

# **Rules for Measures Incidental to Criminal Procedures for Purpose of Protection of Rights and Interests of Crime Victims**

(Rules of the Supreme Court No. 13 of September 27, 2000)

The rules for measures incidental to criminal procedures for the purpose of protection of crime victims, etc. are established as follows.

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Supplementary Provisions

## **Chapter I General Provisions**

(Purpose)

Article 1 In addition to what is provided in the Act on Measures Incidental to Criminal Procedures for Purpose of Protection of Rights and Interests of Crime Victims (Act No. 75 of 2000; hereinafter referred to as the "Act"), the inspection and copying of case records, the procedures conducted by the court pursuant to the provisions of Article 6, paragraphs (1) and (2) of the Act in connection with the procedures for requesting Traveling Expenses, etc. for Participating Victims (meaning the traveling expenses, etc. for participating victims

provided for in Article 5, paragraph (2) of the Act), the appointment, etc. of Attorneys for Participating Victims (meaning the attorneys for participating victims provided for in Article 11, paragraph (1) of the Act; the same applies hereinafter), the settlement on civil disputes in criminal proceedings, and the procedures in respect of Cases Seeking Orders for Compensation for Damage (meaning the cases seeking orders for compensation for damage provided for in Article 34, paragraph (2) of the Act; the same applies hereinafter) are as provided for in these Rules.

## **Chapter II Inspection and Copying of Case Records**

(Matters to Be Made Clear upon Request under Article 3, Paragraph (1) of the Act)

Article 2 The request for the inspection or copying of case records provided for in Article 3, paragraph (1) of the Act must be filed by making clear the following matters:

- (i) the name and address of the requester;
- (ii) the matters sufficient for identifying the case record for which inspection or copying is requested;
- (iii) facts providing the basis for the status of the requester as a Victim, etc. (meaning a victim, or if the victim has died or suffers a serious physical or mental disorder, the victim's spouse, lineal relative or sibling; the same applies hereinafter) or the victim's statutory agent, or an attorney who is entrusted by any of these persons; and
- (iv) the reasons for requesting inspection or copying.

(Matters to Be Made Clear upon Request under Article 4, Paragraph (1) of the Act)

Article 3 (1) The request for the inspection or copying of case records provided for in Article 4, paragraph (1) of the Act must be filed by making clear the following matters:

- (i) the name and address of the requester;
  - (ii) the matters sufficient for identifying the case record for which inspection or copying is requested;
  - (iii) facts providing the basis for the status of the requester as any of the persons referred to in the items of Article 4, paragraph (1) of the Act; and
  - (iv) the reasons for requesting inspection or copying.
- (2) The request referred to in the preceding paragraph must be filed by means of a written document.
- (3) If the person who intends to file the request referred to in paragraph (1) is unable to prepare the document referred to in the preceding

paragraph personally, the public prosecutor or public prosecutor's assistant officer is to prepare that document on that person's behalf.

(Method of Notice of Request Filed under Article 4, Paragraph (1) of the Act)

Article 4 The notice provided for in Article 4, paragraph (3) of the Act must be given in writing.

(Prompt Response to Request for Inspection or Copying of Case Records)

Article 5 The court must respond to the request referred to in Articles 2 and 3 promptly.

(Measures Taken for Inspection or Copying of Case Records; Article 3, etc. of the Act)

Article 6 (1) The inspection or copying of case records under the provisions of Article 3, paragraph (1) and Article 4, paragraph (1) of the Act is carried out at court.

(2) The court may designate the date, place, time, and method with regard to the inspection or copying of case records under the provisions of Article 3, paragraph (1) and Article 4, paragraph (1) of the Act.

(3) When the court finds it to be necessary for preventing the destruction of case records or any other unlawful acts with regard to the inspection or copying of case records under the provisions of Article 3, paragraph (1) and Article 4, paragraph (1) of the Act, said court must have a court clerk or any other court official attend the inspection or copying, or must take any other appropriate measures.

(4) The attorney provided in Article 3, paragraph (1) and Article 4, paragraph (1), item (iv) of the Act may have an employee thereof or any other person carry out the inspection or copying of case records, with the permission of the court.

### **Chapter III Procedures Conducted by Court in Connection with Procedures for Requesting Traveling Expenses, etc. for Participating Victims**

(Intermediary Court; Article 6 of the Act)

Article 7 (1) The court provided for in Article 6, paragraph (1) of the Act is the high court, district court or summary court before which the criminal case in whose proceedings a Participating Victim (meaning the participating victim provided for in Article 316-33, paragraph (3) of the Code of Criminal Procedure (Act No. 131 of 1948); the same applies hereinafter) is permitted to participate is pending at the time the Participating Victim travels to appear in court for proceedings on a trial date or proceedings for trial preparation (such court is hereinafter referred to as the "Intermediary Court").

- (2) The Participating Victim may submit the written request and materials which are provided for in Article 6, paragraph (1) of the Act to a high court, district court or summary court other than the Intermediary Court.
- (3) When the written request and materials are submitted pursuant to the provisions of the preceding paragraph, the court must forward them to the Intermediary Court promptly.

(Sending of Documents by Facsimile; Article 6 of the Act)

- Article 8 (1) The Intermediary Court may send documents which are to be sent to the Minister of Justice (or to the Japan Legal Support Center (hereinafter referred to as the "Support Center") if the Intermediary Court, as provided for in Article 8, paragraph (1) of the Act, carries out the affairs under the authority of the Ministry of Justice which are set forth in said paragraph; the same applies in the following paragraph) pursuant to the provisions of Article 6, paragraph (2) of the Act, by transmitting these documents by facsimile.
- (2) In the case prescribed in the preceding paragraph, if the Intermediary Court is requested by the Minister of Justice to submit the document that has been transmitted by facsimile, it must submit that document to the Minister of Justice.

#### **Chapter IV Appointment of Attorneys for Participating Victims**

(Method of Request for Appointment; Article 11, etc. of the Act)

- Article 9 (1) The request for the appointment of an Attorney for a Participating Victim under the provisions of Article 11, paragraph (1) of the Act must be filed by means of a written document stating the following matters:
- (i) an indication of the criminal case for which the request is filed;
  - (ii) the name and address of the requester; and
  - (iii) an indication of the court.
- (2) The notice referred to in Article 11, paragraph (3) of the Act must be given by sending the document referred to in the preceding paragraph.
  - (3) The Support Center may send documents which are to be sent to the court pursuant to the provisions of the preceding paragraph or Article 11, paragraph (3) of the Act, by transmitting these documents by facsimile.
  - (4) In the case prescribed in the preceding paragraph, the court may have the President of the Support Center submit the document that has been transmitted by facsimile if it finds this to be necessary.
  - (5) If any of the acts provided for in Article 316-34 and Articles 316-36 through 316-38 of the Code of Criminal Procedure is stated in the document referred to in paragraph (1) as an act that a Participating Victim intends to entrust to an attorney, and the court appoints an Attorney for the Participating Victim

pursuant to the provisions of Article 13, paragraph (1) of the Act, the notification under the provisions of Article 217-33, paragraph (1) of the Rules of Criminal Procedure (Rules of the Supreme Court No. 32 of 1948) is deemed to be made with regard to said act at the time of the appointment.

(Notice of Appointment; Article 13, etc. of the Act)

- Article 10 (1) When the court appoints an Attorney for a Participating Act pursuant to the provisions of Article 13, paragraph (1) of the Act, it must notify the person who filed the request under the provisions of Article 11, paragraph (1) of the Act, the Attorney for the Participating Victim, and the persons concerned in the case of this immediately. In this case, the court must also notify the Support Center of that effect immediately.
- (2) When the court dismisses the request filed under the provisions of Article 11, paragraph (1) of the Act, it must notify the person who filed that request and the Support Center of that effect immediately.
- (3) When the court revokes the appointment of the Attorney of the Participating Victim pursuant to the provisions of Article 15, paragraph (1) of the Act, said court must notify the person who filed the request under the provisions of Article 11, paragraph (1) of the Act, the Attorney of the Participating Victim, and the persons concerned in the case (excluding the persons concerned in the case if the appointment is revoked during proceedings on a trial date) of this immediately. In this case, the court must also notify the Support Center of that effect immediately.
- (4) The provisions of paragraph (1) apply mutatis mutandis when the court appoints another Attorney for the Participating Victim pursuant to the provisions of Article 15, paragraph (2) of the Act.
- (5) The provisions of paragraph (3) apply mutatis mutandis if an Attorney for a Participating Victim has been appointed and the court makes an order to revoke the order referred to in Article 316-33, paragraph (1) of the Code of Criminal Procedure.

(Hearing of Opinions; Article 17 of the Act)

- Article 11 When the court makes the order referred to in Article 17, paragraph (1) of the Act, it must hear the opinions of the Participating Victim.

(Application Mutatis Mutandis of Rules of Criminal Procedure; Article 18, etc. of the Act)

- Article 12 (1) Unless otherwise provided for, the provisions of the Rules of Criminal Procedure apply mutatis mutandis to the appointment of an Attorney for a Participating Victim and revocation thereof and to the procedure for collection of costs, unless contrary to the nature thereof.

- (2) Unless otherwise provided for in the Rules of Criminal Procedure as applied mutatis mutandis pursuant to the preceding paragraph, the provisions of laws and regulations concerning civil procedure (excluding the part concerning service by publication) apply mutatis mutandis to the service of documents.
- (3) Notwithstanding the provisions of Article 60 of the Rules of Criminal Procedures as applied mutatis mutandis pursuant to paragraph (1), when an employee of the Support Center is to affix a personal signature and seal to a document that said person is to prepare, the employee may affix a personal name and seal in lieu of affixing said signature and seal.

## **Chapter V Settlement on Civil Disputes in Criminal Proceedings**

(Matters to Be Stated in Written Petition for Inclusion of Settlement in Record; Article 19 of the Act)

Article 13 The document provided for in Article 19, paragraph (3) of the Act must contain a statement of the following matters in addition to the matters provided for in said paragraph:

- (i) the name and address of the petitioner and the name and address of the agent;
- (ii) if the petitioner is the accused in a criminal case charged to the court, a statement to that effect;
- (iii) if the petitioner is a Victim, etc., facts providing the basis for such status; and
- (iv) if the petitioner is a person who promised to guarantee the obligation of the accused or assume such obligation jointly and severally pursuant to the provisions of Article 19, paragraph (2) of the Act, a statement to that effect.

(Matters to Be Stated in Trial Record Upon Petition for Inclusion of Settlement in Record; Article 19 of the Act)

Article 14 (1) When the petition is filed pursuant to the provisions of Article 19, paragraph (1) or paragraph (2) of the Act, the following matters must be stated in the trial record:

- (i) a statement to the effect that said petition is filed; and
  - (ii) if the court takes measures that allow it not to include the agreement with regard to which the petition is filed in the trial record, a statement to that effect.
- (2) If the court takes measures that allow it to include the agreement with regard to which the petition is filed pursuant to the provisions of Article 19, paragraph (1) or paragraph (2) of the Act to be included in the trial record, it must prepare a part of the trial record which is to contain a statement of that agreement and the facts sufficient for identifying the right that is the subject

matter of the civil dispute with regard to which the agreement is reached (such part of the trial record is hereinafter referred to as the "Part Recording the Settlement") separately from the other parts of that trial record. In this case, the court must make clear in that trial record that the Part Recording the Settlement and the other parts of the trial record constitute a unified body.

- (3) The Part Recording the Settlement must contain a statement of the following matters regarding said petition in question:
- (i) the name and address of the petitioner and the name of the agent;
  - (ii) the names of the petitioner and agent who appeared; and
  - (iii) the agreement and the facts sufficient for identifying the right that is the subject matter of the civil dispute with regard to which the agreement is reached.
- (4) The court clerk must affix a personal name and seal at the end of the Part Recording the Settlement.

(Matters to Be Made Clear upon Request for Inspection of Set of Documents on Settlement; Article 20 of the Act)

Article 15 The request under the provisions of Article 20, paragraph (1) of the Act must be filed by making clear the following matters:

- (i) the name and address of the requester and the name and address of the agent; and
- (ii) the matters sufficient for identifying the Set of Documents on the Settlement (meaning the set of documents on the settlement provided for in Article 20, paragraph (1) of the Act; the same applies hereinafter) for which the request is filed.

(Measures Taken for Inspection or Copying of Set of Documents on the Settlement; Article 20 of the Act)

Article 16 (1) The provisions of Article 6, paragraphs (1) and (2) apply mutatis mutandis to the inspection or copying of the Set of Documents on the Settlement under the provisions of Article 20, paragraph (1) of the Act. In this case, the term "court" in paragraph (2) of said Article is deemed to be replaced with "court clerk."

- (2) When the court clerk finds it to be necessary for preventing the destruction of the Set of Documents on the Settlement or any other unlawful acts with regard to the inspection or copying of the Set of Documents on the Settlement under the provisions of Article 20, paragraph (1) of the Act, the court clerk must take appropriate measures to prevent said acts.
- (3) With regard to the inspection or copying of the Set of Documents on the Settlement under the provisions of Article 20, paragraph (1) of the Act, the counsel may have an employee thereof or any other person carry out the

inspection or copying of the Set of Documents on the Settlement, with the permission of the court.

(Retention of Set of Documents on Settlement)

Article 17 (1) If the agreement with regard to which the petition is filed pursuant to the provisions of Article 19, paragraph (1) or paragraph (2) of the Act is included in the trial record at the court of first instance, the Set of Documents on the Settlement regarding said agreement is to be retained at the court of first instance of the criminal case until the conclusion of that criminal case.

(2) If the agreement with regard to which the petition is filed pursuant to the provisions of Article 19, paragraph (1) or paragraph (2) of the Act is included in the trial record at the court of second instance, the Set of Documents on the Settlement regarding that agreement is to be retained at the court of second instance of the criminal case until the conclusion of that criminal case; provided, however, that once a final appeal is filed and the case record is forwarded to the final appellate court based on the provisions of Article 251 of the Rules of Criminal Procedure, that Set of Documents on the Settlement is to be retained at the court of first instance of that criminal case.

(Sending of Transcript of Set of Documents on the Settlement After Conclusion of Criminal Case)

Article 18 After the conclusion of the criminal case, the court must send the transcript of the Set of Documents on the Settlement which is provided for in Article 2, paragraph (1) of the Act on Final Criminal Case Records (Act No. 64 of 1987) to the public prosecutor of the Public Prosecutor's Office corresponding to the court of first instance.

(Application Mutatis Mutandis of Rules of Civil Procedure)

Article 19 (1) The provisions of Part I, Chapter III, Section 1 of the Rules of Civil Procedure (Rules of the Supreme Court No. 5 of 1996) (excluding the provisions on the appointed party and the special agent) and the provisions of Section 4 of said Chapter apply mutatis mutandis to the proceedings in respect of settlement on civil disputes in criminal proceedings which are provided for in Chapter VI of the Act.

(2) The provisions of Article 33 of the Rules of Civil Procedure apply mutatis mutandis to the authenticated copy, transcript or extract of the Set of Documents on the Settlement.

**Chapter VI Special Provisions on Court Proceedings Regarding Claims for Compensation for Damage Filed by Crime Victims Along with Criminal**

## **Proceedings**

### **Section 1 Petition for Order for Compensation for Damage**

(Matters to Be Stated in Written Petition; Article 23 of the Act)

Article 20 (1) The document provided for in Article 23, paragraph (2) of the Act (hereinafter referred to the "Written Petition") must contain a statement of the following matters in addition to the matters set forth in the items of said paragraph, and the petitioner or agent thereof must affix a personal name and seal to said document:

- (i) the title of the document;
  - (ii) an indication of the criminal case with regard to which the petition is filed;
  - (iii) the names and addresses of the parties and the names and address of the agents;
  - (iv) the postal code and telephone number (including a facsimile number) of the petitioner or agent thereof;
  - (v) the notification of the place where the service is to be received pursuant to the provisions of Article 104, paragraph (1) of the Code of Civil Procedure (Act No. 109 of 1996) as applied mutatis mutandis pursuant to Article 40 of the Act, and if the notification of the designated service recipient is to be made under the provisions of said paragraph, a statement to that effect;
  - (vi) the breakdown of the amount of damage;
  - (vii) the date; and
  - (viii) an indication of the court.
- (2) The facts identified as constituting a count in the criminal case which are provided for in Article 23, paragraph (2), item (ii) of the Act may be stated in the Written Petition by referring to the charging sheet for that criminal case.

(Service of Written Petition; Article 24 of the Act)

Article 21 (1) The service of a Written Petition is made by serving a duplicate thereof that is submitted by the petitioner.

- (2) The provisions of the preceding paragraph apply mutatis mutandis to the service of documents referred to in Article 143, paragraph (2) of the Code of Civil Procedure (including the cases where applied mutatis mutandis pursuant to Article 144, paragraph (3) of said Code) as applied mutatis mutandis pursuant to Article 40 of the Act.

### **Section 2 Hearings and Judicial Decisions**

(Summons for Date of Hearing; Article 30 of the Act)

Article 22 (1) Summons for a Date of Hearing (meaning the date of hearing provided for in Article 30, paragraph (1) of the Act; the same applies

hereinafter) may be given by a method that is considered to be appropriate.

- (2) When the summons referred to in the preceding paragraph is given, the court clerk must make that effect and the method of summons clear in the record.

(Procedures to Be Conducted on Date of Hearing; Article 30 of the Act)

Article 23 (1) On the first Date of Hearing, the court is to conduct examination, pursuant to the provisions of Article 30, paragraph (4) of the Act, of the case record of the criminal case, and also hear the respondent's answer to the object of claim and a personal admission or denial regarding the facts stated in the Written Petition, as well as any supplementary allegations by the petitioner.

- (2) When the court holds a hearing on a Date of Hearing, unless it concludes the hearing on that Date of Hearing or makes an order to close the Case Seeking an Order for Compensation for Damage pursuant to the provisions of Article 38, paragraph (1) or paragraph (2), item (ii) of the Act on that Date of Hearing, it is to designate the next Date of Hearing and confirm with the parties the procedures to be conducted on the next Date of Hearing and the matters that they should prepare by the next Date of Hearing.

(Method of Submitting Written Statement of Allegations)

Article 24 (1) When a party submits a written statement of a personal allegations (referred to as a "Written Statement of Allegations" in Article 26), the party must simultaneously submit a copy of that written statement (if there are two or more respondents, the number of copies should be equal to the number of the respondents); provided, however, that it is sufficient to submit the copy within the period specified by the presiding judge if there are unavoidable grounds therefor.

- (2) When a party requests examination of documentary evidence by submitting a document, the party must simultaneously submit two copies of that document (if there are two or more respondents, the number of copies should be equal to the number of the respondents plus one), and must also simultaneously submit two descriptions of evidence which clarifies the title of the document, the person who prepared the document, and the facts to be proved unless these matters are clear from the statements in that document (if there are two or more respondents, the number of copies should be equal to the number of respondents plus one). In this case, the provisions of the proviso to the preceding paragraph apply mutatis mutandis.
- (3) The court clerk must send the copies of the document referred to in the preceding two paragraphs and the description of evidence referred to in the preceding paragraph (except for one copy of the document and one description of evidence referred to in the preceding paragraph) to the respondent.

(Omission of Statements by Witness, etc. in Record)

Article 25 (1) Statements by a witness, expert, unsworn witness or the parties (referred to as a "Witness, etc." in the following paragraph) or the results of an observation may be omitted from the statements in a record of oral argument or hearing in the proceedings in respect of a Case Seeking an Order for Compensation for Damage, with the permission of the presiding judge. In this case, the parties may state their opinions when permitted by the presiding judge.

(2) When statements are omitted from a record pursuant to the provisions of the preceding paragraph, at the direction of the presiding judge or at the request of a party, the court clerk must record the statements of a Witness, etc. or the results of an observation onto an audio tape or video tape (including an object onto which certain matters can be recorded by a method equivalent thereto; hereinafter referred to as an "Audio Tape, etc." in this paragraph) to be provided for judicial use by the parties. In this case, at the request of a party, the court clerk must allow the reproduction of said Audio Tape, etc.

(Referring to Written Petition in Order; Article 32 of the Act)

Article 26 The matters referred to in Article 32, paragraph (1), items (ii) and (iii) of the Act may be stated by referring to the Written Petition and other Written Statements of Allegations.

(Service of Written Order; Article 32 of the Act)

Article 27 The service of a written order under the provisions of Article 32, paragraph (3) of the Act is made by serving an authenticated copy thereof.

### **Section 3 Objection**

(Method of Making Objection; Article 33 of the Act)

Article 28 (1) The objection referred to in Article 33, paragraph (1) of the Act must be made by means of a written document.

(2) The court must send the document referred to in the preceding paragraph to the respondent.

(3) The document referred to in paragraph (1) which contains a statement of the matters set forth in Article 161, paragraph (2) of the Code of Civil Procedure as applied mutatis mutandis pursuant to Article 40 of the Act is to also serve as a brief.

(Waiver of Right to Make Objection and Withdrawal of Objection; Article 33 of the Act)

Article 29 (1) A right to make an objection must be waived by making a

statement to the court.

- (2) If the statement referred to in the preceding paragraph is made, the court clerk must notify the respondent of this.
- (3) The service of a document for the withdrawal of an objection is made by serving a duplicate thereof that is submitted by the person who withdrew the objection.

(Designation under Provisions of Article 34, Paragraph (1) of the Act)

Article 30 (1) The designation under the provisions of Article 34, paragraph (1) of the Act (including the cases where applied *mutatis mutandis* pursuant to Article 38, paragraph (4) of the Act) or change thereof must be made by means of a written document by the time an objection is lawfully made with regard to a judicial decision on a petition for an order for compensation for damage or the order referred to in Article 38, paragraph (1) or paragraph (2) of the Act is made.

- (2) The designation referred to in the preceding paragraph must, insofar as possible, be made by stating it in a Written Petition
- (3) When the document referred to in paragraph (1) is submitted, the court clerk must notify the respondent of that effect and the contents of that document.

(Method of Requesting Examination of Documentary Evidence under Special Provisions; Article 36 of the Act)

Article 31 (1) A request for examination of documentary evidence under the provisions of Article 36 of the Act (including the cases where applied *mutatis mutandis* pursuant to Article 38, paragraph (4) of the Act; the same applies in the following Article) must be filed by means of a written document which contains a statement of the title of the document, the person who prepared the document, and other matters necessary for identifying the document for each document to be treated as documentary evidence in the record which is sent pursuant to the provisions of Article 35, paragraph (2) of the Act (including the cases where applied *mutatis mutandis* pursuant to Article 38, paragraph (4) of the Act).

- (2) The facts to be proven must be stated in the document referred to in the preceding paragraph unless these facts are clear from the statements in the document.

(Cases Requiring Submission of Copies of Documentary Evidence; Article 36 of the Act)

Article 32 (1) If a party requests examination of documentary evidence pursuant to the provisions of Article 36 of the Act, and any of the respondents is not a party to the Case Seeking an Order for Compensation for Damage, the

requesting party must submit a copy of the document to be treated as documentary evidence (if there are two or more respondents who are not parties to the Case Seeking an Order for Compensation for Damage and to whom that document should be sent, the number of copies should be equal to the number of respondents) by the time that requesting party makes such request.

- (2) The party who makes the request referred to in the preceding paragraph may send the copy of the document to be sent to the respondent who is not a party to the Case Seeking an Order for Compensation for Damage by sending that copy directly to that respondent.

#### **Section 4 Auxiliary Provisions**

(Form of Authenticated Copy of Record of Case Seeking Order for Compensation for Damage; Article 39, etc. of the Act)

Article 33 An authenticated copy, transcript or extract of a record of a Case Seeking an Order for Compensation for Damage must contain a statement to the effect that it is an authenticated copy, transcript or extract, and the court clerk must affix a personal name and seal to such document.

(Application Mutatis Mutandis of Rules of Civil Procedure)

Article 34 The provisions of the Rules of Civil Procedure apply mutatis mutandis to the proceedings in respect of a Case Seeking an Order for Compensation for Damage, unless contrary to the nature thereof.

(Application Mutatis Mutandis of Rules for Costs of Civil Procedure)

Article 35 The provisions of the Rules for Costs of Civil Procedure (Rules of the Supreme Court No. 5 of 1971) apply mutatis mutandis to the proceedings in respect of a Case Seeking an Order for Compensation for Damage, unless contrary to the nature thereof.

#### **Chapter VII Miscellaneous Provisions**

(Application Mutatis Mutandis of Rules of Criminal Procedure)

Article 36 (1) The provisions of Articles 58 through 61 and Article 298 of the Rules of Criminal Procedure apply mutatis mutandis to the inspection or copying of case records under the provisions of Article 3, paragraph (1) and Article 4, paragraph (1) of the Act, and the proceedings in respect of settlement on civil disputes in criminal proceedings which are provided for in Chapter VI of the Act.

- (2) Notwithstanding the provisions of Article 60 of the Rules of Criminal

Procedure as applied *mutatis mutandis* pursuant to the preceding paragraph, the attorney provided for in Article 3, paragraph (1) and Article 4, paragraph (1), item (iv) of the Act or the counsel in the proceedings in respect of settlement on civil disputes in criminal proceedings which are provided for in Chapter VI of the Act may affix a personal name and seal in lieu of affixing a personal signature and seal when preparing the document provided for in Article 60-2, paragraph (2) of said Rules.

- (3) The provisions of Article 296 of the Rules of Criminal Procedure apply *mutatis mutandis* to the procedures in respect of the request for the inspection or copying of case records provided for in Article 3, paragraph (1) of the Act, and the request for the inspection or copying of the Set of Documents on the Settlement, issuance of an authenticated copy, transcript or extract thereof or issuance of a certificate of the matters concerning settlement which is provided for in Article 20, paragraph (1) of the Act.
- (4) The provisions of Article 25 (excluding the proviso to paragraph (2)) of the Rules of Criminal Procedure apply *mutatis mutandis* when the court hears the opinions of an attorney pursuant to the provisions of Article 3, paragraph (1) and Article 4, paragraph (1) of the Act.