路程賃及び航空賃の四種とし、鉄道賃は鉄道のある区間の陸路旅行に、船賃は船舶の便のある区間の水路旅行に、路程賃は鉄道のない区間の陸路旅行又は船舶の便のない区間の水路旅行に、航空賃は航空機を利用すべき特別の事由がある場合における航空旅行について支給する。

Article 21 (1) Travel expenses shall be of four types: railway fare, ship fare, distance fare, and airfare; railway fare shall be paid for travel by land that spans points where railway service is available, ship fare shall be paid for travel by water that spans points where ship service is available, distance fare shall be paid for travel by land that spans points where railway service is unavailable or travel that spans points where ship service is unavailable, and airfare shall be paid for travel by air in the case where there is a special reason to use an aircraft.

2 鉄道賃及び船賃は旅行区間の路程に応ずる旅客運賃（はしけ賃及びさん橋賃を含むものとし、運賃に等級を設ける線路又は船舶による旅行の場合には、運賃の等級を三階級に区分するものについては中級以下で裁判所が相当と認める等級の、運賃の等級を二階級に区分するものについては裁判所が相当と認める等級の運賃）、急行料金（特別急行列車を運行する線路のある区間の旅行で片道百キロメートル以上のものには特別急行料金、普通急行列車又は準急行列車を運行する線路のある区間の旅行で片道五十キロメートル以上のものには普通急行料金又は準急行料金）並びに裁判所が支給を相当と認める特別車両料金及び特別船室料金並びに座席指定料金（座席指定料金を徴する普通急行列車を運行する線路のある区間の旅行で片道百キロメートル以上の

もの又は座席指定料金を徴する船舶を運行する航路のある区間の旅行の場合の座席指定料金に限る。)によつて、路程賃は最高裁判所が定める額の範囲内において裁判所が定める額によつて、航空賃は現に支払つた旅客運賃によつて、それぞれ算定する。

(2) Railway fare and ship fare (including a lighterage and pierage) shall be calculated respectively as comprising [1] passenger fare (in the case of travel by a route or a ship for which there are fare classes, if the fare is categorized into three classes, the second- or third-class fare as considered reasonable by the court, and if the fare is categorized into two classes, the fare of the class as considered reasonable by the court) corresponding to the distance of the span traveled, [2] express charge (a limited express charge for travel of 100 kilometers or more one way between points where there is a railway on which a limited express train runs; an ordinary express charge or semi-express charge for travel of fewer than 100 kilometers and 50 kilometers or more one way between points where there is a railway on which an ordinary express train or semi-express train runs), [3] special compartment charge or special cabin charge, if the payment of which is considered reasonable by the court, and [4] seat reservation charge (limited to a seat reservation charge in the case of travel of 100 kilometers or more one way between points where there is a railway on which an ordinary express train requiring a seat reservation charge runs, or travel by ship between points where there is a route on which a ship requiring a seat reservation charge runs); a distance fare shall be calculated as the amount determined by the court within the range specified by the Supreme Court; and an airfare shall be calculated by the passenger fare actually paid.

(日当の支給基準及び額)

(Payment Base and Amount of Daily Allowance)

第二十二條 日当は、出頭又は取調べ及びそれらのための旅行（以下「出頭等」という。）に必要な日数に応じて支給する。

Article 22 (1) A daily allowance shall be paid according to the number of days necessary for an appearance or examination and for the travel therefor (hereinafter referred to as an "appearance, etc.).

2 日当の額は、最高裁判所が定める額の範囲内において、裁判所が定める。

(2) The amount of a daily allowance shall be determined by the court within the range specified by the Supreme Court.

(宿泊料の支給基準及び額)

(Payment Base and Amount of Accommodation Charges)

第二十三條 宿泊料は、出頭等に必要な夜数に応じて支給する。

Article 23 (1) Accommodation charges shall be paid according to the number of nights necessary for an appearance, etc.

2 宿泊料の額は、最高裁判所が宿泊地を区分して定める額の範囲内において、裁判所

が定める。

(2) The amount of accommodation charges shall be determined by the court within the range specified by the Supreme Court.

(本邦と外国との間の旅行に係る旅費等の額)

(Amount of Travel Expenses, etc. for Travel Between Japan and a Foreign State)

第二十四条 本邦と外国との間の旅行に係る旅費、日当及び宿泊料の額については、前三条に規定する基準を参酌して、裁判所が相当と認めるところによる。

Article 24 The amount of travel expenses, daily allowance, and accommodation charges for travel between Japan and a foreign state shall be as considered reasonable by the court in consideration of the payment criteria prescribed in the preceding three Articles.

(旅費等の計算)

(Calculation of Travel Expenses, etc.)

第二十五条 旅費（航空賃を除く。）並びに日当及び宿泊料の計算上の旅行日数は、最も経済的な通常の経路及び方法によつて旅行した場合の例により計算する。ただし、天災その他やむを得ない事情により最も経済的な通常の経路又は方法によつて旅行し難い場合には、その現によつた経路及び方法によつて計算する。

Article 25 The number of days used in the calculation of travel expenses (excluding airfare), daily allowance, and accommodation charges, shall be calculated according to the same rule as that applicable to travel by the most economical ordinary route and means; provided, however, that in cases where it is difficult to travel by the most economical ordinary route and means due to a natural disaster or other unavoidable circumstances, such number shall be calculated on the basis of the route and means actually taken.

(鑑定料の額等)

(Amount of Fee for Expert Testimony, etc.)

第二十六条 第十八条第二項又は第二十条第一項若しくは第二項の規定により支給すべき鑑定料、通訳料、報酬及び費用の額は、裁判所が相当と認めるところによる。

Article 26 The amount of a fee for expert testimony or interpretation, compensation, and expenses payable under the provisions of Article 18, paragraph (2) or Article 20, paragraph (1) or paragraph (2) shall be as considered reasonable by the court.

(請求の期限)

(Time Limit for Request)

第二十七条 この章に定める旅費、日当、宿泊料、鑑定料その他の給付は、判決によつて事件が完結する場合においてはその判決があるまでに、判決によらないで事件が完

結する場合においてはその完結の日から二月を経過した日までに請求しないときは、支給しない。ただし、やむを得ない事由によりその期限内に請求することができなかつたときは、その事由が消滅した日から二週間以内に請求した場合に限り、支給する。

Article 27 Payment of travel expenses, daily allowance, accommodation charges, or fees for expert testimony or any other payment prescribed in this Chapter shall not be made unless it is requested before a judgment is rendered if the case is concluded by a judgment, or before two months have elapsed from the date of conclusion if the case is concluded in any way other than by a judgment; provided, however, that in the case of a failure to request payment before the expiration of such time limit due to unavoidable circumstances, payment shall be made only where it is requested within two weeks from the day on which such circumstances have ceased to exist.

(裁判官の権限)

(Powers of a Judge)

第二十八条 受命裁判官、受託裁判官又はその他の裁判官が証人尋問その他の手続を行なう場合には、この章の規定による給付に関し裁判所が定めるべき事項は、当該裁判官が定める。ただし、当該裁判官が自ら定めることが相当でないと認めるときは、この限りでない。

Article 28 Where an authorized judge, commissioned judge, or any other judge conducts the examination of a witness or any other procedure, the matters to be determined by the court with regard to payment under the provisions of this Chapter shall be determined by the judge concerned; provided, however, that this shall not apply when said judge finds it inappropriate to determine such matters him/herself.

(第三債務者の供託の費用の請求等)

(Request for Costs for Deposit by a Third Party Obligor, etc.)

第二十八条の二 民事執行法第一百五十六条第二項又は滞納処分と強制執行等との手続の調整に関する法律（昭和三十二年法律第九十四号）第三十六条の六第一項（これらを準用し、又はその例による場合を含む。）の規定により供託した第三債務者は、次の各号に掲げる費用を請求することができるものとし、その額は、それぞれ当該各号に定めるところによる。

Article 28-2 (1) A third party obligor who has made a deposit pursuant to the provisions of Article 156, paragraph (2) of the Civil Execution Act or Article 36-6, paragraph (1) of the Act on Adjustment between Procedures for Disposition of Delinquency and Compulsory Execution Procedures (Act No. 94 of 1957) (including cases where these provisions are applied mutatis mutandis or the same rules as those prescribed therein are applied) may request the costs listed in the following items, in the amounts specified in the respective items:  
一 供託するために要する旅費、日当及び宿泊料 第二条第四号及び第五号の例によ



- り算定した額
- (i) the travel expenses, daily allowance, and accommodation charges required to make the deposit: the amount calculated using the same rules as those prescribed in Article 2, item (iv) and item (v);
- 二 供託所に出頭しないで供託することができるときは、供託に要する書類及び供託金の提出の費用並びに供託書正本の交付を受けるために要する費用 提出又は交付一回につき第二条第十八号の例により算定した額
- (ii) in cases where the deposit can be made without appearing at an official depository, the expenses for the submission of the document required for the deposit and the deposit money and the expenses required to obtain issuance of an authenticated copy of the deposit receipt: the amount calculated using the same rule prescribed in Article 2, item (xviii), per submission or issuance;
- 三 供託に要する書類及び供託の事情の届出の書類の作成の費用 供託又はその事情の届出一件につき最高裁判所が定める額
- (iii) the expenses for the preparation of the document required for the deposit and the document providing notification of the reasons for the deposit: the amount specified by the Supreme Court, per deposit or per notification of such reasons;
- 四 供託の事情の届出の書類の提出の費用 提出一回につき第二条第十八号の例により算定した額
- (iv) the expenses for the submission of the document providing notification of the reasons for the deposit: the amount calculated using the same rule as that prescribed in Article 2, item (xviii), per submission; and
- 五 供託に要する書類で官庁その他の公の団体の作成に係るものの交付を受けるために要する費用 交付一回につき第二条第七号の例により算定した額
- (v) the expenses required to obtain issuance of a document required for the deposit that is prepared by a government agency or any other public body: the amount calculated using the same rule prescribed in Article 2, item (vii), per issuance.
- 2 前項の費用は、第二十七条の規定にかかわらず、供託の事情の届出をする時までに請求しないときは、支給しない。
- (2) Notwithstanding the provisions of Article 27, the costs set forth in the preceding paragraph shall not be paid if payment has not been requested before a notification of the reasons for the deposit is submitted.
- 3 第一項の費用は、供託金から支給する。
- (3) The costs set forth in paragraph (1) shall be paid from the deposit money.

#### 第四章 雑則

#### Chapter IV Miscellaneous Provisions

(郵便切手等の管理)

(Management of Postage Stamps, etc.)

第二十九条 第十三条の規定により予納させた郵便切手等の管理に関する事務は、最高裁判所が指定する裁判所書記官が取り扱う。

Article 29 (1) The affairs concerning the management of postage stamps, etc. prepaid pursuant to the provisions of Article 13 shall be administered by the court clerk designated by the Supreme Court.

2 前項の裁判所書記官の責任については、物品管理法（昭和三十一年法律第百十三号）に規定する物品管理職員の責任の例による。

(2) The responsibility of the court clerk set forth in the preceding paragraph shall be subject to the same rule as that applicable to the responsibility of goods management personnel as prescribed in the State-Owned Goods Management Act (Act No. 113 of 1956).

3 前二項に定めるもののほか、第一項の郵便切手等の管理について必要な事項は、最高裁判所が定める。

(3) In addition to what is provided in the preceding two paragraphs, matters necessary for the management of postage stamps, etc. set forth in paragraph (1) shall be specified by the Supreme Court.

(最高裁判所規則)

(Rules of the Supreme Court)

第三十条 この法律に定めるもののほか、民事訴訟等における証人等に対する裁判所の給付の実施その他この法律の施行に関して必要な事項は、最高裁判所が定める。

Article 30 In addition to what is provided for in this Act, necessary matters concerning payments to be made by courts to witnesses, etc. in civil proceedings, etc. and the enforcement of this Act shall be specified by the Supreme Court.

別表第一（第三条、第四条関係）

Appended Table 1 (Re: Articles 3 and 4)

項 R o w	上欄 Left column	下欄 Right column
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<p>— ( 1 )</p>	<p>訴え（反訴を除く。）の提起 The filing of an action (excluding a counterclaim)</p>	<p>訴訟の目的の価額に応じて、次に定めるところにより算出して得た額 The amount obtained by making a calculation as specified in the following, according to the value of the subject matter of the suit: （一） 訴訟の目的の価額が百万円までの部分 (i) the portion up to one million yen of the value of the subject matter of the suit: その価額十万円までごとに 千円 1,000 yen per 100,000 yen of such portion of the value. （二） 訴訟の目的の価額が百万円を超え五百万円までの部分 (ii) the portion of the value of the subject matter of the suit in excess of one million yen, up to five million yen: その価額二十万円までごとに 千円 1,000 yen per 200,000 yen of such portion of the value.</p>
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(三) 訴訟の目的の価額が五百万円を超え千万円までの部分

(iii) the portion of the value of the subject matter of the suit in excess of five million yen, up to ten million yen:

その価額五十万円までごとに 二千円

2,000 yen per 500,000 yen of such portion of the value.

(四) 訴訟の目的の価額が千万円を超え十億円までの部分

(iv) the portion of the value of the subject matter of the suit in excess of ten million yen, up to one billion yen:

その価額百万円までごとに 三千円

3,000 yen per one million yen of such portion of the value.

(五) 訴訟の目的の価額が十億円を超え五十億円までの部分

(v) the portion of the value of the subject matter of the suit in excess of one billion yen, up to five billion yen:

		<p>その価額五百万円までごとに 一万円 10,000 yen per five million yen of such portion of the value.</p> <p>(六) 訴訟の目的の価額が五十億円を超える部分 (vi) the portion of the value of the subject matter of the suit in excess of five billion yen: その価額千万円までごとに 一万円 10,000 yen per ten million yen of such portion of the value.</p>
二	<p>控訴の提起（四の項に掲げるものを除く。） ( The filing of an appeal (excluding the material set forth in row (4)) )</p>	<p>一の項により算出して得た額の一・五倍の額 1.5 times the amount obtained by making the calculation specified in row (1)</p>
三	<p>上告の提起又は上告受理の申立て（四の項に掲げるものを除く。） ( The filing of a final appeal or a petition for acceptance of a final appeal (excluding the material set forth in row (4)) )</p>	<p>一の項により算出して得た額の二倍の額 Double the amount obtained by making the calculation specified in row (1)</p>
四	<p>請求について判断をしなかつた判決に対する控訴の提起又は上告の提起若しくは上告受理の申立て ( The filing of an appeal or the filing of a final appeal or a petition for acceptance of a final appeal against a judgment which has not made a determination on a claim )</p>	<p>二の項又は三の項により算出して得た額の二分の一の額 Half the amount obtained by making the calculation as specified in row (2) or row (3)</p>

<p>五 ( 5 )</p>	<p>請求の変更 Amendment of a claim</p>	<p>変更後の請求につき一の項（請求について判断した判決に係る控訴審における請求の変更にあつては、二の項）により算出して得た額から変更前の請求に係る手数料の額を控除した額 The amount obtained by deducting the amount of the fees for the claim prior to the amendment from the amount obtained by making the calculation for the claim after the amendment as specified in row (1) (or row (2) for the amendment of the claim in the second instance pertaining to a judgment which has made a determination on the claim)</p>
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六 ( 6 )	反訴の提起 <b>The filing of a counterclaim</b>	<p>           一の項（請求について判断した判決に係る控訴審における反訴の提起にあつては、二の項）により算出して得た額。ただし、本訴とその目的を同じくする反訴については、この額から本訴に係る訴訟の目的の価額について一の項（請求について判断した判決に係る控訴審における反訴の提起にあつては、二の項）により算出して得た額を控除した額         </p> <p> <b>The amount obtained by making the calculation specified in row (1) (or row (2) for the filing of the counterclaim in the second instance pertaining to a judgment which has made a determination on the claim); provided, however, that in the case of a counterclaim, the subject matter of which is the same as that of the principal action, the amount (row (2) for the filing of a counterclaim in the second instance pertaining to a judgment which has made a determination on the claim) for the value of the subject matter of the suit</b> </p>
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七 ( 7 )	<p>民事訴訟法第四十七条第一項若しくは第五十二条又は民事再生法（平成十一年法律第二百二十五号）第百三十八条第一項若しくは第二項の規定による参加の申出</p> <p>The filing of an application for intervention under the provisions of Article 47, paragraph (1), Article 52 of the Code of Civil Procedure, or Article 138, paragraph (1) or paragraph (2) of the Civil Rehabilitation Act (Act No. 225 of 1999)</p>	<p>一の項（請求について判断した判決に係る控訴審又は上告審における参加にあつては二の項又は三の項、第一審において請求について判断し、第二審において請求について判断しなかつた判決に係る上告審における参加にあつては二の項）により算出して得た額</p> <p>The amount obtained by making a calculation as specified in row (1) (or row (2) or row (3) for intervention in the second instance or in the final appellate instance pertaining to a judgment which has made a determination on the claim; row (2) for the intervention in the final appellate instance pertaining to a judgment in the second instance which has not made a determination on a claim that was determined in the first instance)</p>
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ハ ( 8 )	再審の訴えの提起 The filing of an action for retrial	(1) 簡易 裁判所に提起 するもの (1) Filing with a summary court	二千円 2,000 yen
		(2) 簡易 裁判所以外の 裁判所に提起 するもの (2) Filing with a court other than a summary court	四千円 4,000 yen
ハ の 二 ( 8 ) - 2	仲裁法（平成十五年法律第百三十八号） の第四十四条第一項又は第四十六条第一項 の規定による申立て The filing of a petition under the provisions of Article 44, paragraph (1) or Article 46, paragraph (1) of the Arbitration Act (Act No. 138 of 2003)		四千円 4,000 yen
カ ( 9 )	和解の申立て The filing of a petition for settlement		二千円 2,000 yen
一 〇 ( 1 0 )	支払督促の申立て The filing of a petition to demand payment		請求の目的の価額 に応じ、一の項に より算出して得た 額の二分の一の額 Half the amount obtained by making the calculation specified in row (1) according to the value of the subject matter of the claim

<p>イ</p> <p>1</p> <p>1</p> <p>)</p>	<p>不動産の強制競売若しくは担保権の実行としての競売の申立て、債権の差押命令の申立てその他裁判所による強制執行若しくは競売若しくは収益執行の申立て（一の二の項イに掲げる申立て及び民事執行法第一百五十三条第二項（これを準用し、又はその例による場合を含む。）の規定による差押命令の申立てを除く。）又は金銭債権の差押処分</p> <p>の申立て</p> <p>(a) The filing of a petition for a compulsory auction of real property or for an auction of real property to exercise a security interest, a petition for an order of seizure for a claim, or any other petition for compulsory execution or auction by the court or for execution by the court against earnings (excluding the petition set forth in row (11)-2(a) and a petition for an order of seizure under the provisions of Article 153, paragraph (2) of the Civil Execution Act (including cases where said paragraph is applied mutatis mutandis or where the same rule as that prescribed therein is applied)) or of a petition for a disposition of seizure for a monetary claim</p> <p>ロ 強制管理の方法による仮差押えの執行の申立て</p> <p>(b) The filing of a petition for execution of a provisional seizure through compulsory administration</p>	<p>四千元</p> <p>4,000 yen</p>
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<p>イ 民事執行法第六十七條の十五第一  項、第七十一條第一項、七十二條  の第一項若しくは第七十三條第一項の強  制執行の申立て又は同法第九十七條第  一項若しくは第二項の財産開示手続実施  (の申立て  1 (a) The filing of a petition for a  1 compulsory execution set forth in  ) Article 167-15, paragraph (1), Article  - 171, paragraph (1), Article 172,  2 paragraph (1) or Article 173,  paragraph (1) of the Civil Execution  Act or a petition for implementation of  a property disclosure procedure set  forth in Article 197, paragraph (1) or  paragraph (2) of said Act  ロ 民事保全法（平成元年法律第九十一  号）の規定による保全命令の申立て  (b) The filing of a petition for a  temporary restraining order under the  provisions of the Civil Preservation  Act (Act No. 91 of 1989)  ハ 行政事件訴訟法（昭和三十七年法律  第三十九号）の規定による執行停止の  申立て又は仮の義務付け若しくは仮の差  止めの申立て  (c) The filing of a petition for a stay of  execution or a petition for a  provisional mandatory order or  provisional injunctive order under the  provisions of the Administrative Case  Litigation Act (Act No. 139 of 1962)  ニ 不動産登記法（平成十六年法律第百  二十三号）第八條第一項の規定による  申立てその他の登記又は登録に係る法令  の規定による仮登記又は仮登録の仮処分  命令の申立て又は申請  (d) The filing of a petition under the  provisions of Article 108, paragraph  (1) of the Real Property Registration  Act (Act No. 123 of 2004) or of a  petition or application for an order of  provisional disposition of a provisional  registration under the provisions of  other laws and regulations pertaining  to registration</p>	<p>二千円  2,000 yen</p>
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<p>一 二 ( 1 2 )</p>	<p>破産手続開始の申立て（債権者がするものに限る。）、更生手続開始の申立て、特別清算開始の申立て、外国倒産処理手続の承認の申立て、責任制限手続開始の申立て、責任制限手続拡張の申立て又は企業担保権の実行の申立て The filing of a petition for commencement of bankruptcy proceedings (limited to such a petition filed by a creditor), a petition for commencement of reorganization proceedings, a petition for commencement of special liquidation, a petition for recognition of foreign insolvency proceedings, a petition for commencement of proceedings for limitation of shipowners' liability, a petition for expansion of proceedings for limitation of shipowner liability or a petition for the exercise of an enterprise mortgage</p>	<p>二万円 20,000 yen</p>
<p>一 二 の 二 ( 1 2 ) - 2</p>	<p>再生手続開始の申立て The filing of a petition for commencement of rehabilitation proceedings</p>	<p>一万円 10,000 yen</p>

<p>一 三 ( 1 3 )</p>	<p>借地借家法第四十一条の事件の申立て又は同条の事件における参加の申出（申立人として参加する場合に限る。）      ( The filing of a petition for the case set forth in Article 41 of the Land and Building Lease Act or an application for intervention in the case set forth in said Article (limited to the case of intervention as the petitioner)</p>	<p>借地借家法第十七条第二項の規定による裁判を求めるときは借地権の目的である土地の価額の十分の三に相当する額を、その他の裁判を求めるときは借地権の目的である土地の価額を基礎とし、その額に応じて、次に定めるところにより算出して得た額      The amount calculated as specified in the following, on the basis of the amount equivalent to three-tenths of the value of the land on which a right of lease is established in the case that a judicial decision is sought under the provisions of Article 17, paragraph (2) of the Land and Building Lease Act, or on the basis of the value of the land on which a right of lease is established in the case that any other judicial decision is sought, and according to such amount:</p>
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(一) 基礎となる額が百万円までの部分

(i) the portion of the base amount up to one million yen:

その額十万円までごとに 四百円

400 yen per 100,000 yen of such portion of the amount.

(二) 基礎となる額が百万円を超え五百万円までの部分

(ii) the portion of the base amount in excess of one million yen, up to five million yen:

その額二十万円までごとに 四百円

400 yen per 200,000 yen of such portion of the amount.

(三) 基礎となる額が五百万円を超え千万円までの部分

(iii) the portion of the base amount in excess of five million yen, up to ten million yen:

その額五十万円までごとに 八百円

800 yen per 500,000 yen of such portion of the amount.

(四) 基礎となる額が千万円を超え十億円までの部分

(iv) the portion of the base amount in excess of ten million yen, up to one billion yen:

その額百万円までごとに 千二百円  
1,200 yen per one million yen of such portion of the amount.

(五) 基礎となる額が十億円を超え五十億円までの部分

(v) the portion of the base amount in excess of one billion yen, up to five billion yen:

その額五百万円までごとに 四千元  
4,000 yen per five million yen of such portion of the amount.

(六) 基礎となる額が五十億円を超える部分

(vi) the portion of the base amount in excess of five billion yen:

その額千万円までごとに 四千元  
4,000 yen per ten million yen of such portion of the amount.

<p>一 四 ( 1 4 )</p>	<p>民事調停法による調停の申立て又は労働 審判法による労働審判手続の申立て The filing of a petition for conciliation under the Civil Conciliation Act or a petition for a labor dispute adjudication procedure under the Labor Tribunal Act</p>	<p>調停又は労働審判 を求める事項の価 額に応じて、次に 定めるところによ り算出して得た額 The amount obtained by making the calculation specified in the following, according to the value of the matter for which conciliation or labor dispute adjudication is sought: (一) 調停又は 労働審判を求める 事項の価額が百万 円までの部分 (i) the portion up to one million yen of the value of the matter for which conciliation or labor dispute adjudication is sought: その価額十万円ま でごとに 五百円 500 yen per 100,000 yen of such portion of the value.</p>
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(二) 調停又は  
労働審判を求める  
事項の価額が百万  
円を超え五百万円  
までの部分

(ii) the portion of  
the value of the  
matter for which  
conciliation or  
labor dispute  
adjudication is  
sought, in excess  
of one million yen  
up to five million  
yen:

その価額二十万円  
までごとに 五百  
円

500 yen per  
200,000 yen of  
such portion of  
the value.

(三) 調停又は  
労働審判を求める  
事項の価額が五百  
万円を超え千万円  
までの部分

(iii) the portion of  
the value of the  
matter for which  
conciliation or  
labor dispute  
adjudication is  
sought, in excess  
of five million yen  
up to ten million  
yen:

その価額五十万円  
までごとに 千円

1,000 yen per  
500,000 yen of  
such portion of  
the value.

(四) 調停又は  
労働審判を求める  
事項の価額が千万  
円を超え十億円ま  
での部分

(iv) the portion of  
the value of the  
matter for which  
conciliation or  
labor dispute  
adjudication is  
sought, in excess  
of ten million yen  
up to one billion  
yen:

その価額百万円ま  
でごとに 千二百  
円

1,200 yen per one  
million yen of  
such portion of  
the value.

(五) 調停又は  
労働審判を求める  
事項の価額が十億  
円を超え五十億円  
までの部分

(v) the portion of  
the value of the  
matter for which  
conciliation or  
labor dispute  
adjudication is  
sought, in excess  
of one billion yen  
up to five billion  
yen:

その価額五百万円  
までごとに 四千  
円

4,000 yen per five  
million yen of  
such portion of  
the value.

		(六) 調停又は労働審判を求める事項の価額が五十億円を超える部分 (vi) the portion of the value of the matter for which conciliation or labor dispute adjudication on labor dispute is sought, in excess of five billion yen: その価額千万円までごとに 四千元 4,000 yen per ten million yen of such portion of the value.
一 五	家事審判法第九条第一項甲類に掲げる事項についての審判の申立て The filing of a petition for adjudication of any of the matters listed in Article 9, paragraph (1), Category A of the Act on Adjudication of Domestic Relations	八百円 800 yen
一 五 二	家事審判法第九条第一項乙類に掲げる事項についての審判又は同法第十七条に規定する事件についての調停の申立て The filing of a petition for adjudication of any of the matters listed in Article 9, paragraph (1), Category B of the Act on Adjudication of Domestic Relations or a petition for conciliation of a case prescribed in Article 17 of said Act	千二百円 1,200 yen
- 2		

一 六 ( 1 6 )	<p>仲裁法第十二条第二項、第十六条第三項、第十七条第二項から第五項まで、第十九条第四項、第二十条、第二十三条第五項又は第三十五条第一項の規定による申立て、非訟事件手続法の規定により裁判を求める申立て、配偶者からの暴力の防止及び被害者の保護に関する法律（平成十三年法律第三十一号）第十条第一項から第四項までの規定による申立てその他の裁判所の裁判を求める申立てで、基本となる手続が開始されるもの（第九条第一項若しくは第三項又は第十条第二項の規定による申立て及びこの表の他の項に掲げる申立てを除く。）</p> <p>The filing of a petition under the provisions of Article 12, paragraph (2), Article 16, paragraph (3), Article 17, paragraphs (2) to (5), Article 19, paragraph (4), Article 20, Article 23, paragraph (5) or Article 35, paragraph (1) of the Arbitration Act, a petition for a judicial decision under the provisions of the Non-Contentious Case Procedure Act, a petition under the provisions of Article 10, paragraphs (1) to (4) of the Act on the Prevention of Spousal Violence and the Protection of Victims (Act No. 31 of 2001) or any other petition for a judicial decision by the court, all of which will lead to the commencement of fundamental proceedings (excluding a petition to be filed under the provisions of Article 9, paragraph (1) or paragraph (3) or Article 10, paragraph (2) and petitions listed in other rows of this table)</p>	<p>千円 1,000 yen</p>
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<p>一 七 ( 1 7 )</p>	<p>イ 民事訴訟法の規定による特別代理人の選任の申立て、弁護士でない者を訴訟代理人に選任することの許可を求める申立て、忌避の申立て、訴訟引受けの申立て、秘密記載部分の閲覧等の請求をすることができる者を当事者に限る決定を求める申立て、その決定の取消しの申立て、裁判所書記官の処分に対する異議の申立て、訴えの提起前における証拠収集の処分の申立て、訴えの提起前における証拠保全の申立て、受命裁判官若しくは受託裁判官の裁判に対する異議の申立て、手形訴訟若しくは小切手訴訟の終局判決に対する異議の申立て、少額訴訟の終局判決に対する異議の申立て又は同法の規定による強制執行の停止、開始若しくは続行を命じ、若しくは執行処分の取消しを命ずる裁判を求める申立て</p> <p>(a) The filing of a petition for appointment of a special agent under the provisions of the Code of Civil Procedure, a petition for permission to appoint a person who is not an attorney-at-law as an agent for a suit, a petition for challenge, a petition for assumption of a suit, a petition for an order to limit the persons who may make a request for inspection, etc. of a part of a case record in which a relevant secret is stated or recorded to the parties, a petition for revocation of such an order, the filing of an objection to a disposition by a court clerk, a petition for a disposition of a collection of evidence prior to the filing of an action, a petition for preservation of evidence prior to the filing of an action, an objection to a judicial decision by an authorized judge or commissioned judge, an objection to a final judgment in an action on bills and notes or an action on checks, or an objection to a final judgment in an action on a small claim, or a petition for a judicial decision to order a stay, the commencement, or a continuation of compulsory execution or order a revocation of a disposition of execution, which is to be filed under the provisions of said Code</p>	<p>五百円 500 yen</p>
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ロ 執行裁判所の執行処分に対する執行異議の申立て、民事執行法第十三条第一項の代理人の選任の許可を求める申立て、執行文の付与の申立てに関する処分に対する異議の申立て、同法第三十六条第一項若しくは第三項の規定による強制執行の停止若しくは続行を命じ、若しくは執行処分の取消しを命ずる裁判を求め申立て、同法第四十一条第二項の規定による特別代理人の選任の申立て、同法第四十七条第四項若しくは第四十九条第五項の規定による裁判所書記官の処分に対する異議の申立て、執行裁判所に対する配当要求、同法第五十五条第一項の規定による売却のための保全処分若しくは同条第五項の規定によるその取消し若しくは変更の申立て、同法第五十六条第一項の規定による地代等の代払の許可を求める申立て、同法第六十二条第三項若しくは第六十四条第六項の規定による裁判所書記官の処分に対する異議の申立て、同法第六十八条の二第一項の規定による買受けの申出をした差押債権者のための保全処分の申立て、同法第七十七条第一項の規定による最高価買受申出人若しくは買受人のための保全処分の申立て、同法第七十八条第六項の規定による裁判所書記官の処分に対する異議の申立て、同法第八十三条第一項の規定による不動産の引渡命令の申立て、同法第百十五条第一項の規定による船舶国籍証書等の引渡命令の申立て、同法第百十七条第一項の規定による強制競売の手続の取消しの申立て、同法第百十八条第一項の規定による船舶の航行の許可を求める申立て、同法第百二十七条第一項の規定による差押物の引渡命令の申立て、少額訴訟債権執行の手続における裁判所書記官の執行処分に対する執行異議の申立て、少額訴訟債権執行の手続における裁判所書記官に対する配当要求、同法第百六十七条の十五第三項の規定による申立て、同法第百七十二條第二項の規定による申立て、同法第百八十七条第一項の規定による担保不動産競売の開始決定前の保全処分若しくは同条第四項の規定によるその取消しの申立て又は同法第百九十条第二項の動産競売の開始の許可の申立て

(b) The filing of an objection to a disposition of execution by the executing court, a petition seeking permission for the appointment of an agent set forth in Article 13,

ハ 民事保全法の規定による保全異議の申立て、保全取消しの申立て、同法第二十七条第一項の規定による保全執行の停止若しくは執行処分の取消しを命ずる裁判を求める申立て、同法第四十二条第一項の規定による保全命令を取り消す決定の効力の停止を命ずる裁判を求める申立て又は保全執行裁判所の執行処分に対する執行異議の申立て

(c) The filing, under the provisions of the Civil Preservation Act, of an objection to a temporary restraining order, a petition for revocation of a temporary restraining order, a petition for a judicial decision ordering a stay on the execution of a temporary restraining order or the revocation of a disposition of execution under the provisions of Article 27, paragraph (1) of said Act, a petition for a judicial decision ordering a stay on the effect of an order revoking a temporary restraining order under the provisions of Article 42, paragraph (1) of said Act, or an objection to a disposition of execution by the executing court of a temporary restraining order

ニ 参加（破産法、民事再生法、会社更生法（平成十四年法律第百五十四号）、金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）、船舶の所有者等の責任の制限に関する法律

（昭和五十年法律第九十四号）又は船舶油濁損害賠償保障法（昭和五十年法律第九十五号）の規定による参加及び七の項又は一三の項に掲げる参加を除く。）の申出又は申立て

(d) The filing of an application or petition for intervention (excluding intervention under the provisions of the Bankruptcy Act, the Civil Rehabilitation Act, the Corporate Reorganization Act (Act No. 154 of 2002), the Act on Special Measures, etc. for Reorganization Proceedings for Financial Institutions, etc. (Act No. 95 of 1996), the Act on Limitation of Shipowner Liability (Act No. 94 of 1975) or the Act on Liability for Oil Pollution Damage (Act No. 95 of 1975) and the intervention set forth in row (7) or row (13))



ホ 破産法第百八十六条第一項の規定による担保権消滅の許可の申立て、同法第百九十二条第三項の規定による商事留置権消滅の許可の申立て、同法第二百四十八条第一項の規定による免責許可の申立て若しくは同法第二百五十六条第一項の規定による復権の申立て、民事再生法第百四十八条第一項の規定による担保権消滅の許可の申立て、行政事件訴訟法の規定による執行停止決定の取消しの申立て、若しくは仮の義務付け若しくは仮の差止めの決定の取消しの申立て、労働組合法（昭和二十四年法律第百七十四号）第二十七条の二十の規定による申立て、配偶者からの暴力の防止及び被害者の保護に関する法律第十六条第三項若しくは第十七条第一項の規定による申立て、労働審判法第四条第一項ただし書の規定による弁護士でない者を代理人に選任することの許可を求める申立て、特定債務等の調整の促進のための特定調停に関する法律第七条第一項若しくは第二項の規定による民事執行の手續の停止若しくは続行を命ずる裁判を求める申立て、家事審判法第十五条の六の規定による申立て、人事訴訟法（平成十五年法律第百九号）第三十九条第一項の規定による申立て、特許法（昭和三十四年法律第百二十一号）第百五条の四第一項若しくは第百五条の五第一項の規定による申立て、著作権法（昭和四十五年法律第四十八号）第百十四条の六第一項若しくは第百十四条の七第一項の規定による申立て又は不正競争防止法（平成五年法律第四十七号）第十条第一項若しくは第十一条第一項の規定による申立て

(e) The filing of a petition for permission to extinguish a security interest under the provisions of Article 186, paragraph (1) of the Bankruptcy Act, a petition for permission to extinguish a right of retention under the Commercial Law under the provisions of Article 192, paragraph (3) of the Bankruptcy Act, a petition for a grant of discharge under the provisions of Article 248, paragraph (1) of said Act or a petition for the restoration of rights under the provisions of Article 256, paragraph (1) of said Act, a petition for permission to extinguish a security interest under the provisions of Article 148, paragraph (1) of the Civil

	<p>へ 執行官の執行処分又はその遅怠に対する執行異議の申立て  <b>(f) The filing of an objection to a disposition of execution by a court execution officer and any delay or negligence thereof</b>  ト 最高裁判所の規則の定めによる申立てのうちイ又はロに掲げる申立てに類似するものとして最高裁判所が定めるもの  <b>(g) The filing of a petition pursuant to the provisions of the Rules of the Supreme Court specified by the Supreme Court as being similar to any of the petitions listed in (a) or (b)</b></p>		
<p>一 八 ( 1 8 )</p>	<p>抗告の提起又は民事訴訟法第三百三十七条第二項の規定による抗告の許可の申立て  <b>(The filing of an appeal or a petition for permission to appeal under the provisions of Article 337, paragraph (2) of the Code of Civil Procedure</b></p>	<p>(1) 一一の二の項、一五の項、一五の二の項又は一六の項に掲げる申立てについての裁判（抗告裁判所の裁判を含む。）に対するもの  <b>(i) An appeal against a judicial decision on any of the petitions listed in row (11)-2, row (15), row (15)-2 or row (16) (including such a judicial decision made by the court in charge of an appeal)</b></p>	<p>それぞれの申立ての手数料の額の  一・五倍の額  <b>1.5 times the amount of the fee for each petition</b></p>

<p>(2) 一三の項に掲げる申立て又は申出についての裁判（不適法として却下したものを除き、抗告裁判所の裁判を含む。）に対するもの (ii) An appeal of a judicial decision on a petition or application set forth in row (13) (excluding such a judicial decision dismissing the petition or application as unlawful without prejudice, and including a judicial decision made by the appellate court)</p>	<p>一三の項により算出して得た額の一・五倍の額 1.5 times the amount obtained by making the calculation specified in row (13)</p>
<p>(3) 民事保全法の規定による保全抗告 (iii) An appeal pertaining to a temporary restraining order under the provisions of the Civil Preservation Act</p>	<p>一一の二の項口に掲げる申立手数料の額の一・五倍の額 1.5 times the amount of the fee for the petition set forth in row (11)-2(b)</p>

	(4) (1) から (3) まで以 外のもの (iv) Any appeal other than those listed in (i) to (iii)	千円 1,000 yen
一 九 一 九 )	民事訴訟法第三百四十九条第一項の規定 による再審の申立て The filing of a petition for a retrial under the provisions of Article 349, paragraph (1) of the Code of Civil Procedure	千五百円 1,500 yen
<p>この表の各項の上欄に掲げる申立てには、当該申立てについての規定を準用し、又はその例によるものとする規定による申立てを含むものとする。 The petitions listed in the left-hand column of each row of this table shall include petitions to which the applicable provisions of the listed petitions apply mutatis mutandis or to which the same rules as those prescribed in said provisions are applied.</p>		

別表第二（第七条関係）

Appended Table 2 (Re: Article 7)

項 r o w	上欄 Left-hand column	下欄 Right-hand column
一 ( 1 )	事件の記録の閲覧、謄写又は複製（事件の係属中に当事者等が請求するものを除く。） Inspection, copying or reproduction of the records of the case (excluding those requested by the party, etc. while the case is pending)	一件につき百五十円 150 yen per inspection/copying/reproduction

二 ( 2 )	事件の記録の正本、謄本又は抄本の交付 Issuance of an authenticated copy, transcript or extract of the records of the case	用紙一枚につき百五十円 150 yen per page
三 ( 3 )	事件に関する事項の証明書の交付 Issuance of a certificate of the matters concerning the case	一件につき百五十円（事件の記録の写しについて原本（事件の記録が電磁的記録で作成されている場合にあつては、当該電磁的記録に記録された情報の内容を書面に出力したときのその書面。以下同じ。）の記載と相違ない旨の証明に係るものについては、原本十枚までごとに百五十円） 150 yen per issuance (in the case of a certificate proving that the content of a copy of the records of the case is identical to the content of the original (if the records of the case are prepared in the form of electromagnetic records, the document prepared by outputting, in the form of a document, the content of the information recorded in such electromagnetic records; the same shall apply hereinafter), 150 yen per 10 pages of the original)
四 ( 4 )	執行文の付与 Grant of a certificate of execution	一通につき三百円 300 yen per copy