消費者の財産的被害の集団的な回復のための民事の裁判手続の特例に関する法律

Act on Special Measures Concerning Civil Court Proceedings for the Collective Redress for Property Damage Incurred by Consumers

（平成二十五年十二月十一日法律第九十六号）

(Act No. 96 of December 11, 2013)

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（目的）

(Purpose)

第一条　この法律は、消費者契約に関して相当多数の消費者に生じた財産的被害について、消費者と事業者との間の情報の質及び量並びに交渉力の格差により消費者が自らその回復を図ることには困難を伴う場合があることに鑑み、その財産的被害を集団的に回復するため、特定適格消費者団体が被害回復裁判手続を追行することができることとすることにより、消費者の利益の擁護を図り、もって国民生活の安定向上と国民経済の健全な発展に寄与することを目的とする。

Article 1 The purpose of this Act is to protect the interests of Consumers by enabling Specified Qualified Consumer Organizations to conduct court proceedings for the collective redress for the property damage incurred by Consumers in connection with Consumer Contracts, given the fact that it is sometimes difficult for Consumers to achieve redress of damages on their own due to the disparity in the quality and quantity of information and negotiating power between Consumers and Companies and by doing so, contributing to the stabilization and improvement of the general welfare and lives of the citizens and sound development of the national economy.

（定義）

(Definitions)

第二条　この法律において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

Article 2 In this Act, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

一　消費者　個人（事業を行う場合におけるものを除く。）をいう。

(i) Consumer: an individual (excluding the case where the individual conducts a business);

二　事業者　法人その他の社団又は財団及び事業を行う場合における個人をいう。

(ii) Company: a corporation or any other association or foundation and an individual when the individual conducts a business;

三　消費者契約　消費者と事業者との間で締結される契約（労働契約を除く。）をいう。

(iii) Consumer Contract: a contract concluded between a Consumer and a Company (excluding a labor contract);

四　共通義務確認の訴え　消費者契約に関して相当多数の消費者に生じた財産的被害について、事業者が、これらの消費者に対し、これらの消費者に共通する事実上及び法律上の原因に基づき、個々の消費者の事情によりその金銭の支払請求に理由がない場合を除いて、金銭を支払う義務を負うべきことの確認を求める訴えをいう。

(iv) Action for Declaratory Judgment on Common Obligations: where property damage is incurred by a considerable number of Consumers in connection with Consumer Contracts, an action seeking a declaratory judgment whereby the Company has an obligation to pay money to these Consumers based on factual and legal causes common to these Consumers, except the cases where a claim for a payment of money filed by a Consumer who has no grounds due to circumstances specific to the Consumer;

五　対象債権　共通義務確認の訴えの被告とされた事業者に対する金銭の支払請求権であって、前号に規定する義務に係るものをいう。

(v) Target Claim: a claim for a payment of money filed against the Company who became the defendant of an Action for Declaratory Judgment on Common Obligations, which pertains to the obligation prescribed in the preceding item;

六　対象消費者　対象債権を有する消費者をいう。

(vi) Target Consumer: a Consumer who holds a Target Claim;

七　簡易確定手続　共通義務確認の訴えに係る訴訟（以下「共通義務確認訴訟」という。）の結果を前提として、この法律の規定による裁判所に対する債権届出に基づき、相手方が認否をし、その認否を争う旨の申出がない場合はその認否により、その認否を争う旨の申出がある場合は裁判所の決定により、対象債権の存否及び内容を確定する裁判手続をいう。

(vii) Simple Determination Proceedings: court proceedings whereby, on the premise of the results of litigation pertaining to an Action for Declaratory Judgment on Common Obligations (hereinafter referred to as "Litigation Seeking Declaratory Judgment on Common Obligations") and on the basis of the proofs of claims filed with the court under the provisions of this Act, the other party states its approval or disapproval, and the presence or absence and the contents of a Target Claim are determined based on the approval or disapproval if no notice to dispute the approval or disapproval is made, and based on an order by the court if a notice to dispute the approval or disapproval is made;

八　異議後の訴訟　簡易確定手続における対象債権の存否及び内容を確定する決定（以下「簡易確定決定」という。）に対して適法な異議の申立てがあった後の当該請求に係る訴訟をいう。

(viii) Litigation after Objection: where a lawful objection is filed against an order to determine the presence or absence and the contents of a Target Claim in Simple Determination Proceedings (hereinafter referred to as a "Simple Determination Order"), litigation pertaining to the claim after the filing of the objection;

九　被害回復裁判手続　次に掲げる手続をいう。

(ix) Court Proceedings for Redress for Damage: the following proceedings;

イ　共通義務確認訴訟の手続、簡易確定手続及び異議後の訴訟の手続

(a) proceedings of Litigation Seeking Declaratory Judgment on Common Obligations, Simple Determination Proceedings, and proceedings of Litigation after Objection; and

ロ　特定適格消費者団体が対象債権に関して取得した債務名義による民事執行の手続（民事執行法（昭和五十四年法律第四号）第三十三条第一項、第三十四条第一項、第三十五条第一項、第三十八条第一項、第九十条第一項及び第百五十七条第一項の訴えに係る訴訟手続（第六十一条第一項第三号において「民事執行に係る訴訟手続」という。）を含む。）及び特定適格消費者団体が取得する可能性のある債務名義に係る対象債権の実現を保全するための仮差押えの手続（民事保全法（平成元年法律第九十一号）第四十六条において準用する民事執行法第三十三条第一項、第三十四条第一項及び第三十八条第一項の訴えに係る訴訟手続（第六十一条第一項第一号において「仮差押えの執行に係る訴訟手続」という。）を含む。）

(b) a civil execution procedure based on a title of obligation acquired with regard to a Target Claim by a Specified Qualified Consumer Organization (including litigation proceedings pertaining to the actions set forth in Article 33, paragraph (1), Article 34, paragraph (1), Article 35, paragraph (1), Article 38, paragraph (1), Article 90, paragraph (1), and Article 157, paragraph (1) of the Civil Execution Act (Act No. 4 of 1979) (referred to as "Litigation Proceedings Pertaining to Civil Execution" in Article 61, paragraph (1), item (iii))) and a procedure for provisional seizure aimed at preserving the fulfillment of a Target Claim pertaining to a title of obligation which a Specified Qualified Consumer Organization has the possibility of acquiring (including litigation proceedings pertaining to the actions set forth in Article 33, paragraph (1), Article 34, paragraph (1), and Article 38, paragraph (1) of the Civil Execution Act as applied mutatis mutandis pursuant to the provisions of Article 46 of the Civil Provisional Remedies Act (Act No. 91 of 1989) (referred to as "Litigation Proceedings Pertaining to Execution of Provisional Seizure" in Article 61, paragraph (1), item (i))); and

十　特定適格消費者団体　被害回復裁判手続を追行するのに必要な適格性を有する法人である適格消費者団体（消費者契約法（平成十二年法律第六十一号）第二条第四項に規定する適格消費者団体をいう。以下同じ。）として第六十五条の定めるところにより内閣総理大臣の認定を受けた者をいう。

(x) Specified Qualified Consumer Organization: a corporation certified by the Prime Minister pursuant to the provisions of Article 65 as a Qualified Consumer Organization (meaning the Qualified Consumer Organization prescribed in Article 2, paragraph (4) of the Consumer Contract Act (Act No. 61 of 2000); the same applies hereinafter) which has the qualifications necessary for conducting Court Proceedings for Redress for Damage.

第二章　被害回復裁判手続

Chapter II Court Proceedings for Redress for Damage

第一節　共通義務確認訴訟に係る民事訴訟手続の特例

Section 1 Special Measures on Civil Litigation Proceedings Pertaining to Litigation Seeking Declaratory Judgment on Common Obligations

（共通義務確認の訴え）

(Action for Declaratory Judgment on Common Obligations)

第三条　特定適格消費者団体は、事業者が消費者に対して負う金銭の支払義務であって、消費者契約に関する次に掲げる請求（これらに附帯する利息、損害賠償、違約金又は費用の請求を含む。）に係るものについて、共通義務確認の訴えを提起することができる。

Article 3 (1) A Specified Qualified Consumer Organization may file an Action for a Declaratory Judgment on Common Obligations with regard to monetary payment obligations borne by a Company against a Consumer which pertain to the following claims concerning Consumer Contracts (including claims for interest, damages, penalties, or expenses incidental thereto):

一　契約上の債務の履行の請求

(i) a claim for performance of a contractual obligation;

二　不当利得に係る請求

(ii) a claim pertaining to unjust enrichment;

三　契約上の債務の不履行による損害賠償の請求

(iii) a claim for damages based on nonperformance of a contractual obligation;

四　瑕疵担保責任に基づく損害賠償の請求

(iv) a claim for damages based on a warranty against defects; and

五　不法行為に基づく損害賠償の請求（民法（明治二十九年法律第八十九号）の規定によるものに限る。）

(v) a claim for damages based on a tort (limited to a claim based on the provisions of the Civil Code (Act No. 89 of 1896)).

２　次に掲げる損害については、前項第三号から第五号までに掲げる請求に係る金銭の支払義務についての共通義務確認の訴えを提起することができない。

(2) An Action for Declaratory Judgment on Common Obligations with regard to monetary payment obligations pertaining to the claims set forth in items (iii) through (v) of the preceding paragraph may not be filed when the damage incurred is any of the following:

一　契約上の債務の不履行、物品、権利その他の消費者契約の目的となるもの（役務を除く。以下この号及び次号において同じ。）の瑕疵又は不法行為により、消費者契約の目的となるもの以外の財産が滅失し、又は損傷したことによる損害

(i) damage due to the loss or damage of property other than the objects of a Consumer Contract resulting from the nonperformance of a contractual obligation, a defect of goods, rights, or any other object of a Consumer Contract (excluding services; hereinafter the same applies in this item and the following item), or a tort;

二　消費者契約の目的となるものの提供があるとすればその処分又は使用により得るはずであった利益を喪失したことによる損害

(ii) damage due to the loss of profit which would have been gained through the disposition or use of the object of a Consumer Contract if the object had been provided;

三　契約上の債務の不履行、消費者契約の目的となる役務の瑕疵又は不法行為により、消費者契約による製造、加工、修理、運搬又は保管に係る物品その他の消費者契約の目的となる役務の対象となったもの以外の財産が滅失し、又は損傷したことによる損害

(iii) damage due to the loss or damage of property other than goods pertaining to manufacturing, processing, repair, transport, or retention under a Consumer Contract or any other subject of the service which was the object of a Consumer Contract, resulting from the nonperformance of a contractual obligation, a defect of a service which is the object of a Consumer Contract, or a tort;

四　消費者契約の目的となる役務の提供があるとすれば当該役務を利用すること又は当該役務の対象となったものを処分し、若しくは使用することにより得るはずであった利益を喪失したことによる損害

(iv) damage due to the loss of profit which would have been gained through the use of the service which is the object of a Consumer Contract or through the disposition or use of the subject of the service if the service had been provided;

五　人の生命又は身体を害されたことによる損害

(v) damage due to harm done to the life or body of a person; or

六　精神上の苦痛を受けたことによる損害

(vi) damage due to mental suffering.

３　次の各号に掲げる請求に係る金銭の支払義務についての共通義務確認の訴えについては、当該各号に定める者を被告とする。

(3) In an Action for Declaratory Judgment on Common Obligations with regard to monetary payment obligations pertaining to the claims set forth in the following items, the person(s) specified respectively in those items are the defendant(s):

一　第一項第一号から第四号までに掲げる請求　消費者契約の相手方である事業者

(i) the claims set forth in paragraph (1), items (i) through (iv): the Company who is the counterparty of the Consumer Contract; and

二　第一項第五号に掲げる請求　消費者契約の相手方である事業者若しくはその債務の履行をする事業者又は消費者契約の締結について勧誘をし、当該勧誘をさせ、若しくは当該勧誘を助長する事業者

(ii) the claim set forth in paragraph (1), item (v): the Company who is the counterparty of the Consumer Contract, the Company who is to perform the obligation under the Consumer Contract, or the Company who solicits, has another person solicit, or encourages solicitation for the conclusion of the Consumer Contract.

４　裁判所は、共通義務確認の訴えに係る請求を認容する判決をしたとしても、事案の性質、当該判決を前提とする簡易確定手続において予想される主張及び立証の内容その他の事情を考慮して、当該簡易確定手続において対象債権の存否及び内容を適切かつ迅速に判断することが困難であると認めるときは、共通義務確認の訴えの全部又は一部を却下することができる。

(4) If the court finds it difficult, even when the court makes a judgment upholding a claim pertaining to an Action for Declaratory Judgment on Common Obligations, in consideration of the nature of the case, the contents of allegations expected to be made and proof expected to be submitted in the Simple Determination Proceedings conducted on the premise of the judgment, or any other circumstances, to determine the presence or absence and the contents of the Target Claim appropriately and promptly in the Simple Determination Proceedings, the court may dismiss the whole or part of the Action for Declaratory Judgment on Common Obligations.

（訴訟の目的の価額）

(Value of the Subject Matter of Litigation)

第四条　共通義務確認の訴えは、訴訟の目的の価額の算定については、財産権上の請求でない請求に係る訴えとみなす。

Article 4 For the purpose of calculating the value of the subject matter of litigation, an Action for Declaratory Judgment on Common Obligations is deemed to be an action pertaining to a claim that is not a claim on a property right.

（訴状の記載事項）

(Matters to Be Stated in the Complaint)

第五条　共通義務確認の訴えの訴状には、対象債権及び対象消費者の範囲を記載して、請求の趣旨及び原因を特定しなければならない。

Article 5 In the complaint for filing an Action for Declaratory Judgment on Common Obligations, the extent of the Target Claims and the Target Consumers must be stated, and the object and statement of claims must be specified.

（管轄及び移送）

(Jurisdiction and Transfer)

第六条　共通義務確認訴訟については、民事訴訟法（平成八年法律第百九号）第五条（第五号に係る部分を除く。）の規定は、適用しない。

Article 6 (1) The provisions of Article 5 of the Code of Civil Procedure (Act No. 109 of 1996) (excluding the portion pertaining to item (v)) do not apply to Litigation Seeking Declaratory Judgment on Common Obligations.

２　次の各号に掲げる請求に係る金銭の支払義務についての共通義務確認の訴えは、当該各号に定める地を管轄する地方裁判所にも提起することができる。

(2) An Action for Declaratory Judgment on Common Obligations with regard to monetary payment obligations pertaining to the claims set forth in the following items may also be filed with the district court having jurisdiction over the places specified respectively in those items:

一　第三条第一項第一号から第四号までに掲げる請求　義務履行地

(i) the claims set forth in Article 3, paragraph (1), items (i) through (iv): the place of performance of the obligation; and

二　第三条第一項第五号に掲げる請求　不法行為があった地

(ii) the claims set forth in Article 3, paragraph (1), item (v): the place where the tort took place.

３　対象消費者の数が五百人以上であると見込まれるときは、民事訴訟法第四条第一項若しくは第五条第五号又は前項の規定による管轄裁判所の所在地を管轄する高等裁判所の所在地を管轄する地方裁判所にも、共通義務確認の訴えを提起することができる。

(3) When the number of Target Consumers is expected to be 500 or more, an Action for Declaratory Judgment on Common Obligations may also be filed with the district court having jurisdiction over the location of the high court having jurisdiction over the location of the court with jurisdiction under Article 4, paragraph (1) or Article 5, item (v) of the Code of Civil Procedure or the preceding paragraph.

４　対象消費者の数が千人以上であると見込まれるときは、東京地方裁判所又は大阪地方裁判所にも、共通義務確認の訴えを提起することができる。

(4) When the number of Target Consumers is expected to be 1,000 or more, an Action for Declaratory Judgment on Common Obligations may also be filed with the Tokyo District Court or the Osaka District Court.

５　民事訴訟法第四条第一項、第五条第五号、第十一条第一項若しくは第十二条又は前三項の規定により二以上の地方裁判所が管轄権を有するときは、共通義務確認の訴えは、先に訴えの提起があった地方裁判所が管轄する。ただし、その地方裁判所は、著しい損害又は遅滞を避けるため必要があると認めるときは、申立てにより又は職権で、当該共通義務確認の訴えに係る訴訟の全部又は一部を他の管轄裁判所に移送することができる。

(5) When two or more district courts have jurisdiction pursuant to the provisions of Article 4, paragraph (1), Article 5, item (v), Article 11, paragraph (1) or Article 12 of the Code of Civil Procedure or the preceding three paragraphs, an Action for Declaratory Judgment on Common Obligations is subject to the jurisdiction of the district court with which the action was filed first; provided, however, that when the district court finds it necessary in order to avoid substantial detriment or delay, it may, upon petition or by its own authority, transfer the whole or part of the litigation pertaining to the Action for Declaratory Judgment on Common Obligations to another court with jurisdiction.

６　裁判所は、共通義務確認訴訟がその管轄に属する場合においても、他の裁判所に事実上及び法律上同種の原因に基づく請求を目的とする共通義務確認訴訟が係属している場合において、当事者の住所又は所在地、尋問を受けるべき証人の住所、争点又は証拠の共通性その他の事情を考慮して相当と認めるときは、申立てにより又は職権で、当該共通義務確認訴訟の全部又は一部について、当該他の裁判所に移送することができる。

(6) Even when Litigation Seeking Declaratory Judgment on Common Obligations is subject to the jurisdiction of a court, if Litigation Seeking Declaratory Judgment on Common Obligations for a claim based on the same kind of factual and statutory cause is pending before another court and the former court finds it reasonable in consideration of the addresses or locations of the parties, the addresses of the witnesses who are to be examined, similarity of issues or evidence, or any other circumstances, the former court may, upon petition or by its own authority, transfer the whole or part of the Litigation Seeking Declaratory Judgment on Common Obligations to the relevant other court.

（弁論等の必要的併合）

(Mandatory Consolidation of Oral Arguments)

第七条　請求の内容及び相手方が同一である共通義務確認訴訟が数個同時に係属するときは、その弁論及び裁判は、併合してしなければならない。

Article 7 (1) When several cases of Litigation Seeking Declaratory Judgment on Common Obligations for the contents, as well as the opponents of the same claim are pending simultaneously, the oral arguments and judicial decisions thereof must be made in consolidation.

２　前項に規定する場合には、当事者は、その旨を裁判所に申し出なければならない。

(2) In the case referred to in the preceding paragraph, the parties must notify the court to that effect.

（補助参加の禁止）

(Prohibition of Supporting Intervention)

第八条　消費者は、民事訴訟法第四十二条の規定にかかわらず、共通義務確認訴訟の結果について利害関係を有する場合であっても、特定適格消費者団体を補助するため、その共通義務確認訴訟に参加することができない。

Article 8 Notwithstanding the provisions of Article 42 of the Code of Civil Procedure, Consumers may not intervene in Litigation Seeking Declaratory Judgment on Common Obligations to support the Specified Qualified Consumer Organization, even when they have an interest in the results of the Litigation Seeking Declaratory Judgment on Common Obligations.

（確定判決の効力が及ぶ者の範囲）

(Extent of Persons Subject to the Effect of the Final and Binding Judgment)

第九条　共通義務確認訴訟の確定判決は、民事訴訟法第百十五条第一項の規定にかかわらず、当該共通義務確認訴訟の当事者以外の特定適格消費者団体及び当該共通義務確認訴訟に係る対象消費者の範囲に属する第三十条第二項第一号に規定する届出消費者に対してもその効力を有する。

Article 9 Notwithstanding the provisions of Article 115, paragraph (1) of the Code of Civil Procedure, a final and binding judgment of Litigation Seeking Declaratory Judgment on Common Obligations is also to be effective against Specified Qualified Consumer Organizations which are not the parties to the Litigation Seeking Declaratory Judgment on Common Obligations and the Consumers Holding the Filed Claims prescribed in Article 30, paragraph (2), item (i) who fall within the extent of the Target Consumers pertaining to the Litigation Seeking Declaratory Judgment on Common Obligations.

（共通義務確認訴訟における和解）

(Settlement in Litigation Seeking Declaratory Judgment on Common Obligations)

第十条　特定適格消費者団体は、共通義務確認訴訟において、当該共通義務確認訴訟の目的である第二条第四号に規定する義務の存否について、和解をすることができる。

Article 10 In Litigation Seeking Declaratory Judgment on Common Obligations, a Specified Qualified Consumer Organization may enter into a settlement with regard to the presence or absence of the obligation prescribed in Article 2, item (iv) which is the subject matter of the Litigation Seeking Declaratory Judgment on Common Obligations.

（再審の訴え）

(Action for Retrial)

第十一条　共通義務確認の訴えが提起された場合において、原告及び被告が共謀して共通義務確認の訴えに係る対象消費者の権利を害する目的をもって判決をさせたときは、他の特定適格消費者団体は、確定した終局判決に対し、再審の訴えをもって、不服を申し立てることができる。

Article 11 If an Action for Declaratory Judgment on Common Obligations has been filed, if the plaintiff, in conspiracy with the defendant, caused the judgment to be made for the purpose of harming the rights of the Target Consumers pertaining to the Action for Declaratory Judgment on Common Obligations, a different Specified Qualified Consumer Organization may enter an appeal against the final judgment which has become final and binding, by filing an action for a retrial.

第二節　対象債権の確定手続

Section 2 Proceedings for Determining the Target Claims

第一款　簡易確定手続

Subsection 1 Simple Determination Proceedings

第一目　通則

Division 1 General Rules

（簡易確定手続の当事者等）

(Parties to Simple Determination Proceedings)

第十二条　簡易確定手続は、共通義務確認訴訟における請求を認容する判決が確定した時又は請求の認諾（第二条第四号に規定する義務が存することを認める旨の和解を含む。以下この款において同じ。）によって共通義務確認訴訟が終了した時に当事者であった特定適格消費者団体（第八十七条第二項の規定による指定があった場合には、その指定を受けた特定適格消費者団体）の申立てにより、当該判決が確定した時又は請求の認諾によって当該共通義務確認訴訟が終了した時に当事者であった事業者を相手方として、共通義務確認訴訟の第一審の終局判決をした地方裁判所（第一審において請求の認諾によって共通義務確認訴訟が終了したときは、当該共通義務確認訴訟が係属していた地方裁判所）が行う。

Article 12 Upon petition by the Specified Qualified Consumer Organization (if a designation has been made under Article 87, paragraph (2), the designated Specified Qualified Consumer Organization) who was a party concerned when a judgment upholding the claims in Litigation Seeking Declaratory Judgment on Common Obligations became final and binding or when the Litigation Seeking Declaratory Judgment on Common Obligations was terminated through acknowledgement of the claim (including a settlement recognizing the presence of the obligation prescribed in Article 2, item (iv); hereinafter the same applies in this Subsection), Simple Determination Proceedings are carried out by the district court which made the final judgment in the first instance of the Litigation Seeking Declaratory Judgment on Common Obligations (when the Litigation Seeking Declaratory Judgment on Common Obligations is terminated through acknowledgment of the claims in the first instance, the district court before which the Litigation Seeking Declaratory Judgment on Common Obligations was pending), with the opponent being the Company who was a party concerned when the judgment became final and binding or when the Litigation Seeking Declaratory Judgment on Common Obligations was terminated.

（任意的口頭弁論）

(Optional Oral Argument)

第十三条　簡易確定手続に関する裁判は、口頭弁論を経ないですることができる。

Article 13 (1) A judicial decision relating to a Simple Determination Proceedings may be made without oral argument.

２　前項の規定により口頭弁論をしない場合には、裁判所は、当事者を審尋することができる。

(2) When oral argument is not to be conducted pursuant to the provisions of the preceding paragraph, the court may conduct a hearing of the parties.

第二目　簡易確定手続の開始

Division 2 Commencement of Simple Determination Proceedings

（簡易確定手続開始の申立義務）

(Obligation to File Petition for Commencement of Simple Determination Proceedings)

第十四条　第十二条に規定する特定適格消費者団体は、正当な理由がある場合を除き、簡易確定手続開始の申立てをしなければならない。

Article 14 The Specified Qualified Consumer Organization prescribed in Article 12 must file a petition for the commencement of Simple Determination Proceedings, unless there are justifiable grounds.

（簡易確定手続開始の申立期間）

(Period for Filing Petition for Commencement of Simple Determination Proceedings)

第十五条　簡易確定手続開始の申立ては、共通義務確認訴訟における請求を認容する判決が確定した日又は請求の認諾によって共通義務確認訴訟が終了した日（第八十七条第二項の規定による指定があった場合には、その指定を受けた日）から一月の不変期間内にしなければならない。

Article 15 (1) A petition for the commencement of Simple Determination Proceedings must be filed within a period of one month which is unextendable from the day on which a judgment upholding the claims in Litigation Seeking Declaratory Judgment on Common Obligations became final and binding or the day on which Litigation Seeking Declaratory Judgment on Common Obligations was terminated through acknowledgment of the claims (if a designation has been made under Article 87, paragraph (2), the day on which the designation was made).

２　前条の規定により簡易確定手続開始の申立てをしなければならない特定適格消費者団体がその責めに帰することができない事由により前項の期間を遵守することができなかった場合には、その事由が消滅した後二週間以内に限り、簡易確定手続開始の申立てをすることができる。

(2) When a Specified Qualified Consumer Organization who needs to file a petition for the commencement of Simple Determination Proceedings pursuant to the provisions of the preceding Article was unable to observe the period set forth in the preceding paragraph due to grounds not attributable thereto, must file a petition for the commencement of Simple Determination Proceedings only within two weeks after the grounds have ceased to exist.

（簡易確定手続開始の申立ての方式）

(Method of Filing a Petition for Commencement of Simple Determination Proceedings)

第十六条　簡易確定手続開始の申立ては、最高裁判所規則で定める事項を記載した書面でしなければならない。

Article 16 A petition for the commencement of Simple Determination Proceedings must be filed by submitting a document stating the matters specified by the Rules of the Supreme Court.

（費用の予納）

(Prepayment of Expenses)

第十七条　簡易確定手続開始の申立てをするときは、申立てをする特定適格消費者団体は、第二十二条第一項の規定による公告及び同条第二項の規定による通知に要する費用として裁判所の定める金額を予納しなければならない。

Article 17 When filing a petition for the commencement of Simple Determination Proceedings, the Specified Qualified Consumer Organization filing the petition must prepay the amount specified by the court as the expenses required for giving public notice under Article 22, paragraph (1) and giving notice under paragraph (2) of the same Article.

（簡易確定手続開始の申立ての取下げ）

(Withdrawal of Petition for Commencement of Simple Determination Proceedings)

第十八条　簡易確定手続開始の申立ては、裁判所の許可を得なければ、取り下げることができない。

Article 18 (1) A petition for the commencement of Simple Determination Proceedings may not be withdrawn without the permission of the court.

２　民事訴訟法第二百六十一条第三項及び第二百六十二条第一項の規定は、前項の規定による申立ての取下げについて準用する。

(2) The provisions of Article 261, paragraph (3) and Article 262, paragraph (1) of the Code of Civil Procedure apply mutatis mutandis to the withdrawal of a petition under the preceding paragraph.

（簡易確定手続開始決定）

(Order of Commencement of Simple Determination Proceedings)

第十九条　裁判所は、簡易確定手続開始の申立てがあった場合には、当該申立てが不適法であると認めるとき又は第十七条に規定する費用の予納がないときを除き、簡易確定手続開始の決定（以下「簡易確定手続開始決定」という。）をする。

Article 19 (1) When a petition for the commencement of Simple Determination Proceedings is filed, the court is to make an order of commencement of Simple Determination Proceedings (hereinafter referred to as the "Order of Commencement of Simple Determination Proceedings"), unless it finds the petition to be unlawful or the expenses prescribed in Article 17 have not been prepaid.

２　簡易確定手続開始の申立てを却下する決定に対しては、即時抗告をすることができる。

(2) An immediate appeal may be filed against an order to dismiss a petition for the commencement of Simple Determination Proceedings.

（簡易確定手続開始決定の方式）

(Method of Order of Commencement of Simple Determination Proceedings)

第二十条　簡易確定手続開始決定は、対象債権及び対象消費者の範囲を記載した決定書を作成してしなければならない。

Article 20 An Order of Commencement of Simple Determination Proceedings must be made by preparing a written order stating the scope of the Target Claims and the Target Consumers.

（簡易確定手続開始決定と同時に定めるべき事項）

(Matters to Be Specified upon Making Order of Commencement of Simple Determination Proceedings)

第二十一条　裁判所は、簡易確定手続開始決定と同時に、当該簡易確定手続開始決定に係る簡易確定手続開始の申立てをした特定適格消費者団体（第八十七条第一項の規定による指定があった場合には、その指定を受けた特定適格消費者団体。以下「簡易確定手続申立団体」という。）が第三十条第二項に規定する債権届出をすべき期間（以下「届出期間」という。）及びその債権届出に対して簡易確定手続の相手方（以下この款において単に「相手方」という。）が認否をすべき期間（以下「認否期間」という。）を定めなければならない。

Article 21 Upon making an Order of Commencement of Simple Determination Proceedings, the court must specify the period during which the Specified Qualified Consumer Organization which filed the petition for the commencement of Simple Determination Proceedings pertaining to the Order of Commencement of Simple Determination Proceedings (if a designation has been made under Article 87, paragraph (1), the designated Specified Qualified Consumer Organization; hereinafter referred to as the "Petitioner Organization of the Simple Determination Proceedings") will file proofs of claims as prescribed in Article 30, paragraph (2) (hereinafter referred to as the "Period for Filing Proofs of Claims") and the period during which the opponent of the Simple Determination Proceedings (hereinafter simply referred to as the "Opponent" in this Subsection) will state its approval or disapproval with regard to the filed proofs of claims (hereinafter referred to as the "Period for Approval or Disapproval").

（簡易確定手続開始の公告等）

(Public Notice of Commencement of Simple Determination Proceedings)

第二十二条　裁判所は、簡易確定手続開始決定をしたときは、直ちに、官報に掲載して次に掲げる事項を公告しなければならない。

Article 22 (1) When the court makes an Order of Commencement of Simple Determination Proceedings, it must immediately give public notice of the following matters by publishing them in the Official Gazette:

一　簡易確定手続開始決定の主文

(i) the main text of the Order of Commencement of Simple Determination Proceedings;

二　対象債権及び対象消費者の範囲

(ii) the extent of the Target Claims and the Target Consumers;

三　簡易確定手続申立団体の名称及び住所

(iii) the name and address of the Petitioner Organization of the Simple Determination Proceedings; and

四　届出期間及び認否期間

(iv) the Period for Filing Proofs of Claims and the Period for Approval or Disapproval.

２　裁判所は、簡易確定手続申立団体及び相手方に対し、前項の規定により公告すべき事項を通知しなければならない。

(2) The court must notify the Petitioner Organization of the Simple Determination Proceedings and the Opponent of the matters subject to the public notice under the preceding paragraph.

（重複する簡易確定手続開始の申立ての禁止）

(Prohibition of Filing Overlapped Petitions for Commencement of Simple Determination Proceedings)

第二十三条　簡易確定手続開始決定がされた事件については、特定適格消費者団体は、更に簡易確定手続開始の申立てをすることができない。

Article 23 With regard to a case for which an Order of Commencement of Simple Determination Proceedings has been made, a Specified Qualified Consumer Organization may not file another petition for the commencement of Simple Determination Proceedings.

（届出期間又は認否期間の伸長）

(Extension of the Period for Filing Proofs of Claims or the Period for Approval or Disapproval)

第二十四条　裁判所は、必要があると認めるときは、申立てにより又は職権で、届出期間又は認否期間の伸長の決定をすることができる。

Article 24 (1) When the court finds it necessary, it may, upon petition or by its own authority, make an order of extension of the Period for Filing Proofs of Claims or the Period for Approval or Disapproval.

２　裁判所は、前項の規定により届出期間又は認否期間の伸長の決定をしたときは、簡易確定手続申立団体及び相手方に対し、その旨を通知しなければならない。

(2) When the court makes an order of extension of the Period for Filing Proofs of Claims or the Period for Approval or Disapproval pursuant to the provisions of the preceding paragraph, it must notify the Petitioner Organization of the Simple Determination Proceedings and the Opponent to that effect.

３　裁判所は、第一項の規定により届出期間又は認否期間の伸長の決定をしたときは、直ちに、官報に掲載してその旨を公告しなければならない。

(3) When the court makes an order of extension of the Period for Filing Proofs of Claims or the Period for Approval or Disapproval pursuant to the provisions of paragraph (1), it must immediately give public notice to that effect by publishing it in an official gazette.

第三目　簡易確定手続申立団体による通知及び公告等

Division 3 Notice and Public Notice by the Petitioner Organization of the Simple Determination Proceedings, etc.

（簡易確定手続申立団体による通知）

(Notice by the Petitioner Organization of the Simple Determination Proceedings)

第二十五条　簡易確定手続開始決定がされたときは、簡易確定手続申立団体は、正当な理由がある場合を除き、届出期間の末日の一月前までに、知れている対象消費者に対し、次に掲げる事項を書面又は電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法をいう。以下同じ。）であって内閣府令で定めるものにより通知しなければならない。

Article 25 (1) When an Order of Commencement of Simple Determination Proceedings is made, the Petitioner Organization of the Simple Determination Proceedings, unless there are justifiable grounds, must notify the known Target Consumers of the following matters in writing or by Electronic or Magnetic Means (meaning the means of using an electronic data processing system or any other means of using information and communications technology; the same applies hereinafter) specified by Cabinet Office Order, within one month prior to the last day of the Period for Filing Proofs of Claims:

一　被害回復裁判手続の概要及び事案の内容

(i) the outline of the Court Proceedings for Redress for Damage and the contents of the case;

二　共通義務確認訴訟の確定判決の内容（請求の認諾がされた場合には、その内容）

(ii) the contents of the final and binding judgment in the Litigation Seeking Declaratory Judgment on Common Obligations (if claims have been acknowledged, the contents thereof);

三　対象債権及び対象消費者の範囲

(iii) the extent of the Target Claims and the Target Consumers;

四　簡易確定手続申立団体の名称及び住所

(iv) the name and address of the Petitioner Organization of the Simple Determination Proceedings;

五　簡易確定手続申立団体が支払を受ける報酬又は費用がある場合には、その額又は算定方法、支払方法その他必要な事項

(v) when there is any remuneration or expenses payable to the Petitioner Organization of the Simple Determination Proceedings, the amount or the calculation method thereof, the method of payment thereof, and other necessary matters;

六　対象消費者が簡易確定手続申立団体に対して第三十一条第一項の授権をする方法及び期間

(vi) the method and period of the delegation of powers set forth in Article 31, paragraph (1) by the Target Consumers to the Petitioner Organization of the Simple Determination Proceedings; and

七　その他内閣府令で定める事項

(vii) other matters as specified by Cabinet Office Order.

２　簡易確定手続申立団体が二以上ある場合において、いずれか一の簡易確定手続申立団体が前項の規定による通知をしたときは、他の簡易確定手続申立団体は、同項の規定にかかわらず、同項の規定による通知をすることを要しない。

(2) When there are two or more Petitioner Organizations of the Simple Determination Proceeding, if one of the Petitioner Organizations of the Simple Determination Proceedings has given the notice under the preceding paragraph, the other Petitioner Organization(s) of the Simple Determination Proceedings are not required to give notice under that paragraph, notwithstanding the provisions of that paragraph.

（簡易確定手続申立団体による公告等）

(Public Notice by the Petitioner Organization of the Simple Determination Proceedings)

第二十六条　簡易確定手続開始決定がされたときは、簡易確定手続申立団体は、正当な理由がある場合を除き、届出期間の末日の一月前までに、前条第一項各号に掲げる事項を相当な方法により公告しなければならない。

Article 26 (1) When an Order of Commencement of Simple Determination Proceedings is made, the Petitioner Organization of the Simple Determination Proceedings must, unless there are justifiable grounds, give public notice of the matters set forth in the items of paragraph (1) of the preceding Article by a reasonable method by one month prior to the last day of the Period for Filing Proofs of Claims.

２　簡易確定手続申立団体が二以上ある場合において、いずれか一の簡易確定手続申立団体が前項の規定による公告をしたときは、他の簡易確定手続申立団体は、同項の規定にかかわらず、同項の規定による公告をすることを要しない。

(2) When there are two or more Petitioner Organizations of the Simple Determination Proceedings, if one of the Petitioner Organizations of the Simple Determination Proceedings has given the public notice under the preceding paragraph, the other Petitioner Organization(s) of the Simple Determination Proceedings are not required to give public notice under that paragraph, notwithstanding the provisions of that paragraph.

３　第一項の規定による公告後、届出期間中に前条第一項第四号に掲げる事項に変更があったときは、当該変更に係る簡易確定手続申立団体は、遅滞なく、その旨を、相当な方法により公告するとともに、裁判所及び相手方に通知しなければならない。この場合において、当該通知を受けた裁判所は、直ちに、官報に掲載してその旨を公告しなければならない。

(3) If, after the public notice under paragraph (1) has been given, there has been a change to any of the matters set forth in paragraph (1), item (iv) of the preceding Article during the Period for Filing Proofs of Claims, the Petitioner Organization of the Simple Determination Proceedings pertaining to the change must, without delay, give public notice to that effect by a reasonable method and notify the court and the Opponent to that effect. In this case, the notified court must immediately give public notice to that effect by publishing it in an official gazette.

４　第一項の規定による公告後、届出期間中に前条第一項第五号から第七号までに掲げる事項に変更があったときは、当該変更に係る簡易確定手続申立団体は、遅滞なく、その旨を、相当な方法により公告しなければならない。

(4) If, after the public notice under paragraph (1) has been given, there has been a change to any of the matters set forth in paragraph (1), items (v) through (vii) of the preceding Article during the Period for Filing Proofs of Claims, the Petitioner Organization of the Simple Determination Proceedings pertaining to the change must, without delay, give public notice to that effect by a reasonable method.

（相手方による公表）

(Publication by the Opponent)

第二十七条　相手方は、簡易確定手続申立団体の求めがあるときは、遅滞なく、インターネットの利用、営業所その他の場所において公衆に見やすいように掲示する方法その他これらに類する方法により、届出期間中、第二十二条第一項各号に掲げる事項（同項第三号又は第四号に掲げる事項に変更があったときは、変更後の当該各号に掲げる事項）を公表しなければならない。

Article 27 When requested to do so by the Petitioner Organization of the Simple Determination Proceedings, the Opponent must, without delay, publish the matters set forth in the items of Article 22, paragraph (1) (if there has been a change to any of the matters set forth in item (iii) or (iv) of the same paragraph, the matters set forth in those items after such change) by using the Internet, by the method of posting a notice in a manner readily recognizable by the public at its business office or any other place, or by other method similar thereto, until the end of the Period for Filing Proofs of Claims.

（情報開示義務）

(Obligation to Disclose Information)

第二十八条　相手方は、対象消費者の氏名及び住所又は連絡先（内閣府令で定めるものに限る。次項において同じ。）が記載された文書（電磁的記録（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。以下同じ。）をもって作成されている場合における当該電磁的記録を含む。以下この条及び次条において同じ。）を所持する場合において、届出期間中に簡易確定手続申立団体の求めがあるときは、当該文書を当該簡易確定手続申立団体に開示することを拒むことができない。ただし、相手方が開示すべき文書の範囲を特定するために不相当な費用又は時間を要するときは、この限りでない。

Article 28 (1) When the Opponent possesses documents stating the names and addresses or contacts (limited to those specified by Cabinet Office Order; the same applies in the following paragraph) of the Target Consumers (including the Electronic or Magnetic Records (meaning records used in computer data processing, which are created in electronic form, magnetic form, or any other form that cannot be perceived by the human senses; the same applies hereinafter) thereof where the documents are prepared in the form of an Electronic or Magnetic Record; hereinafter the same applies in this Article and the following Article), if requested to do so by the Petitioner Organization of the Simple Determination Proceedings during the Period for Filing Proofs of Claims, the Opponent may not refuse to disclose the documents to the Petitioner Organization of the Simple Determination Proceedings; provided, however, that this does not apply when an unreasonable amount of expenses or time will be required for the Opponent to specify the scope of the documents to be disclosed.

２　前項に規定する文書の開示は、その写しの交付（電磁的記録については、当該電磁的記録を出力した書面の交付又は当該電磁的記録に記録された情報の電磁的方法による提供であって内閣府令で定めるもの）により行う。この場合において、相手方は、個人（対象消費者でないことが明らかである者を除く。）の氏名及び住所又は連絡先が記載された部分以外の部分を除いて開示することができる。

(2) The disclosure of the documents prescribed in the preceding paragraph is made by delivering a copy thereof (in the case of an Electronic or Magnetic Record, delivering a printout of the Electronic or Magnetic Record or providing the information recorded in the Electronic or Magnetic Record by Electronic or Magnetic Means as specified by Cabinet Office Order). In this case, the Opponent may disclose the information by excluding the portions other than the names and addresses or contacts of individuals (excluding those who are obviously not Target Consumers) are stated.

３　相手方は、第一項に規定する文書の開示をしないときは、簡易確定手続申立団体に対し、速やかに、その旨及びその理由を書面により通知しなければならない。

(3) When the Opponent does not disclose the documents prescribed in paragraph (1), it must promptly notify the Petitioner Organization of the Simple Determination Proceedings to that effect and the reason therefor in writing.

（情報開示命令等）

(Order to Disclose Information)

第二十九条　簡易確定手続申立団体は、届出期間中、裁判所に対し、情報開示命令（前条第一項の規定により相手方が簡易確定手続申立団体に開示しなければならない文書について、同条第二項に規定する方法による開示を相手方に命ずる旨の決定をいう。以下この条において同じ。）の申立てをすることができる。

Article 29 (1) During the Period for Filing Proofs of Claims, the Petitioner Organization of the Simple Determination Proceedings may file with the court a petition for an Order to Disclose Information (meaning an order requiring the Opponent to disclose the documents which the Opponent must disclose to the Petitioner Organization of the Simple Determination Proceedings pursuant to the provisions of paragraph (1) of the preceding Article by the method prescribed in paragraph (2) of the same Article; hereinafter the same applies in this Article).

２　情報開示命令の申立ては、文書の表示を明らかにしてしなければならない。

(2) A petition for an Order to Disclose Information must be filed by clearly indicating the documents in question.

３　裁判所は、情報開示命令の申立てを理由があると認めるときは、情報開示命令を発する。

(3) When the court finds a petition for an Order to Disclose Information to be in question, it is to issue an Order to Disclose Information.

４　裁判所は、情報開示命令の申立てについて決定をする場合には、相手方を審尋しなければならない。

(4) When the court makes an order with regard to a petition for an Order to Disclose Information, it must conduct a hearing of the Opponent.

５　情報開示命令の申立てについての決定に対しては、即時抗告をすることができる。

(5) An immediate appeal may be filed against an order made with regard to a petition for an Order to Disclose Information.

６　情報開示命令は、執行力を有しない。

(6) An Order to Disclose Information does not have any enforcement power.

７　相手方が正当な理由なく情報開示命令に従わないときは、裁判所は、決定で、三十万円以下の過料に処する。

(7) When the Opponent fails to comply with an Order to Disclose Information without justifiable grounds, the court, by an order, is to punish the Opponent by a non-criminal fine of not more than 300,000 yen.

８　前項の決定に対しては、即時抗告をすることができる。

(8) An immediate appeal may be filed against the order set forth in the preceding paragraph.

９　民事訴訟法第百八十九条の規定は、第七項の規定による過料の裁判について準用する。

(9) The provisions of Article 189 of the Code of Civil Procedure apply mutatis mutandis to a judicial decision on a non-criminal fine under paragraph (7).

第四目　対象債権の確定

Division 4 Determination of Target Claims

（債権届出）

(Filing of Proofs of Claims)

第三十条　簡易確定手続開始決定に係る対象債権については、簡易確定手続申立団体に限り、届け出ることができる。

Article 30 (1) Only the Petitioner Organization of the Simple Determination Proceedings may file proofs of the Target Claims pertaining to an Order of Commencement of Simple Determination Proceedings.

２　前項の規定による届出（以下「債権届出」という。）は、届出期間内に、次に掲げる事項を記載した書面（以下この節において「届出書」という。）を簡易確定手続開始決定をした裁判所に提出してしなければならない。

(2) The filing under the preceding paragraph (hereinafter referred to as "Filing of Proofs of Claims") must be carried out by submitting a document stating the following matters (hereinafter referred to as the "Written Proofs of Claims" in this Section) to the court which made the Order of Commencement of Simple Determination Proceedings, within the Period for Filing Proofs of Claims:

一　対象債権について債権届出をする簡易確定手続申立団体、相手方及び届出消費者（対象債権として裁判所に債権届出があった債権（以下「届出債権」という。）の債権者である消費者をいう。以下同じ。）並びにこれらの法定代理人

(i) the Petitioner Organization of the Simple Determination Proceedings which is to carry out the Filing of Proofs of Claims with regard to the Target Claims, the Opponent, and the Consumers Holding the Filed Claims (meaning Consumers who are holders of claims for which the Filing of Proofs of Claims has been carried out with the court as Target Claims (hereinafter referred to as "Filed Claims"); the same applies hereinafter), and their statutory agents;

二　請求の趣旨及び原因（請求の原因については、共通義務確認訴訟において認められた義務に係る事実上及び法律上の原因を前提とするものに限る。）

(ii) the object of claim and the statement of claim (the statement of claim is limited to one premised on the factual or statutory cause pertaining to the obligation approved in the Litigation Seeking Declaratory Judgment on Common Obligations); and

三　前二号に掲げるもののほか、最高裁判所規則で定める事項

(iii) beyond what is set forth in the preceding two items, matters specified by the Rules of the Supreme Court.

３　簡易確定手続申立団体は、債権届出の時に対象消費者が事業者に対して対象債権に基づく訴えを提起するとすれば民事訴訟法第一編第二章第一節の規定により日本の裁判所が管轄権を有しないときは、第一項の規定にかかわらず、当該対象債権については、債権届出をすることができない。

(3) If a Target Consumer chooses to file an action against the Company based on the Target Claim at the time of the Filing of Proofs of Claims, when a Japanese court does not have jurisdiction over the case pursuant to the provisions of Part I, Chapter II, Section 1 of the Code of Civil Procedure, the Petitioner Organization of the Simple Determination Proceedings may not carry out the Filing of Proofs of Claims with regard to the Target Claim, notwithstanding the provisions of paragraph (1).

４　簡易確定手続申立団体は、対象消費者が提起したその有する対象債権に基づく訴訟が裁判所に係属しているときは、第一項の規定にかかわらず、当該対象債権については、債権届出をすることができない。

(4) When litigation filed by a Target Consumer based on the Target Claim is pending before a court, the Petitioner Organization of the Simple Determination Proceedings may not carry out the Filing of Proofs of Claims with regard to the Target Claim, notwithstanding the provisions of paragraph (1).

（簡易確定手続についての対象消費者の授権）

(Delegation of Powers with Regard to Simple Determination Proceedings by Target Consumers)

第三十一条　簡易確定手続申立団体は、対象債権について債権届出をし、及び当該対象債権について簡易確定手続を追行するには、当該対象債権に係る対象消費者の授権がなければならない。

Article 31 (1) In order for the Petitioner Organization of the Simple Determination Proceedings to carry out the Filing of Proofs of Claims with regard to a Target Claim, and to conduct Simple Determination Proceedings with regard to the Target Claim, it must have received the delegation of powers pertaining to the Target Claim from the Target Consumer.

２　前項の対象消費者は、簡易確定手続申立団体のうちから一の簡易確定手続申立団体を限り、同項の授権をすることができる。

(2) The Target Consumer set forth in the preceding paragraph may make the delegation of powers set forth in the same paragraph to only one Petitioner Organization of the Simple Determination Proceedings from among the Petitioner Organizations of the Simple Determination Proceedings.

３　第一項の授権をした対象消費者は、当該授権を取り消すことができる。

(3) A Target Consumer who has made the delegation of powers set forth in paragraph (1) may rescind the delegation of powers.

４　前項の規定による第一項の授権の取消しは、当該授権をした対象消費者又は当該授権を得た簡易確定手続申立団体から相手方に通知しなければ、その効力を生じない。

(4) The rescission of the delegation of powers set forth in paragraph (1) under the preceding paragraph is not to be in effect unless the Target Consumer who has made the delegation of powers or the Petitioner Organization of the Simple Determination Proceedings which has received the delegation of powers notifies the Opponent to that effect.

５　第一項の授権を得た簡易確定手続申立団体の第六十五条第一項に規定する特定認定が、第七十四条第一項各号に掲げる事由により失効し、又は第八十六条第一項各号若しくは第二項各号に掲げる事由により取り消されたときは、当該授権は、その効力を失う。

(5) When the certification as a specified organization prescribed in Article 65, paragraph (1) granted for the Petitioner Organization of the Simple Determination Proceedings which has received the delegation of powers set forth in paragraph (1) has lapsed due to any of the grounds set forth in the items of Article 74, paragraph (1) or been rescinded due to any of the grounds set forth in the items of Article 86, paragraph (1) or the items of paragraph (2) of the same Article, the delegation of powers ceases to be effective.

６　簡易確定決定があるまでに簡易確定手続申立団体が届出債権について第一項の授権を欠いたとき（前項の規定により当該授権がその効力を失ったときを除く。）は、当該届出債権については、債権届出の取下げがあったものとみなす。

(6) When the Petitioner Organization of the Simple Determination Proceedings lacks the delegation of powers set forth in paragraph (1) with regard to a Filed Claim by the time a Simple Determination Order is made (excluding if the delegation of powers has ceased to be effective pursuant to the provisions of the preceding paragraph), the Filing of Proofs of Claims is deemed to have been withdrawn with regard to the Filed Claim.

７　債権届出に係る簡易確定手続申立団体（以下「債権届出団体」という。）の第六十五条第一項に規定する特定認定が、簡易確定決定があるまでに、第七十四条第一項各号に掲げる事由により失効し、又は第八十六条第一項各号若しくは第二項各号に掲げる事由により取り消されたときは、届出消費者は、第二項の規定にかかわらず、第八十七条第六項の規定による公示がされた後一月の不変期間内に、同条第一項の規定による指定を受けた特定適格消費者団体に第一項の授権をすることができる。

(7) When the certification as a specified organization prescribed in Article 65, paragraph (1) granted for the Petitioner Organization of the Simple Determination Proceedings pertaining to the Filing of Proofs of Claims (hereinafter referred to as the "Organization Filing Proofs of Claims") has lapsed due to any of the grounds set forth in the items of Article 74, paragraph (1) or been rescinded due to any of the grounds set forth in the items of Article 86, paragraph (1) or the items of paragraph (2) of the same Article by the time a Simple Determination Order is made, a Consumer Holding the Filed Claim may, notwithstanding the provisions of paragraph (2), make the delegation of powers set forth in paragraph (1) to the Specified Qualified Consumer Organization which has been designated under Article 87, paragraph (1), within a period of one month which is unextendable, from the day on which the public notice under paragraph (6) of the same Article was made.

８　前項の届出消費者が同項の期間内に第一項の授権をしないときは、その届出債権については、債権届出の取下げがあったものとみなす。

(8) When the Consumer Holding the Filed Claim set forth in the preceding paragraph fails to make the delegation of powers set forth in paragraph (1) within the period set forth in the preceding paragraph, the Filing of Proofs of Claims is deemed to have been withdrawn with regard to the Filed Claim.

９　簡易確定決定があった後に、届出消費者が第三項の規定により第一項の授権を取り消したときは、当該届出消費者は、更に簡易確定手続申立団体に同項の授権をすることができない。

(9) If a Consumer Holding the Filed Claim rescinds the delegation of powers set forth in paragraph (1) pursuant to the provisions of paragraph (3) after a Simple Determination Order is made, the Consumer Holding the Filed Claim may not make the delegation of powers set forth in paragraph (1) again to a Petitioner Organization of the Simple Determination Proceedings.

（説明義務）

(Obligation of Explanation)

第三十二条　簡易確定手続申立団体は、前条第一項の授権に先立ち、当該授権をしようとする者に対し、内閣府令で定めるところにより、被害回復裁判手続の概要及び事案の内容その他内閣府令で定める事項について、これを記載した書面を交付し、又はこれを記録した電磁的記録を提供して説明をしなければならない。

Article 32 The Petitioner Organization of the Simple Determination Proceedings must, prior to the delegation of powers set forth in paragraph (1) of the preceding Article, explain to the person who intends to make the delegation of powers the outline of the Court Proceedings for Redress for Damage, the contents of the case, and other matters specified by Cabinet Office Order by delivering a document stating such matters or by providing an Electronic or Magnetic Record containing such matters, pursuant to the provisions of Cabinet Office Order.

（簡易確定手続授権契約の締結及び解除）

(Conclusion and Cancellation of Contracts for Delegation of Powers for Simple Determination Proceedings)

第三十三条　簡易確定手続申立団体は、やむを得ない理由があるときを除いては、簡易確定手続授権契約（対象消費者が第三十一条第一項の授権をし、簡易確定手続申立団体が対象債権について債権届出をすること及び簡易確定手続を追行することを約する契約をいう。以下同じ。）の締結を拒絶してはならない。

Article 33 (1) The Petitioner Organization of the Simple Determination Proceedings must not refuse to conclude a Contract for Delegation of Powers for Simple Determination Proceedings (meaning a contract promising that the Target Consumer will make the delegation of powers set forth in Article 31, paragraph (1), and that the Petitioner Organization of the Simple Determination Proceedings will carry out the Filing of Proofs of Claims and conduct Simple Determination Proceedings with regard to the Target Claim; the same applies hereinafter), unless there are unavoidable grounds.

２　第三十一条第一項の授権を得た簡易確定手続申立団体は、やむを得ない理由があるときを除いては、簡易確定手続授権契約を解除してはならない。

(2) The Petitioner Organization of the Simple Determination Proceedings which has received the delegation of powers set forth in Article 31, paragraph (1) must not cancel a Contract for Delegation of Powers for Simple Determination Proceedings, unless there are unavoidable grounds.

（公平誠実義務等）

(Obligation of Fairness and Good Faith)

第三十四条　第三十一条第一項の授権を得た簡易確定手続申立団体は、当該授権をした対象消費者のために、公平かつ誠実に債権届出、簡易確定手続の追行及び第二条第九号ロに規定する民事執行の手続の追行（当該授権に係る債権に係る裁判外の和解を含む。）並びにこれらに伴い取得した金銭その他の財産の管理をしなければならない。

Article 34 (1) The Petitioner Organization of the Simple Determination Proceedings which has received the delegation of powers set forth in Article 31, paragraph (1) must, on behalf of the Target Consumer who has made the delegation of powers, carry out the Filing of Proofs of Claims, conduct Simple Determination Proceedings, conduct the civil execution procedure prescribed in Article 2, item (ix), (b) (including a non-judicial settlement concerning the claim pertaining to the delegation of powers), and manage money or any other property acquired in association with these acts, in fairness and good faith.

２　第三十一条第一項の授権を得た簡易確定手続申立団体は、当該授権をした対象消費者に対し、善良な管理者の注意をもって前項に規定する行為をしなければならない。

(2) The Petitioner Organization of the Simple Determination Proceedings which has received the delegation of powers set forth in Article 31, paragraph (1) must carry out the acts prescribed in the preceding paragraph with the due care of a prudent manager for the Target Consumer who has made the delegation of powers.

（届出書の送達）

(Service of Written Proofs of Claims)

第三十五条　裁判所は、第三十条第二項の規定による届出書の提出を受けたときは、次条第一項又は第六十三条第一項の規定により債権届出を却下する場合を除き、遅滞なく、当該届出書を相手方に送達しなければならない。

Article 35 When the court receives the submission of a Written Proofs of Claims under Article 30, paragraph (2), it must serve the Written Proofs of Claims upon the Opponent without delay, except in the case of dismissing the Filing of Proofs of Claims pursuant to the provisions of paragraph (1) of the following Article or Article 63, paragraph (1).

（不適法な債権届出の却下）

(Dismissal of Unlawful Filing of Proofs of Claims)

第三十六条　裁判所は、債権届出が不適法であると認めるとき、又は届出書の送達に必要な費用の予納がないときは、決定で、当該債権届出を却下しなければならない。

Article 36 (1) When the court finds the Filing of Proofs of Claims to be unlawful or the expenses necessary for the service of the Written Proofs of Claims have not been prepaid, it must dismiss the Filing of Proofs of Claims by an order.

２　前項の決定に対しては、即時抗告をすることができる。

(2) An immediate appeal may be filed against the order set forth in the preceding paragraph.

（簡易確定手続における和解）

(Settlement in Simple Determination Proceedings)

第三十七条　債権届出団体は、簡易確定手続において、届出債権について、和解をすることができる。

Article 37 An Organization Filing Proofs of Claims may enter into a settlement with regard to a Filed Claim in Simple Determination Proceedings.

（時効の中断）

(Interruption of Prescription)

第三十八条　債権届出があったときは、時効の中断に関しては、簡易確定手続の前提となる共通義務確認の訴えを提起した時に、裁判上の請求があったものとみなす。

Article 38 When the Filing of Proofs of Claims has been carried out, with regard to the interruption of prescription, a demand by litigation is deemed to have been made when the Action for Declaratory Judgment on Common Obligations which serves as the premise for the Simple Determination Proceedings has been filed.

（債権届出の内容の変更の制限）

(Limitation on Change to the Contents of the Filing of Proofs of Claims)

第三十九条　債権届出団体は、届出期間内に限り、当該債権届出の内容を変更することができる。

Article 39 An Organization Filing Proofs of Claims may make a change to the contents of the Filing of Proofs of Claims only within the Period for Filing Proofs of Claims.

（債権届出の取下げ）

(Withdrawal of the Filing of Proofs of Claims)

第四十条　債権届出は、簡易確定決定に対し適法な異議の申立てがあるまで、その全部又は一部を取り下げることができる。ただし、簡易確定決定があった後にあっては、相手方の同意を得なければ、その効力を生じない。

Article 40 (1) The whole or part of the Filing of Proofs of Claims may be withdrawn until a lawful objection is filed against the Simple Determination Order; provided, however, that, after the Simple Determination Order has been made, the withdrawal does not become effective unless the consent of the Opponent is obtained.

２　民事訴訟法第二百六十一条第三項及び第二百六十二条第一項の規定は、前項の規定による債権届出の取下げについて準用する。

(2) The provisions of Article 261, paragraph (3) and Article 262, paragraph (1) of the Code of Civil Procedure apply mutatis mutandis to the withdrawal of the Filing of Proofs of Claims under the preceding paragraph.

（届出消費者表の作成等）

(Preparation on the List of Consumers Holding the Filed Claims)

第四十一条　裁判所書記官は、届出債権について、届出消費者表を作成しなければならない。

Article 41 (1) A court clerk must prepare a list of Consumers Holding the Filed Claims with regard to the Filed Claims concerned.

２　前項の届出消費者表には、各届出債権について、その内容その他最高裁判所規則で定める事項を記載しなければならない。

(2) In the list of Consumers Holding the Filed Claims set forth in the preceding paragraph, the contents of and other matters specified by the Rules of the Supreme Court with regard to each Filed Claim must be stated.

３　届出消費者表の記載に誤りがあるときは、裁判所書記官は、申立てにより又は職権で、いつでもその記載を更正する処分をすることができる。

(3) When there is an error in the statement of a list of Consumers Holding the Filed Claims, a court clerk may, upon petition or by the court clerk's own authority, make a disposition to correct the statement at any time.

（届出債権の認否）

(Approval or Disapproval of the Filed Claim)

第四十二条　相手方は、届出期間内に債権届出があった届出債権の内容について、認否期間内に、認否をしなければならない。

Article 42 (1) The Opponent must, within the Period for Approval or Disapproval, state its approval or disapproval with regard to the contents of the Filed Claim for which the Filing of Proofs of Claims was carried out within the Period for Filing Proofs of Claims.

２　認否期間内に前項の認否（以下「届出債権の認否」という。）がないときは、相手方において、届出期間内に債権届出があった届出債権の内容の全部を認めたものとみなす。

(2) When the approval or disapproval set forth in the preceding paragraph (hereinafter referred to as the "Approval or Disapproval of the Filed Claim") is not stated within the Period for Approval or Disapproval, the Opponent is deemed to have approved the whole of the contents of the Filed Claim for which the Filing of Proofs of Claims was carried out within the Period for Filing Proofs of Claims.

３　相手方が、認否期間内に届出債権の内容の全部を認めたときは、当該届出債権の内容は、確定する。

(3) When the Opponent approves the entirety of the contents on the Filed Claim within the Period for Approval or Disapproval, the contents of the Filed Claim are to become final and binding.

４　裁判所書記官は、届出債権の認否の内容を届出消費者表に記載しなければならない。

(4) A court clerk must state the contents of the Approval or Disapproval of the Filed Claim in the list of Consumers Holding the Filed Claims.

５　第三項の規定により確定した届出債権については、届出消費者表の記載は、確定判決と同一の効力を有する。この場合において、債権届出団体は、確定した届出債権について、相手方に対し、届出消費者表の記載により強制執行をすることができる。

(5) With regard to a Filed Claim that has become final and binding pursuant to the provisions of paragraph (3), the statement in the list of Consumers Holding the Filed Claims is to have the same effect as a final and binding judgment. In this case, the Organization Filing Proofs of Claims may carry out a compulsory execution against the Opponent with regard to the final and binding Filed Claim, based on the statement in the list of Consumers Holding the Filed Claims.

（認否を争う旨の申出）

(Notice to Dispute the Approval or Disapproval)

第四十三条　債権届出団体は、前条第三項の規定により届出債権の内容が確定したときを除き、届出債権の認否に対し、認否期間の末日から一月の不変期間内に、裁判所に届出債権の認否を争う旨の申出（以下単に「認否を争う旨の申出」という。）をすることができる。

Article 43 (1) An Organization Filing Proofs of Claims may, except the case where the contents of the Filed Claim have become final and binding pursuant to the provisions of paragraph (3) of the preceding Article, give the court a notice of its intention to dispute the Approval or Disapproval of the Filed Claim (hereinafter simply referred to as a "Notice to Dispute the Approval or Disapproval") against the Approval or Disapproval of the Filed Claim concerned, within a period of one month which is not extendable from the last day of the Period for Approval or Disapproval.

２　裁判所は、認否を争う旨の申出が不適法であると認めるときは、決定で、これを却下しなければならない。

(2) When the court finds a Notice to Dispute the Approval or Disapproval to be unlawful, it must be dismissed the same by an order.

３　前項の決定に対しては、即時抗告をすることができる。

(3) An immediate appeal may be filed against the order set forth in the preceding paragraph.

４　裁判所書記官は、認否を争う旨の申出の有無を届出消費者表に記載しなければならない。

(4) A court clerk must state the presence or absence of a Notice to Dispute the Approval or Disapproval in the list of Consumers Holding the Filed Claims.

（簡易確定決定）

(Simple Determination Order)

第四十四条　裁判所は、適法な認否を争う旨の申出があったときは、第三十六条第一項又は第六十三条第一項の規定により債権届出を却下する場合を除き、簡易確定決定をしなければならない。

Article 44 (1) When the court receives a lawful Notice to Dispute the Approval or Disapproval, it must make a Simple Determination Order, except in the case of dismissing the Filing of Proofs of Claims pursuant to the provisions of Article 36, paragraph (1) or Article 63, paragraph (1).

２　裁判所は、簡易確定決定をする場合には、当事者双方を審尋しなければならない。

(2) When the court makes a Simple Determination Order, it must conduct a hearing of both parties.

３　簡易確定決定は、主文及び理由の要旨を記載した決定書を作成してしなければならない。

(3) A Simple Determination Order must be made by preparing a written order stating the main text of the order and the outline of the reasons therefor.

４　届出債権の支払を命ずる簡易確定決定（第五十五条及び第八十三条第一項第二号において「届出債権支払命令」という。）については、裁判所は、必要があると認めるときは、申立てにより又は職権で、担保を立てて、又は立てないで仮執行をすることができることを宣言することができる。

(4) With regard to a Simple Determination Order requiring payment of the Filed Claim (referred to as the "Order for Payment of the Filed Claim" in Article 55 and Article 83, paragraph (1), item (ii)), when the court finds it necessary, it may, upon petition or by its own authority, declare that a provisional execution may be enforced with or without security.

５　第三項の決定書は、当事者に送達しなければならない。この場合においては、簡易確定決定の効力は、当事者に送達された時に生ずる。

(5) The written order set forth in paragraph (3) must be served upon the parties. In this case, the Simple Determination Order becomes effective when the written order is served upon the parties.

（証拠調べの制限）

(Limitation on Examination of Evidence)

第四十五条　簡易確定決定のための審理においては、証拠調べは、書証に限りすることができる。

Article 45 (1) In proceedings for a Simple Determination Order, the examination of evidence is limited to documentary evidence.

２　文書の提出又は対照の用に供すべき筆跡若しくは印影を備える物件の提出の命令は、することができない。

(2) The court may not order the submission of documents or submission of objects which contains handwriting or a seal impression to be used for comparison.

３　前二項の規定は、裁判所が職権で調査すべき事項には、適用しない。

(3) The provisions of the preceding two paragraphs do not apply to matters which the court will investigate by its own authority.

（異議の申立て等）

(Filing of Objection)

第四十六条　当事者は、簡易確定決定に対し、第四十四条第五項の規定による送達を受けた日から一月の不変期間内に、当該簡易確定決定をした裁判所に異議の申立てをすることができる。

Article 46 (1) A party may file an objection against a Simple Determination Order with the court which has made the Simple Determination Order, within a period of one month which is not extendable from the day on which it received service thereof under Article 44, paragraph (5).

２　届出消費者は、簡易確定決定に対し、債権届出団体が第四十四条第五項の規定による送達を受けた日から一月の不変期間内に、当該簡易確定決定をした裁判所に異議の申立てをすることができる。

(2) A Consumer Holding the Filed Claim may file an objection against a Simple Determination Order with the court which has made the Simple Determination Order, within a period of one month which is not extendable from the day on which the Consumer received service thereof under Article 44, paragraph (5).

３　裁判所は、異議の申立てが不適法であると認めるときは、決定で、これを却下しなければならない。

(3) When the court finds the filing of an objection to be unlawful, it must dismiss the objection by an order.

４　前項の決定に対しては、即時抗告をすることができる。

(4) An immediate appeal may be filed against the order set forth in the preceding paragraph.

５　適法な異議の申立てがあったときは、簡易確定決定は、仮執行の宣言を付したものを除き、その効力を失う。

(5) When a lawful objection is filed, a Simple Determination Order ceases to be effective, unless a declaration of provisional execution has been attached thereto.

６　適法な異議の申立てがないときは、簡易確定決定は、確定判決と同一の効力を有する。

(6) When no lawful objection is filed, a Simple Determination Order has the same effect as a final and binding judgment.

７　民事訴訟法第三百五十八条及び第三百六十条の規定は、第一項及び第二項の異議について準用する。

(7) The provisions of Articles 358 and 360 of the Code of Civil Procedure apply mutatis mutandis to the objection set forth in paragraphs (1) and (2).

（認否を争う旨の申出がないときの届出債権の確定等）

(Determination of a Filed Claim When No Notice to Dispute the Approval or Disapproval Is Given)

第四十七条　適法な認否を争う旨の申出がないときは、届出債権の内容は、届出債権の認否の内容により確定する。

Article 47 (1) When no lawful Notice to Dispute the Approval or Disapproval is given, the contents of a Filed Claim become final and binding based on the contents of the Approval or Disapproval of the Filed Claim.

２　前項の規定により確定した届出債権については、届出消費者表の記載は、確定判決と同一の効力を有する。この場合において、債権届出団体は、確定した届出債権について、相手方に対し、届出消費者表の記載により強制執行をすることができる。

(2) With regard to a Filed Claim that has become final and binding pursuant to the provisions of the preceding paragraph, the statement in the list of Consumers Holding the Filed Claims has the same effect as a final and binding judgment. In this case, the Organization Filing Proofs of Claims may carry out a compulsory execution against the Opponent with regard to the final and binding Filed Claim, based on the statement in the list of Consumers Holding the Filed Claims.

第五目　費用の負担

Division 5 Burden of Expenses

（個別費用を除く簡易確定手続の費用の負担）

(Burden of Expenses of Simple Determination Proceedings Excluding Individual Expenses)

第四十八条　簡易確定手続の費用（債権届出の手数料及び簡易確定手続における届出債権に係る申立ての手数料（次条第一項及び第三項において「個別費用」と総称する。）を除く。以下この条において同じ。）は、各自が負担する。

Article 48 (1) With regard to the expenses of Simple Determination Proceedings (excluding the fees for the Filing of Proofs of Claims and the fees for filing a petition pertaining to a Filed Claim in Simple Determination Proceedings (collectively referred to as "Individual Expenses" in paragraphs (1) and (3) of the following Article); hereinafter the same applies in this Article), the parties bear their own expenses.

２　前項の規定にかかわらず、裁判所は、事情により、同項の規定によれば当事者がそれぞれ負担すべき費用の全部又は一部を、その負担すべき者以外の当事者に負担させることができる。

(2) Notwithstanding the preceding paragraph, with regard to the expenses which will be borne by the respective parties according to that paragraph, the court may, depending on the circumstances, have a party other than those who will bear the expenses bear the whole or part of the expenses.

３　裁判所は、簡易確定手続に係る事件が終了した場合において、必要があると認めるときは、申立てにより又は職権で、簡易確定手続の費用の負担を命ずる決定をすることができる。

(3) If the court finds it necessary, and a case pertaining to Simple Determination Proceedings has terminated, it may, upon petition or by its own authority, make an order requiring the bearing of expenses of Simple Determination Proceedings.

４　前項の決定に対しては、即時抗告をすることができる。

(4) An immediate appeal may be filed against the order set forth in the preceding paragraph.

５　民事訴訟法第六十九条から第七十二条まで及び第七十四条の規定は、簡易確定手続の費用の負担について準用する。

(5) The provisions of Articles 69 through 72 of the Code of Civil Procedure apply mutatis mutandis to the burden of expenses of Simple Determination Proceedings.

（個別費用の負担）

(Burden of Individual Expenses)

第四十九条　裁判所は、届出債権について簡易確定手続に係る事件が終了した場合（第五十二条第一項の規定により訴えの提起があったものとみなされた場合には、異議後の訴訟が終了した場合）において、必要があると認めるときは、申立てにより又は職権で、当該事件に関する個別費用の負担を命ずる決定をすることができる。

Article 49 (1) If a case pertaining to Simple Determination Proceedings has terminated with regard to a Filed Claim (when an action is deemed to have been filed pursuant to the provisions of Article 52, paragraph (1), the case where Litigation after Objection has terminated), and the court finds it necessary, it may, upon petition or by its own authority, make an order requiring the bearing of Individual Expenses relating to the case.

２　前項の決定に対しては、即時抗告をすることができる。

(2) An immediate appeal may be filed against the order set forth in the preceding paragraph.

３　民事訴訟法第一編第四章第一節（第六十五条、第六十六条、第六十七条第二項及び第七十三条を除く。）の規定は、個別費用の負担について準用する。

(3) The provisions of Part I, Chapter IV, Section 1 (excluding Articles 65 and 66, Article 67, paragraph (2), and Article 73) of the Code of Civil Procedure apply mutatis mutandis to the burden of Individual Expenses.

第六目　補則

Division 6 Auxiliary Provisions

（民事訴訟法の準用）

(Application Mutatis Mutandis of the Code of Civil Procedure)

第五十条　特別の定めがある場合を除き、簡易確定手続については、その性質に反しない限り、民事訴訟法第二条、第十四条、第十六条、第二十一条、第二十二条、第一編第二章第三節、第三章（第三十条、第四十条から第四十九条まで、第五十二条及び第五十三条を除く。）、第五章（第八十七条、第二節、第百十六条及び第百十八条を除く。）及び第七章、第二編第一章（第百三十三条、第百三十四条、第百三十七条第二項及び第三項、第百三十八条第一項、第百三十九条、第百四十条並びに第百四十三条から第百四十六条までを除く。）、第三章（第百五十六条の二、第百五十七条の二、第百五十八条、第百五十九条第三項、第百六十一条第三項及び第三節を除く。）、第四章（第七節を除く。）、第五章（第二百四十五条、第二百四十九条から第二百五十二条まで、第二百五十三条第二項、第二百五十四条、第二百五十五条、第二百五十八条第二項から第四項まで並びに第二百五十九条第一項及び第二項を除く。）及び第六章（第二百六十一条から第二百六十三条まで及び第二百六十六条を除く。）、第三編第三章、第四編並びに第八編（第四百三条第一項第二号及び第四号から第六号までを除く。）の規定を準用する。

Article 50 Except as otherwise provided, with regard to Simple Determination Proceedings, unless contrary to the nature thereof, the provisions of Articles 2, 14, 16, 21, and 22 of the Code of Civil Procedure, Part I, Chapter II, Section 3 of the Code, Chapter III of the same Part (excluding Article 30, Articles 40 through 49, and Articles 52 and 53), Chapter V of the same Part (excluding Article 87, Section 2, and Articles 116 and 118), and Chapter VII of the same Part, Part II, Chapter I of the Code (excluding Articles 133 and 134, Article 137, paragraphs (2) and (3), Article 138, paragraph (1), Articles 139 and 140, and Articles 143 through 146), Chapter III of the same Part (excluding Articles 156-2, 157-2, and 158, Article 159, paragraph (3), Article 161, paragraph (3), and Section 3), Chapter IV of the same Part (excluding Section 7), Chapter V of the same Part (Article 245, Articles 249 through 252, Article 253, paragraph (2), Articles 254 and 255, Article 258, paragraphs (2) through (4), and Article 259, paragraphs (1) and (2)), and Chapter VI of the same Part (excluding Articles 261 through 263 and Article 266), Part III, Chapter III of the Code, Part IV of the Code, and Part VIII of the Code (excluding Article 403, paragraph (1), item (ii) and items (iv) through (vi)) apply mutatis mutandis.

（送達の特例）

(Special Measures on Service)

第五十一条　前条において準用する民事訴訟法第百四条第一項前段の規定による届出がない場合には、送達は、次の各号に掲げる区分に応じ、それぞれ当該各号に定める場所においてする。

Article 51 When no notification under the first sentence of Article 104, paragraph (1) of the Code of Civil Procedure as applied mutatis mutandis pursuant to the provisions of the preceding Article has been made, deliveries are to be made at the places specified in the following items for the categories of cases set forth respectively in those items:

一　共通義務確認訴訟において民事訴訟法第百四条第一項前段の規定による届出があった場合　当該届出に係る場所

(i) when a notification under the first sentence of Article 104, paragraph (1) of the Code of Civil Procedure has been made in Litigation Seeking Declaratory Judgment on Common Obligations: the place pertaining to the notification; and

二　共通義務確認訴訟において民事訴訟法第百四条第一項前段の規定による届出がなかった場合　当該共通義務確認訴訟における同条第三項に規定する場所

(ii) when no notification under the first sentence of Article 104, paragraph (1) of the Code of Civil Procedure has been made in Litigation Seeking Declaratory Judgment on Common Obligations: the place prescribed in paragraph (3) of the same Article in respect to the Litigation Seeking Declaratory Judgment on Common Obligations.

第二款　異議後の訴訟に係る民事訴訟手続の特例

Subsection 2 Special Measures on Civil Litigation Proceedings Pertaining to Litigation after Objection

（訴え提起の擬制等）

(Constructive Filing of Action)

第五十二条　簡易確定決定に対し適法な異議の申立てがあったときは、債権届出に係る請求については、当該債権届出の時に、当該債権届出に係る債権届出団体（当該債権届出に係る届出消費者が当該異議の申立てをしたときは、その届出消費者）を原告として、当該簡易確定決定をした地方裁判所に訴えの提起があったものとみなす。この場合においては、届出書を訴状と、第三十五条の規定による送達を訴状の送達とみなす。

Article 52 (1) When a lawful objection is filed against a Simple Determination Order, with regard to a claim pertaining to the Filing of Proofs of Claims, an action is deemed to have been filed with the district court which has made the Simple Determination Order, at the time of the Filing of Proofs of Claims, with the plaintiff being the Organization Filing Proofs of Claims pertaining to the Filing of Proofs of Claims (when the Consumer Holding the Filed Claim pertaining to the Filing of Proof of Claims files the objection, the Consumer Holding the Filed Claim). In this case, the Written Proofs of Claims are deemed to be the complaint, and the service thereof under Article 35 is deemed to be the service of the complaint.

２　前項の規定により訴えの提起があったものとみなされる事件は、同項の地方裁判所の管轄に専属する。

(2) A case for which an action is deemed to have been filed pursuant to the provisions of the preceding paragraph is subject to the exclusive jurisdiction of the district court set forth in the same paragraph.

３　前項の事件が係属する地方裁判所は、著しい損害又は遅滞を避けるため必要があると認めるときは、同項の規定にかかわらず、申立てにより又は職権で、その事件に係る訴訟を民事訴訟法第四条第一項又は第五条第一号、第五号若しくは第九号の規定により管轄権を有する地方裁判所に移送することができる。

(3) If a district court finds it necessary in order to avoid substantial detriment or delay, a case set forth before the district court in the preceding paragraph is pending may, transfer the litigation pertaining to the case to the district court which has jurisdiction pursuant to the provisions of Article 4, paragraph (1) or Article 5, item (i), (v), or (ix) of the Code of Civil Procedure, upon petition or by its own authority, notwithstanding the provisions of the preceding paragraph.

（異議後の訴訟についての届出消費者の授権）

(Delegation of Powers with Regard to Litigation after Objection by the Consumer Holding the Filed Claim)

第五十三条　債権届出団体は、異議後の訴訟を追行するには、届出消費者の授権がなければならない。

Article 53 (1) In order for an Organization Filing Proofs of Claims to conduct Litigation after Objection, it must have received the delegation of powers from the Consumer Holding the Filed Claim.

２　届出消費者は、その届出債権に係る債権届出団体に限り、前項の授権をすることができる。

(2) The Consumer Holding the Filed Claim may make the delegation of powers set forth in the preceding paragraph to the Organization Filing Proofs of Claims pertaining to the Filed Claim only.

３　届出消費者が第八項において準用する第三十一条第三項の規定により第一項の授権を取り消し、又は自ら異議後の訴訟を追行したときは、当該届出消費者は、更に債権届出団体に同項の授権をすることができない。

(3) When a Consumer Holding the Filed Claim has rescinded the delegation of powers set forth in paragraph (1) pursuant to the provisions of Article 31, paragraph (3) as applied mutatis mutandis pursuant to the provisions of paragraph (8) or has personally conducted the Litigation after Objection, the Consumer Holding the Filed Claim may not make the delegation of powers set forth in paragraph (1) to another Organization Filing Proofs of Claims.

４　債権届出団体は、正当な理由があるときを除いては、訴訟授権契約（届出消費者が第一項の授権をし、債権届出団体が異議後の訴訟を追行することを約する契約をいう。以下同じ。）の締結を拒絶してはならない。

(4) An Organization Filing Proofs of Claims must not refuse to conclude a Contract for Delegation of Powers for Litigation (meaning a contract promising that the Consumer Holding the Filed Claim will make the delegation of powers set forth in paragraph (1) and the Organization Filing Proofs of Claims will conduct the Litigation after Objection; the same applies hereinafter), unless there are justifiable grounds.

５　第一項の授権を得た債権届出団体は、正当な理由があるときを除いては、訴訟授権契約を解除してはならない。

(5) The Organization Filing Proofs of Claims which has received the delegation of powers set forth in paragraph (1) must not cancel a Contract for Delegation of Powers for Litigation, unless there are justifiable grounds.

６　第一項の授権を得た債権届出団体は、当該授権をした届出消費者のために、公平かつ誠実に異議後の訴訟の追行及び第二条第九号ロに規定する民事執行の手続の追行（当該授権に係る債権に係る裁判外の和解を含む。）並びにこれらに伴い取得した金銭その他の財産の管理をしなければならない。

(6) The Organization Filing Proofs of Claims which has received the delegation of powers set forth in paragraph (1) must, on behalf of the Consumer Holding the Filed Claim who has made the delegation of powers, conduct the Litigation after Objection, conduct the civil execution procedure prescribed in Article 2, item (ix), (b) (including a non-judicial settlement concerning the claim pertaining to the delegation of powers), and manage money or any other property acquired in association with these acts, in fairness and good faith.

７　第一項の授権を得た債権届出団体は、当該授権をした届出消費者に対し、善良な管理者の注意をもって前項に規定する行為をしなければならない。

(7) The Organization Filing Proofs of Claims which has received the delegation of powers set forth in paragraph (1) must carry out the acts prescribed in the preceding paragraph with the due care of a prudent manager for the Consumer Holding the Filed Claim who has made the delegation of powers.

８　第三十一条第三項から第五項まで及び第三十二条の規定は、第一項の授権について準用する。

(8) The provisions of Article 31, paragraphs (3) through (5) and Article 32 apply mutatis mutandis to the delegation of powers set forth in paragraph (1).

９　民事訴訟法第五十八条第二項並びに第百二十四条第一項（第六号に係る部分に限る。）及び第二項の規定は、異議後の訴訟において債権届出団体が第一項の授権を欠くときについて準用する。

(9) The provisions of Article 58, paragraph (2) and Article 124, paragraph (1) (limited to the portion pertaining to item (vi)) of the Code of Civil Procedure apply mutatis mutandis to the case where an Organization Filing Proofs of Claims lacks the delegation of powers set forth in paragraph (1) in Litigation after Objection.

（訴えの変更の制限等）

(Limitation on Amendment of Claims)

第五十四条　異議後の訴訟においては、原告は、訴えの変更（届出消費者又は請求額の変更を内容とするものを除く。）をすることができない。

Article 54 (1) In Litigation after Objection, the plaintiff may not make an amendment of the claim (excluding an amendment to change the Consumer Holding the Filed Claim or the amount of the claim).

２　異議後の訴訟においては、反訴を提起することができない。

(2) No counterclaim may be filed in Litigation after Objection.

（異議後の判決）

(Judgment after Objection)

第五十五条　仮執行の宣言を付した届出債権支払命令に係る請求について第五十二条第一項の規定により訴えの提起があったものとみなされた場合において、当該訴えについてすべき判決が届出債権支払命令と符合するときは、その判決において、届出債権支払命令を認可しなければならない。ただし、届出債権支払命令の手続が法律に違反したものであるときは、この限りでない。

Article 55 (1) When an action is deemed to have been filed pursuant to the provisions of Article 52, paragraph (1) with regard to a claim pertaining to an Order for Payment of the Filed Claim with a declaration of provisional execution, if the judgment to be made for the action is consistent with the Order for Payment of the Filed Claim, the court must approve the Order for Payment of the Filed Claim in the judgment; provided, however, that this does not apply when the proceedings for making the Order for Payment of the Filed Claim are in violation of any Act.

２　前項の規定により届出債権支払命令を認可する場合を除き、仮執行の宣言を付した届出債権支払命令に係る請求について第五十二条第一項の規定により訴えの提起があったものとみなされた場合における当該訴えについてすべき判決においては、届出債権支払命令を取り消さなければならない。

(2) When an action is deemed to have been filed pursuant to the provisions of Article 52, paragraph (1) with regard to a claim pertaining to an Order for Payment of the Filed Claim with a declaration of provisional execution, except in the case of approving an Order for Payment of the Filed Claim pursuant to the provisions of the preceding paragraph, the court must rescind the Order for Payment of the Filed Claim in the judgment to be made for the action.

第三節　特定適格消費者団体のする仮差押え

Section 3 Provisional Seizure by Specified Qualified Consumer Organizations

（特定適格消費者団体のする仮差押え）

(Provisional Seizure by Specified Qualified Consumer Organizations)

第五十六条　特定適格消費者団体は、当該特定適格消費者団体が取得する可能性のある債務名義に係る対象債権の実現を保全するため、民事保全法の規定により、仮差押命令の申立てをすることができる。

Article 56 (1) A Specified Qualified Consumer Organization may file a petition for an order for provisional seizure pursuant to the provisions of the Civil Provisional Remedies Act in order to preserve the fulfillment of the Target Claim pertaining to a title of obligation which the Specified Qualified Consumer Organization has the possibility of acquiring.

２　特定適格消費者団体は、保全すべき権利に係る金銭の支払義務について共通義務確認の訴えを提起することができる場合に限り、前項の申立てをすることができる。

(2) A Specified Qualified Consumer Organization can file the petition set forth in the preceding paragraph only when it can file an Action for Declaratory Judgment on Common Obligations with regard to the monetary payment obligations pertaining to the right to be preserved.

３　第一項の申立てにおいては、保全すべき権利について、対象債権及び対象消費者の範囲並びに当該特定適格消費者団体が取得する可能性のある債務名義に係る対象債権の総額を明らかにすれば足りる。

(3) In filing the petition set forth in paragraph (1), it is sufficient to clarify the range of the Target Claims, the Target Consumer and the total amount of Target Claims pertaining to the title of obligation which the Specified Qualified Consumer Organization has the possibility of acquiring, with regard to the right to be preserved.

４　特定適格消費者団体は、対象債権について、第一項の規定によるもののほか、保全命令の申立てをすることができない。

(4) A Specified Qualified Consumer Organization may not file a petition for an order for a provisional remedy with regard to Target Claims, except for a petition under paragraph (1).

（管轄）

(Jurisdiction)

第五十七条　前条第一項の申立てに関する民事保全法第十一条の規定の適用については、共通義務確認の訴えを本案の訴えとみなす。

Article 57 (1) With regard to the application of Article 11 of the Civil Provisional Remedies Act to the petition set forth in paragraph (1) of the preceding Article, an Action for Declaratory Judgment on Common Obligations is deemed to be an action on the merits.

２　民事保全法第十二条第一項及び第三項の規定の適用については、共通義務確認訴訟の管轄裁判所を本案の管轄裁判所とみなす。

(2) With regard to the application of Article 12, paragraphs (1) and (3) of the Civil Provisional Remedies Act, the court with jurisdiction over Litigation Seeking Declaratory Judgment on Common Obligations is deemed to be the court with jurisdiction over the merits of the case.

（保全取消しに関する本案の特例）

(Special Measures on the Merits of the Case Concerning Revocation of Provisional Remedy)

第五十八条　第五十六条第一項の申立てに係る仮差押命令（以下単に「仮差押命令」という。）に関する民事保全法第三十七条第一項、第三項及び第四項の規定の適用については、当該申立てに係る仮差押えの手続の当事者である特定適格消費者団体がした共通義務確認の訴えの提起を本案の訴えの提起とみなす。

Article 58 (1) With regard to the application of Article 37, paragraphs (1), (3), and (4) of the Civil Provisional Remedies Act to an order for provisional seizure pertaining to the petition set forth in Article 56, paragraph (1) (hereinafter simply referred to as an "Order for Provisional Seizure"), the filing of an Action for Declaratory Judgment on Common Obligations by the Specified Qualified Consumer Organization which is a party to the procedure for provisional seizure pertaining to the petition is deemed to be the filing of an action on the merits.

２　前項の共通義務確認の訴えに係る請求を認容する判決が確定したとき又は請求の認諾（第二条第四号に規定する義務が存することを認める旨の和解を含む。）によって同項の共通義務確認の訴えに係る訴訟が終了したときは、同項の特定適格消費者団体が簡易確定手続開始の申立てをすることができる期間及び当該特定適格消費者団体を当事者とする簡易確定手続又は異議後の訴訟が係属している間は、民事保全法第三十七条第一項及び第三項の規定の適用については、本案の訴えが係属しているものとみなす。

(2) When a judgment upholding a claim pertaining to the Action for Declaratory Judgment on Common Obligations set forth in the preceding paragraph became final and binding or when litigation pertaining to the Action for Declaratory Judgment on Common Obligations set forth in the same paragraph was terminated through acknowledgment of the claims (including a settlement recognizing the presence of the obligation prescribed in Article 2, item (iv)), the action on the merits is deemed to be pending with regard to the application of Article 37, paragraphs (1) and (3) of the Civil Provisional Remedies Act, during the period in which the Specified Qualified Consumer Organization set forth in the preceding paragraph may file a petition for the commencement of Simple Determination Proceedings and while Simple Determination Proceedings or Litigation after Objection to which the Specified Qualified Consumer Organization is a party is pending.

３　民事保全法第三十八条及び第四十条の規定の適用については、第五十六条第一項の申立てに係る仮差押えの手続の当事者である特定適格消費者団体が提起した共通義務確認訴訟に係る第一審裁判所（当該共通義務確認訴訟が控訴審に係属するときは、控訴裁判所）を本案の裁判所とみなす。

(3) With regard to the application of Articles 38 and 40 of the Civil Provisional Remedies Act, the court of first instance for the Litigation Seeking Declaratory Judgment on Common Obligations filed by the Specified Qualified Consumer Organization which is a party to the procedure for provisional seizure pertaining to the petition set forth in Article 56, paragraph (1) (when the Litigation Seeking Declaratory Judgment on Common Obligations is pending before the court of second instance, the court of second instance) is deemed to be the court hearing the case on the merits.

（仮差押えをした特定適格消費者団体の義務）

(Obligation of Specified Qualified Consumer Organizations Who Has Enforced Provisional Seizure)

第五十九条　特定適格消費者団体は、仮差押命令に係る仮差押えの執行がされている財産について強制執行の申立てをし、又は当該財産について強制執行若しくは担保権の実行の手続がされている場合において配当要求をするときは、当該特定適格消費者団体が取得した債務名義及び取得することとなる債務名義に係る届出債権を平等に取り扱わなければならない。

Article 59 When a Specified Qualified Consumer Organization files a petition for compulsory execution with regard to property for which a provisional seizure pertaining to an Order for Provisional Seizure has been executed, or makes a demand for liquidating distribution if the procedure for compulsory execution or exercise of a security interest has been carried out for the property, the Specified Qualified Consumer Organization must treat the Filed Claims pertaining to the title of obligation already acquired and those pertaining to the title of obligation to be acquired in the future by the Specified Qualified Consumer Organization equally.

第四節　補則

Section 4 Auxiliary Provisions

（訴訟代理権の不消滅）

(Non-Extinction of Authority of Representation in Litigation)

第六十条　訴訟代理権は、被害回復裁判手続の当事者である特定適格消費者団体の第六十五条第一項に規定する特定認定が、第七十四条第一項各号に掲げる事由により失効し、又は第八十六条第一項各号若しくは第二項各号に掲げる事由により取り消されたことによっては、消滅しない。

Article 60 The authority of representation in litigation is not to become extinct when the certification as a specified organization prescribed in Article 65, paragraph (1) of the Specified Qualified Consumer Organization which is a party to Court Proceedings for Redress for Damage lapses under the grounds set forth in the items of Article 74, paragraph (1) or is rescinded under the grounds set forth in the items of Article 86, paragraph (1) or the items of paragraph (2) of the same Article.

（手続の中断及び受継）

(Discontinuation and Taking Over of Proceedings)

第六十一条　次の各号に掲げる手続の当事者である特定適格消費者団体の第六十五条第一項に規定する特定認定が、第七十四条第一項各号に掲げる事由により失効し、又は第八十六条第一項各号若しくは第二項各号に掲げる事由により取り消されたときは、その手続は、中断する。この場合において、それぞれ当該各号に定める者は、その手続を受け継がなければならない。

Article 61 (1) When the certification as a specified organization prescribed in Article 65, paragraph (1) of the Specified Qualified Consumer Organization which is a party to the proceedings set forth in the following items lapses under the grounds set forth in the items of Article 74, paragraph (1) or is rescinded under the grounds set forth in the items of Article 86, paragraph (1) or the items of paragraph (2) of the same Article, the proceedings are discontinued. In this case, the persons specified respectively in those items must take over the proceedings:

一　共通義務確認訴訟の手続、簡易確定手続（次号に掲げる簡易確定手続を除く。）又は仮差押命令に係る仮差押えの手続（仮差押えの執行に係る訴訟手続を含む。）　第八十七条第一項の規定による指定を受けた特定適格消費者団体

(i) proceedings of Litigation Seeking Declaratory Judgment on Common Obligations, Simple Determination Proceedings (excluding the Simple Determination Proceedings set forth in the following item), or the procedure for provisional seizure pertaining to an Order for Provisional Seizure (including Litigation Proceedings Pertaining to Execution of Provisional Seizure): the Specified Qualified Consumer Organization designated under Article 87, paragraph (1);

二　簡易確定手続（簡易確定決定があった後の手続に限る。）又は異議後の訴訟の手続　第八十七条第一項の規定による指定を受けた特定適格消費者団体（第三十一条第一項又は第五十三条第一項の授権を得た場合に限る。）又は届出消費者

(ii) Simple Determination Proceedings (limited to proceedings after a Simple Determination Order is made) or proceedings of Litigation after Objection: the Specified Qualified Consumer Organization designated under Article 87, paragraph (1) (limited to the case of having received the delegation of powers set forth in Article 31, paragraph (1) or Article 53, paragraph (1)) or the Consumer Holding the Filed Claim; and

三　特定適格消費者団体が対象債権に関して取得した債務名義に係る民事執行に係る訴訟手続　第八十七条第三項の規定による指定を受けた特定適格消費者団体

(iii) Litigation Proceedings Pertaining to Civil Execution pertaining to the title of obligation acquired with regard to a Target Claim by a Specified Qualified Consumer Organization: the Specified Qualified Consumer Organization designated under Article 87, paragraph (3).

２　前項の規定は、訴訟代理人がある間は、適用しない。

(2) The provisions of the preceding paragraph do not apply while there is a counsel.

３　第一項（第一号に係る部分に限る。）の規定は、共通義務確認訴訟又は簡易確定手続（特定適格消費者団体であった法人が債権届出をした場合を除く。）において、他に当事者である特定適格消費者団体がある場合には、適用しない。

(3) The provisions of paragraph (1) (limited to the portion pertaining to item (i)) do not apply when there is another Specified Qualified Consumer Organization which is a party in Litigation Seeking Declaratory Judgment on Common Obligations or Simple Determination Proceedings (excluding the case where a corporation which had been a Specified Qualified Consumer Organization carried out the Filing of Proofs of Claims).

（関連する請求に係る訴訟手続の中止）

(Suspension of Litigation Proceedings Pertaining to Related Claims)

第六十二条　共通義務確認訴訟が係属する場合において、当該共通義務確認訴訟の当事者である事業者と対象消費者との間に他の訴訟が係属し、かつ、当該他の訴訟が当該共通義務確認訴訟の目的である請求又は防御の方法と関連する請求に係るものであるときは、当該他の訴訟の受訴裁判所は、当事者の意見を聴いて、決定で、その訴訟手続の中止を命ずることができる。

Article 62 (1) When Litigation Seeking Declaratory Judgment on Common Obligations is pending, if another pending litigation between the Company who are parties to the Litigation Seeking Declaratory Judgment on Common Obligations and the Target Consumers and the relevant other litigation pertains to the claim that is the subject matter of the Litigation Seeking Declaratory Judgment on Common Obligations or the claim connected with the allegations and evidence for the defense, the court in charge of the case of the relevant other litigation may order the suspension of such litigation proceedings, by an order, after hearing the opinions of the parties.

２　前項の受訴裁判所は、同項の決定を取り消すことができる。

(2) The court in charge of the case set forth in the preceding paragraph may revoke the order set forth in the same paragraph.

（共通義務確認訴訟の判決が再審により取り消された場合の取扱い）

(Treatment If Judgment of Litigation Seeking Declaratory Judgment on Common Obligations Has Been Revoked)

第六十三条　簡易確定手続開始決定の前提となった共通義務確認訴訟の判決が再審により取り消された場合には、簡易確定手続が係属する裁判所は、決定で、債権届出（当該簡易確定手続開始決定の前提となった共通義務確認訴訟の判決が取り消されたことによってその前提を欠くこととなる部分に限る。）を却下しなければならない。

Article 63 (1) When a judgment of Litigation Seeking Declaratory Judgment on Common Obligations which served as a premise for an Order of Commencement of Simple Determination Proceedings has been revoked by a retrial, the court before which the Simple Determination Proceedings are pending must dismiss the Filing of Proofs of Claims (limited to the portion of which premise will be lost as a result of the revocation of the judgment of Litigation Seeking Declaratory Judgment on Common Obligations which served as a premise for the Order of Commencement of Simple Determination Proceedings) by an order.

２　前項の決定に対しては、即時抗告をすることができる。

(2) An immediate appeal may be filed against the order set forth in the preceding paragraph.

３　第一項の場合には、第五十二条第一項の規定により訴えの提起があったものとみなされる事件が係属する裁判所は、判決で、当該訴え（当該簡易確定手続開始決定の前提となった共通義務確認訴訟の判決が取り消されたことによってその前提を欠くこととなる部分に限る。）を却下しなければならない。

(3) In the case set forth in paragraph (1), the court before which a case where an action is deemed to have been filed pursuant to the provisions of Article 52, paragraph (1) is pending must dismiss the action (limited to the portion of which premise will be lost as a result of the revocation of the judgment of Litigation Seeking Declaratory Judgment on Common Obligations which served as a premise for the Order of Commencement of Simple Determination Proceedings) by an order.

（最高裁判所規則）

(Rules of the Supreme Court)

第六十四条　この章に定めるもののほか、被害回復裁判手続に関し必要な事項は、最高裁判所規則で定める。

Article 64 Beyond what is provided for in this Chapter, necessary matters concerning Court Proceedings for Redress for Damage are to be specified by the Rules of the Supreme Court.

第三章　特定適格消費者団体

Chapter III Specified Qualified Consumer Organization

第一節　特定適格消費者団体の認定等

Section 1 Certification of Specified Qualified Consumer Organizations, etc.

（特定適格消費者団体の認定）

(Certification of Specified Qualified Consumer Organizations)

第六十五条　適格消費者団体は、内閣総理大臣の認定（以下「特定認定」という。）を受けた場合に限り、被害回復関係業務を行うことができる。

Article 65 (1) A Qualified Consumer Organization may provide services related to redress for damage only if it has received certification from the Prime Minister (hereinafter referred to as the "Certification as a Specified Organization").

２　前項に規定する「被害回復関係業務」とは、次に掲げる業務をいう。

(2) The "Services Related to Redress for Damage" prescribed in the preceding paragraph mean the following services:

一　被害回復裁判手続に関する業務（第三十一条第一項又は第五十三条第一項の授権に係る債権に係る裁判外の和解を含む。）

(i) services related to Court Proceedings for Redress for Damage (including a non-judicial settlement concerning a claim pertaining to the delegation of powers set forth in Article 31, paragraph (1) or Article 53, paragraph (1));

二　前号に掲げる業務の遂行に必要な消費者の被害に関する情報の収集に係る業務

(ii) services pertaining to the collection of information concerning the damage incurred by Consumers which is necessary for performing the services set forth in the preceding item; and

三　第一号に掲げる業務に付随する対象消費者に対する情報の提供及び金銭その他の財産の管理に係る業務

(iii) services pertaining to the provision of information to Target Consumers, management of money or any other property incidental to the services set forth in item (i).

３　特定認定を受けようとする適格消費者団体は、内閣総理大臣に特定認定の申請をしなければならない。

(3) A Qualified Consumer Organization which intends to receive Certification as a Specified Organization must file an application for Certification as a Specified Organization with the Prime Minister.

４　内閣総理大臣は、前項の申請をした適格消費者団体が次に掲げる要件の全てに適合しているときに限り、特定認定をすることができる。

(4) The Prime Minister may grant Certification as a Specified Organization only when the Qualified Consumer Organization which has filed the application set forth in the preceding paragraph satisfies all of the following requirements:

一　差止請求関係業務（消費者契約法第十三条第一項に規定する差止請求関係業務をいう。以下同じ。）を相当期間にわたり継続して適正に行っていると認められること。

(i) the organization is found to have provided Services Related to Injunction Demands (meaning the services related to injunction demands prescribed in Article 13, paragraph (1) of the Consumer Contract Act; the same applies hereinafter) continuously and properly for a reasonable period of time;

二　第二項に規定する被害回復関係業務（以下単に「被害回復関係業務」という。）の実施に係る組織、被害回復関係業務の実施の方法、被害回復関係業務に関して知り得た情報の管理及び秘密の保持の方法、被害回復関係業務の実施に関する金銭その他の財産の管理の方法その他の被害回復関係業務を適正に遂行するための体制及び業務規程が適切に整備されていること。

(ii) the organization appropriately has prepared the organization for implementing Services Related to Redress for Damage as prescribed in paragraph (2) (hereinafter simply referred to as "Services Related to Redress for Damage"), the method of providing Services Related to Redress for Damage, the method of managing information and keeping secrets that have been acquired in relation to Services Related to Redress for Damage, the method of managing money or any other property related to the provision of Services Related to Redress for Damage, or any other systems for properly performing Services Related to Redress for Damage, as well as operational rules; and

三　その理事に関し、次に掲げる要件に適合するものであること。

(iii) the directors of the organization satisfy the following requirements:

イ　被害回復関係業務の執行を決定する機関として理事をもって構成する理事会が置かれており、かつ、定款で定めるその決定の方法が次に掲げる要件に適合していると認められること。

(a) there is a council consisting of directors as an organ that makes decisions on the provision of Services Related to Redress for Damage, and the method of making such decisions as specified in the articles of incorporation is found to satisfy the following requirements:

（１）　当該理事会の決議が理事の過半数又はこれを上回る割合以上の多数決により行われるものとされていること。

1. a resolution of the council is adopted by a majority of directors or by a majority vote exceeding this proportion; and

（２）　共通義務確認の訴えの提起その他の被害回復関係業務の執行に係る重要な事項の決定が理事その他の者に委任されていないこと。

2. decisions on the filing of Actions for Declaratory Judgment on Common Obligations and any other important matters pertaining to the performance of Services Related to Redress for Damage are not delegated to the directors or any other persons; and

ロ　理事のうち一人以上が弁護士であること。

(b) there is one or more director who is an attorney;

四　共通義務確認の訴えの提起その他の被害回復裁判手続についての検討を行う部門において消費者契約法第十三条第三項第五号イ及びロに掲げる者（以下「専門委員」と総称する。）が共にその専門的な知識経験に基づいて必要な助言を行い又は意見を述べる体制が整備されていることその他被害回復関係業務を遂行するための人的体制に照らして、被害回復関係業務を適正に遂行することができる専門的な知識経験を有すると認められること。

(iv) the organization is found to have expert knowledge and experience in regards to properly performing Services Related to Redress for Damage, in light of the fact that it has a system whereby the persons set forth in Article 13, paragraph (3), item (v), (a) and (b) of the Consumer Contract Act (hereinafter collectively referred to as "Expert Advisors") are able to jointly provide necessary advice and state their opinions based on their expert knowledge and experience in a department that reviews the filing of Actions for Declaratory Judgment on Common Obligations and any other Court Proceedings for Redress for Damage, or in light of any other system of human resources which the organization has for performing Services Related to Redress for Damage;

五　被害回復関係業務を適正に遂行するに足りる経理的基礎を有すること。

(v) the organization has sufficient financial basis for properly performing Services Related to Redress for Damage;

六　被害回復関係業務に関して支払を受ける報酬又は費用がある場合には、その額又は算定方法、支払方法その他必要な事項を定めており、これが消費者の利益の擁護の見地から不当なものでないこと。

(vi) when there is any remuneration or expenses payable with regard to Services Related to Redress for Damage, the organization has specified the amount or the calculation method thereof, the method of payment thereof, and other necessary matters, and these are not unreasonable from the viewpoint of protecting Consumer interests; and

七　被害回復関係業務以外の業務を行うことによって被害回復関係業務の適正な遂行に支障を及ぼすおそれがないこと。

(vii) even if the organization provides services other than Services Related to Redress for Damage, this is not likely to impede the proper performance of Services Related to Redress for Damage.

５　前項第二号の業務規程には、被害回復関係業務の実施の方法、被害回復関係業務に関して知り得た情報の管理及び秘密の保持の方法、被害回復関係業務の実施に関する金銭その他の財産の管理の方法その他の内閣府令で定める事項が定められていなければならない。この場合において、業務規程に定める被害回復関係業務の実施の方法には、簡易確定手続授権契約及び訴訟授権契約の内容並びに請求の放棄、和解又は上訴の取下げをしようとする場合において第三十一条第一項又は第五十三条第一項の授権をした者（第七十六条において単に「授権をした者」という。）の意思を確認するための措置、前項第四号の検討を行う部門における専門委員からの助言又は意見の聴取に関する措置及び役員、職員又は専門委員が被害回復裁判手続の相手方と特別の利害関係を有する場合の措置その他業務の公正な実施の確保に関する措置が含まれていなければならない。

(5) The operational rules set forth in item (ii) of the preceding paragraph must provide for the method of providing Services Related to Redress for Damage, the method of managing information and keeping secrets that have been acquired in relation to Services Related to Redress for Damage, the method of managing money or any other property related to the provision of Services Related to Redress for Damage, or any other matters specified by Cabinet Office Order. In this case, the method of providing Services Related to Redress for Damage provided for in the operational rules must include measures for confirming the intention of the person who made the delegation of powers set forth in Article 31, paragraph (1) or Article 53, paragraph (1) (simply referred to as the "Person who Made the Delegation of Powers" in Article 76) in the case of waiving the contents of or claims pertaining to a Contract for Delegation of Powers for Simple Determination Proceedings or a Contract for Delegation of Powers for Litigation, entering into a settlement, or withdrawing an appeal, measures concerning receiving advice, or hearing the opinions from Expert Advisors in the department that conducts the review set forth in item (iv) of the preceding paragraph, measures for the case where an officer, employee, or an Expert Advisor has a special interest in the opponent in Court Proceedings for Redress for Damage, and other measures for ensuring the fair provision of services.

６　次のいずれかに該当する適格消費者団体は、特定認定を受けることができない。

(6) A Qualified Consumer Organization which falls under any of the following categories may not receive Certification as a Specified Organization:

一　この法律、消費者契約法その他消費者の利益の擁護に関する法律で政令で定めるもの若しくはこれらの法律に基づく命令の規定又はこれらの規定に基づく処分に違反して罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しないもの

(i) an organization which has been sentenced to a fine for violating the provisions of this Act, the Consumer Contract Act, and other Acts for protecting Consumer interests which are specified by Cabinet Order, or of an order based on any of these Acts, or a disposition based on any of these provisions, and for which three years have yet to pass from the day on which the execution of the sentence was completed, or the day on which the organization ceased to be subject to the execution of the sentence;

二　第八十六条第一項各号又は第二項各号に掲げる事由により特定認定を取り消され、その取消しの日から三年を経過しないもの

(ii) an organization of which Certification as a Specified Organization was rescinded under the grounds set forth in the items of Article 86, paragraph (1) or the items of paragraph (2) of the same Article and for which three years have yet to pass from the day of the rescission; or

三　役員のうちに次のいずれかに該当する者のあるもの

(iii) an organization which has a director who falls under either of the following categories:

イ　この法律、消費者契約法その他消費者の利益の擁護に関する法律で政令で定めるもの若しくはこれらの法律に基づく命令の規定又はこれらの規定に基づく処分に違反して罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(a) a person who has been sentenced to a fine for violating the provisions of this Act, the Consumer Contract Act, and other Acts for protecting Consumer interests which are specified by Cabinet Order, or of an order based on any of these Acts, or a disposition based on any of these provisions, and for which three years have yet to pass from the day on which the execution of the sentence was completed or the day on which the person ceased to be subject to the execution of the sentence;

ロ　特定適格消費者団体が第八十六条第一項各号又は第二項各号に掲げる事由により特定認定を取り消された場合において、その取消しの日前六月以内に当該特定適格消費者団体の役員であった者でその取消しの日から三年を経過しないもの

(b) when the Certification as a Specified Organization of a Specified Qualified Consumer Organization is rescinded under the grounds set forth in the items of Article 86, paragraph (1) or the items of paragraph (2) of the same Article, a person who was an officer of the Specified Qualified Consumer Organization within six months prior to the day of the rescission and for whom three years have yet to pass from the day of the rescission.

（特定認定の申請）

(Application for Certification as a Specified Organization)

第六十六条　前条第三項の申請は、次に掲げる事項を記載した申請書を内閣総理大臣に提出してしなければならない。

Article 66 (1) The application set forth in paragraph (3) of the preceding Article must be filed by submitting a written application stating the following particulars to the Prime Minister:

一　名称及び住所並びに代表者の氏名

(i) the applicant's name, address, and the name of the representative;

二　被害回復関係業務を行おうとする事務所の所在地

(ii) the location of the office where Services Related to Redress for Damage are to be provided; and

三　前二号に掲げるもののほか、内閣府令で定める事項

(iii) beyond what is provided for in the preceding two items, particulars specified by Cabinet Office Order.

２　前項の申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application set forth in the preceding paragraph:

一　定款

(i) the articles of incorporation;

二　差止請求関係業務を相当期間にわたり継続して適正に行っていることを証する書類

(ii) a document proving that the organization has provided Services Related to Injunction Demands continuously and properly for a reasonable period of time;

三　被害回復関係業務に関する業務計画書

(iii) documented business plans concerning Services Related to Redress for Damage;

四　被害回復関係業務を適正に遂行するための体制が整備されていることを証する書類

(iv) a document proving that the organization has systems for properly performing Services Related to Redress for Damage;

五　業務規程

(v) the operational rules;

六　役員、職員及び専門委員に関する次に掲げる書類

(vi) the following documents concerning officers, employees, and Expert Advisors:

イ　氏名、役職及び職業を記載した書類

(a) a document stating their names, titles, occupations; and

ロ　住所、略歴その他内閣府令で定める事項を記載した書類

(b) a document stating their addresses, brief biographical outlines, and other particulars specified by Cabinet Office Order;

七　最近の事業年度における財産目録、貸借対照表、収支計算書その他の経理的基礎を有することを証する書類

(vii) the inventories of property, balance sheets, income and expenditure statements for recent business years, or any other document proving that the organization has sufficient financial basis;

八　被害回復関係業務に関して支払を受ける報酬又は費用がある場合には、その額又は算定方法、支払方法その他必要な事項を記載した書類

(viii) when there are any remuneration or expenses payable with regard to Services Related to Redress for Damage, a document stating the amount or the calculation method thereof, the method of payment thereof, and other necessary particulars;

九　前条第六項各号のいずれにも該当しないことを誓約する書面

(ix) a document pledging that the organization does not fall under any of the items of paragraph (6) of the preceding Article;

十　被害回復関係業務以外に行う業務の種類及び概要を記載した書類

(x) a document stating the kinds and outlines of services to be provided other than Services Related to Redress for Damage; and

十一　その他内閣府令で定める書類

(xi) other documents specified by Cabinet Office Order.

（特定認定の申請に関する公告及び縦覧）

(Public Notice and Public Inspection Concerning Application for Certification as a Specified Organization)

第六十七条　内閣総理大臣は、特定認定の申請があった場合には、遅滞なく、内閣府令で定めるところにより、その旨並びに前条第一項第一号及び第二号に掲げる事項を公告するとともに、同条第二項各号（第六号ロ、第九号及び第十一号を除く。）に掲げる書類を、公告の日から二週間、公衆の縦覧に供しなければならない。

Article 67 When an application for Certification as a Specified Organization is filed, the Prime Minister must, without delay, give public notice of such fact and the matters set forth in paragraph (1), items (i) and (ii) of the preceding Article pursuant to the provisions of Cabinet Office Order, and make the documents set forth in the items of paragraph (2) of the same Article (excluding item (vi), (b), item (ix), and item (xi)) available for public inspection for two weeks from the day of the public notice.

（特定認定の公示等）

(Public Notice of Certification as a Specified Organization)

第六十八条　内閣総理大臣は、特定認定をしたときは、内閣府令で定めるところにより、当該特定適格消費者団体の名称及び住所、被害回復関係業務を行う事務所の所在地並びに当該特定認定をした日を公示するとともに、当該特定適格消費者団体に対し、その旨を書面により通知するものとする。

Article 68 (1) When the Prime Minister grants Certification as a Specified Organization, the Prime Minister is to give public notice of the name and address of the Specified Qualified Consumer Organization, the location of the office where Services Related to Redress for Damage are provided, and the day of the grant of the Certification as a Specified Organization pursuant to the provisions of Cabinet Office Order, and notify the Specified Qualified Consumer Organization to that effect in writing.

２　特定適格消費者団体は、内閣府令で定めるところにより、特定適格消費者団体である旨を、被害回復関係業務を行う事務所において見やすいように掲示しなければならない。

(2) A Specified Qualified Consumer Organization must post a notice to the effect that the Specified Qualified Consumer Organization is in a manner readily recognizable at the office where Services Related to Redress for Damage are provided, pursuant to the provisions of Cabinet Office Order.

３　特定適格消費者団体でない者は、その名称中に特定適格消費者団体であると誤認されるおそれのある文字を用い、又はその業務に関し、特定適格消費者団体であると誤認されるおそれのある表示をしてはならない。

(3) A person who is not a Specified Qualified Consumer Organization must not use any letters or characters in the name thereof which would likely cause the person to be mistaken for a Specified Qualified Consumer Organization or make an indication with regard to the person's services which would likely cause the person to be mistaken for a Specified Qualified Consumer Organization.

（特定認定の有効期間等）

(Validity Period of Certification as a Specified Organization)

第六十九条　特定認定の有効期間は、当該特定認定の日から起算して三年とする。ただし、当該特定認定の日における当該特定認定に係る消費者契約法第十三条第一項の認定の有効期間の残存期間が特定認定の有効期間より短い場合には、同項の認定の有効期間の残存期間と同一とする。

Article 69 (1) The validity period of Certification as a Specified Organization is three years from the day of the grant of the Certification as a Specified Organization; provided, however, that when the remainder of the validity period of the certification set forth in Article 13, paragraph (1) of the Consumer Contract Act pertaining to the Certification as a Specified Organization as of the day of the grant of the Certification as a Specified Organization is shorter than the validity period of the Certification as a Specified Organization, it is the same as the remainder of the validity period of the certification set forth in the same paragraph.

２　特定認定の有効期間の満了後引き続き被害回復関係業務を行おうとする特定適格消費者団体は、その有効期間の更新を受けなければならない。

(2) A Specified Qualified Consumer Organization which intends to continue providing Services Related to Redress for Damage after the expiration of the validity period of Certification as a Specified Organization must receive a renewal of the validity period.

３　前項の有効期間の更新を受けようとする特定適格消費者団体は、当該有効期間の満了の日の九十日前から六十日前までの間（以下この項において「更新申請期間」という。）に、内閣総理大臣に前項の有効期間の更新の申請をしなければならない。ただし、災害その他やむを得ない事由により更新申請期間にその申請をすることができないときは、この限りでない。

(3) A Specified Qualified Consumer Organization which intends to receive the renewal of the validity period set forth in the preceding paragraph must file an application for the renewal of the validity period set forth in the preceding paragraph with the Prime Minister during the period from 90 days prior to the day of the expiration of the validity period until 60 days prior to the day (hereinafter referred to as the "Period for Application for Renewal" in this paragraph); provided, however, that this does not apply when the application cannot be filed during the Period for Application for Renewal due to a disaster and on other unavoidable grounds.

４　前項の申請があった場合において、当該有効期間の満了の日までにその申請に対する処分がされないときは、従前の特定認定は、当該有効期間の満了後もその処分がされるまでの間は、なお効力を有する。

(4) If the application set forth in the preceding paragraph has been filed, and a disposition on the application is not made by the day of the expiration of the validity period, the former Certification as a Specified Organization remains effective after the expiration of the validity period until the disposition is made.

５　前項の場合において、第二項の有効期間の更新がされたときは、その特定認定の有効期間は、従前の特定認定の有効期間の満了の日の翌日から起算するものとする。

(5) In the case referred to in the preceding paragraph, if the validity period set forth in paragraph (2) has been renewed, the validity period of the renewed Certification as a Specified Organization is to be calculated from the day following the expiration date of the validity period of the former Certification as a Specified Organization.

６　第六十五条（第一項、第二項及び第六項第二号を除く。）、第六十六条、第六十七条及び前条第一項の規定は、第二項の有効期間の更新について準用する。ただし、第六十六条第二項各号に掲げる書類については、既に内閣総理大臣に提出されている当該書類の内容に変更がないときは、その添付を省略することができる。

(6) The provisions of Article 65 (excluding paragraphs (1) and (2) and paragraph (6), item (ii)), Articles 66 and 67, and paragraph (1) of the preceding Article apply mutatis mutandis to the renewal of the validity period set forth in paragraph (2); provided, however, that the attachment of the documents set forth in the items of Article 66, paragraph (2) may be omitted when there is no change to the contents of the documents which have already been submitted to the Prime Minister.

（変更の届出）

(Notification of Change)

第七十条　特定適格消費者団体は、第六十六条第一項各号に掲げる事項又は同条第二項各号（第二号及び第十一号を除く。）に掲げる書類に記載した事項に変更があったときは、遅滞なく、内閣府令で定めるところにより、その旨を記載した届出書を内閣総理大臣に提出しなければならない。ただし、その変更が内閣府令で定める軽微なものであるときは、この限りでない。

Article 70 If there has been a change to any of the matters set forth in the items of Article 66, paragraph (1) or particulars stated in the documents set forth in the items of paragraph (2) of the same Article (excluding items (ii) and (xi)), the Specified Qualified Consumer Organization must, without delay, submit a written notice containing a statement to that effect to the Prime Minister, pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply when such change is a minor change as specified by Cabinet Office Order.

（合併の届出及び認可等）

(Notification and Approval of Merger)

第七十一条　特定適格消費者団体である法人が他の特定適格消費者団体である法人と合併をしたときは、合併後存続する法人又は合併により設立された法人は、合併により消滅した法人のこの法律の規定による特定適格消費者団体としての地位を承継する。

Article 71 (1) When a corporation which is a Specified Qualified Consumer Organization merges with another corporation which is a Specified Qualified Consumer Organization, the corporation surviving the merger or the corporation established by the merger succeeds to the status of the corporation that has disappeared by the merger as a Specified Qualified Consumer Organization under the provisions of this Act.

２　前項の規定により合併により消滅した法人のこの法律の規定による特定適格消費者団体としての地位を承継した法人は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) A corporation which has, pursuant to the provisions of the preceding paragraph, succeeded to the status of the corporation that has disappeared due to a merger as a Specified Qualified Consumer Organization under the provisions of this Act must notify the Prime Minister to that effect without delay.

３　特定適格消費者団体である法人が特定適格消費者団体でない法人（適格消費者団体である法人に限る。）と合併をした場合には、合併後存続する法人又は合併により設立された法人は、その合併について内閣総理大臣の認可がされたときに限り、合併により消滅した法人のこの法律の規定による特定適格消費者団体としての地位を承継する。

(3) When a corporation which is a Specified Qualified Consumer Organization merges with a corporation which is not a Specified Qualified Consumer Organization (limited to a corporation which is a Qualified Consumer Organization), the corporation surviving the merger or the corporation established by the merger succeeds to the status of the corporation that has disappeared due to a merger as a Specified Qualified Consumer Organization under the provisions of this Act, only if the Prime Minister has approved the merger.

４　前項の認可を受けようとする特定適格消費者団体は、その合併がその効力を生ずる日の九十日前から六十日前までの間（以下この項において「認可申請期間」という。）に、内閣総理大臣に認可の申請をしなければならない。ただし、災害その他やむを得ない事由により認可申請期間にその申請をすることができないときは、この限りでない。

(4) A Specified Qualified Consumer Organization which intends to obtain the approval set forth in the preceding paragraph must file an application for the approval with the Prime Minister during the period from 90 days prior to the day on which the merger becomes effective until 60 days prior to the day (hereinafter referred to as the "Period for Application for Approval" in this paragraph); provided, however, that this does not apply when the application cannot be filed during the Period for Application for Approval due to a disaster and on other unavoidable grounds.

５　前項の申請があった場合において、その合併がその効力を生ずる日までにその申請に対する処分がされないときは、合併後存続する法人又は合併により設立された法人は、その処分がされるまでの間は、合併により消滅した法人のこの法律の規定による特定適格消費者団体としての地位を承継しているものとみなす。

(5) If the application set forth in the preceding paragraph has been filed, and a disposition on the application is not made by the day on which the merger becomes effective, the corporation surviving the merger or the corporation established by the merger is deemed to have succeeded to the status of the corporation extinguished by the merger as a Specified Qualified Consumer Organization under the provisions of this Act until the disposition is made.

６　第六十五条（第一項及び第二項を除く。）、第六十六条、第六十七条及び第六十八条第一項の規定は、第三項の認可について準用する。

(6) The provisions of Article 65 (excluding paragraphs (1) and (2)), Articles 66 and 67, and Article 68, paragraph (1) apply mutatis mutandis to the approval set forth in paragraph (3).

７　特定適格消費者団体である法人は、特定適格消費者団体でない法人と合併をする場合において、第四項の申請をしないときは、その合併がその効力を生ずる日までに、その旨を内閣総理大臣に届け出なければならない。

(7) When a corporation which is a Specified Qualified Consumer Organization does not file the application set forth in paragraph (4) in the case of merging with a corporation which is not a Specified Qualified Consumer Organization, it must notify the Prime Minister to that effect by the day on which the merger becomes effective.

８　内閣総理大臣は、第二項又は前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示するものとする。

(8) When notification under paragraph (2) or the preceding paragraph is made, the Prime Minister is to give public notice to that effect pursuant to the provisions of Cabinet Office Order.

（事業の譲渡の届出及び認可等）

(Notification and Approval of a Business Transfer)

第七十二条　特定適格消費者団体である法人が他の特定適格消費者団体である法人に対し被害回復関係業務に係る事業の全部の譲渡をしたときは、その譲渡を受けた法人は、その譲渡をした法人のこの法律の規定による特定適格消費者団体としての地位を承継する。

Article 72 (1) When a corporation which falls under the category of a Specified Qualified Consumer Organization transfers all of its business pertaining to Services Related to Redress for Damage to another corporation under the category of a Specified Qualified Consumer Organization, the transferee corporation succeeds to the status of the transferor corporation as a Specified Qualified Consumer Organization under the provisions of this Act.

２　前項の規定によりその譲渡をした法人のこの法律の規定による特定適格消費者団体としての地位を承継した法人は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) A corporation which has, pursuant to the provisions of the preceding paragraph, succeeded to the status of the transferor corporation as a Specified Qualified Consumer Organization under the provisions of this Act must notify the Prime Minister to that effect without delay.

３　特定適格消費者団体である法人が特定適格消費者団体でない法人（適格消費者団体である法人に限る。）に対し被害回復関係業務に係る事業の全部の譲渡をした場合には、その譲渡を受けた法人は、その譲渡について内閣総理大臣の認可がされたときに限り、その譲渡をした法人のこの法律の規定による特定適格消費者団体としての地位を承継する。

(3) When a corporation is a Specified Qualified Consumer Organization, transfers all of its business pertaining to Services Related to Redress for Damage to a corporation which is not a Specified Qualified Consumer Organization (limited to a corporation which is a Qualified Consumer Organization), the transferee corporation succeeds to the status of the transferor corporation as a Specified Qualified Consumer Organization under the provisions of this Act, only if the Prime Minister has approved the transfer.

４　前項の認可を受けようとする特定適格消費者団体は、その譲渡の日の九十日前から六十日前までの間（以下この項において「認可申請期間」という。）に、内閣総理大臣に認可の申請をしなければならない。ただし、災害その他やむを得ない事由により認可申請期間にその申請をすることができないときは、この限りでない。

(4) A Specified Qualified Consumer Organization which intends to obtain the approval set forth in the preceding paragraph must file an application for the approval with the Prime Minister during the period from 90 days prior to the day of the transfer until 60 days prior to the day (hereinafter referred to as the "Period for Application for Approval" in this paragraph); provided, however, that this does not apply when the application cannot be filed during the Period for Application for Approval due to a disaster and on other unavoidable grounds.

５　前項の申請があった場合において、その譲渡の日までにその申請に対する処分がされないときは、その譲渡を受けた法人は、その処分がされるまでの間は、その譲渡をした法人のこの法律の規定による特定適格消費者団体としての地位を承継しているものとみなす。

(5) If the application set forth in the preceding paragraph has been filed, and a disposition on the application is not made by the day of the transfer, the transferee corporation is deemed to have succeeded to the status of the transferor corporation as a Specified Qualified Consumer Organization under the provisions of this Act until the disposition is made.

６　第六十五条（第一項及び第二項を除く。）、第六十六条、第六十七条及び第六十八条第一項の規定は、第三項の認可について準用する。

(6) The provisions of Article 65 (excluding paragraphs (1) and (2)), Articles 66 and 67, and Article 68, paragraph (1) apply mutatis mutandis to the approval set forth in paragrap h (3).

７　特定適格消費者団体である法人は、特定適格消費者団体でない法人に対し被害回復関係業務に係る事業の全部の譲渡をする場合において、第四項の申請をしないときは、その譲渡の日までに、その旨を内閣総理大臣に届け出なければならない。

(7) When a corporation which is a Specified Qualified Consumer Organization does not file the application set forth in paragraph (4) in the case of transferring all of its business pertaining to Services Related to Redress for Damage to a corporation which is not a Specified Qualified Consumer Organization, it must notify the Prime Minister to that effect by the day of the transfer.

８　内閣総理大臣は、第二項又は前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示するものとする。

(8) When a notification under paragraph (2) or the preceding paragraph is made, the Prime Minister is to give public notice to that effect pursuant to the provisions of Cabinet Office Order.

（業務廃止の届出）

(Notification of Discontinuance of Services)

第七十三条　特定適格消費者団体が被害回復関係業務を廃止したときは、法人の代表者は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 73 (1) When a Specified Qualified Consumer Organization discontinues Services Related to Redress for Damage, the representative of the corporation must notify the Prime Minister to that effect without delay.

２　内閣総理大臣は、前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示するものとする。

(2) When a notification under the preceding paragraph is made, the Prime Minister is to give public notice to that effect pursuant to the provisions of Cabinet Office Order.

（特定認定の失効）

(Lapse of Certification as a Specified Organization)

第七十四条　特定適格消費者団体について、次のいずれかに掲げる事由が生じたときは、特定認定は、その効力を失う。

Article 74 (1) When any of the following grounds arise with regard to a Specified Qualified Consumer Organization, the Certification as a Specified Organization ceases to be effective:

一　特定認定の有効期間が経過したとき（第六十九条第四項に規定する場合にあっては、更新拒否処分がされたとき）。

(i) when the validity period of the Certification as a Specified Organization expires (in the case prescribed in Article 69, paragraph (4), when a disposition to refuse the renewal is made);

二　特定適格消費者団体である法人が特定適格消費者団体でない法人と合併をした場合において、その合併が第七十一条第三項の認可を経ずにその効力を生じたとき（同条第五項に規定する場合にあっては、その合併の不認可処分がされたとき）。

(ii) when a corporation which is a Specified Qualified Consumer Organization merges with a corporation which is not a Specified Qualified Consumer Organization, and the merger becomes effective without the approval set forth in Article 71, paragraph (3) (in the case prescribed in paragraph (5) of the same Article, when a disposition to disapprove the merger is made);

三　特定適格消費者団体である法人が特定適格消費者団体でない法人に対し被害回復関係業務に係る事業の全部の譲渡をした場合において、その譲渡が第七十二条第三項の認可を経ずにされたとき（同条第五項に規定する場合にあっては、その譲渡の不認可処分がされたとき）。

(iii) when a corporation which is a Specified Qualified Consumer Organization transfers all of its business pertaining to Services Related to Redress for Damage to a corporation which is not a Specified Qualified Consumer Organization, and the transfer is made without the approval set forth in Article 72, paragraph (3) (in the case prescribed in paragraph (5) of the same Article, when a disposition to disapprove the transfer is made);

四　特定適格消費者団体が被害回復関係業務を廃止したとき。

(iv) when a Specified Qualified Consumer Organization discontinues Services Related to Redress for Damage; or

五　消費者契約法第十三条第一項の認定が失効し、又は取り消されたとき。

(v) when the certification set forth in Article 13, paragraph (1) of the Consumer Contract Act lapses or is rescinded.

２　内閣総理大臣は、前項各号に掲げる事由が生じたことを知った場合において、特定適格消費者団体であった法人を当事者とする被害回復裁判手続が現に係属しているときは、その被害回復裁判手続が係属している裁判所に対し、その特定認定が失効した旨を書面により通知しなければならない。

(2) When the Prime Minister finds out that any of the grounds set forth in the items of the preceding paragraph have arisen, if the corporation which was a Specified Qualified Consumer Organization is a party to any pending Court Proceedings for Redress for Damage, the Prime Minister must notify the court before which the Court Proceedings for Redress for Damage are pending of the lapse of the Certification as a Specified Organization in writing.

第二節　被害回復関係業務等

Section 2 Services Related to Redress for Damage, etc.

（特定適格消費者団体の責務）

(Responsibilities of Specified Qualified Consumer Organizations)

第七十五条　特定適格消費者団体は、対象消費者の利益のために、被害回復関係業務を適切に実施しなければならない。

Article 75 (1) A Specified Qualified Consumer Organization must provide Services Related to Redress for Damage appropriately for the interest of the Target Consumers.

２　特定適格消費者団体は、不当な目的でみだりに共通義務確認の訴えの提起その他の被害回復関係業務を実施してはならない。

(2) A Specified Qualified Consumer Organization must not file an Action for Declaratory Judgment on Common Obligations or provide any other Services Related to Redress for Damage for unjust purposes and without due cause.

３　特定適格消費者団体は、被害回復関係業務について他の特定適格消費者団体と相互に連携を図りながら協力するように努めなければならない。

(3) A Specified Qualified Consumer Organization must strive to cooperate with other Specified Qualified Consumer Organizations with regard to Services Related to Redress for Damage while coordinating with each other.

（報酬）

(Remuneration)

第七十六条　特定適格消費者団体は、授権をした者との簡易確定手続授権契約又は訴訟授権契約で定めるところにより、被害回復関係業務を行うことに関し、報酬を受けることができる。

Article 76 A Specified Qualified Consumer Organization can receive remuneration for the provision of Services Related to Redress for Damage pursuant to the provisions of the Contract for Delegation of Powers for Simple Determination Proceedings or the Contract for Delegation of Powers for Litigation concluded with the Person who Made the Delegation of Powers.

（弁護士に追行させる義務）

(Obligation to Have Attorney Conduct Proceedings)

第七十七条　特定適格消費者団体は、被害回復関係業務を行う場合において、民事訴訟に関する手続（簡易確定手続を含む。）、仮差押命令に関する手続及び執行抗告（仮差押えの執行の手続に関する裁判に対する執行抗告を含む。）に係る手続については、弁護士に追行させなければならない。

Article 77 When a Specified Qualified Consumer Organization provides Services Related to Redress for Damage, it must have an attorney conduct the proceedings concerning civil litigation (including Simple Determination Proceedings), proceedings concerning an Order for Provisional Seizure, and proceedings pertaining to an appeal against a disposition of execution (including an appeal against a judicial decision concerning proceedings for the execution of provisional seizure).

（他の特定適格消費者団体への通知等）

(Notice to Other Specified Qualified Consumer Organizations)

第七十八条　特定適格消費者団体は、次に掲げる場合には、内閣府令で定めるところにより、遅滞なく、その旨を他の特定適格消費者団体に通知するとともに、その旨及びその内容を内閣総理大臣に報告しなければならない。この場合において、当該特定適格消費者団体が、当該通知及び報告に代えて、全ての特定適格消費者団体及び内閣総理大臣が電磁的方法を利用して同一の情報を閲覧することができる状態に置く措置であって内閣府令で定めるものを講じたときは、当該通知及び報告をしたものとみなす。

Article 78 (1) In any of the following cases, a Specified Qualified Consumer Organization, pursuant to the provisions of Cabinet Office Order, must notify other Specified Qualified Consumer Organizations to that effect and report such fact and the contents thereof to the Prime Minister without delay. In this case, if, in lieu of the notice and report, the Specified Qualified Consumer Organization takes a measure specified by Cabinet Office Order to make the same information available for inspection by all Specified Qualified Consumer Organizations and the Prime Minister via Electronic or Magnetic Means, it is deemed to have made the notice and report:

一　共通義務確認の訴えの提起又は第五十六条第一項の申立てをしたとき。

(i) when the Specified Qualified Consumer Organization filed an Action for Declaratory Judgment on Common Obligations or filed the petition set forth in Article 56, paragraph (1);

二　共通義務確認訴訟の判決の言渡し又は第五十六条第一項の申立てについての決定の告知があったとき。

(ii) when a judgment of Litigation Seeking Declaratory Judgment on Common Obligations has been rendered or an order with regard to the petition set forth in Article 56, paragraph (1) has been announced;

三　前号の判決に対する上訴の提起又は同号の決定に対する不服の申立てがあったとき。

(iii) when an appeal has been filed against the judgment set forth in the preceding item or an objection has been filed against the order set forth in the same item;

四　第二号の判決又は同号の決定が確定したとき。

(iv) when the judgment set forth in item (ii) or the order set forth in the same item has become final and binding;

五　共通義務確認訴訟における和解が成立したとき。

(v) when a settlement has been reached in Litigation Seeking Declaratory Judgment on Common Obligations;

六　前二号に掲げる場合のほか、共通義務確認訴訟又は仮差押命令に関する手続が終了したとき。

(vi) beyond the cases set forth in the preceding two items, when Litigation Seeking Declaratory Judgment on Common Obligations or proceedings concerning an Order for Provisional Seizure has terminated;

七　共通義務確認訴訟に関し、請求の放棄、和解、上訴の取下げその他の内閣府令で定める手続に係る行為であって、それにより確定判決及びこれと同一の効力を有するものが存することとなるものをしようとするとき。

(vii) when the Specified Qualified Consumer Organization intends to conduct an act pertaining to a waiver of claims, settlement, withdrawal of an appeal, or any other proceedings specified by Cabinet Office Order with regard to Litigation Seeking Declaratory Judgment on Common Obligations which will result in a final and binding judgment and a document which has the same effect thereto;

八　簡易確定手続開始の申立て又はその取下げをしたとき。

(viii) when the Specified Qualified Consumer Organization filed a petition for the commencement of Simple Determination Proceedings or withdrew such a petition;

九　簡易確定手続開始決定があったとき。

(ix) when an Order of Commencement of Simple Determination Proceedings has been made;

十　第二十五条第一項の規定による通知をしたとき。

(x) when the Specified Qualified Consumer Organization has given notice under Article 25, paragraph (1);

十一　第二十六条第一項、第三項又は第四項の規定による公告をしたとき。

(xi) when the Specified Qualified Consumer Organization has given public notice under Article 26, paragraph (1), (3), or (4); or

十二　その他被害回復関係業務に関し内閣府令で定める手続に係る行為がされたとき。

(xii) when any other act pertaining to the proceedings specified by Cabinet Office Order has been conducted with regard to Services Related to Redress for Damage.

２　内閣総理大臣は、前項の規定による報告を受けたときは、全ての特定適格消費者団体及び内閣総理大臣が電磁的方法を利用して同一の情報を閲覧することができる状態に置く措置その他の内閣府令で定める方法により、他の特定適格消費者団体に当該報告の日時及び概要その他内閣府令で定める事項を伝達するものとする。

(2) When the Prime Minister receives a report under the preceding paragraph, the Prime Minister is to notify the date and time of the report, the outline of the report, or any other particulars specified by Cabinet Office Order to other Specified Qualified Consumer Organizations, by a measure to make the same information available for inspection by all Specified Qualified Consumer Organizations and the Prime Minister via Electronic or Magnetic Means or by any other method specified by Cabinet Office Order.

（個人情報の取扱い）

(Handling of Personal Information)

第七十九条　特定適格消費者団体は、被害回復関係業務に関し、消費者の個人情報（個人に関する情報であって、特定の個人を識別することができるもの（他の情報と照合することにより特定の個人を識別することができることとなるものを含む。）をいう。第三項において同じ。）を保管し、又は利用するに当たっては、その業務の目的の達成に必要な範囲内でこれを保管し、及び利用しなければならない。ただし、当該消費者の同意がある場合その他正当な事由がある場合は、この限りでない。

Article 79 (1) With regard to Services Related to Redress for Damage, when a Specified Qualified Consumer Organization retains and uses Personal Information (meaning information about an individual which can identify the specific individual (including information that can identify the specific individual by comparing it with other information); the same applies in paragraph (3)) of a Consumer, it must retain and use it within the extent necessary for attaining the purpose of the services; provided, however, that this does not apply when the consent of the Consumer has been obtained or there are other justifiable grounds.

２　特定適格消費者団体は、被害回復関係業務に関し、消費者から収集した消費者の被害に関する情報を被害回復裁判手続に係る相手方その他の第三者が当該被害に係る消費者を識別することができる方法で利用するに当たっては、あらかじめ、当該消費者の同意を得なければならない。

(2) With regard to Services Related to Redress for Damage, when a Specified Qualified Consumer Organization collects information from a Consumer concerning the damage incurred by the Consumer, and then uses such information with a method which enables the opponent pertaining to Court Proceedings for Redress for Damage or any other third party to identify the Consumer pertaining to the damage, it must obtain the consent of the Consumer in advance.

３　特定適格消費者団体は、被害回復関係業務において消費者の個人情報を適正に管理するために必要な措置を講じなければならない。

(3) A Specified Qualified Consumer Organization must take the necessary measures to properly manage Personal Information of Consumers in Services Related to Redress for Damage.

（秘密保持義務）

(Obligation of Confidentiality)

第八十条　特定適格消費者団体の役員、職員若しくは専門委員又はこれらの職にあった者は、正当な理由がなく、被害回復関係業務に関して知り得た秘密を漏らしてはならない。

Article 80 An officer, employee or Expert Advisor of a Specified Qualified Consumer Organization or a person who was formerly in such a position must not disclose any secret that has come to their knowledge with regard to Services Related to Redress for Damage, without justifiable grounds.

（氏名等の明示）

(Clear Indication of the Name)

第八十一条　特定適格消費者団体の被害回復関係業務に従事する者は、その被害回復関係業務を行うに当たり、被害回復裁判手続に係る相手方の請求があったときは、当該特定適格消費者団体の名称、自己の氏名及び特定適格消費者団体における役職又は地位その他内閣府令で定める事項を、その相手方に明らかにしなければならない。

Article 81 When a person who engages in Services Related to Redress for Damage of a Specified Qualified Consumer Organization provides Services Related to Redress for Damage, if requested to do so by the opponent pertaining to Court Proceedings for Redress for Damage, the person must clarify the name of the Specified Qualified Consumer Organization, the person's name and title or position in the Specified Qualified Consumer Organization, and other matters specified by Cabinet Office Order to the opponent.

（情報の提供）

(Provision of Information)

第八十二条　特定適格消費者団体は、対象消費者の財産的被害の回復に資するため、対象消費者に対し、共通義務確認の訴えを提起したこと、共通義務確認訴訟の確定判決の内容その他必要な情報を提供するよう努めなければならない。

Article 82 In order to contribute to the redress for the property damage incurred by Target Consumers, a Specified Qualified Consumer Organization, must strive to provide the Target Consumers with information on the filing of an Action for Declaratory Judgment on Common Obligations, the contents of the final and binding judgment of Litigation Seeking Declaratory Judgment on Common Obligations, and other necessary information.

（財産上の利益の受領の禁止等）

(Prohibition of Receiving Economic Benefits)

第八十三条　特定適格消費者団体は、次に掲げる場合を除き、その被害回復裁判手続に係る相手方から、その被害回復裁判手続の追行に関し、寄附金、賛助金その他名目のいかんを問わず、金銭その他の財産上の利益を受けてはならない。

Article 83 (1) Except in the following cases, a Specified Qualified Consumer Organization must not receive, from the opponent pertaining to the Court Proceedings for Redress for Damage, money or any other economic benefit with regard to the conduct of Court Proceedings for Redress for Damage, whether as a donation, a grant, or any other remuneration:

一　届出債権の認否、簡易確定決定、異議後の訴訟における判決若しくは請求の認諾又は和解に基づく金銭の支払として財産上の利益を受けるとき。

(i) when receiving an economic benefit as a payment of money based on the Approval or Disapproval of the Filed Claim, a Simple Determination Order, a judgment or acknowledgment of the claims in Litigation after Objection, or a settlement;

二　被害回復裁判手続における判決（確定判決と同一の効力を有するもの、仮執行の宣言を付した届出債権支払命令及び第五十六条第一項の申立てについての決定を含む。次号において同じ。）又は第四十八条第三項若しくは第四十九条第一項若しくは民事訴訟法第七十三条第一項の決定により訴訟費用（簡易確定手続の費用、和解の費用及び調停手続の費用を含む。）を負担することとされた相手方から当該訴訟費用に相当する額の償還として財産上の利益を受けるとき。

(ii) when receiving an economic benefit as a reimbursement of an amount equivalent to court costs (including expenses of Simple Determination Proceedings, expenses of settlement, and expenses of mediation proceedings) from the opponent who is required to bear the court costs pursuant to a judgment in Court Proceedings for Redress for Damage (including a document which has the same effect as a final and binding judgment, an Order for Payment of the Filed Claim with a declaration of provisional execution, and a judgment with regard to the petition set forth in Article 56, paragraph (1); the same applies in the following item) or the order set forth in Article 48, paragraph (3), Article 49, paragraph (1) of this Act or Article 73, paragraph (1) of the Code of Civil Procedure; and

三　被害回復裁判手続における判決に基づく民事執行の執行費用に相当する額の償還として財産上の利益を受けるとき。

(iii) when receiving an economic benefit as a reimbursement of the amount equivalent to execution costs of a civil execution based on a judgment in Court Proceedings for Redress for Damage.

２　特定適格消費者団体の役員、職員又は専門委員は、特定適格消費者団体の被害回復裁判手続に係る相手方から、その被害回復裁判手続の追行に関し、寄附金、賛助金その他名目のいかんを問わず、金銭その他の財産上の利益を受けてはならない。

(2) An officer or employee of, or Expert Advisor to a Specified Qualified Consumer Organization must not receive, from the opponent of the Specified Qualified Consumer Organization pertaining to the Court Proceedings for Redress for Damage, money or any other economic benefit with regard to the conduct of Court Proceedings for Redress for Damage, whether as a donation, grant, or any other remuneration.

３　特定適格消費者団体又はその役員、職員若しくは専門委員は、特定適格消費者団体の被害回復裁判手続に係る相手方から、その被害回復裁判手続の追行に関し、寄附金、賛助金その他名目のいかんを問わず、金銭その他の財産上の利益を第三者に受けさせてはならない。

(3) An officer, employee of, or Expert Advisor to a Specified Qualified Consumer Organization must not have a third party receive, money or any other economic benefit with regard to the conduct of Court Proceedings for Redress for Damage from the opponent of the Specified Qualified Consumer Organization pertaining to the Court Proceedings for Redress for Damage, whether as a donation, a grant, or any other remuneration.

４　前三項に規定する被害回復裁判手続に係る相手方からその被害回復裁判手続の追行に関して受け又は受けさせてはならない財産上の利益には、その相手方がその被害回復裁判手続の追行に関してした不法行為によって生じた損害の賠償として受け又は受けさせる財産上の利益は含まれない。

(4) The economic benefit that must not be received or have a third party receive from the opponent pertaining to Court Proceedings for Redress for Damage with regard to the conduct of Court Proceedings for Redress for Damage prescribed in the preceding three paragraphs does not include the economic benefits to be received or have a third party receive as compensation for damage caused by a tort committed by the opponent in relation to the conduct of Court Proceedings for Redress for Damage.

（区分経理）

(Separate Accounting)

第八十四条　特定適格消費者団体は、被害回復関係業務に係る経理を他の業務に係る経理と区分して整理しなければならない。

Article 84 A Specified Qualified Consumer Organization must separate the accounting pertaining to Services Related to Redress for Damage from accounting pertaining to other services.

第三節　監督

Section 3 Supervision

（適合命令及び改善命令）

(Compliance Order and Improvement Order)

第八十五条　内閣総理大臣は、特定適格消費者団体が、第六十五条第四項第二号から第七号までに掲げる要件のいずれかに適合しなくなったと認めるときは、当該特定適格消費者団体に対し、これらの要件に適合するために必要な措置をとるべきことを命ずることができる。

Article 85 (1) When the Prime Minister finds that a Specified Qualified Consumer Organization no longer satisfies any of the requirements set forth in Article 65, paragraph (4), items (ii) through (vii), the Prime Minister may order the Specified Qualified Consumer Organization to take the necessary measures for satisfying these requirements.

２　内閣総理大臣は、前項に定めるもののほか、特定適格消費者団体が第六十五条第六項第三号に該当するに至ったと認めるとき、特定適格消費者団体又はその役員、職員若しくは専門委員が被害回復関係業務の遂行に関しこの法律の規定に違反したと認めるとき、その他特定適格消費者団体の業務の適正な運営を確保するため必要があると認めるときは、当該特定適格消費者団体に対し、人的体制の改善、違反の停止、業務規程の変更その他の業務の運営の改善に必要な措置をとるべきことを命ずることができる。

(2) Beyond what is provided for in the preceding paragraph, when the Prime Minister finds that a Specified Qualified Consumer Organization has fallen under Article 65, paragraph (6), item (iii), or that a Specified Qualified Consumer Organization or an officer or employee thereof, or Expert Advisor thereto has violated the provisions of this Act with regard to the performance of Services Related to Redress for Damage, or otherwise finds it to be necessary for ensuring the proper operation of the services of a Specified Qualified Consumer Organization, the Prime Minister may order the Specified Qualified Consumer Organization to improve the human resources systems, suspend the violation, change the operational rules, or take any other necessary measures for improving the operation of services.

（特定認定の取消し等）

(Rescission of Certification as a Specified Organization)

第八十六条　内閣総理大臣は、特定適格消費者団体について、次のいずれかに掲げる事由があるときは、特定認定を取り消すことができる。

Article 86 (1) When any of the following grounds exist with regard to a Specified Qualified Consumer Organization, the Prime Minister may rescind the Certification as a Specified Organization:

一　偽りその他不正の手段により特定認定、第六十九条第二項の有効期間の更新又は第七十一条第三項若しくは第七十二条第三項の認可を受けたとき。

(i) when the organization has received the Certification as a Specified Organization, the renewal of the validity period set forth in Article 69, paragraph (2), or the approval set forth in Article 71, paragraph (3) or Article 72, paragraph (3) by deception and other wrongful means;

二　第六十五条第四項各号に掲げる要件のいずれかに適合しなくなったとき。

(ii) when the organization no longer satisfies any of the requirements set forth in the items of Article 65, paragraph (4);

三　第六十五条第六項第一号又は第三号に該当するに至ったとき。

(iii) when the organization has fallen under Article 65, paragraph (6), item (i) or (iii); or

四　前三号に掲げるもののほか、この法律若しくはこの法律に基づく命令の規定又はこれらの規定に基づく処分に違反したとき（次項第二号に該当する場合を除く。）。

(iv) beyond what is provided for in the preceding three items, when the organization violated the provisions of this Act or of an order based on this Act or a disposition based on any of these provisions (excluding the case that falls under item (ii) of the following paragraph).

２　内閣総理大臣は、前項の規定による取消しのほか、特定適格消費者団体について、次のいずれかに掲げる事由があるときは、特定認定又は消費者契約法第十三条第一項の認定を取り消すことができる。

(2) Beyond the rescission under the preceding paragraph, when there are any of the following grounds with regard to a Specified Qualified Consumer Organization, the Prime Minister may rescind the Certification as a Specified Organization or the certification set forth in Article 13, paragraph (1) of the Consumer Contract Act:

一　被害回復裁判手続において、特定適格消費者団体がその相手方と通謀して請求の放棄又は対象消費者の利益を害する内容の和解をしたときその他対象消費者の利益に著しく反する訴訟その他の手続の追行を行ったと認められるとき。

(i) when, in Court Proceedings for Redress for Damage, the Specified Qualified Consumer Organization has conspired with the opponent to waive claims or enter into a settlement detrimental to the interests of Target Consumers or when it is otherwise found that the organization has conducted litigation or any other proceedings which are materially contrary to the interests of Target Consumers;

二　第八十三条第一項又は第三項の規定に違反したとき。

(ii) when the Specified Qualified Consumer Organization has violated the provisions of Article 83, paragraph (1) or (3); or

三　当該特定適格消費者団体の役員、職員又は専門委員が第八十三条第二項又は第三項の規定に違反したとき。

(iii) when an officer or employee of, or Expert Advisor to the Specified Qualified Consumer Organization has violated Article 83, paragraph (2) or (3).

３　特定適格消費者団体が、第七十八条第一項の規定に違反して同項の通知又は報告をしないで、共通義務確認の訴えに関し、同項第七号に規定する行為をしたときは、内閣総理大臣は、当該特定適格消費者団体について前項第一号に掲げる事由があるものとみなすことができる。

(3) When a Specified Qualified Consumer Organization conducts the act prescribed in Article 78, paragraph (1), item (vii) with regard to an Action for Declaratory Judgment on Common Obligations without making the notice or report set forth in the same paragraph in violation of the provisions of the same paragraph, the Prime Minister may deem that there are grounds as set forth in item (i) of the preceding paragraph with regard to the Specified Qualified Consumer Organization.

４　内閣総理大臣は、第一項又は第二項の規定による取消しをしたときは、内閣府令で定めるところにより、その旨及びその取消しをした日を公示するとともに、特定適格消費者団体であった法人に対し、その旨を書面により通知するものとする。この場合において、当該特定適格消費者団体であった法人を当事者とする被害回復裁判手続が現に係属しているときは、その被害回復裁判手続が係属している裁判所に対しても、その取消しをした旨を書面により通知しなければならない。

(4) When the Prime Minister carries out the rescission under paragraph (1) or (2), , pursuant to the provisions of Cabinet Office Order, the Prime Minister is to give public notice of such fact and the day of the rescission, and notify the corporation which was a Specified Qualified Consumer Organization to that effect in writing. In this case, if the corporation which was a Specified Qualified Consumer Organization is a party to any pending Court Proceedings for Redress for Damage, the Prime Minister must also notify the court before which the Court Proceedings for Redress for Damage are pending of the rescission in writing.

（手続を受け継ぐべき特定適格消費者団体の指定等）

(Designation of the Specified Qualified Consumer Organization which Will Take Over the Proceedings)

第八十七条　被害回復裁判手続（第二条第九号ロに規定する民事執行の手続を除く。）の当事者である特定適格消費者団体に係る特定認定が、第七十四条第一項各号に掲げる事由により失効し、若しくは前条第一項各号若しくは第二項各号に掲げる事由により取り消されるとき、又はこれらの事由により既に失効し、若しくは既に取り消されているときは、内閣総理大臣は、当該被害回復裁判手続を受け継ぐべき特定適格消費者団体として他の特定適格消費者団体を指定するものとする。ただし、共通義務確認訴訟又は簡易確定手続（特定適格消費者団体であった法人が債権届出をした場合を除く。）において、他に当事者である特定適格消費者団体があるときは、この限りでない。

Article 87 (1) When Certification as a Specified Organization pertaining to a Specified Qualified Consumer Organization which is a party to Court Proceedings for Redress for Damage (excluding the civil execution procedure prescribed in Article 2, item (ix), (b)) lapses under the grounds set forth in the items of Article 74, paragraph (1) or is rescinded under the grounds set forth in the items of paragraph (1) of the preceding Article or the items of paragraph (2) of the same Article, or when it has already lapsed or been rescinded under these grounds, the Prime Minister is to designate another Specified Qualified Consumer Organization as the Specified Qualified Consumer Organization which will substitute the Court Proceedings for Redress for Damage; provided, however, that this does not apply when, in Litigation Seeking Declaratory Judgment on Common Obligations or Simple Determination Proceedings (excluding the case where the corporation which was a Specified Qualified Consumer Organization has carried out the Filing of Proofs of Claims), there is another Specified Qualified Consumer Organization which is a party thereto.

２　第十四条の規定により簡易確定手続開始の申立てをしなければならない特定適格消費者団体に係る特定認定が、第七十四条第一項各号に掲げる事由により失効し、若しくは前条第一項各号若しくは第二項各号に掲げる事由により取り消されるとき、又はこれらの事由により既に失効し、若しくは既に取り消されているときは、内閣総理大臣は、第十四条の規定により簡易確定手続開始の申立てをしなければならない特定適格消費者団体として他の特定適格消費者団体を指定するものとする。ただし、同条の規定により簡易確定手続開始の申立てをしなければならない特定適格消費者団体が他にあるときは、この限りでない。

(2) When Certification as a Specified Organization pertaining to a Specified Qualified Consumer Organization which must file a petition for the commencement of Simple Determination Proceedings pursuant to the provisions of Article 14 lapses under the grounds set forth in the items of Article 74, paragraph (1) or is rescinded under the grounds set forth in the items of paragraph (1) of the preceding Article or the items of paragraph (2), or when it has already lapsed or been rescinded under these grounds, the Prime Minister is to designate another Specified Qualified Consumer Organization as the Specified Qualified Consumer Organization which must file a petition for the commencement of Simple Determination Proceedings pursuant to the provisions of Article 14; provided, however, that this does not apply when there is another Specified Qualified Consumer Organization which must file a petition for the commencement of Simple Determination Proceedings pursuant to the provisions of the same Article.

３　対象債権に係る債務名義を取得した特定適格消費者団体又はその民事執行法第二十三条第一項第三号に規定する承継人である特定適格消費者団体に係る特定認定が、第七十四条第一項各号に掲げる事由により失効し、若しくは前条第一項各号若しくは第二項各号に掲げる事由により取り消されるとき、又はこれらの事由により既に失効し、若しくは既に取り消されているときは、内閣総理大臣は、同法第二十三条第一項第三号に規定する承継人となるべき特定適格消費者団体として他の特定適格消費者団体を指定するものとする。

(3) When Certification as a Specified Organization pertaining to a Specified Qualified Consumer Organization which has acquired the title of obligation with regard to the Target Claims or that pertaining to a Specified Qualified Consumer Organization which is the successor prescribed in Article 23, paragraph (1), item (iii) of the Civil Execution Act lapses under the grounds set forth in the items of Article 74, paragraph (1) or is rescinded under the grounds set forth in the items of paragraph (1) of the preceding Article or the items of paragraph (2), or when it has already lapsed or been rescinded under these grounds, the Prime Minister is to designate another Specified Qualified Consumer Organization as the Specified Qualified Consumer Organization who will become the successor prescribed in Article 23, paragraph (1), item (iii) of the same Act.

４　内閣総理大臣は、前三項の規定による指定を受けた特定適格消費者団体（以下この項及び次項において「指定特定適格消費者団体」という。）について、特定認定が、第七十四条第一項各号に掲げる事由により失効し、若しくは既に失効し、又は前条第一項各号若しくは第二項各号に掲げる事由により取り消されるときは、指定特定適格消費者団体に係る指定を取り消さなければならない。

(4) When Certification as a Specified Organization of the Specified Qualified Consumer Organization designated under the preceding three paragraphs (hereinafter referred to as the "Designated Specified Qualified Consumer Organization" in this paragraph and the following paragraph) lapses or has already lapsed under the grounds set forth in the items of Article 74, paragraph (1), or is rescinded under the grounds set forth in the items of paragraph (1) of the preceding Article or the items of paragraph (2) of the same Article, the Prime Minister must rescind the designation pertaining to the Designated Specified Qualified Consumer Organization.

５　第一項から第三項までの規定による指定は、指定特定適格消費者団体が受け継ぐことになった手続をその指定前に追行していた者に次のいずれかに掲げる事由が生じたことを理由として取り消すことができない。

(5) Designation under paragraphs (1) through (3) may not be rescinded based on the reason that any of the following grounds have arisen for the person who had been conducting the proceedings which were to be taken over by the Designated Specified Qualified Consumer Organization prior to the designation:

一　特定認定の取消処分、特定認定の有効期間の更新拒否処分若しくは第七十一条第三項の合併若しくは第七十二条第三項の事業の全部の譲渡の不認可処分（以下この号において「特定認定取消処分等」という。）が取り消され、又は特定認定取消処分等の取消し若しくはその無効若しくは不存在の確認の判決が確定したとき。

(i) when a disposition to rescind Certification as a Specified Organization, a disposition to refuse the renewal of the validity period of Certification as a Specified Organization, or a disposition to disapprove the merger set forth in Article 71, paragraph (3) or the transfer of all of the business set forth in Article 72, paragraph (3) (hereinafter referred to as a "Disposition to Rescind Certification as a Specified Organization, etc." in this item) is rescinded, or a judgment rescinding or confirming the nullity or non-existence of a Disposition to Rescind Certification as a Specified Organization, etc. becomes final and binding;

二　消費者契約法第十三条第一項の認定の取消処分、同項の認定の有効期間の更新拒否処分若しくは同法第十九条第三項の合併若しくは同法第二十条第三項の事業の全部の譲渡の不認可処分（以下この号において「認定取消処分等」という。）が取り消され、又は認定取消処分等の取消し若しくはその無効若しくは不存在の確認の判決が確定したとき。

(ii) when a disposition to rescind the certification set forth in Article 13, paragraph (1) of the Consumer Contract Act, a disposition to refuse the renewal of the validity period of the certification set forth in the same paragraph, or a disposition to disapprove the merger set forth in Article 19, paragraph (3) of the same Act or the transfer of all of the business set forth in Article 20, paragraph (3) of the same Act (hereinafter referred to as a "Disposition to Rescind Certification, etc." in this item) is rescinded, or a judgment rescinding or confirming the nullity or non-existence of a Disposition to Rescind Certification, etc. becomes final and binding;

６　内閣総理大臣は、第一項から第三項までの規定による指定をしたときは、内閣府令で定めるところにより、その旨及びその指定をした日を公示するとともに、その指定を受けた特定適格消費者団体に対し、その旨を書面により通知するものとする。第四項の規定により当該指定を取り消したときも、同様とする。

(6) When the Prime Minister makes a designation under paragraphs (1) through (3), pursuant to the provisions of Cabinet Office Order, the Prime Minister is to give public notice of such fact and the day of the designation, and notify the designated Specified Qualified Consumer Organization to that effect in writing. The same applies when the Prime Minister rescinds the designation pursuant to the provisions of paragraph (4).

７　前項前段の場合において、特定適格消費者団体であった法人を当事者とする被害回復裁判手続が現に係属しているときは、内閣総理大臣は、その被害回復裁判手続が係属している裁判所に対しても、その指定をした旨を書面により通知しなければならない。

(7) In the case referred to in the first sentence of the preceding paragraph, if the corporation which was a Specified Qualified Consumer Organization is a party to any pending Court Proceedings for Redress for Damage, the Prime Minister must also notify the court before which the Court Proceedings for Redress for Damage are pending of the designation in writing.

８　次の各号に掲げる場合には、当該各号の指定を受けた特定適格消費者団体は、遅滞なく、知れている届出消費者に、各別にその旨を通知しなければならない。

(8) In the cases set forth in the following items, the Specified Qualified Consumer Organization which received the designation set forth respectively in those items must individually notify the known Consumers Holding the Filed Claims to that effect without delay:

一　第一項の規定による指定がされた場合（特定適格消費者団体であった法人が簡易確定手続（当該特定適格消費者団体であった法人が債権届出をした場合に限る。）又は異議後の訴訟の手続の当事者であったときに限る。）

(i) when a designation under paragraph (1) is made (limited to the case where the corporation which was a Specified Qualified Consumer Organization was a party to Simple Determination Proceedings (limited to the case where the corporation which was a Specified Qualified Consumer Organization carried out the Filing of Proofs of Claims) or proceedings of Litigation after Objection); and

二　第三項の規定による指定がされた場合

(ii) when a designation under paragraph (3) is made.

９　第一項から第三項までの規定による指定がされたときは、特定適格消費者団体であった法人は、遅滞なく、その指定を受けた特定適格消費者団体に対し、その指定の対象となった事件について、対象消費者のために保管する物及び被害回復関係業務に関する書類を移管し、その他被害回復関係業務をその指定を受けた特定適格消費者団体に引き継ぐために必要な一切の行為をしなければならない。

(9) When a designation under paragraphs (1) through (3) is made, the corporation which was a Specified Qualified Consumer Organization must, with regard to the case subject to the designation, transfer to the designated Specified Qualified Consumer Organization any articles retained on behalf of the Target Consumers and documents concerning Services Related to Redress for Damage, and conduct any and all acts necessary for handing over Services Related to Redress for Damage to the designated Specified Qualified Consumer Organization, without delay.

第四節　補則

Section 4 Auxiliary Provisions

（消費者契約法の特例）

(Special Measures Concerning the Consumer Contract Act)

第八十八条　特定適格消費者団体である適格消費者団体に対する消費者契約法の規定の適用については、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

Article 88 With regard to the application of the provisions of the Consumer Contract Act to a Qualified Consumer Organization which is a Specified Qualified Consumer Organization, the terms and phrases set forth in the middle column of the following table in the provisions of the same Act set forth in the left column of the table are replaced with the terms and phrases set forth respectively in the right column of the table.

|  |  |  |
| --- | --- | --- |
| 第二十九条第一項Article 29, paragraph (1) | その行う差止請求関係業務[affect] Services Related to Injunction Demands | その行う差止請求関係業務及び消費者裁判手続特例法第六十五条第二項に規定する被害回復関係業務（以下単に「被害回復関係業務」という。）[affect] Services Related to Injunction Demands and the Services Related to Redress for Damage prescribed in Article 65, paragraph (2) of the Act on Special Measures Concerning Consumer Court Proceedings (hereinafter simply referred to as "Services Related to Redress for Damage") |
|  | 、差止請求関係業務[other than] Services Related to Injunction Demands | 、差止請求関係業務及び被害回復関係業務[other than] Services Related to Injunction Demands and Services Related to Redress for Damage |
| 第三十一条第二項Article 31, paragraph (2) | 差止請求関係業務その他の業務がこの法律the Services Related to Injunction Demands and other services are [being properly performed pursuant to the provisions of] this Act | 差止請求関係業務、被害回復関係業務その他の業務がこの法律及び消費者裁判手続特例法the Services Related to Injunction Demands, the Services Related to Redress for Damage, and other services are [being properly performed pursuant to the provisions of] this Act and the Act on Special Measures Concerning Consumer Court Proceedings |
| 第三十一条第三項第七号Article 31, paragraph (3), item (vii) | 差止請求関係業務Services Related to Injunction Demands | 差止請求関係業務及び被害回復関係業務Services Related to Injunction Demands and Services Related to Redress for Damage |
| 第三十二条第一項Article 32, paragraph (1) | この法律this Act | この法律又は消費者裁判手続特例法this Act and the Act on Special Measures Concerning Consumer Court Proceedings |

（官公庁等への協力依頼）

(Request for Cooperation of Public Offices)

第八十九条　内閣総理大臣は、この法律の実施のため必要があると認めるときは、官庁、公共団体その他の者に照会し、又は協力を求めることができる。

Article 89 When the Prime Minister finds it necessary for the enforcement of this Act, the Prime Minister may make inquiries to government agencies, other public entities, or any other persons and request their cooperation.

（判決等に関する情報の公表）

(Publication of Information Concerning Judgments)

第九十条　内閣総理大臣は、消費者の財産的被害の防止及び救済に資するため、特定適格消費者団体から第七十八条第一項（第一号及び第七号を除く。）の規定による報告を受けたときは、インターネットの利用その他適切な方法により、速やかに、共通義務確認訴訟の確定判決（確定判決と同一の効力を有するものを含む。）の概要、当該特定適格消費者団体の名称及び当該共通義務確認訴訟の相手方の氏名又は名称その他内閣府令で定める事項を公表するものとする。

Article 90 (1) In order to contribute to the prevention of and redress for property damage incurred by Consumers, when the Prime Minister receives a report under Article 78, paragraph (1) (excluding items (i) and (vii)) from a Specified Qualified Consumer Organization, the Prime Minister is to promptly publish the outline of the final and binding judgment of Litigation Seeking Declaratory Judgment on Common Obligations (including a document which has the same effect as a final and binding judgment), the name of the Specified Qualified Consumer Organization, the name of the opponent of the Litigation Seeking Declaratory Judgment on Common Obligations, and other matters specified by Cabinet Office Order, via the Internet and by other methods that are appropriate..

２　前項に規定する事項のほか、内閣総理大臣は、被害回復関係業務に関する情報を広く国民に提供するため、インターネットの利用その他適切な方法により、特定適格消費者団体の名称及び住所並びに被害回復関係業務を行う事務所の所在地その他内閣府令で定める必要な情報を公表することができる。

(2) Beyond the particulars prescribed in the preceding paragraph, the Prime Minister may, in order to provide information concerning Services Related to Redress for Damage to a wide range of citizens, publish the name and address of the Specified Qualified Consumer Organization, the location of the office where Services Related to Redress for Damage are provided, and other necessary information specified by Cabinet Office Order via the Internet and by other methods that are appropriate..

３　内閣総理大臣は、独立行政法人国民生活センターに、前二項に規定する情報の公表に関する業務を行わせることができる。

(3) The Prime Minister may have the National Consumer Affairs Center of Japan provide services concerning the publication of information prescribed in the preceding two paragraphs.

（特定適格消費者団体への協力等）

(Cooperation to Specified Qualified Consumer Organizations)

第九十一条　独立行政法人国民生活センター及び地方公共団体は、内閣府令で定めるところにより、特定適格消費者団体の求めに応じ、当該特定適格消費者団体が被害回復関係業務を適切に遂行するために必要な限度において、当該特定適格消費者団体に対し、消費生活に関する消費者と事業者との間に生じた苦情に係る相談に関する情報で内閣府令で定めるものを提供することができる。

Article 91 (1) In response to the request of a Specified Qualified Consumer Organization, the National Consumer Affairs Center of Japan and local public entities may, pursuant to the provisions of Cabinet Office Order, provide the Specified Qualified Consumer Organization with information specified by Cabinet Office Order concerning consultations pertaining to complaints that have arisen between Consumers and Companies with regard to consumer affairs, within the extent necessary for the Specified Qualified Consumer Organization to perform Services Related to Redress for Damage appropriately.

２　前項の規定により情報の提供を受けた特定適格消費者団体は、当該情報を当該被害回復関係業務の用に供する目的以外の目的のために利用し、又は提供してはならない。

(2) A Specified Qualified Consumer Organization which receives the provision of information pursuant to the provisions of the preceding paragraph must not use or provide the information for a purpose other than the purpose of providing it for use in Services Related to Redress for Damage.

（権限の委任）

(Delegation of Authority)

第九十二条　内閣総理大臣は、この章の規定による権限（政令で定めるものを除く。）を消費者庁長官に委任する。

Article 92 The Prime Minister is to delegate the authority under the provisions of this Chapter (excluding those specified by Cabinet Order) to the Secretary General of the Consumer Affairs Agency.

第四章　罰則

Chapter IV Penal Provisions

第九十三条　特定適格消費者団体の役員、職員又は専門委員が、特定適格消費者団体の被害回復裁判手続に係る相手方から、寄附金、賛助金その他名目のいかんを問わず、当該特定適格消費者団体における次に掲げる行為の報酬として、金銭その他の財産上の利益を受け、又は第三者（当該特定適格消費者団体を含む。）に受けさせたときは、三年以下の懲役又は三百万円以下の罰金に処する。

Article 93 (1) When an officer or employee of, or Expert Advisor to a Specified Qualified Consumer Organization receives or has a third party (including the Specified Qualified Consumer Organization) receive money or any other economic benefit in remuneration for any of the following acts conducted by the Specified Qualified Consumer Organization from the opponent of the Specified Qualified Consumer Organization pertaining to Court Proceedings for Redress for Damage, whether as a donation, a grant, or any other remuneration, the person is to be punished by imprisonment with required labor of not more than three years or a fine of not more than three million yen:

一　共通義務確認の訴えの提起、簡易確定手続の申立て、債権届出、簡易確定手続若しくは異議後の訴訟に関する民事執行の申立て又は第五十六条第一項の申立てをしないこと又はしなかったこと。

(i) not carrying out or having not carried out the filing of an Action for Declaratory Judgment on Common Obligations, the filing of a petition for Simple Determination Proceedings, the Filing of Proofs of Claims, the filing of a petition for civil execution concerning Simple Determination Proceedings or Litigation after Objection, or the filing of the petition set forth in Article 56, paragraph (1);

二　第三十一条第一項又は第五十三条第一項の授権に係る債権に係る裁判外の和解をすること又はしたこと。

(ii) entering into or having entered into a non-judicial settlement pertaining to the claims relating to the delegation of powers set forth in Article 31, paragraph (1) or Article 53, paragraph (1); or

三　被害回復裁判手続を終了させること又は終了させたこと。

(iii) terminating or having terminated Court Proceedings for Redress for Damage.

２　前項の利益を供与した者も、同項と同様とする。

(2) The preceding paragraph also applies to a person who provides benefits set forth in the same paragraph.

３　第一項の場合において、犯人又は情を知った第三者が受けた財産上の利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

(3) In the case referred to in paragraph (1), the economic benefit received by the criminal or third parties with knowledge of the circumstances is confiscated. When the whole or part of the economic benefit cannot be confiscated, an amount equivalent to the value thereof is collected.

４　第一項の罪は、日本国外においてこれらの罪を犯した者にも適用する。

(4) The crime set forth in paragraph (1) also applies to a person who commits such crime outside Japan.

５　第二項の罪は、刑法（明治四十年法律第四十五号）第二条の例に従う。

(5) The crime set forth in paragraph (2) is governed by the provisions of Article 2 of the Penal Code (Act No. 45 of 1907).

第九十四条　次のいずれかに該当する者は、百万円以下の罰金に処する。

Article 94 A person who falls under either of the following categories is punished by a fine of not more than one million yen:

一　偽りその他不正の手段により特定認定、第六十九条第二項の有効期間の更新又は第七十一条第三項若しくは第七十二条第三項の認可を受けた者

(i) a person who has received Certification as a Specified Organization, the renewal of the validity period set forth in Article 69, paragraph (2), or the approval set forth in Article 71, paragraph (3) or Article 72, paragraph (3) by a deception and other wrongful means; or

二　第八十条の規定に違反して、被害回復関係業務に関して知り得た秘密を漏らした者

(ii) a person who, in violation of the provisions of Article 80, has disclosed any secret that has come to the knowledge with regard to Services Related to Redress for Damage.

第九十五条　次のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 95 A person who falls under either of the following categories is punished by a fine of not more than 500,000 yen:

一　第六十六条第一項（第六十九条第六項、第七十一条第六項及び第七十二条第六項において準用する場合を含む。）の申請書又は第六十六条第二項各号（第六十九条第六項、第七十一条第六項及び第七十二条第六項において準用する場合を含む。）に掲げる書類に虚偽の記載をして提出した者

(i) a person who made false statements in the written application set forth in Article 66, paragraph (1) (including the cases where applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (6), Article 71, paragraph (6), and Article 72, paragraph (6)) or the documents set forth in the items of Article 66, paragraph (2) (including the cases where applied mutatis mutandis pursuant to the provisions of Article 69, paragraph (6), Article 71, paragraph (6), and Article 72, paragraph (6)) and submitted it; or

二　第六十八条第三項の規定に違反して、特定適格消費者団体であると誤認されるおそれのある文字をその名称中に用い、又はその業務に関し、特定適格消費者団体であると誤認されるおそれのある表示をした者

(ii) a person who, in violation of the provisions of Article 68, paragraph (3), used any letters or characters in the name thereof which would likely cause the person to be mistaken for a Specified Qualified Consumer Organization or made an indication with regard to the person's services which would likely cause the person to be mistaken for a Specified Qualified Consumer Organization.

第九十六条　法人（法人でない団体で代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、前三条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 96 (1) When a representative or an administrator of a corporation (including an organization that is not a corporation but which has representatives or administrators; hereinafter the same applies in this paragraph), or an agent, employee or any other worker of a corporation or an individual violates the provisions of any of the preceding three Articles, in relation to the services of the corporation or individual, not only the offender, but also the corporation or individual is punished with the fines prescribed in the respective Articles.

２　法人でない団体について前項の規定の適用がある場合には、その代表者又は管理人が、その訴訟行為につき法人でない団体を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) When the provisions of the preceding paragraph are applied to an organization that is not a corporation, its representative or administrator represents it with respect to procedural acts, and the provisions of Acts concerning criminal proceedings when a corporation is an accused or a suspect apply mutatis mutandis.

第九十七条　次のいずれかに該当する者は、百万円以下の過料に処する。

Article 97 A person who falls under any of the following categories is punished by a non-criminal fine of not more than one million yen:

一　第十四条の規定に違反して、正当な理由がないのに簡易確定手続開始の申立てを怠った者

(i) a person who, in violation of the provisions of Article 14, failed to file a petition for the commencement of Simple Determination Proceedings without justifiable grounds;

二　第三十三条第一項の規定に違反して、やむを得ない理由がないのに簡易確定手続授権契約の締結を拒んだ者

(ii) a person who, in violation of the provisions of Article 33, paragraph (1), refused to conclude a Contract for Delegation of Powers for Simple Determination Proceedings without unavoidable grounds; or

三　第三十三条第二項の規定に違反して、やむを得ない理由がないのに簡易確定手続授権契約を解除した者

(iii) a person who, in violation of the provisions of Article 33, paragraph (2), cancelled a Contract for Delegation of Powers for Simple Determination Proceedings without unavoidable grounds.

第九十八条　次のいずれかに該当する者は、五十万円以下の過料に処する。

Article 98 A person who falls under either of the following categories is punished by a non-criminal fine of not more than 500,000 yen:

一　第二十五条第一項若しくは第二十六条第三項前段の規定による通知をすることを怠り、又は不正の通知をした者

(i) a person who has failed to give notice under Article 25, paragraph (1) or the first sentence of Article 26, paragraph (3) or who has given false notice; or

二　第二十六条第一項、第三項前段若しくは第四項の規定による公告をすることを怠り、又は不正の公告をした者

(ii) a person who has failed to give public notice under Article 26, paragraph (1), the first sentence of paragraph (3) of the same Article, or paragraph (4) of the same Article or who has given false public notice.

第九十九条　次のいずれかに該当する者は、三十万円以下の過料に処する。

Article 99 A person who falls under any of the following categories is punished by a non-criminal fine of not more than 300,000 yen:

一　第五十三条第四項の規定に違反して、正当な理由がないのに訴訟授権契約の締結を拒んだ者

(i) a person who, in violation of the provisions of Article 53, paragraph (4), refused to conclude a Contract for Delegation of Powers for Litigation without justifiable grounds;

二　第五十三条第五項の規定に違反して、正当な理由がないのに訴訟授権契約を解除した者

(ii) a person who, in violation of the provisions of Article 53, paragraph (5), cancelled a Contract for Delegation of Powers for Litigation without justifiable grounds;

三　第六十八条第二項の規定による掲示をせず、又は虚偽の掲示をした者

(iii) a person who has failed to post a notice under Article 68, paragraph (2) or who has posted a false notice;

四　第七十条、第七十一条第二項若しくは第七項、第七十二条第二項若しくは第七項又は第七十三条第一項の規定による届出をせず、又は虚偽の届出をした者

(iv) a person who has failed to make a notification under Article 70, Article 71, paragraph (2) or (7), Article 72, paragraph (2) or (7), or Article 73, paragraph (1) or who has made a false notification;

五　第七十八条第一項前段の規定による通知若しくは報告をせず、又は虚偽の通知若しくは報告をした者

(v) a person who has failed to give notice or make a report under the first sentence of Article 78, paragraph (1) or who has given false notice or made a false report;

六　第七十九条第二項の規定に違反して、消費者の被害に関する情報を利用した者

(vi) a person who, in violation of the provisions of Article 79, paragraph (2), used information pertaining to the damages incurred by a Consumer;

七　第八十一条の規定に違反して、同条の請求を拒んだ者

(vii) a person who, in violation of the provisions of Article 81, refused the request set forth in the same Article;

八　第八十七条第九項の規定による被害回復関係業務の引継ぎを怠った者

(viii) a person who failed to carry out the handing over of Services Related to Redress for Damage under Article 87, paragraph (9); or

九　第九十一条第二項の規定に違反して、情報を同項に定める目的以外の目的のために利用し、又は提供した者

(ix) a person who, in violation of the provisions of Article 91, paragraph (2), used or provided information for a purpose other than the purpose specified in the same paragraph.

附　則　〔抄〕

Supplementary Provisions [Extract]

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して三年を超えない範囲内において政令で定める日から施行する。ただし、附則第三条、第四条及び第七条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three years from the date of promulgation; provided, however, that the provisions of Articles 3, 4, and 7 of the Supplementary Provisions come into effect as of the date of promulgation.

（経過措置）

(Transitional Measure)

第二条　この法律は、この法律の施行前に締結された消費者契約に関する請求（第三条第一項第五号に掲げる請求については、この法律の施行前に行われた加害行為に係る請求）に係る金銭の支払義務には、適用しない。

Article 2 This Act does not apply to monetary payment obligations pertaining to claims concerning Consumer Contracts concluded prior to the enforcement of this Act (with regard to the claim set forth in Article 3, paragraph (1), item (v), a claim pertaining to a wrongful act committed prior to the enforcement of this Act).

（検討等）

(Review)

第三条　政府は、この法律の趣旨にのっとり、特定適格消費者団体がその権限を濫用して事業者の事業活動に不当な影響を及ぼさないようにするための方策について、事業者、消費者その他の関係者の意見を踏まえて、速やかに検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 3 The government, in conformity with the purport of this Act, is to promptly review ways to prevent Specified Qualified Consumer Organizations from having an undue influence on the business activities of Companies by abusing their authority, based on the opinions of Companies, Consumers, or any other interested persons, and take the necessary measures based on the results of the review.

第四条　政府は、特定適格消費者団体による被害回復関係業務の適正な遂行に必要な資金の確保、情報の提供その他の特定適格消費者団体に対する支援の在り方について、速やかに検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 4 The government is to promptly review the securing of funds, provision of information, or any other support to Specified Qualified Consumer Organizations that is necessary for the proper performance of Services Related to Redress for Damage by Specified Qualified Consumer Organizations, and take the necessary measures based on the results of the review.

第五条　政府は、この法律の施行後三年を経過した場合において、消費者の財産的被害の発生又は拡大の状況、特定適格消費者団体による被害回復関係業務の遂行の状況その他この法律の施行の状況等を勘案し、その被害回復関係業務の適正な遂行を確保するための措置並びに共通義務確認の訴えを提起することができる金銭の支払義務に係る請求及び損害の範囲を含め、この法律の規定について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 (1) When three years have passed from the enforcement of this Act, the government, in consideration of the circumstances concerning the occurrence of, or the spread of property damage incurred by Consumers, the circumstances concerning the performance of Services Related to Redress for Damage by Specified Qualified Consumer Organizations, and other state of the enforcement of this Act, etc., is to review the provisions of this Act, including measures for securing the proper performance of Services Related to Redress for Damage and the scope of claims and damage pertaining to monetary payment obligations based on which an Action for Declaratory Judgment on Common Obligations can be filed, and, if it finds it necessary, take the required measures based on the results of the review.

２　政府は、前項に定める事項のほか、この法律の施行後三年を経過した場合において、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) Beyond the matters provided for in the preceding paragraph, when three years have passed from the enforcement of this Act, the government is to review the status of the enforcement of this Act, and, if it finds it necessary, take the required measures based on the results of the review.

第六条　政府は、第三条第一項各号に掲げる請求に係る金銭の支払義務であって、附則第二条に規定する請求に係るものに関し、当該請求に係る消費者の財産的被害が適切に回復されるよう、重要消費者紛争解決手続（独立行政法人国民生活センター法（平成十四年法律第百二十三号）第十一条第二項に規定する重要消費者紛争解決手続をいう。）等の裁判外紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第一条に規定する裁判外紛争解決手続をいう。）の利用の促進その他の必要な措置を講ずるものとする。

Article 6 With regard to monetary payment obligations pertaining to the claims set forth in the items of Article 3, paragraph (1) which pertain to the claims prescribed in Article 2 of the Supplementary Provisions, in order that appropriate redress can be achieved for the property damage incurred by Consumers pertaining to the claims, the government is to promote the use of Alternative Dispute Resolution Procedures (meaning the alternative dispute resolution procedures prescribed in Article 1 of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004)), such as the Important Consumer Dispute Resolution Proceedings (meaning the important consumer dispute resolution proceedings prescribed in Article 11, paragraph (2) of the Act on the National Consumer Affairs Center of Japan (Act No. 123 of 2002)), or take any other necessary measures.

第七条　政府は、この法律の円滑な施行のため、この法律の趣旨及び内容について、広報活動等を通じて国民に周知を図り、その理解と協力を得るよう努めるものとする。

Article 7 In order to ensure the smooth enforcement of this Act, the government is to strive to thoroughly inform citizens of the purport and the contents of this Act through publicity activities, etc. and to gain their understanding and cooperation.