

# 外国弁護士による法律事務の取扱いに関する特別措置法（現行法）

## Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers (Law in force)

(昭和六十一年五月二十三日法律第六十六号)

(Act No. 66 of May 23, 1986)

### 第一章 総則

#### Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、外国弁護士となる資格を有する者が国内において外国法に関する法律事務を取り扱うことができるみちを開き、かつ、その法律事務の取扱いを弁護士の例に準じて規律する等の特別の措置を講ずることにより、渉外的法律関係の安定を図り、あわせて、外国における日本法に関する法律事務の取扱いの充実に資することを目的とする。

Article 1 The purposes of this Act are to ensure the stability of international legal relations and to contribute to the improvement of the handling of legal services concerning Japanese laws in foreign jurisdictions by establishing special measures allowing a person who is qualified to be a foreign lawyer to handle legal services concerning foreign laws in Japan, and regulating the handling of legal services in the same manner as that of attorneys at law.

(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 meaning of the terms listed in the following items are as prescribed respectively in those items:

一 弁護士 弁護士法（昭和二十四年法律第二百五号）の規定による弁護士をいう。

(i) Attorney at Law: an attorney at law under the provisions of the Attorney Act (Act No. 205 of 1949);

一の二 弁護士法人 弁護士法の規定による弁護士法人をいう。

(i)-2 Legal Professional Corporation: a legal professional corporation under the provisions of the Attorney Act;

二 外国弁護士 外国（法務省令で定める連邦国家にあつては、その連邦国家の州、属地その他の構成単位で法務省令で定めるものをいう。以下同じ。）において法律事務を行うことを職務とする者で弁護士に相当するものをいう。

(ii) Foreign Lawyer: a person whose professional duties are to provide legal services as a practice in a foreign jurisdiction (in the case of federal states stipulated by Ministry of Justice Order, the term "Foreign Jurisdiction" means its constituent unit such as a state, territory and others stipulated by Ministry of Justice Order; the same applies hereinafter) and who is equivalent to an Attorney at Law;

三 外国法事務弁護士 第七条の規定による承認を受け、かつ、第二十四条の規定による名簿への登録を受けた者をいう。

(iii) Registered Foreign Lawyer: a person who has obtained approval under the provisions of Article 7 and has obtained registration in the Roll of Registered Foreign Lawyers under the provisions of Article 24;

三の二 外国法事務弁護士法人 外国法に関する法律事務（外国において効力を有し、又は有した法がその全部又は主要な部分に適用され、又は適用されるべき法律事件についての法律事務をいう。第五十条の五第一項において同じ。）を行うことを目的として、この法律の定めるところにより、外国法事務弁護士が設立した法人をいう。

(iii)-2 Registered Foreign Lawyer Corporation: a corporation established by a Registered Foreign Lawyer for the purpose of handling legal services concerning foreign laws (meaning legal services regarding a legal case, all or a major part of which the laws that are or were in effect in a foreign jurisdiction apply or should apply; the same applies in Article 50-5, paragraph (1)) pursuant to the provisions of this Act;

四 原資格国 第七条の規定による承認を受けた者がその承認の基礎となつた外国弁護士となる資格を取得した外国をいう。

(iv) Jurisdiction of Primary Qualification: the foreign jurisdiction where a person who has obtained approval under the provisions of Article 7 acquired the qualification to become a Foreign Lawyer, which served as the basis for such approval;

五 原資格国法 原資格国において効力を有し、又は有した法をいう。

(v) Laws of the Jurisdiction of Primary Qualification: the laws which are or were in effect in the Jurisdiction of Primary Qualification;

六 原資格国法に関する法律事務 原資格国法がその全部又は主要な部分に適用され、又は適用されるべき法律事件についての法律事務をいう。

(vi) Legal Services Concerning the Laws of the Jurisdiction of Primary Qualification: legal services for a legal case all or a major part to which the Laws of the Jurisdiction of Primary Qualification apply or should apply;

七 特定外国 原資格国以外の特定の外国をいう。

(vii) Specified Foreign Jurisdiction: a specified foreign jurisdiction other than a Jurisdiction of Primary Qualification;

八 特定外国法 特定外国において効力を有し、又は有した法をいう。

(viii) Laws of a Specified Foreign Jurisdiction: the laws which are or were in

effect in a Specified Foreign Jurisdiction;

九 指定法 第七条の規定による承認を受けた者が第十六条第一項の規定による指定を受けた特定外国法をいう。

(ix) Designated Laws: the Laws of a Specified Foreign Jurisdiction as to which a person who has obtained approval under the provisions of Article 7 is designated under the provisions of Article 16, paragraph (1);

十 指定法に関する法律事務 指定法がその全部又は主要な部分に適用され、又は適用されるべき法律事件についての法律事務をいう。

(x) Legal Services Concerning Designated Laws: legal services regarding a legal case all or a major part of which the Designated Laws apply or should apply;

十一 国際仲裁事件 国内を仲裁地とする民事に関する仲裁事件であつて、当事者の全部又は一部が外国に住所又は主たる事務所若しくは本店を有する者であるものをいう。

(xi) International Arbitration Case: a civil arbitration case which is conducted in Japan and in which all or some of the parties are persons who have an address or a principal office or head office in a Foreign Jurisdiction;

十二 日本弁護士連合会 弁護士法の規定による日本弁護士連合会をいう。

(xii) Japan Federation of Bar Associations: the Japan Federation of Bar Associations under the provisions of the Attorney Act;

十三 弁護士会 弁護士法の規定による弁護士会をいう。

(xiii) Bar Association: a bar association under the provisions of the Attorney Act;

十四 国内 この法律の施行地をいう。

(xiv) Japan: the place where this Act is in force; and

十五 外国法共同事業 外国法事務弁護士又は外国法事務弁護士法人と弁護士又は弁護士法人とが、組合契約その他の継続的な契約により、共同して行う事業であつて、法律事務を行うことを目的とするものをいう。

(xv) Foreign Law Joint Enterprise: an enterprise jointly operated by a Registered Foreign Lawyer or a Registered Foreign Lawyer Corporation and an Attorney at Law or a Legal Professional Corporation under a partnership contract or other continuous contract for the purpose of providing legal services.

## 第二章 外国法事務弁護士の職務

### Chapter II Professional Duties of a Registered Foreign Lawyer

(職務)

(Professional Duties)

第三条 外国法事務弁護士は、当事者その他関係人の依頼又は官公署の委嘱によつて、原資格国法に関する法律事務を行うことを職務とする。ただし、次に掲げる法律事務

を行うことは、この限りでない。

Article 3 (1) The professional duties of Registered Foreign Lawyers are to provide Legal Services Concerning the Laws of the Jurisdiction of Primary Qualification at the request of a party or other person concerned, or appointment by a public agency; provided, however, that this does not apply to providing the following legal services:

一 国内の裁判所、検察庁その他の官公署における手続についての代理及びその手続についてこれらの機関に提出する文書の作成

(i) representation in proceedings before a court, public prosecutor's office or other public agency in Japan, or the preparation of documents to be submitted to any of those organizations regarding such proceedings;

二 刑事に関する事件における弁護人としての活動、少年の保護事件における付添人としての活動及び逃亡犯罪人引渡審査請求事件における補佐

(ii) activities as a defense counsel in a criminal case, or activities as an attendant in a juvenile protection case or legal assistance in a case in connection with a request for the examination of the possibility of extradition of a fugitive criminal;

三 原資格国法以外の法の解釈又は適用についての鑑定その他の法的意見の表明

(iii) giving an expert opinion or other legal opinion regarding the interpretation or the application of laws other than those of the Jurisdiction of Primary Qualification;

四 外国の裁判所又は行政庁のために行う手続上の文書の送達

(iv) serving procedural documents for a court or administrative agency of a foreign jurisdiction;

五 民事執行法（昭和五十四年法律第四号）第二十二條第五号の公正証書の作成嘱託の代理

(v) representation in commissioning a notary public to prepare a notarized deed under item (v) of Article 22 of the Civil Execution Act (Act No. 4 of 1979); and

六 国内に所在する不動産に関する権利又は工業所有権、鉱業権その他の国内の行政庁への登録により成立する権利若しくはこれらの権利に関する権利（以下「工業所有権等」という。）の得喪又は変更を主な目的とする法律事件についての代理又は文書（鑑定書を除く。以下この条において同じ。）の作成

(vi) representation in, or the preparation of documents (excluding written expert opinions; hereinafter the same applies in this Article) for a legal case whose primary purpose is the acquisition or relinquishment or amendment of rights concerning real property located in Japan or of industrial property rights, mining rights or other rights established by registration thereof with an administrative agency in Japan or rights related to such rights (hereinafter referred to as "Industrial Property Rights, etc.").

2 外国法事務弁護士は、前項の規定により職務として行うことができる法律事務であ

つても、次に掲げるものについては、弁護士と共同し、又は弁護士の書面による助言を受けて行わなければならない。

(2) Even where legal services are those which a Registered Foreign Lawyer may provide within the scope of professional duties under the provisions of the preceding paragraph, if such services fall under any of the following items, they are required to provide those services jointly with an Attorney at Law, or after receiving written advice from an Attorney at Law:

一 国内に所在する不動産に関する権利又は工業所有権等の得喪又は変更を目的とする法律事件のうち、前項第六号の法律事件以外のものについての代理及び文書の作成

(i) representation in, or the preparation of documents for, a legal case other than a legal case mentioned in item (vi) of the preceding paragraph, the purpose of which is the acquisition or relinquishment or amendment of rights concerning real property located in Japan or Industrial Property Rights, etc.;

二 親族関係に関する法律事件で、その当事者として日本国民が含まれるものについての代理及び文書の作成

(ii) representation in, or the preparation of documents for, a legal case concerning family relations in which a Japanese national is involved as a party; and

三 国内に所在する財産で国内に居住する者が所有するものに係る遺言若しくは死因贈与に関する法律事件又は国内に所在する財産で死亡の時に国内に居住していた者が所有していたものについての遺産の分割、遺産の管理その他の相続に関する法律事件で、その当事者として日本国民が含まれるものについての代理及び文書の作成

(iii) representation in, or the preparation of documents for, a legal case concerning a will or a gift on a donor's death regarding an asset located in Japan and owned by a person who resides in Japan, or a legal case concerning the division of the estate, or administration of the estate, or other matters of inheritance regarding an asset located in Japan and owned by a person who resided in Japan at the time of death, and in which a Japanese national is involved as a party.

(職務外の法律事務の取扱いの禁止)

(Prohibition against Handling Legal Services Outside the Scope of Professional Duties)

第四条 外国法事務弁護士は、前条第一項の規定による職務の範囲を超えて法律事務を行ってはならない。

Article 4 A Registered Foreign Lawyer must not provide any legal services outside of the professional duties under the provisions of paragraph (1) of the preceding Article.

(指定法に関する法律事務)

(Legal Services Concerning Designated Laws)

第五条 外国法事務弁護士は、前条の規定にかかわらず、第十六条第一項の規定による指定を受け、かつ、第三十四条第一項の規定による指定法の付記を受けたときは、指定法に関する法律事務を行うことができる。ただし、第三条第一項第一号、第二号及び第四号から第六号までに掲げる法律事務並びに指定法以外の法の解釈又は適用についての鑑定その他の法的意見の表明については、この限りでない。

Article 5 (1) A Registered Foreign Lawyer may, notwithstanding the provisions of the preceding Article, provide Legal Services Concerning Designated Laws if they have been granted such designation under the provisions of Article 16, paragraph (1) and have been granted the supplementary note of a Designated Laws made to their registration under the provisions of Article 34, paragraph (1); provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1) items (i), (ii) and (iv) to (vi) of, nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than the Designated Laws.

2 第三条第二項の規定は、外国法事務弁護士が前項の規定により指定法に関する法律事務を行う場合について準用する。

(2) The provisions of paragraph (2) of Article 3 apply mutatis mutandis regarding cases where a Registered Foreign Lawyer provides Legal Services Concerning the Designated Laws under the provisions of the preceding paragraph.

(指定法に関する法律事務以外の特定外国法に関する法律事務)

(Legal Services Concerning Laws of a Specified Foreign Jurisdiction other than Designated Laws)

第五条の二 外国法事務弁護士は、第四条の規定にかかわらず、次に掲げる者の書面による助言を受けてするときは、指定法に関する法律事務以外の特定外国法に関する法律事務（当該特定外国法がその全部又は主要な部分に適用され、又は適用されるべき法律事件についての法律事務をいう。以下「特定外国法に関する法律事務」という。）を行うことができる。ただし、第三条第一項第一号、第二号及び第四号から第六号までに掲げる法律事務並びに当該特定外国法以外の法の解釈又は適用についての鑑定その他の法的意見の表明については、この限りでない。

Article 5-2 (1) A Registered Foreign Lawyer may, notwithstanding the provisions of Article 4, provide Legal Services Concerning the Laws of a Specified Foreign Jurisdiction other than Designated Laws (meaning legal services for a legal case all or a major part of which the laws of the specified foreign jurisdiction apply or should apply; hereinafter referred to as "Legal Services Concerning the Laws of the Specified Foreign Jurisdiction"), if they do so according to written advice from any of the persons listed as follows; provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of

laws other than the Laws of the Specified Foreign Jurisdiction:

一 当該特定外国法に係る特定外国における外国弁護士（外国法事務弁護士である者を除く。）であつて外国弁護士となる資格を基礎として当該特定外国法に関する法律事務を行う業務に従事している者（国内において雇用されて外国法に関する知識に基づいて労務の提供を行つている者を除く。）

(i) a Foreign Lawyer in the Specified Foreign Jurisdiction to which the laws of the Specified Foreign Jurisdiction pertain (excluding a person who is a Registered Foreign Lawyer) who is engaged in practice providing legal services concerning the Laws of the Specified Foreign Jurisdiction on the basis of the qualification to become a Foreign Lawyer (excluding a person who is employed and is providing services in Japan based on their knowledge concerning foreign laws);

二 外国法事務弁護士であつてその原資格国法又は指定法が当該特定外国法である者

(ii) a Registered Foreign Lawyer for whom the Laws of the Jurisdiction of Primary Qualification or Designated Laws are the Laws of the Specified Foreign Jurisdiction; or

三 外国法事務弁護士法人（原資格国法又は指定法が当該特定外国法である社員が業務を執行する場合に限る。）

(iii) a Registered Foreign Lawyer corporation (limited to when its member for whom the Laws of the Jurisdiction of Primary Qualification or Designated Laws are the Laws of the Specified Foreign Jurisdiction performs the practice).

2 第三条第二項の規定は、外国法事務弁護士が前項の規定により当該特定外国法に関する法律事務を行う場合について準用する。

(2) The provisions of Article 3, paragraph (2) apply mutatis mutandis regarding cases where a Registered Foreign Lawyer provides legal services concerning the Laws of the Specified Foreign Jurisdiction under the provisions of the preceding paragraph.

（国際仲裁事件の手続の代理）

(Representation regarding Procedures for an International Arbitration Case)

第五条の三 外国法事務弁護士は、第三条から前条までの規定にかかわらず、国際仲裁事件の手続（当該手続に伴う和解の手続を含む。以下同じ。）についての代理を行うことができる。

Article 5-3 A Registered Foreign Lawyer may, notwithstanding the provisions of Article 3 to the preceding Article, represent regarding the procedures for an International Arbitration Case (including the procedures for settlement resulting from an International Arbitration Case; the same applies hereinafter).

（弁護士法の準用等）

(Applications Mutatis Mutandis of the Attorney Act)

第六条 弁護士法第一条及び第二条の規定は、外国法事務弁護士について準用する。

Article 6 (1) The provisions of Articles 1 and 2 of the Attorney Act apply mutatis mutandis to a Registered Foreign Lawyer.

2 弁護士法第七十二条の規定は、外国法事務弁護士には適用しない。

(2) The provisions of Article 72 of the Attorney Act do not apply to a Registered Foreign Lawyer.

### 第三章 外国法事務弁護士となる資格

#### Chapter III Qualification to Become a Registered Foreign Lawyer

##### 第一節 法務大臣による承認

##### Section 1 Approval by the Minister of Justice

(外国法事務弁護士となる資格)

(Qualification to become a Registered Foreign Lawyer)

第七条 外国弁護士となる資格を有する者は、法務大臣の承認を受けた場合に限り、外国法事務弁護士となる資格を有する。

Article 7 A person who has a qualification to become a Foreign Lawyer may be qualified to be a Registered Foreign Lawyer only when they obtain approval from the Minister of Justice.

(欠格事由)

(Grounds for Disqualification)

第八条 弁護士法第七条の規定は、外国法事務弁護士となる資格について準用する。

Article 8 The provisions of Article 7 of the Attorney Act apply mutatis mutandis with respect to the qualification of a Registered Foreign Lawyer.

(承認の申請)

(Application for Approval)

第九条 第七条の規定による承認（以下「承認」という。）を受けようとする者は、氏名、生年月日、国籍、住所、外国弁護士となる資格を取得した年月日、その資格を取得した外国（次条において「資格取得国」という。）の国名、当該外国弁護士の名称その他の法務省令で定める事項を記載した承認申請書を法務大臣に提出しなければならない。

Article 9 (1) A person who intends to obtain approval under the provisions of Article 7 (hereinafter referred to as the "Approval") must submit a written application for approval to Minister of Justice, which contains the person's name, date of birth, nationality, address, date of acquiring a qualification to become a Foreign Lawyer, name of the foreign jurisdiction in which the person acquired the qualification (in the next Article referred to as the "jurisdiction of acquisition of the qualification"), their title as a Foreign Lawyer and other particulars as stipulated by Ministry of Justice Order.



2 前項の承認申請書には、外国弁護士となる資格を取得したことを証する書類、次条第一項各号に掲げる基準に適合することを証する書類その他の法務省令で定める書類を添付しなければならない。

(2) The written application for Approval set forth in the preceding paragraph must be accompanied by documents proving that qualification to become a Foreign Lawyer has been obtained, documents verifying that all the standards set forth in each item of paragraph (1) of the next Article are met, and other documents stipulated by Ministry of Justice Order.

3 承認を受けようとする者は、実費を勘案して政令で定める額の手数料を納めなければならない。

(3) A person who intends to obtain Approval must pay a fee in an amount stipulated by Cabinet Order, taking actual expenses into consideration.

(承認の基準)

(Standards for Approval)

第十条 法務大臣は、前条第一項の規定による申請をした者（以下「承認申請者」という。）が次に掲げる基準に適合するものでなければ、承認をすることができない。

Article 10 (1) The Minister of Justice may not give Approval to a person who makes an application under the provisions of paragraph (1) of the preceding Article (hereinafter referred to as an "Applicant for Approval") unless the person satisfies the standards listed below:

一 外国弁護士となる資格を有し、かつ、その資格を取得した後三年以上資格取得国において外国弁護士として職務を行つた経験（資格取得国における外国弁護士が資格取得国以外の外国において外国弁護士となる資格を基礎として資格取得国の法に関する法律事務を行う業務に従事した経験を含む。）を有すること。

(i) they have the qualification to become a Foreign Lawyer and have the experience of having performed professional duties as a Foreign Lawyer in the jurisdiction where they acquired the qualification for three years or more after acquiring it (including the experience of a Foreign Lawyer in the jurisdiction of acquisition of qualification, of having engaged in the practice of providing legal services, in a foreign jurisdiction other than the jurisdiction of acquisition of qualification, concerning the laws of the jurisdiction of qualification on the basis of the qualification to become a Foreign Lawyer);

二 次に掲げる者でないこと。

(ii) they do not fall under any one of the following categories:

イ 禁錮以上の刑に相当する外国の法令による刑に処せられた者

(a) a person who has been sentenced to a punishment under foreign laws and regulations which is equivalent to imprisonment or heavier punishment.

ロ 弾劾裁判所の罷免の裁判に相当する外国の法令による裁判を受けた者

(b) a person who has been given a court ruling under foreign laws and

regulations which is equivalent to a dismissal by the Court of Impeachment.

ハ 弁護士法第七条第三号に規定する処分に相当する外国の法令による処分を受け、その処分を受けた日から三年を経過しない者

(c) a person who has been disciplined by a punishment under foreign laws and regulations which is equivalent to a disciplinary action provided in of Article 7 , item (iii) of the Attorney Act, and for whom three years have not passed after the starting date of that punishment.

ニ 成年被後見人若しくは被保佐人又は破産者で復権を得ないものと外国の法令上同様に扱われている者

(d) a person who is treated under foreign laws and regulations, equivalent to an adult ward, a person under curatorship or a bankrupt who has not been restored rights; and

三 誠実に職務を遂行する意思並びに適正かつ確実に職務を遂行するための計画、住居及び財産的基礎を有するとともに、依頼者に与えた損害を賠償する能力を有すること。

(iii) they have the will to perform professional duties faithfully and have a plan, residence and the financial basis to perform professional duties properly and reliably, and also have the ability to compensate for any damages which they may cause to clients.

2 前項第一号の規定の適用については、外国弁護士となる資格を有する者がその資格を取得した後に国内において弁護士、弁護士法人、外国法事務弁護士又は外国法事務弁護士法人に雇用され、かつ、当該弁護士、当該弁護士法人、当該外国法事務弁護士又は当該外国法事務弁護士法人に対し資格取得国の法に関する知識に基づいて行つた労務の提供は、通算して一年を限度として資格取得国において外国弁護士として行つた職務の経験とみなす。

(2) Where a person who is qualified to be a Foreign Lawyer was in the employment of an Attorney at Law, a Legal Professional Corporation, a Registered Foreign Lawyer or a Registered Foreign Lawyer Corporation in Japan after they acquired the qualification, the provision of their services to the Attorney at Law, the Legal Professional Corporation, the Registered Foreign Lawyer or the Registered Foreign Lawyer Corporation, based on their knowledge concerning the laws of the jurisdiction where they acquired the qualification, may be considered as experience of having performed professional duties as a Foreign Lawyer in the jurisdiction where they acquired the qualification, to the extent of one year in total, with regard to application of the provisions of item (i) of the preceding paragraph.

3 法務大臣は、承認申請者が第一項各号に掲げる基準に適合するものである場合においても、次の各号のいずれかに掲げる事情があるときでなければ、承認をすることができない。

(3) Where an Applicant for Approval satisfies the standards set forth in all the

items of paragraph (1), the Minister of Justice may not give Approval unless any one of the following circumstances exists:

一 弁護士となる資格を有する者に対し第一項第一号の外国においてこの法律による取扱いと実質的に同等な取扱いが行われていること。

(i) circumstances where a person who is qualified to be an Attorney at Law receives in the foreign jurisdiction mentioned in paragraph (1), item (i) substantially the same treatment as accorded by this Act; or

二 弁護士となる資格を有する者に対し第一項第一号の外国においてこの法律による取扱いと実質的に同等な取扱いが行われていない場合においては、そのことを理由に承認をしないことが条約その他の国際約束の誠実な履行を妨げることとなること。

(ii) circumstances where, if a person who is qualified to be an Attorney at Law does not receive in the foreign jurisdiction mentioned in paragraph (1), item (i) substantially the same treatment as accorded by this Act, the non-approval on such grounds violates the sincere implementation of treaties or other international agreements.

4 法務大臣は、承認をする場合には、あらかじめ、日本弁護士連合会の意見を聴かなければならない。

(4) The Minister of Justice must in cases of Approval, ask in advance for the opinion of the Japan Federation of Bar Associations.

(承認の告示等)

(Public Notice of Approval)

第十一条 法務大臣は、承認をしたときは、遅滞なく、その旨を承認申請者及び日本弁護士連合会に書面で通知するとともに、官報で告示しなければならない。

Article 11 (1) When the Minister of Justice has given Approval, the Minister must without delay notify in writing the Applicant for Approval and the Japan Federation of Bar Associations to that effect and make a public notice in the Official Gazette.

2 承認は、前項の告示があつた日からその効力を生ずる。

(2) The Approval comes into effect as from the date of the public notice provided by the preceding paragraph.

(承認の失効)

(Expiration of Approval)

第十二条 承認を受けた者が、前条第一項の規定による告示の日の翌日から起算して六箇月以内に、又は第二十九条の規定による請求により登録の取消しを受けた日の翌日から起算して六箇月以内に、第二十五条第一項の規定による請求をしなかつたときは、その承認は、その効力を失う。

Article 12 If a person who has obtained Approval does not make the request under the provisions of Article 25, paragraph (1) within six months from the day following the date of the public notice under the provisions of paragraph

(1) of the preceding Article, or within six months from the day following the date of rescission of the registration upon their request under the provisions of Article 29, the Approval will lose its effect.

(報告等)

(Reports)

第十三条 法務大臣は、承認を受けた者に対し、必要があると認めるときは、第十条第一項各号に掲げる基準に係る事項又は弁護士となる資格を有する者に対する原資格国における取扱いに関する事項について、報告又は資料の提出を求めることができる。

Article 13 (1) The Minister of Justice may, when they deem it necessary, demand the submission of reports or relevant materials from a person who has obtained Approval, regarding the matters pertaining to the standards set forth in any of the items of Article 10, paragraph (1) or the matters concerning the treatment in the Jurisdiction of Primary Qualification of a person who has the qualification to become an Attorney at Law.

2 法務大臣は、承認に関する事務の処理に関し必要があると認めるときは、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(2) The Minister of Justice may, when they deem it necessary for the handling of affairs concerning Approval, refer to any public office or public or private organization and request information on necessary matters.

(承認の取消し)

(Rescission of Approval)

第十四条 法務大臣は、承認を受けた者が次の各号のいずれかに該当する場合には、その承認を取り消さなければならない。

Article 14 (1) The Minister of Justice must, if a person who has obtained Approval falls under any of the following items, rescind the Approval:

一 原資格国の外国弁護士となる資格を失ったとき。

(i) if they have lost the qualification to become a Foreign Lawyer in the Jurisdiction of Primary Qualification;

二 第八条において準用する弁護士法第七条各号（第二号を除く。）のいずれかに該当するに至ったとき。

(ii) if they fall under any of the items of Article 7 of the Attorney Act (except item (ii)) applied mutatis mutandis pursuant to Article 8 of the Act;

三 第二十六条の規定により登録が拒絶されたとき。

(iii) if their registration has been refused pursuant to the provision of Article 26; or

四 第三十条第二項の規定により登録が取り消されたとき。

(iv) if their registration has been rescinded pursuant to the provision of Article 30, paragraph (2).

2 法務大臣は、承認を受けた者が次の各号のいずれかに該当する場合には、その承認

を取り消すことができる。

(2) The Minister of Justice may, if a person who has obtained the Approval falls under any of the following items, rescind the Approval:

一 第九条第一項の承認申請書又は同条第二項の添付書類のうちに重要な事項について虚偽の記載があり、又は重要な事実の記載が欠けていることが判明したとき。

(i) if it is found that such person has made a false statement regarding an important matter or failed to state an important fact in the written application for the Approval under Article 9, paragraph (1) or in an attached document thereto under paragraph (2) of the same Article;

二 第十条第一項第二号に掲げる基準に適合しなくなつたとき。

(ii) if such person no longer satisfies the standards set forth in Article 10, paragraph (1), item (ii);

三 業務又は財産の状況が著しく悪化し、これによつて依頼者が損害を受けるおそれがある場合において、その損害を防止するためやむを得ないと認められるとき。

(iii) if such rescission is unavoidable in order to prevent losses which there is a reasonable possibility clients of such person may suffer, due to the marked deterioration of the practice or financial condition; or

四 第十条第一項各号に掲げる基準に係る事項について、前条第一項の報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。

(iv) if such person fails to submit reports or materials or submits a false report or materials under paragraph (1) of the preceding Article, with respect to the matters pertaining to the standards set forth in each item of Article 10, paragraph(1).

3 法務大臣は、承認後に次の各号のいずれかに掲げる事情が生じているときは、当該各号に規定する外国を原資格国として承認を受けた者に対し、その承認を取り消すことができる。

(3) In cases where circumstances as listed in any one of the following items arise after Approval, the Minister of Justice may rescind the Approval of those persons who have obtained it with regard to the jurisdiction set forth in any of the said items as the Jurisdiction of Primary Qualification:

一 弁護士となる資格を有する者に対し外国においてこの法律による取扱いと実質的に同等な取扱いが行われなくなり、そのことを理由に承認を取り消すことが条約その他の国際約束の誠実な履行を妨げることとならないこと。

(i) circumstances where a person who has the qualification to be an Attorney at Law has become no longer eligible to receive substantially equivalent treatment as accorded by this Act in a foreign jurisdiction, and rescinding Approval on such grounds does not violate the sincere implementation of treaties or other international agreements; or

二 弁護士となる資格を有する者に対し引き続き外国においてこの法律による取扱いと実質的に同等な取扱いが行われていない場合においては、そのことを理由に承認を取り消すことが条約その他の国際約束の誠実な履行を妨げることとならなくなつ

たこと。

(ii) circumstances where a person who has the qualification to be an Attorney at Law has not been granted substantially equivalent treatment as accorded by this Act in a foreign jurisdiction, and rescinding Approval on such grounds becomes no longer violation of the sincere implementation of treaties or other international agreements.

4 第十条第四項及び第十一条の規定は、前三項の規定による承認の取消しについて準用する。

(4) The provisions of Article 10, paragraph (4) and Article 11 apply mutatis mutandis to the rescission of Approval under the provisions of the preceding three paragraphs.

第十五条 削除

Article 15 Deleted

## 第二節 特定外国法の指定

### Section 2 Designation of Laws of a Specified Foreign Jurisdiction

(指定)

(Designation)

第十六条 法務大臣は、承認を受けた者が次の各号に掲げる条件のいずれかに該当するときは、その者に対し、特定外国法を指定することができる。

Article 16 (1) If a person who has obtained Approval falls under any one of the following items, the Minister of Justice may designate the Laws of a Specified Foreign Jurisdiction for such person:

一 特定外国の外国弁護士となる資格を有する者であること。

(i) such person has the qualification to become a Foreign Lawyer of the Specified Foreign Jurisdiction; or

二 特定外国の外国弁護士となる資格を有する者と同程度に当該特定外国の法に関する学識を有し、かつ、その法に関する法律事務の取扱いについて五年以上の実務経験を有する者であること。

(ii) such person has the same level of knowledge regarding the Laws of a Specified Foreign Jurisdiction as a person who has the qualification to become a Foreign Lawyer of that jurisdiction and has five or more years of practical experience of legal services concerning such laws.

2 第十条第四項及び第十一条の規定は、前項の規定による指定について準用する。

(2) The provisions of Article 10, paragraph (4) and Article 11 apply mutatis mutandis to the designation under the provisions of the preceding paragraph.

(指定の申請)

(Application for Designation)

第十七条 承認を受けた者が前条第一項の規定による指定（以下「指定」という。）を受けようとするときは、指定申請書を法務大臣に提出しなければならない。

Article 17 (1) In cases where a person who has obtained Approval desires to receive the designation under the provisions of paragraph (1) of the preceding Article (hereinafter referred to as the "Designation"), the person must submit to the Minister of Justice a written application for Designation.

2 前項の指定申請書には、前条第一項各号に掲げる条件の一に該当することを証する書類その他の法務省令で定める書類を添付しなければならない。

(2) The written application for the Designation provided in the preceding paragraph must be accompanied by documents verifying that such person falls under one of the conditions set forth in each item of paragraph (1) of the preceding Article, and other documents stipulated by Ministry of Justice Order.

3 指定を受けようとする者は、実費を勘案して政令で定める額の手数料を納めなければならない。

(3) A person who intends to obtain the Designation must pay a fee in an amount stipulated by Cabinet Order, taking actual expenses into consideration.

(指定の失効)

(Expiration of a Designation)

第十八条 承認がその効力を失い、又は取り消されたときは、指定は、その効力を失う。指定を受けた者が第十六条第二項において準用する第十一条第一項の規定による告示の日の翌日から起算して六箇月以内に第三十三条第一項の規定による請求をしなかつたときも、同様とする。

Article 18 If Approval loses its effect or is rescinded, Designation will lose its effect. It will also lose its effect if a person who has obtained a Designation does not make the request under the provisions of Article 33, paragraph (1) within six months from the day following the date of public notice under the provisions of paragraph (1) of Article 11 applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (2).

(報告等)

(Reports)

第十九条 法務大臣は、指定を受けた者に対し、必要があると認めるときは、第十六条第一項各号に掲げる条件に係る事項について、報告又は資料の提出を求めることができる。

Article 19 (1) The Minister of Justice may, when they deem it necessary, demand from a person who has received a Designation, the submission of reports or relevant materials on the matters pertaining to the conditions set forth in each item of Article 16, paragraph (1).

2 第十三条第二項の規定は、指定に関する事務の処理について準用する。

(2) The provisions of Article 13, paragraph (2) apply mutatis mutandis to the

handling of affairs concerning the Designation.

(指定の取消し)

**(Rescission of a Designation)**

第二十条 法務大臣は、指定を受けた者が第十六条第一項第一号の資格を失ったときは、その指定を取り消さなければならない。

Article 20 (1) The Minister of Justice must, if a person with the Designation has lost the qualification provided for in Article 16, paragraph (1), item (i) rescind the Designation.

2 法務大臣は、指定を受けた者が次の各号の一に該当する場合には、その指定を取り消すことができる。

(2) The Minister of Justice may, if a person with the Designation falls under any one of the following items, rescind the Designation:

一 第十七条第一項の指定申請書又は同条第二項の添付書類のうちに重要な事項について虚偽の記載があり、又は重要な事実の記載が欠けていることが判明したとき。

(i) it is found that such person has made a false statement regarding an important matter or failed to state an important fact in the written application for the Designation under Article 17, paragraph (1) or in an attached document thereto under paragraph (2) of the same Article; or

二 前条第一項の報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。

(ii) such person fails to submit reports or relevant materials required under paragraph (1) of the preceding Article or submits a false report or materials.

3 第十条第四項及び第十一条の規定は、前二項の規定による指定の取消しについて準用する。

(3) The provisions of Article 10, paragraph (4) and Article 11 apply mutatis mutandis to the rescission of the Designation under the provisions of the preceding two paragraphs.

#### **第四章 外国法事務弁護士の登録及び業務**

#### **Chapter IV Registration and Practice of a Registered Foreign Lawyer**

##### **第一節 総則**

##### **Section 1 General Provisions**

(弁護士会及び日本弁護士連合会の目的等)

**(Purpose of Bar Associations and the Japan Federation of Bar Associations)**

第二十一条 弁護士法第三十一条第一項、第四十一条及び第四十二条第二項（同法第五十条において準用する場合を含む。）並びに同法第四十五条第二項、第四十八条及び第四十九条の規定の適用については、外国法事務弁護士及び外国法事務弁護士法人は、それぞれ弁護士及び弁護士法人とみなす。

Article 21 A Registered Foreign Lawyer and a Registered Foreign Lawyer



Corporation is deemed to be an Attorney at Law and a Legal Professional Corporation, respectively, for purposes of the application of the provisions of paragraph (1) of Article 31, Article 41 and Article 42, paragraph (2) of the Attorney Act (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 50 of the Act) and also Article 45, paragraph (2), Article 48 and Article 49 of the Act.

(弁護士会の会則の記載事項の特則)

(Special Provisions of Particulars listed in the Articles of Association of Bar Associations)

第二十二條 弁護士会の会則には、弁護士法第三十三條第二項各号に掲げるもののほか、日本弁護士連合会の会則で定めるところにより、次に掲げる事項を記載するものとする。

Article 22 The articles of association of Bar Associations will set forth the following matters listed in accordance with the Articles of Association of the Japan Federation of Bar Associations, beyond those listed in each item of Article 33, paragraph (2) of the Attorney Act:

一 外国法事務弁護士及び外国法事務弁護士法人に関する弁護士法第三十三條第二項第三号、第九号、第十五号及び第十六号に掲げる事項

(i) matters listed in Article 33, paragraph (2), items (iii), (iv), (xv) and (xvi) of the Attorney Act concerning Registered Foreign Lawyers and Registered Foreign Lawyer Corporations;

二 外国法事務弁護士及び外国法事務弁護士法人の綱紀保持に関する規定

(ii) provisions concerning the enforcement of discipline against Registered Foreign Lawyers and Registered Foreign Lawyer Corporations;

三 官公署その他に対する外国法事務弁護士の推薦に関する規定

(iii) provisions concerning the recommendation of a Registered Foreign Lawyer to a public or other agency;

四 外国法事務弁護士及び外国法事務弁護士法人の職務に関する紛議の調停に関する規定

(iv) provisions concerning the mediation of disputes concerning the performance of professional duties of Registered Foreign Lawyers and Registered Foreign Lawyer Corporations;

五 外国法事務弁護士及び外国法事務弁護士法人の懲戒の請求に関する規定

(v) provisions concerning a request for disciplinary action against Registered Foreign Lawyers and Registered Foreign Lawyer Corporations;

六 外国法事務弁護士の営利業務の届出及び営利業務従事外国法事務弁護士名簿に関する規定

(vi) provisions concerning notification to engage in for-profit business by a Registered Foreign Lawyer and provisions concerning the Roll of Registered Foreign Lawyers engaged in for-profit business; and

七 その他外国法事務弁護士及び外国法事務弁護士法人に関する必要な規定  
(vii) other necessary provisions concerning Registered Foreign Lawyers and  
Registered Foreign Lawyer Corporations.

(日本弁護士連合会の会則の記載事項の特則)

(Special Provisions to be Included in the Articles of Association of the Japan  
Federation of Bar Associations)

第二十三条 日本弁護士連合会の会則には、弁護士法第四十六条第二項各号に掲げるもの  
のほか、次に掲げる事項を記載しなければならない。

Article 23 The Articles of Association of the Japan Federation of Bar

Associations must set forth the following, beyond those listed in each item of  
Article 46, paragraph (2) of the Attorney Act:

一 前条第一号から第三号までに掲げる事項

(i) matters listed in items (i) to (iii) of the preceding Article;

二 外国法事務弁護士名簿の登録、登録換え及び登録の取消しに関する規定

(ii) provisions concerning registration, change of registration and rescission of  
registration in the Roll of Registered Foreign Lawyers;

三 外国法事務弁護士登録審査会に関する規定

(iii) provisions concerning the Registered Foreign Lawyers Registration  
Screening board;

四 外国法事務弁護士及び外国法事務弁護士法人の懲戒、外国法事務弁護士懲戒委員  
会並びに外国法事務弁護士綱紀委員会に関する規定

(iv) provisions concerning disciplinary action regarding Registered Foreign  
Lawyers and Registered Foreign Lawyer Corporations, the Registered  
Foreign Lawyers Disciplinary Actions Committee and the Registered Foreign  
Lawyers Discipline Enforcement Committee; and

五 その他外国法事務弁護士及び外国法事務弁護士法人に関する必要な規定

(v) other necessary provisions concerning Registered Foreign Lawyers and  
Registered Foreign Lawyer Corporations.

## 第二節 外国法事務弁護士の登録

### Section 2 Registration of Registered Foreign Lawyers

#### 第一款 外国法事務弁護士名簿

##### Subsection 1 Roll of Registered Foreign Lawyers

(登録)

(Registration)

第二十四条 外国法事務弁護士となる資格を有する者が、外国法事務弁護士となるには、  
日本弁護士連合会に備える外国法事務弁護士名簿に、氏名、生年月日、国籍、原資格  
国の国名、国内の住所、事務所、所属弁護士会その他の日本弁護士連合会の会則で定  
める事項の登録を受けなければならない。

Article 24 (1) A person who has the qualification to become a Registered Foreign Lawyer is required to obtain registration of their name, date of birth, nationality, name of the Jurisdiction of Primary Qualification, address in Japan, office, name of the Bar Association to which they belong, and other particulars stipulated by the Articles of Association of the Japan Federation of Bar Associations, in the Roll of Registered Foreign Lawyers kept by the Japan Federation of Bar Associations, in order to be a Registered Foreign Lawyer.

2 外国法事務弁護士名簿の登録は、日本弁護士連合会が行う。

(2) Registration in the Roll of Registered Foreign Lawyers is made by the Japan Federation of Bar Associations.

(登録の請求等)

(Requests for Registration)

第二十五条 前条の規定による登録（以下「登録」という。）を受けようとする者は、入会しようとする弁護士会を経由して、日本弁護士連合会に登録請求書を提出しなければならない。

Article 25 (1) A person who intends to obtain registration under the provisions of the preceding Article (hereinafter referred to as the "Registration") must submit a written request for Registration to the Japan Federation of Bar Associations through the Bar Association which they intend to join.

2 前項の登録請求書には、次に掲げる事項を記載し、外国法事務弁護士となる資格を有することを証する書類その他の日本弁護士連合会の会則で定める書類を添付しなければならない。

(2) The written request for the Registration mentioned in the preceding paragraph must include statements on the following as listed below, and must be accompanied by documents verifying that they are qualified to be a Registered Foreign Lawyer and other documents stipulated by the Articles of Association of the Japan Federation of Bar Associations:

一 登録を受けるべき事項

(i) the particulars to be registered;

二 承認を受けた年月日

(ii) the date on which Approval was obtained;

三 外国弁護士として受けた賞罰及びその職務上の監督機関によるその職務歴に関する評価

(iii) honors and sanctions, if any, which they have received as a Foreign Lawyer, and an evaluation of their career and professional duties as a Foreign Lawyer by the regulatory authority for their professional duties; and

四 その他日本弁護士連合会の会則で定める事項

(iv) other particulars stipulated by the Articles of Association of the Japan Federation of Bar Associations.

3 第一項の登録請求書の提出を受けた弁護士会は、速やかに、これを日本弁護士連合

会に進達しなければならない。

(3) The Bar Association which has received the submission of a written request for the Registration mentioned in paragraph (1) must promptly send it to the Japan Federation of Bar Associations.

4 前項の弁護士会は、日本弁護士連合会に対し、第一項の規定による登録の請求（以下「登録請求」という。）について意見を述べることができる。

(4) The Bar Association mentioned in the preceding paragraph may express its opinion to the Japan Federation of Bar Associations regarding the request for the Registration under the provisions of paragraph (1) (hereinafter referred to as the "Request for Registration").

（登録の拒絶）

(Refusal of Registration)

第二十六条 日本弁護士連合会は、登録請求をした者が、弁護士会若しくは日本弁護士連合会の秩序若しくは信用を害するおそれがあるとき、又は次の各号のいずれかに該当し、外国法事務弁護士の職務を行わせることがその適正を欠くおそれがあるときは、外国法事務弁護士登録審査会の議決に基づき、その登録を拒絶することができる。

Article 26 If there is a reasonable possibility that a person requesting the Registration would upset the order or damage reputation of the Bar Association or the Japan Federation of Bar Associations, or if they fall under any of the following items and there is a reasonable likelihood that it would be inappropriate to permit them to perform professional duties as a Registered Foreign Lawyer, the Japan Federation of Bar Associations may refuse their Registration, based on a resolution of the Registered Foreign Lawyers Registration Screening Board:

一 心身に故障があるとき。

(i) the person is mentally or physically handicapped; or

二 第八条において準用する弁護士法第七条第三号に規定する処分を受けた者が当該処分を受けた日から三年を経過して請求したとき。

(ii) the person who was subject to the disciplinary action stipulated in Article 7, item (iii) of the Attorney Act which applies mutatis mutandis pursuant to the provisions of Article 8, has requested after three years from the date of the disciplinary action.

（登録に関する通知）

(Notices on Registration)

第二十七条 日本弁護士連合会は、登録請求を受けた場合において、登録をしたときはその旨を、登録を拒絶したときはその旨及びその理由を当該登録請求をした者及びこれを進達した弁護士会並びに法務大臣に書面により通知しなければならない。

Article 27 When the Japan Federation of Bar Associations has received a Request for Registration, it must notify in writing the person who requested

the Registration, the Bar Association which has sent it and the Minister of Justice to the effect that the Registration has been made, or that it has been refused, stating the reason for the refusal.

(登録換えの請求等)

(Requests for Registration of Transfer)

第二十八条 外国法事務弁護士は、所属弁護士会を変更しようとするときは、新たに入会しようとする弁護士会を経由して、日本弁護士連合会に登録換え請求書を提出しなければならない。

Article 28 (1) If a Registered Foreign Lawyer intends to change the Bar Association to which they belong, they must submit a written request for the change of the Registration to the Japan Federation of Bar Associations through the Bar Association to which they intend to be newly admitted.

2 外国法事務弁護士は、前項の規定による登録換えの請求（以下「登録換え請求」という。）をするときは、所属弁護士会にその旨を届け出なければならない。

(2) When a Registered Foreign Lawyer makes a request for a change of Registration under the provisions of the preceding paragraph (hereinafter referred to as a "Request for a Change of Registration"), they must report it to the Bar Association to which they belong.

3 第二十五条第三項及び第四項並びに前二条の規定は、登録換え請求について準用する。

(3) The provisions of Article 25, paragraphs (3) and (4) and the preceding two Articles apply mutatis mutandis to a Request for a Change of Registration.

(登録の取消しの請求)

(Request for Rescission of a Registration)

第二十九条 外国法事務弁護士は、その業務をやめようとするときは、所属弁護士会を経由して、日本弁護士連合会に登録の取消しを請求しなければならない。

Article 29 If a Registered Foreign Lawyer intends to terminate their practice, they must make a Request for the Rescission of their Registration to the Japan Federation of Bar Associations through the Bar Association to which they belong.

(登録の取消し)

(Rescission of a Registration)

第三十条 日本弁護士連合会は、外国法事務弁護士が次の各号のいずれかに該当する場合には、その登録を取り消さなければならない。

Article 30 (1) The Japan Federation of Bar Associations must rescind the Registration of a Registered Foreign Lawyer when they fall under any of the following items;

一 第八条において準用する弁護士法第七条各号（第二号を除く。）のいずれかに該

当するに至ったとき。

(i) if they fall under any of the items (except item (ii)) of Article 7 of the Attorney Act which applies mutatis mutandis pursuant to the provisions of Article 8 of this Act;

二 前条の規定により登録の取消しを請求したとき。

(ii) if they request the Rescission of the Registration pursuant to the provisions of the preceding Article;

三 退会命令を受けたとき。

(iii) if they have received an order to withdraw from the Bar Association;

四 第十四条第一項第一号若しくは第二項各号のいずれかに該当することにより、又は同条第三項の規定により承認が取り消されたとき。

(iv) if the Approval has been rescinded due to Article 14 , paragraph (1), item (i) or any one of the items of paragraph (2) or pursuant to the provisions of paragraph (3) of the same Article; or

五 死亡したとき。

(v) if they have died.

2 日本弁護士連合会は、外国法事務弁護士が、第二十六条各号に掲げる事項について虚偽の申告をしていたとき、若しくは心身の故障により外国法事務弁護士の職務を行わせることがその適性を欠くおそれがあるとき、又は第四十八条の規定に違反したときは、外国法事務弁護士登録審査会の議決に基づき、その登録を取り消すことができる。

(2) The Japan Federation of Bar Associations may rescind the Registration of a Registered Foreign Lawyer, based on the resolution of the Registered Foreign Lawyers Registration Screening Board, in cases where they have made a false statement regarding any of the matters mentioned in each item of Article 26, there is a reasonable possibility that they may be unfit to perform professional duties as a Registered Foreign Lawyer due to a mental or physical handicap, or they have violated the provisions of Article 48.

3 日本弁護士連合会は、第一項第一号から第四号まで又は前項の規定により登録を取り消したときは、その旨及びその理由を当該外国法事務弁護士及び従前の所属弁護士会並びに法務大臣に書面により通知しなければならない。

(3) When the Japan Federation of Bar Associations has rescinded the Registration pursuant to the provisions of paragraph (1), items (i) to (iv) , or of the preceding paragraph, it must notify in writing the Registered Foreign Lawyer concerned, the Bar Association to which they belonged and the Minister of Justice, to that effect, stating the reasons for the rescission.

(登録の取消事由の報告)

(Reporting the Grounds for Rescission of the Registration)

第三十一条 弁護士会は、所属の外国法事務弁護士に登録の取消事由があると認めるときは、日本弁護士連合会に、速やかに、その旨を報告しなければならない。

Article 31 If a Bar Association finds that there are grounds for rescinding the Registration of a Registered Foreign Lawyer who belongs to it, it must report such fact promptly to the Japan Federation of Bar Associations.

(登録等の公告)

(Public Announcements of Registration)

第三十二条 日本弁護士連合会は、登録、登録換え及び登録の取消しをしたときは、速やかに、その旨を官報で公告しなければならない。

Article 32 If the Japan Federation of Bar Associations has effected a Registration, change of a Registration or rescission of a Registration, it must promptly make public notice of such fact in the Official Gazette.

(指定法の付記の請求)

(Request for Adding a Supplementary Note of Designated Laws)

第三十三条 外国法事務弁護士は、登録に指定法の付記を受けようとするときは、所属弁護士会を経由して、日本弁護士連合会に対し、指定法付記請求書を提出しなければならない。

Article 33 (1) If a Registered Foreign Lawyer intends to have a supplementary note of a Designated Law added to their Registration, they must submit a written request for the addition of a supplementary note of the Designated Law to the Japan Federation of Bar Associations through the Bar Association to which they belong.

2 前項の指定法付記請求書には、日本弁護士連合会の会則で定める事項を記載し、指定を受けたことを証する書類を添付しなければならない。

(2) The written request for the addition of a supplementary note of a Designated Law mentioned in the preceding paragraph must include statements on the matters stipulated by the Articles of Association of the Japan Federation of Bar Associations and it must be attached by a document verifying that the Designation has been made.

3 第二十五条第三項の規定は、第一項の指定法付記請求書の進達について準用する。

(3) The provisions of Article 25, paragraph (3) apply mutatis mutandis to the sending of the written request for the addition of a supplementary note of a Designated Law mentioned in paragraph (1).

(指定法の付記)

(Adding Supplementary Notes of Designated Laws)

第三十四条 日本弁護士連合会は、前条の規定による請求を受けたときは、速やかに、当該外国法事務弁護士の登録に当該指定法を付記しなければならない。

Article 34 (1) The Japan Federation of Bar Associations must, upon receipt of a request under the provisions of the preceding Article, promptly add the supplementary notes of relevant Designated Laws to the Registration of the

Registered Foreign Lawyer concerned.

2 第二十七条の規定は、前項の規定による付記をした場合について準用する。

(2) The provisions of Article 27 apply mutatis mutandis in the case of a supplementary note addition under the provisions of the preceding paragraph.

(指定法の付記の抹消)

(Deletion of the Addition of a Supplementary Note of Designated Laws)

第三十五条 日本弁護士連合会は、指定が取り消されたときは、当該指定法の付記を抹消しなければならない。

Article 35 The Japan Federation of Bar Associations must delete the addition of a supplementary note of a Designated Law concerned in cases where the Registration has been rescinded.

(指定法の付記等の公告)

(Public Announcements of the Addition of Supplementary Note of Designated Laws)

第三十六条 第三十二条の規定は、指定法の付記及びその付記の抹消について準用する。

Article 36 The provisions of Article 32 apply mutatis mutandis to the addition of supplementary notes of Designated Laws and the deletion of the addition of supplementary notes.

## 第二款 外国法事務弁護士登録審査会

### Subsection 2 Registered Foreign Lawyers Registration Screening Board

(設置)

(Establishment)

第三十七条 日本弁護士連合会に外国法事務弁護士登録審査会を置く。

Article 37 (1) A Registered Foreign Lawyers Registration Screening Board will be established within the Japan Federation of Bar Associations.

2 外国法事務弁護士登録審査会は、日本弁護士連合会の請求により、外国法事務弁護士の登録請求、登録換え請求、第二十九条の規定による登録の取消しの請求及び第三十条第二項の規定による登録の取消しに関して必要な審査を行うものとする。

(2) The Registered Foreign Lawyers Registration Screening Board is to, upon request of the Japan Federation of Bar Associations, conduct necessary examination concerning Requests for the Registration of Registered Foreign Lawyers, requests for changes of Registration, requests for rescission of Registration under the provisions of Article 29 and requests for rescission of Registration under the provisions of Article 30, paragraph (2), with respect to Registered Foreign Lawyers.



(組織)

(Organization)

第三十八条 外国法事務弁護士登録審査会は、会長及び委員十三人をもつて組織する。

Article 38 (1) The Registered Foreign Lawyers Registration Screening Board will be composed of a Chairperson and thirteen members.

2 会長は、日本弁護士連合会の会長が指名する日本弁護士連合会の副会長をもつて充てる。

(2) The Chairperson will be nominated by the President of the Japan Federation of Bar Associations from the Vice-Presidents of the Japan Federation of Bar Associations.

3 委員のうち、八人は弁護士の中から、三人は裁判官、検察官及び学識経験者の中からそれぞれ一人ずつ、二人は政府職員の中から日本弁護士連合会の会長が委嘱する。ただし、裁判官、検察官又は政府職員である委員は最高裁判所、検事総長又は法務大臣の推薦に基づき、その他の委員は日本弁護士連合会の会則で定める日本弁護士連合会の機関の決議に基づかなければならない。

(3) The President of the Japan Federation of Bar Associations must appoint eight members from Attorneys at Law, one member respectively from judges, public prosecutors and persons with relevant knowledge and experience (in total three), and two members from government officials; provided, however, that members who are judges, public prosecutors or government officials are appointed based on the recommendation of the Supreme Court, the Prosecutor General or the Minister of Justice respectively, and the other members are appointed on the decision of such organ of the Japan Federation of Bar Associations as stipulated by the Articles of Association of the Japan Federation of Bar Associations.

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

(4) The term of office of a member will be two years; provided, however, that the term of office of a member appointed to fill a vacancy will be the remaining period of office of their predecessor.

5 外国法事務弁護士登録審査会に予備委員十三人を置く。

(5) The Registered Foreign Lawyers Registration Screening Board will have thirteen reserve members.

6 第三項及び第四項並びに弁護士法第五十三条第三項の規定は、前項の予備委員について準用する。

(6) The provisions of paragraphs (3) and (4) and Article 53, paragraph (3) of the Attorney Act apply mutatis mutandis to the reserve members mentioned in the preceding paragraph.

7 弁護士法第五十四条の規定は外国法事務弁護士登録審査会の会長について、同条第二項の規定は外国法事務弁護士登録審査会の委員及び予備委員について準用する。

(7) The provisions of Article 54 of the Attorney Act apply mutatis mutandis to the

Chairperson of the Registered Foreign Lawyers Registration Screening Board and the provisions of paragraph (2) of the same Article apply to the members and reserve members of the Registered Foreign Lawyers Registration Screening Board.

(審査手続)

(Examination Procedures)

第三十九条 弁護士法第五十五条第一項の規定は、外国法事務弁護士登録審査会の審査手続について準用する。

Article 39 (1) The provisions of Article 55 , paragraph (1) of the Attorney Act apply mutatis mutandis to the procedure of the examination conducted by the Registered Foreign Lawyers Registration Screening Board.

2 外国法事務弁護士登録審査会は、登録請求若しくは登録換え請求の拒絶又は第三十条第二項の規定による登録の取消しを可とする議決をする場合には、あらかじめ、当事者に対してその旨を通知し、かつ、これに関して陳述及び資料の提出をする機会を与えなければならない。

(2) If the Registered Foreign Lawyers Registration Screening Board resolves the refusal of a Request for Registration or a Request for Change of the Registration or the approval of cancellation of the Registration under the provisions of Article 30, paragraph (2), it must notify the party concerned of that effect in advance and give them an opportunity to defend and submit relevant materials on the matter.

### 第三款 弁護士会及び日本弁護士連合会への入会及び退会

#### Subsection 3 Admission to and Withdrawal from a Bar Association and the Japan Federation of Bar Associations

(弁護士会及び日本弁護士連合会への入会及び退会)

(Admission to and Withdrawal from a Bar Association and the Japan Federation of Bar Associations)

第四十条 登録を受けた者は、当該登録の時に、当該弁護士会及び日本弁護士連合会に入会するものとする。

Article 40 (1) A person who has obtained Registration is to join the relevant Bar Association and the Japan Federation of Bar Associations as of the time of their Registration.

2 登録換えを受けた者は、当該登録換えの時に、当該弁護士会に入会するものとし、これによつて従前の所属弁護士会を退会するものとする。

(2) A person who has a change made to their Registration is to join the relevant Bar Association at the time of the change of their Registration and withdraw from the Bar Association to which they belonged until then.

3 第二十九条の規定による請求により登録の取消しを受けた者は、その取消しの時に、

所属弁護士会及び日本弁護士連合会を退会するものとする。

- (3) A person who has had rescission of their Registration made at their request under the provisions of Article 29 is to withdraw from the Bar Association to which they belong and the Japan Federation of Bar Associations at the time of rescission.

第四十一条 弁護士会が合併したときは、合併により解散した弁護士会に所属した外国法事務弁護士は、当然、合併後存続し又は合併により設立された弁護士会に入会するものとする。

Article 41 (1) If Bar Associations are merged, a Registered Foreign Lawyer who belongs to the Bar Association which is dissolved in the merger must automatically be admitted to the Bar Association which continues to exist after, or is established by the merger.

2 第二十八条第一項の規定は、前項の場合について準用する。

- (2) The provisions of Article 28, paragraph (1) apply mutatis mutandis in the case referred to the preceding paragraph.

(会則を守る義務)

(Obligation to Observe Articles of Association)

第四十二条 外国法事務弁護士は、所属弁護士会及び日本弁護士連合会の会則中外国法事務弁護士に関する規定を守らなければならない。

Article 42 A Registered Foreign Lawyer is required to observe the provisions concerning Registered Foreign Lawyers set forth in the articles of association of the Bar Association to which they belong and of the Japan Federation of Bar Associations.

(外国法事務弁護士の議決権)

(Voting Right of a Registered Foreign Lawyer)

第四十三条 外国法事務弁護士は、所属弁護士会又は日本弁護士連合会が、第二十二条各号又は第二十三条各号に掲げる事項についての会則の制定又は改廃を審議すべき総会を召集するときは、その総会に出席し、意見を述べ、及び議決に加わることができる。

Article 43 If the Bar Association to which a Registered Foreign Lawyer belongs or the Japan Federation of Bar Associations convenes a general meeting to deliberate on the establishment, revision or abolition of the articles of association, regarding the matters listed in each item of Article 22 or Article 23, the Registered Foreign Lawyer may attend such meeting, express their opinions and participate in voting.

### 第三節 外国法事務弁護士の権利及び義務

#### Section 3 Rights and Obligations of a Registered Foreign Lawyer

(外国法事務弁護士の資格の表示)

**(Representation of Qualification as a Registered Foreign Lawyer)**

第四十四条 外国法事務弁護士は、業務を行うに際しては、外国法事務弁護士の名称を用い、かつ、その名称に原資格国の国名を付加しなければならない。

Article 44 A Registered Foreign Lawyer must use the title of "外国法事務弁護士" (with a pronunciation of "Gaikokuho-Jimu-Bengoshi" and with a literal meaning "Registered Foreign Lawyer") and attach the name of the Jurisdiction of Primary Qualification to this title when practicing.

(外国法事務弁護士の事務所)

**(Office of Registered Foreign Lawyer)**

第四十五条 外国法事務弁護士の事務所は、外国法事務弁護士事務所と称さなければならない。

Article 45 (1) The office of a Registered Foreign Lawyer must use the name "外国法事務弁護士事務所" (with a pronunciation of "Gaikokuho-Jimu-Bengoshi-Jimusho" and a literal meaning of "office of Registered Foreign Lawyer").

2 外国法事務弁護士の事務所の名称中には、他の個人又は団体の名称を用いてはならない。ただし、法律事務の処理を目的とする原資格国の法人、組合その他の事業体で自己が所属するもの（以下「所属事業体」という。）の名称については、次に掲げる場合に限り、用いることができる。

(2) The name of the office of a Registered Foreign Lawyer must not include the name of any other individual or organization; provided, however, that a Registered Foreign Lawyer may use the name of a corporation, partnership or other business entity of their Jurisdiction of Primary Qualification which has as its objective the provision of legal services and to which they belong (hereinafter referred to as the "Business Entity to Which They Belong"), only in the following cases:

一 当該所属事業体の名称を用いている外国法事務弁護士又は外国法事務弁護士法人がない場合

(i) there is no other Registered Foreign Lawyer or Registered Foreign Lawyer Corporation that uses the name of the Business Entity to Which They Belong; or

二 既に当該所属事業体の名称を用いている外国法事務弁護士又は外国法事務弁護士法人がある場合において、その外国法事務弁護士又は外国法事務弁護士法人と事務所を共にするとき。

(ii) they share the office with other Registered Foreign Lawyers or a Registered Foreign Lawyer Corporation that has already been using the name of the Business Entity to Which They Belong.

3 前二項の規定にかかわらず、外国法事務弁護士は、外国法事務弁護士、外国法事務弁護士法人、弁護士又は弁護士法人に雇用されているときは、その外国法事務弁護士、

外国法事務弁護士法人、弁護士又は弁護士法人の事務所の名称を使用することができる。

(3) Notwithstanding the provisions of the preceding two paragraphs, if they are employed by a Registered Foreign Lawyer, Registered Foreign Lawyer Corporation, Attorney at Law or Legal Professional Corporation, a Registered Foreign Lawyer may use the name of the office of the Registered Foreign Lawyer, Registered Foreign Lawyer Corporation, Attorney at Law or Legal Professional Corporation.

4 外国法事務弁護士事務所は、その外国法事務弁護士の所属弁護士会の地域内に設けなければならない。

(4) The office of a Registered Foreign Lawyer must be established within the district where the Bar Association to which they belong is located.

5 外国法事務弁護士は、いかなる名義をもつてしても、国内に二個以上の事務所を設けることができない。

(5) A Registered Foreign Lawyer may not establish more than one office, under any name, in Japan.

(原資格国法及び指定法の表示)

(Indication of the Laws of the Jurisdiction of Primary Qualification and of Designated Law)

第四十六条 外国法事務弁護士は、日本弁護士連合会の会則で定めるところにより、その事務所内の公衆の見やすい場所に、原資格国法及び指定法を表示する標識を掲示しなければならない。

Article 46 (1) A Registered Foreign Lawyer is required to display a sign indicating the Laws of the Jurisdiction of Primary Qualification and Designated Law at a place easily visible to the public inside their the office, pursuant to the provisions of the Articles of Association of the Japan Federation of Bar Associations.

2 前項の規定による掲示のほか、原資格国法及び指定法の表示に関し必要な事項は、日本弁護士連合会の会則で定める。

(2) Beyond displaying a sign under the provisions of the preceding paragraph, important particulars concerning the indication of the laws of the Jurisdiction of Primary Qualification and of Designated Law are stipulated by the Articles of Association of the Japan Federation of Bar Associations.

(外国弁護士の名称等の使用)

(Use of the Title of Foreign Lawyer)

第四十七条 外国法事務弁護士は、業務を行うに際しては、外国法事務弁護士の名称及び原資格国の国名に付加する場合に限り、原資格国における外国弁護士の名称を用いることができる。

Article 47 (1) A Registered Foreign Lawyer may, when practicing, use the title of

a Foreign Lawyer in their Jurisdiction of Primary Qualification, only when they add it to their title of "外国法事務弁護士" with a pronunciation of "Gaikokuho-Jimu-Bengoshi" and with a literal meaning of "Registered Foreign Lawyer" and the name of their Jurisdiction of Primary Qualification.

2 外国法事務弁護士は、第四十五条第二項ただし書の規定により事務所の名称中に用いることができる場合のほか、業務を行うに際しては、同項各号に掲げる場合において自己の氏名又は事務所の名称に付加するときに限り、所属事業体の名称を用いることができる。

(2) A Registered Foreign Lawyer may, when practicing, use the name of the Business Entity to Which They Belong only when they use it pursuant to Article 45, paragraph (2), the proviso, and when they append it to their name or the name of their office in cases listed in the items of the same paragraph.

(在留義務)

(Duty to Stay)

第四十八条 外国法事務弁護士は、一年のうち百八十日以上本邦に在留しなければならない。

Article 48 (1) A Registered Foreign Lawyer is required to stay in Japan for not less than a hundred and eighty days per year.

2 外国法事務弁護士が、自己又は親族の傷病その他のやむを得ない事情に基づき、出国をして本邦外の地域に在った場合においては、その本邦外の地域に在った期間は、前項の規定の適用については、本邦に在留した期間とみなす。

(2) In cases where a Registered Foreign Lawyer left Japan and was outside Japan due to their own or a relative's injury, illness or another unavoidable reason, the period for which they were outside of Japan will be included as the period of their stay in Japan for the purpose of the application of the provisions of the preceding paragraph.

(権限外法律事務の取扱いについての雇用関係に基づく業務上の命令の禁止等)

(Prohibition of Instruction based on Employment Relationships on the Handling of Legal Services beyond the Scope of Authority)

第四十九条 外国法事務弁護士であつて弁護士又は外国法事務弁護士を雇用するものは、自己の第三条及び第五条から第五条の三までに規定する業務の範囲を超える法律事務（以下「権限外法律事務」という。）の取扱いについて、その雇用する弁護士又は外国法事務弁護士に対し、雇用関係に基づく業務上の命令をしてはならない。

Article 49 (1) A Registered Foreign Lawyer who employs an Attorney at Law or a Registered Foreign Lawyer must not order an Attorney at Law or a Registered Foreign Lawyer who they employ, based on the employment relationship, to handle legal services beyond the scope of authority permitted in Articles 3 and Article 5 to Article 5-3 (hereinafter referred to as "Legal Services Beyond the Scope of Authority").

2 前項の規定に違反してされた命令を受けて、使用者である外国法事務弁護士が権限外法律事務を行うことに関与した弁護士又は外国法事務弁護士は、これが雇用関係に基づく業務上の命令に従ったものであることを理由として、懲戒その他の責任を免れることができない。

(2) In cases where an Attorney at Law or Registered Foreign Lawyer given an order in violation of the provisions set forth in the preceding paragraph participates in providing Legal Services Beyond the Scope of Authority of the Registered Foreign Lawyer who is their employer, they are not exempt from disciplinary action or other liability on the grounds that they followed orders due to the employment relationship.

3 外国法事務弁護士であつて弁護士又は外国法事務弁護士を雇用するものは、第一項に規定するもののほか、その雇用する弁護士又は外国法事務弁護士が自ら行う法律事務であつて当該使用者である外国法事務弁護士の権限外法律事務に当たるものの取扱いについて、不当な関与をしてはならない。

(3) A Registered Foreign Lawyer who employs an Attorney at Law or a Registered Foreign Lawyer must not become improperly involved in the handling of legal services which the Attorney at Law or Registered Foreign Lawyer employed by the first Registered Foreign Lawyer practices themselves, and which is beyond the scope of authority of the employer Registered Foreign Lawyer, beyond the prohibition provided in paragraph (1).

(外国法共同事業における不当関与の禁止)

(Prohibition of Improper Involvement in a Foreign Law Joint Enterprise)

第四十九条の二 外国法共同事業を営む外国法事務弁護士は、当該外国法共同事業に係る弁護士又は弁護士法人が自ら行う法律事務であつて当該外国法事務弁護士の権限外法律事務に当たるものの取扱いについて、不当な関与をしてはならない。

Article 49-2 A Registered Foreign Lawyer managing a Foreign Law Joint Enterprise must not become improperly involved in legal services which the Attorney at Law themselves, or the Legal Professional Corporation itself of the joint enterprise practices, and which is beyond the scope of authority of the Registered Foreign Lawyer.

(弁護士の雇用及び外国法共同事業に係る届出)

(Notification of Employment of an Attorney at Law and of the Particulars Pertaining to a Foreign Law Joint Enterprise)

第四十九条の三 外国法事務弁護士は、弁護士を雇用しようとするとき又は外国法共同事業を営もうとするときは、あらかじめ、次に掲げる事項その他日本弁護士連合会の会則で定める事項を日本弁護士連合会に届け出なければならない。この場合においては、日本弁護士連合会の会則で定める書類を添付しなければならない。

Article 49-3 (1) When a Registered Foreign Lawyer intends to employ an Attorney at Law or manage a Foreign Law Joint Enterprise, they must give

notification in advance to the Japan Federation of Bar Associations of the particulars listed below and particulars as stipulated by the Articles of Association of the Japan Federation of Bar Associations. In this case, the documents stipulated by the Articles of Association of the Japan Federation of Bar Associations must be attached:

一 当該雇用に係る弁護士の名及び事務所

(i) name and office of the Attorney at Law to be employed; and

二 当該外国法共同事業に係る弁護士又は弁護士法人の名又は名称及び事務所並びに当該外国法共同事業において行う法律事務の範囲

(ii) name or title and office of the Attorney at Law or Legal Professional

Corporation participating in the Foreign Law Joint Enterprise and the scope of the legal services to be practiced by that Foreign Law Joint Enterprise.

2 日本弁護士連合会は、前項の規定による届出があつたときは、当該外国法事務弁護士の登録に当該届出に係る事項で日本弁護士連合会の会則で定めるものを付記しなければならない。

(2) The Japan Federation of Bar Associations must, upon receipt of notification under the provisions of preceding paragraph, attach the supplementary notes in relation to the notification and set forth by the Articles of Association of the Japan Federation of Bar Associations of the Registered Foreign Lawyer concerned.

3 第一項の規定による届出をした外国法事務弁護士は、当該届出に係る事項のうち、外国法共同事業において行う法律事務の範囲その他の日本弁護士連合会の会則で定める重要な事項の変更をしようとするときは、あらかじめ、その旨を日本弁護士連合会に届け出なければならない。この場合においては、同項後段の規定を準用する。

(3) If the Registered Foreign Lawyer who has made a notification under the provisions of paragraph (1) intends to modify the scope of legal services to be provided by the Foreign Law Joint Enterprise or other important particulars stipulated by the Articles of Association of the Japan Federation of Bar Associations pertaining to the notification, they must in advance notify the Japan Federation of Bar Associations of such modification. In this case, the provisions of the second sentence of the same paragraph apply mutatis mutandis.

4 日本弁護士連合会は、前項の規定による届出があつたときは、当該届出に基づき、第二項の規定により当該外国法事務弁護士の登録に付記された事項の訂正をしなければならない。

(4) When a notification is made under the provisions of the preceding paragraph, the Japan Federation of Bar Associations must modify, on the basis of the notification, the content of supplementary notes attached to the Registration of the Registered Foreign Lawyer concerned, pursuant to the provisions of paragraph (2).

5 第一項の規定による届出をした外国法事務弁護士は、弁護士を雇用すること又は外



国法共同事業を営むことをやめたときは、遅滞なく、その旨を日本弁護士連合会に届け出なければならない。

(5) If a Registered Foreign Lawyer who had made the notification under the provisions of paragraph (1) has ceased to employ an Attorney at Law or to run a Foreign Law Joint Enterprise, they must notify the Japan Federation of Bar Associations of that fact without delay.

6 日本弁護士連合会は、前項の規定による届出があつたときは、第二項の規定により当該外国法事務弁護士の登録に付記された事項を抹消しなければならない。

(6) When a notification is made under the provisions of the preceding paragraph, the Japan Federation of Bar Associations must delete the content of the supplementary notes attached to the Registration of the Registered Foreign Lawyer concerned, in accordance with the provisions of paragraph (2).

7 日本弁護士連合会は、第一項、第三項又は第五項の規定による届出があつたときは、当該届出に係る事項を当該外国法事務弁護士の所属弁護士会及び当該雇用若しくは外国法共同事業に係る弁護士又は当該外国法共同事業に係る弁護士法人の所属弁護士会に書面により通知しなければならない。

(7) When a notification is made under the provisions of paragraphs (1), (3) or (5), the Japan Federation of Bar Associations must notify the Bar Association to which the Registered Foreign Lawyer concerned belongs of the particulars pertaining to the notification and also the Bar Association to which the Attorney at Law pertaining to the employment or involvement in the Foreign Law Joint Enterprise or the Legal Professional Corporation pertaining to Foreign Law Joint Enterprise belongs.

(外国法共同事業の表示)

(Indication as a Foreign Law Joint Enterprise)

第四十九条の四 前条第一項の規定により外国法共同事業に係る届出をした外国法事務弁護士は、次条の規定によりその事務所の名称中に「外国法共同事業」の文字を使用する場合を除き、その事務所の名称に、外国法共同事業を営む旨及び当該外国法共同事業に係る弁護士又は弁護士法人の事務所の名称を付加しなければならない。

Article 49-4 A Registered Foreign Lawyer who has made a notification pertaining to the Foreign Law Joint Enterprise pursuant to the provisions of paragraph (1) of the preceding Article must add the statement that they manage a Foreign Law Joint Enterprise and the title of the office of the Attorney at Law or Legal Professional Corporation involved in the Foreign Law Joint Enterprise concerned, to the name of their office, except when the characters "外国法共同事業" (with a pronunciation of "Gaikokuho-Kyodo-Jigyo" and with a literal meaning of "Foreign Law Joint Enterprise ") are used in the title of the office pursuant to the provisions of the next Article.

(外国法共同事業に係る事務所の名称の特例)

(Special Provisions for the Title of an Office in a Foreign Law Joint Enterprise)  
第四十九条の五 外国法共同事業を営む外国法事務弁護士の事務所については、当該外国法事務弁護士が当該外国法共同事業に係る弁護士又は弁護士法人と事務所（弁護士法人にあつては、その主たる事務所に限る。以下この条において同じ。）を共にし、かつ、当該外国法共同事業において行う法律事務の範囲に制限を設けていない場合であつて、その弁護士又は弁護士法人の事務所の名称中に「外国法共同事業」の文字があるときは、第四十五条第一項及び第二項の規定にかかわらず、これと同一の名称を使用することができる。

Article 49-5 Regarding the office of a Registered Foreign Lawyer managing a Foreign Law Joint Enterprise, when the Registered Foreign Lawyer shares the office with an Attorney at Law or Legal Professional Corporation in that Foreign Law Joint Enterprise (limited only to the principal office, in the case of the Legal Professional Corporation; hereinafter the same applies in this Article) and the scope of the legal services to be practiced under the Foreign Law Joint Enterprise is not limited and the title name of the office of the Attorney at Law or Legal Professional Corporation contains the characters "外国法共同事業" (with a pronunciation of "Gaikokuho-Kyodo-Jigyo" and with a literal meaning "Foreign Law Joint Enterprise"), their office may use the same name as the title of the office, notwithstanding the provisions of Article 45, paragraphs (1) and (2).

(弁護士法の準用等)

(Application Mutatis Mutandis of the Attorney Act)

第五十条 弁護士法第二十三条から第三十条までの規定は、外国法事務弁護士について準用する。この場合において、同法第二十五条第六号から第九号までの規定中「規定する法人」とあるのは「規定する法人又は外国弁護士による法律事務の取扱いに関する特別措置法第二条第三号の二に規定する外国法事務弁護士法人」と、同法第三十条第二項及び第四項中「営利業務従事弁護士名簿」とあるのは「営利業務従事外国法事務弁護士名簿」と読み替えるものとする。

Article 50 (1) The provisions of Articles 23 to 30 of the Attorney Act apply mutatis mutandis to a Registered Foreign Lawyer. In this case, the words a "juridical person as set forth in " in Article 25, items (vi) to (ix) of the same Act is deemed to be replaced with a "corporation as set forth in or a Registered Foreign Lawyer Corporation as set forth in Article 2, item (iii)-2 of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers," and the words the "Roll of Attorneys at Law Engaged in Profit - Making Businesses" in Article 30 , paragraphs (2) and (4) of the same Act are deemed to be replaced with the "Roll of Registered Foreign Lawyers Engaged in For-Profit Business."

2 弁護士法第七十四条第二項の規定は、外国法事務弁護士には適用しない。

(2) The provisions of paragraph (2) of Article 74 of the Attorney Act do not apply

to a Registered Foreign Lawyer.

## 第五章 外国法事務弁護士法人

### Chapter V Registered Foreign Lawyer Corporation

(設立)

(Establishment)

第五十条の二 外国法事務弁護士は、この章の定めるところにより、外国法事務弁護士法人を設立することができる。

Article 50-2 A Registered Foreign Lawyer may establish a Registered Foreign Lawyer Corporation pursuant to the provisions of this chapter.

(名称)

(Name)

第五十条の三 外国法事務弁護士法人は、その名称中に外国法事務弁護士法人という文字を使用しなければならない。

Article 50-3 A Registered Foreign Lawyer Corporations must include the characters "外国法事務弁護士" (with a pronunciation of "Gaikokuho-Jimu-Bengoshi" and with a literal meaning "Registered Foreign Lawyer Corporation") in their name.

(社員の資格)

(Eligibility for Membership)

第五十条の四 外国法事務弁護士法人の社員は、外国法事務弁護士でなければならない。

Article 50-4 (1) The members of a Registered Foreign Lawyer Corporation must be Registered Foreign Lawyers.

2 次に掲げる者は、社員となることができない。

(2) The persons specified below are not eligible to be members of a Registered Foreign Lawyer Corporation:

一 第五十一条の規定により業務の停止の懲戒を受け、当該業務の停止の期間を経過しない者

(i) any person who has been disciplined with suspension pursuant to Article 51, and the applicable suspension period has not yet elapsed; or

二 第五十一条の規定により外国法事務弁護士法人が除名され、又は外国法事務弁護士法人の業務の停止の懲戒を受けた場合において、その処分を受けた日以前三十日以内にその社員であつた者でその処分を受けた日から三年（外国法事務弁護士法人の業務の停止の懲戒を受けた場合にあつては、当該業務の停止の期間）を経過しないもの

(ii) any person who was a member of a Registered Foreign Lawyer Corporation within 30 days prior to the date that the Registered Foreign Lawyer Corporation was disbarred or disciplined with suspension pursuant to Article

51, and three years have not elapsed from the date of such disciplinary action (or in cases where the Registered Foreign Lawyer Corporation has been suspended from the practice of law, the applicable suspension period).

(業務の範囲)

(Scope of Practice)

第五十条の五 外国法事務弁護士法人は、当事者その他関係人の依頼又は官公署の委嘱によつて、外国法に関する法律事務を行うほか、定款で定めるところにより、法令等に基づき外国法事務弁護士が行うことができるものとして法務省令で定める業務の全部又は一部を行うことができる。ただし、次に掲げる業務を行うことは、この限りでない。

Article 50-5 (1) Beyond legal services concerning foreign laws at the request of a party or other relevant person or appointment by a public agency, a Registered Foreign Lawyer Corporation may, by making provisions in its articles of incorporation, engage in all or part of any businesses that a Registered Foreign Lawyer may practice in accordance with laws and regulations, as designated by Ministry of Justice Order; provided, however, that this does not apply to engaging in the following business:

一 第三条第一項第一号、第二号及び第四号から第六号までに掲げる法律事務

(i) legal services set forth in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi); and

二 国内において効力を有し、又は有した法（外国において効力を有し、又は有した法に含まれる条約その他の国際法を除く。）の解釈又は適用についての鑑定その他の法的意見の表明

(ii) giving an expert opinion or other legal opinion regarding the interpretation or the application of laws that are or were in effect in Japan (excluding treaties or other international laws which are included in laws that are or were in effect in Foreign Jurisdiction).

2 外国法事務弁護士法人は、前項に規定するもののほか、国際仲裁事件の手続についての代理を行うことができる。

(2) Beyond what is provided for in the preceding paragraph, a Registered Foreign Lawyer Corporation may perform representation regarding the procedures for an International Arbitration Case.

(設立の手続)

(Procedures for Establishment)

第五十条の六 外国法事務弁護士法人を設立するには、その社員になろうとする外国法事務弁護士が、定款を定めなければならない。

Article 50-6 (1) In order to establish a Registered Foreign Lawyer Corporation, the Registered Foreign Lawyers who are to become members thereof must adopt articles of incorporation.

2 弁護士法第三十条の八第二項及び第三項の規定は、外国法事務弁護士法人の定款について準用する。この場合において、同項第三号中「法律事務所」とあるのは「事務所」と、同項第五号中「住所」とあるのは「住所、外国弁護士による法律事務の取扱いに関する特別措置法第二条第五号に規定する原資格国法、同条第九号に規定する指定法」と読み替えるものとする。

(2) The provisions of Article 30-8, paragraphs (2) and (3) of the Attorney Act apply mutatis mutandis to the articles of incorporation of a Registered Foreign Lawyer Corporation. In this case, the term "law office/offices" in item (iii) of the paragraphs will be replaced with "office/offices," and the term "addresses" in item (v) of the paragraphs will be replaced with "addresses, the Laws of the Jurisdiction of Primary Qualification as provided in Article 2, item (v) of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers, Designated Laws as provided in item (ix) of the article."

(弁護士会及び日本弁護士連合会への入会及び退会)

(Admission to and Withdrawal from a Bar Association and the Japan Federation of Bar Associations)

第五十条の七 外国法事務弁護士法人は、その成立の時に、主たる事務所の所在する地域の弁護士会（二個以上の弁護士会があるときは、当該外国法事務弁護士法人が定款に記載した弁護士会）及び日本弁護士連合会に入会するものとする。

Article 50-7 (1) A Registered Foreign Lawyer Corporation is to, upon its establishment, join the Bar Association of the district in which its principal office is located (if there are two or more Bar Associations in that district, the one that is specified in the Registered Foreign Lawyer Corporation's articles of incorporation) and the Japan Federation of Bar Associations.

2 第四十一条第一項及び弁護士法第三十六条の二第二項から第七項までの規定は、外国法事務弁護士法人について準用する。この場合において、同条第二項から第四項までの規定中「法律事務所」とあるのは「事務所」と、同条第二項中「の会員となる」とあるのは「に入会するものとする」と読み替えるものとする。

(2) The provisions of Article 41, paragraph (1) of this Act and Article 36-2, paragraphs (2) to (7) of the Attorney Act apply mutatis mutandis to Registered Foreign Lawyer Corporation. In this case, the term "law office" in paragraphs (2) to (4) of the article will be replaced with "office," and the words "shall become a member of" in paragraph (2) of the article are deemed to be replaced with "will join."

(業務の執行)

(Execution of the Practice)

第五十条の八 外国法事務弁護士法人の社員は、定款で業務を執行しないものとされた場合を除き、次に掲げる業務を執行する。

Article 50-8 (1) A member of a Registered Foreign Lawyer Corporation will

execute the following practice unless the member does not execute the practice as provided by its articles of incorporation:

一 当該社員の原資格国法に関する法律事務（第三条第一項各号に掲げる法律事務を除く。）

(i) Legal Services Concerning the Laws of the Jurisdiction of Primary

Qualification of the member (excluding the legal services set forth in the items of Article 3, paragraph (1)); and

二 国際仲裁事件の手續についての代理

(ii) representation regarding the procedures for an International Arbitration Case.

2 業務を執行する社員は、前項に規定するもののほか、指定を受け、かつ、第三十四条第一項の規定による指定法の付記を受けたときは、当該指定法に関する法律事務について業務を執行することができる。ただし、第三条第一項第一号、第二号及び第四号から第六号までに掲げる法律事務並びに当該指定法以外の法の解釈又は適用についての鑑定その他の法的意見の表明については、この限りでない。

(2) Beyond what is provided for in the preceding paragraph, a member who executes practice may do so regarding Legal Services Concerning the Designated Law if the member has been granted such Designation and has had the supplementary notes of Designated Law added under the provisions of Article 34, paragraph (1); provided, however, that this does not apply to the legal services set forth in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than Designated Law.

3 業務を執行する社員は、前二項に規定するもののほか、第五条の二第一項各号に掲げる者の書面による助言を受けてするときは、特定外国法に関する法律事務について業務を執行することができる。ただし、第三条第一項第一号、第二号及び第四号から第六号までに掲げる法律事務並びに当該特定外国法以外の法の解釈又は適用についての鑑定その他の法的意見の表明については、この限りでない。

(3) Beyond what is provided for in the preceding two paragraphs, a member who executes practice may do so regarding the Law of a Specified Foreign Jurisdiction if the member does so according to written advice received from any person set forth in the items of Article 5-2, paragraph (1); provided, however, that this does not apply to the legal services set forth in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi) nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than the Laws of the Specified Foreign Jurisdiction.

4 業務を執行する社員は、前三項の規定により執行することのできる業務であつても、第三条第二項各号に掲げるものについては、弁護士と共同し、又は弁護士の書面による助言を受けて行わなければならない。

(4) A member who executes practice must do so regarding the matters set forth in

the items of Article 3, paragraph (2) in co-ordination with an Attorney at Law, or after receiving written advice from an Attorney at Law even when the member is entitled to execute the practice pursuant to the provisions of the preceding three paragraphs.

(社員の資格の表示)

(Indication of Qualification as a Member)

第五十条の九 外国法事務弁護士法人は、社員が業務を執行するに際しては、当該社員に、外国法事務弁護士の名称を用いさせ、かつ、その名称に原資格国の国名を付加させなければならない。

Article 50-9 A Registered Foreign Lawyer Corporation must, when a member executes practice as part of the corporation, have the member use the title of "外国法事務弁護士"(with a pronunciation of "Gaikokuho-Jimu-Bengoshi "and with a literal meaning of "Registered Foreign Lawyer") and append to such title the name of the Jurisdiction of Primary Qualification.

(事務所)

(Offices)

第五十条の十 外国法事務弁護士法人は、その事務所の名称中に当該外国法事務弁護士法人の名称を用いなければならない。

Article 50-10 (1) A Registered Foreign Lawyer Corporation must include the name of the relevant Registered Foreign Lawyer Corporation in the name of its office.

2 第四十五条第二項及び第四項の規定は外国法事務弁護士法人の事務所について、第四十九条の四の規定は外国法事務弁護士法人及びその事務所について、第四十九条の五の規定は外国法事務弁護士法人について準用する。この場合において、第四十五条第二項ただし書中「原資格国」とあるのは「社員の原資格国」と、「自己」とあるのは「当該社員」と、第四十九条の五中「外国法事務弁護士の事務所」とあるのは「外国法事務弁護士法人の主たる事務所」と、「弁護士法人にあつては」とあるのは「弁護士法人又は外国法事務弁護士法人にあつては」と、「限る。以下この条において同じ」とあるのは「限る」と、「事務所の」とあるのは「事務所（弁護士法人にあつては、その主たる事務所に限る。）の」と読み替えるものとする。

(2) The provisions of Article 45, paragraphs (2) and (4) apply mutatis mutandis to the office of a Registered Foreign Lawyer Corporation, the provisions of Article 49-4 to a Registered Foreign Lawyer Corporation and its office, and the provisions of Article 49-5 to a Registered Foreign Lawyer Corporation. In this case, the term "Jurisdiction of Primary Qualification" in the proviso of Article 45, paragraph (2) will be replaced with "member's Jurisdiction of Primary Qualification" and "they" with "said member," and the term the "Office of a Registered Foreign Lawyer" in Article 49-5 will be replaced with the "principal office of a Registered Foreign Lawyer Corporation," the words "in the case of

the Legal Professional Corporation" with "in the case of the Legal Professional Corporation or Registered Foreign Lawyer Corporation," the words "limited only to the principal office; hereinafter the same applies in this Article" with "limited only to the principal office" and the words "of the office" with "of the office (in the case of a Legal Professional Corporation, limited only to its principal office)."

(業務の範囲を超える法律事務の取扱いについての雇用関係に基づく業務上の命令の禁止等)

**(Prohibition of Instruction Based on Employment Relationships on the Handling of Legal Services beyond the Scope of Authority)**

第五十条の十一 外国法事務弁護士法人は、自己の業務の範囲を超える法律事務の取扱いについて、その雇用する弁護士又は外国法事務弁護士に対し、雇用関係に基づく業務上の命令をしてはならない。

Article 50-11 (1) A Registered Foreign Lawyer Corporation must not order an Attorney at Law or Registered Foreign Lawyer who the Registered Foreign Lawyer Corporation employs, based on the employment relationship, to handle legal services beyond the scope of authority of the Registered Foreign Lawyer Corporation.

2 前項の規定に違反してされた命令を受けて、使用者である外国法事務弁護士法人が自己の業務の範囲を超える法律事務を行うことに関与した弁護士又は外国法事務弁護士は、これが雇用関係に基づく業務上の命令に従ったものであることを理由として、懲戒その他の責任を免れることができない。

(2) If an Attorney at Law or Registered Foreign Lawyer given an order in violation of the provisions set forth in the preceding paragraph participates in providing legal services beyond the scope of the authority of the Registered Foreign Lawyer Corporation who is their employer, they are not exempt from disciplinary action or other liability on the grounds that they followed orders due to the employment relationship.

3 外国法事務弁護士法人は、第一項に規定するもののほか、その雇用する弁護士又は外国法事務弁護士が自ら行う法律事務であつて当該使用者である外国法事務弁護士法人の業務の範囲を超える法律事務に当たるものの取扱いについて、不当な関与をしてはならない。

(3) A Registered Foreign Lawyer Corporation must not become improperly involved in the handling of legal services which the Attorney at Law or Registered Foreign Lawyer employed by the corporation practices themselves, and which is beyond the scope of the authority of the Registered Foreign Lawyer Corporation who is their employer, beyond the prohibition provided in paragraph (1) of this article.

4 外国法事務弁護士法人の社員は、当該外国法事務弁護士法人が雇用する弁護士又は外国法事務弁護士が自ら行う法律事務であつて当該社員の権限外法律事務に当たるも



のの取扱いについて、不当な関与をしてはならない。

- (4) A member of a Registered Foreign Lawyer Corporation must not become improperly involved in the handling of legal services which the Attorney at Law or Registered Foreign Lawyer employed by the Corporation practices themselves and which is beyond the scope of authority of the member.

(外国法共同事業における不当関与の禁止)

(Prohibition of Improper Involvement in a Foreign Law Joint Enterprise)

第五十条の十二 外国法共同事業を営む外国法事務弁護士法人は、当該外国法共同事業に係る弁護士又は弁護士法人が自ら行う法律事務であつて当該外国法事務弁護士法人の業務の範囲を超える法律事務に当たるものの取扱いについて、不当な関与をしてはならない。

Article 50-12 (1) A Registered Foreign Lawyer Corporation which manages a Foreign Law Joint Enterprise must not become improperly involved in the handling of legal services which the Attorney at Law or Legal Professional Corporation that pertains to the Foreign Law Joint Enterprise practices for themselves and which is beyond the scope of authority of the Registered Foreign Lawyer Corporation.

- 2 外国法共同事業を営む外国法事務弁護士法人の社員は、当該外国法共同事業に係る弁護士又は弁護士法人が自ら行う法律事務であつて当該社員の権限外法律事務に当たるものの取扱いについて、不当な関与をしてはならない。

- (2) A member of a Registered Foreign Lawyer Corporation which manages a Foreign Law Joint Enterprise must not become improperly involved in the handling of legal services which the Attorney at Law or Legal Professional Corporation that pertains to the Foreign Law Joint Enterprise practices for themselves and which is beyond the scope of authority of the member.

(外国法事務弁護士の義務の規定及び弁護士法の準用等)

(Mutatis Mutandis Application of Provisions for Obligations of a Registered Foreign Lawyer and of Attorney Act)

第五十条の十三 第四十二条並びに第四十九条の三第一項、第三項、第五項及び第七項の規定は、外国法事務弁護士法人について準用する。

Article 50-13 (1) The provisions of Article 42 and Article 49-3, paragraphs (1), (3), (5) and (7) apply mutatis mutandis to a Registered Foreign Lawyer Corporation.

- 2 弁護士法第一条、第二十一条、第二十三条の二、第二十四条、第二十七条から第二十九条まで、第三十条の七、第三十条の九から第三十条の十一まで、第三十条の十三から第三十条の十六まで、第三十条の十七本文、第三十条の十八から第三十条の二十まで及び第三十条の二十二から第三十条の三十までの規定は、外国法事務弁護士法人について準用する。この場合において、同法第二十一条、第三十条の九、第三十条の十七本文、第三十条の二十六の三及び第三十条の二十七第二項中「法律事務所」とあるのは「事務所」と、同法第三十条の十八第四号及び第三十条の二十中「社員等」と

あるのは「社員又は使用人である外国法事務弁護士」と、同法第三十条の二十二第五号中「第十一条」とあるのは「外国弁護士による法律事務の取扱いに関する特別措置法第二十九条」と、同条第六号中「第五十七条第一項第二号」とあるのは「外国弁護士による法律事務の取扱いに関する特別措置法第五十二条第一項第二号」と、「第十三条第一項」とあるのは「同法第三十条第二項」と、同法第三十条の二十三第一項第六号中「第五十六条又は第六十条」とあるのは「外国弁護士による法律事務の取扱いに関する特別措置法第五十一条」と、同法第三十条の二十六第一項中「弁護士で」とあるのは「弁護士又は外国法事務弁護士で」と読み替えるものとする。

(2) The provisions of Articles 1, 21, 23-2, 24, 27 to 29, 30-7, 30-9 to 30-11, 30-13 to 30-16, the main clause of Article 30-17, Articles 30-18 to 30-20, and 30-22 to 30-30 of the Attorney Act apply mutatis mutandis to a Registered Foreign Lawyer Corporation. In this case, the term "law office" in Articles 21 and 30-9, the main clause of Article 30-17, Article 30-26-3, and Article 30-27, paragraph (2) of the Act will be replaced with "office," the term "Members, etc." in Article 30-18, item (iv) and Article 30-20 of the Act will be replaced with the "Registered Foreign Lawyer that is a member or employee," the words "Article 11" in Article 30-22, item (v) of the Act will be replaced with "Article 29 of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers," the words "Article 57, paragraph (1), item (ii)" in item (vi) of the article with "Article 52, paragraph (1), item (ii) of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers," the words "Article 13, paragraph (1)" with "Article 30, paragraph (2) of the Act," the words "Article 56 or 60" in Article 30-23, paragraph (1), item (vi) of the Act are deemed to be replaced with "Article 51 of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers," and the term an "attorney" in Article 30-26, paragraph (1) of the Act will be replaced with an "Attorney at Law or Registered Foreign Lawyer."

3 弁護士法第七十二条及び第七十四条第二項の規定は、外国法事務弁護士法人には適用しない。

(3) The provisions of Article 72 and Article 74, paragraph (2) of the Attorney Act do not apply to a Registered Foreign Lawyer Corporation.

## 第六章 懲戒

### Chapter VI Disciplinary Action

#### 第一節 懲戒の処分

#### Section 1 Disciplinary Action

(懲戒事由及び懲戒権者)

(Grounds for Disciplinary Actions and the Organ empowered to take Disciplinary Action)

第五十一条 外国法事務弁護士及び外国法事務弁護士法人は、この法律又は所属弁護士

会若しくは日本弁護士連合会の会則中外国法事務弁護士若しくは外国法事務弁護士法人に関する規定に違反し、所属弁護士会又は日本弁護士連合会の秩序又は信用を害し、その他職務の内外を問わずその品位を失うべき非行があつたときは、懲戒を受ける。

Article 51 (1) A Registered Foreign Lawyer and a Registered Foreign Lawyer Corporation is subject to disciplinary action if they have violated this Act or any of the provisions of the articles of association of the Bar Association to which they belong or of the Japan Federation of Bar Associations pertaining to a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation, or has caused damage to the good order or reputation of the Bar Association to which they belong or of the Japan Federation of Bar Associations, or has misconducted themselves in a manner which undermines the dignity of a Registered Foreign Lawyer, either in performing their professional duties or outside of a professional context.

2 懲戒は、日本弁護士連合会が外国法事務弁護士懲戒委員会の議決に基づいて行う。

(2) Disciplinary action will be taken by the Japan Federation of Bar Associations, based on the Voting of the Registered Foreign Lawyers Disciplinary Actions Committee.

(懲戒の種類)

(Kinds of Disciplinary Action)

第五十二条 外国法事務弁護士に対する懲戒は、次の四種とする。

Article 52 (1) Disciplinary action against a Registered Foreign Lawyer consists of the four following types:

一 戒告

(i) admonition;

二 二年以内の業務の停止

(ii) suspension of practice for not more than two years;

三 退会命令

(iii) order to withdraw from the bar association; and

四 除名

(iv) disbarment.

2 外国法事務弁護士法人に対する懲戒は、次の三種とする。

(2) Disciplinary action against a Registered Foreign Lawyer Corporation consists of the three following types:

一 戒告

(i) admonition;

二 二年以内の外国法事務弁護士法人の業務の停止又はその事務所の業務の停止

(ii) suspension of practice of a Registered Foreign Lawyer Corporation or its office for not more than two years; and

三 除名

(iii) disbarment.

(懲戒の手續)

**(Disciplinary Procedures)**

第五十三条 何人も、外国法事務弁護士又は外国法事務弁護士法人について懲戒の事由があると思料するときは、その事由の説明を添えて、当該外国法事務弁護士又は外国法事務弁護士法人の所属弁護士会を経由して、日本弁護士連合会に懲戒の請求をすることができる。

Article 53 (1) Any person who believes that there are grounds for disciplining a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation may request the Japan Federation of Bar Associations to take disciplinary action, through the bar association to which the Registered Foreign Lawyer or Registered Foreign Lawyer Corporation concerned belongs, with a statement of such grounds.

2 弁護士会は、所属の外国法事務弁護士又は外国法事務弁護士法人について、懲戒の事由があると思料するときは、又は前項の請求があつたときは、懲戒の手續に付し、弁護士法第七十条第一項の規定によりその弁護士会に置かれた綱紀委員会に調査をさせることができる。この場合において、その綱紀委員会が当該外国法事務弁護士又は外国法事務弁護士法人を懲戒することを相当と認めたときは、その綱紀委員会の調査結果及び意見を添えて日本弁護士連合会に懲戒の請求をしなければならない。

(2) If a Bar Association believes that there are grounds for disciplining a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation that belongs to it or where there has been a request set forth in the preceding paragraph, it must commence disciplinary procedures against the Registered Foreign Lawyer or the Registered Foreign Lawyer Corporation and have the Discipline Enforcement Committee investigate the case pursuant to the provisions of Article 70, paragraph (1) of the Attorney Act. If, the Discipline Enforcement Committee deems it appropriate in order to discipline the Registered Foreign Lawyer or Registered Foreign Lawyer Corporation, the Bar Association must request disciplinary action to the Japan Federation of Bar Associations, with a statement of the results of the examination by the Discipline Enforcement Committee and its opinion.

3 日本弁護士連合会は、外国法事務弁護士又は外国法事務弁護士法人について、懲戒の事由があると思料するときは、又は第一項の請求があつたときは、懲戒の手續に付し、外国法事務弁護士綱紀委員会にその調査をさせなければならない。ただし、同一の事由について前項の調査が行われているときは、この限りでない。

(3) If the Japan Federation of Bar Associations believes that there are grounds for disciplining a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation or if it has received a request set forth in paragraph (1), it must commence disciplinary procedure against the registered Foreign Lawyer or the Registered Foreign Lawyer Corporation and have the Registered Foreign Lawyers Discipline Enforcement Committee investigate the case; provided,

however, that this does not apply if the examination set forth in the preceding paragraph has already been made on the same grounds.

4 日本弁護士連合会は、外国法事務弁護士綱紀委員会が前項の調査により外国法事務弁護士若しくは外国法事務弁護士法人を懲戒することを相当と認めたとき、又は第二項の請求があつたときは、外国法事務弁護士懲戒委員会にその審査を求めなければならない。

(4) The Japan Federation of Bar Associations must refer the matter to the Registered Foreign Lawyers Disciplinary Actions Committee for its investigation, if the Registered Foreign Lawyers Discipline Enforcement Committee has found after the examination set forth in the preceding paragraph that it would be appropriate to discipline a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation or if the request under paragraph (2) has been made.

5 弁護士会の綱紀委員会及び外国法事務弁護士綱紀委員会は、調査に関し必要があるときは、懲戒の手續に付された外国法事務弁護士又は外国法事務弁護士法人、第一項の請求をした者、関係人及び官公署その他に対して陳述、説明又は資料の提出を求めることができる。

(5) The Discipline Enforcement Committee of a Bar Association and the Registered Foreign Lawyers Disciplinary Enforcement Committee may, if necessary for investigation, request the Registered Foreign Lawyer or Registered Foreign Lawyer Corporation subject to the disciplinary procedure or, the person who filed the request under paragraph (1) or, other relevant persons, government or public offices concerned and others to make a statement, explanation or submit relevant materials.

6 日本弁護士連合会は、外国法事務弁護士又は外国法事務弁護士法人を懲戒するときは、当該外国法事務弁護士又は外国法事務弁護士法人に懲戒の処分内容及びその理由を書面により通知しなければならない。

(6) In case the Japan Federation of Bar Associations intends to discipline a registered Foreign Lawyer or Registered Foreign Lawyer Corporation, it must notify them in writing the details of and reason for the disciplinary action sought.

7 日本弁護士連合会は、外国法事務弁護士又は外国法事務弁護士法人を懲戒したときは、遅滞なく、懲戒の処分内容を官報をもつて公告しなければならない。

(7) In case the Japan Federation of Bar Associations has taken disciplinary action against a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation, it must promptly make public notice of the details of the disciplinary action in the Official Gazette.

8 日本弁護士連合会は、第一項若しくは第二項の請求に係る外国法事務弁護士若しくは外国法事務弁護士法人を懲戒したとき、又はその外国法事務弁護士若しくは外国法事務弁護士法人を懲戒しないこととしたときは、その旨を第一項の請求をした者又は第二項の請求をした弁護士会に通知しなければならない。

(8) If the Japan Federation of Bar Associations disciplines a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation against whom the request pertaining to paragraph (1) or (2) is made or where it has decided not to discipline the Registered Foreign Lawyer or Registered Foreign Lawyer Corporation, it must notify the person who has filed the request under paragraph (1) or the Bar Association which has filed the request under paragraph (2) to that effect.

(弁護士法の準用)

(Application Mutatis Mutandis of the Attorney Act)

第五十四条 弁護士法第五十七条の二第一項の規定は懲戒を受けた外国法事務弁護士法人について、同法第六十二条の規定は懲戒の手續に付された外国法事務弁護士及び外国法事務弁護士法人について、同法第六十三条の規定は外国法事務弁護士及び外国法事務弁護士法人の懲戒の手續について準用する。この場合において、同法第五十七条の二第一項並びに第六十二条第二項及び第四項中「法律事務所」とあるのは「事務所」と、同項及び同条第五項中「この章の規定の適用については」とあるのは「当該懲戒の手續との関係においては」と読み替えるものとする。

Article 54 The provisions of Article 57-2, paragraph (1) of the Attorney Act apply mutatis mutandis to a Registered Foreign Lawyer Corporation subject to disciplinary action, the provisions of Article 62 of the same Act apply mutatis mutandis to a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation subject to disciplinary procedure and the provisions of Article 63 of the same Act apply mutatis mutandis to the disciplinary procedure for a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation. In this case, the term "law office" in Article 57-2, paragraph (1) and Article 62, paragraphs (2) and (4) of the Act will be replaced with "office," and the words "For the purposes of this Chapter" in the paragraph and the Article, paragraph (5) will be replaced with "in relation to the disciplinary procedure."

## 第二節 外国法事務弁護士懲戒委員会及び外国法事務弁護士綱紀委員会 Section 2 Registered Foreign Lawyers Disciplinary Actions Committee and Registered Foreign Lawyers Discipline Enforcement Committee

(外国法事務弁護士懲戒委員会の設置)

(Establishment of a Registered Foreign Lawyers Disciplinary Actions Committee)

第五十五条 日本弁護士連合会に外国法事務弁護士懲戒委員会を置く。

Article 55 (1) A Registered Foreign Lawyers Disciplinary Actions Committee will be established within the Japan Federation of Bar Associations.

2 外国法事務弁護士懲戒委員会は、日本弁護士連合会の請求により、外国法事務弁護士及び外国法事務弁護士法人の懲戒に関して必要な審査を行うものとする。

(2) The Registered Foreign Lawyers Disciplinary Actions Committee is to, upon request of the Japan Federation of Bar Associations, conduct necessary examination concerning disciplinary action to be taken against a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation.

(組織)

(Organization)

第五十六条 外国法事務弁護士懲戒委員会は、委員十五人をもつて組織する。

Article 56 (1) The Registered Foreign Lawyers Disciplinary Actions Committee will be composed of fifteen members.

2 委員のうち、八人は弁護士の中から、六人は裁判官、検察官及び政府職員の中からそれぞれ二人ずつ、一人は学識経験者の中から日本弁護士連合会の会長が委嘱する。ただし、裁判官、検察官又は政府職員である委員は最高裁判所、検事総長又は法務大臣の推薦に基づき、その他の委員は日本弁護士連合会の会則で定める日本弁護士連合会の機関の決議に基づかなければならない。

(2) The President of the Japan Federation of Bar Associations must appoint eight members from Attorneys at Law, six from judges, public prosecutors and government officials, with two from each category, and one from persons with relevant knowledge and experience; provided, however, that the members who are judges, public prosecutors or government officials must be appointed based on the recommendation of the Supreme Court, the Prosecutor General or the Minister of Justice, respectively, and the other members, on the resolution of the organ of the Japan Federation of Bar Associations as stipulated by the Articles of Association of the Japan Federation of Bar Associations.

3 外国法事務弁護士懲戒委員会に委員長を置き、委員が互選する。

(3) The Registered Foreign Lawyers Disciplinary Actions Committee will have a Chairperson, who will be elected by a vote by its members.

4 第三十八条第四項の規定は、外国法事務弁護士懲戒委員会の委員の任期について準用する。

(4) The provisions of Article 38, paragraph (4) apply mutatis mutandis to the term of office of the members of the Registered Foreign Lawyers Disciplinary Actions Committee.

5 外国法事務弁護士懲戒委員会に予備委員十五人を置く。

(5) The Registered Foreign Lawyers Disciplinary Actions Committee will have fifteen reserve members.

6 第二項及び第三十八条第四項並びに弁護士法第六十六条の四第二項の規定は、前項の予備委員について準用する。この場合において、同条第二項中「弁護士会の会長又は日本弁護士連合会の会長」とあるのは、「委員長」と読み替えるものとする。

(6) The provisions of paragraph (2) and Article 38, paragraph (4) of this Act and Article 66-4, paragraph (2) of the Attorney Act apply mutatis mutandis to the reserve members mentioned in the preceding paragraph. In this case, the term

"the President of the Bar Association or the President of the Japan Federation of Bar Associations" in paragraph (2) of the same Article is deemed to be replaced with "the Chairperson."

7 弁護士法第六十六条の二第四項の規定は外国法事務弁護士懲戒委員会の委員長、委員及び予備委員について、同法第六十六条の三第二項及び第三項の規定は外国法事務弁護士懲戒委員会の委員長について準用する。

(7) The provisions of Article 66-2, paragraph (4) of the Attorney Act apply mutatis mutandis to the Chairperson, members and reserve members of the Registered Foreign Lawyers Disciplinary Actions Committee, and the provisions of Article 66-3, paragraphs (2) and (3) of the same Act apply mutatis mutandis to the Chairperson of the Registered Foreign Lawyers Disciplinary Actions Committee.

(審査手続)

(Procedure for Examination)

第五十七条 外国法事務弁護士懲戒委員会は、審査を求められたときは、速やかに、審査の期日を定め、懲戒の手続に付された外国法事務弁護士又は外国法事務弁護士法人にその旨を通知しなければならない。

Article 57 (1) If the Registered Foreign Lawyers Disciplinary Actions Committee is requested to conduct an examination, it must designate the date of examination and promptly notify the Registered Foreign Lawyer or Registered Foreign Lawyer Corporation subject to the disciplinary procedure to that effect.

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

(2) The Registered Foreign Lawyer or member of a Registered Foreign Lawyer Corporation who is to be examined may appear and make a statement on the date of the examination. In this case, the Registered Foreign Lawyer or member of a Registered Foreign Lawyer Corporation is required to comply with the directions of the Chairperson.

3 外国法事務弁護士懲戒委員会は、審査に関し必要があるときは、懲戒の手続に付された外国法事務弁護士又は外国法事務弁護士法人、第五十三条第一項の請求をした者、同条第二項の請求をした弁護士会、関係人及び官公署その他に対して陳述、説明又は資料の提出を求めることができる。

(3) The Registered Foreign Lawyers Disciplinary Action Committee may request the Registered Foreign Lawyer or Registered Foreign Lawyer Corporation subject to the disciplinary procedure, the person who has made the request under Article 53, paragraph (1), the Bar Association which has made the request under paragraph (2) of the same Article, the relevant persons, government or public offices and others to make a statement or explanation or submit data if necessary for the examination.



4 弁護士法第六十七条の二及び第六十八条の規定は、外国法事務弁護士懲戒委員会の審査手続について準用する。

(4) The provisions of Articles 67-2 and 68 of the Attorney Act apply mutatis mutandis to the examination procedure of the Registered Foreign Lawyers Disciplinary Actions Committee.

(外国法事務弁護士綱紀委員会の設置等)

(Establishment of a Registered Foreign Lawyers Discipline Enforcement Committee)

第五十八条 日本弁護士連合会に外国法事務弁護士綱紀委員会を置く。

Article 58 (1) A Registered Foreign Lawyers Discipline Enforcement Committee will be established within the Japan Federation of Bar Associations.

2 外国法事務弁護士綱紀委員会は、第五十三条第三項の調査を行うものとする。

(2) The Registered Foreign Lawyers Discipline Enforcement Committee is to conduct the investigations mentioned in Article 53, paragraph (3).

3 外国法事務弁護士綱紀委員会は、委員若干人をもつて組織する。

(3) The Registered Foreign Lawyers Discipline Enforcement Committee will be composed of several members.

4 委員は、弁護士、裁判官、検察官、政府職員及び学識経験者の中から日本弁護士連合会の会長が委嘱する。ただし、裁判官、検察官又は政府職員である委員は最高裁判所、検事総長又は法務大臣の推薦に基づき、その他の委員は日本弁護士連合会の会則で定める日本弁護士連合会の機関の決議に基づかなければならない。

(4) The members must be appointed by the President of the Japan Federation of Bar Associations from Attorneys at Law, judges, public prosecutors, government officials and persons with relevant knowledge and experience; provided, however, that the members who are judges, public prosecutors or government officials are appointed based on the recommendation of the Supreme Court, the Prosecutor General or the Minister of Justice, respectively, and the other members, on the decision of the relevant organ of the Japan Federation of Bar Associations as stipulated by the Articles of Association of the Japan Federation of Bar Associations.

5 外国法事務弁護士綱紀委員会に委員長を置き、委員が互選する。

(5) The Registered Foreign Lawyers Discipline Enforcement Committee will have a Chairperson, who is elected by a vote by its members.

6 第三十八条第四項の規定は、外国法事務弁護士綱紀委員会の委員の任期について準用する。

(6) The provisions of Article 38, paragraph (4) apply mutatis mutandis to the term of office of the members of the Registered Foreign Lawyers Discipline Enforcement Committee.

7 外国法事務弁護士綱紀委員会に予備委員若干人を置く。

(7) The Registered Foreign Lawyers Discipline Enforcement Committee will have

several reserve members.

8 第四項及び第三十八条第四項並びに弁護士法第七十条の五第二項の規定は、前項の予備委員について準用する。この場合において、同条第二項中「弁護士会の会長又は日本弁護士連合会の会長」とあるのは、「委員長」と読み替えるものとする。

(8) The provisions of paragraph (4) and Article 38, paragraph (4) of this Act and Article 70-5, paragraph (2) of the Attorney Act apply mutatis mutandis to the reserve members mentioned in the preceding paragraph. In this case, the term "the President of Bar Association or the President of the Japan Federation of Bar Associations" in paragraph (2) of the same Article is deemed to be replaced with "the Chairperson."

9 弁護士法第七十条の三第四項の規定は外国法事務弁護士綱紀委員会の委員長、委員及び予備委員について、同法第七十条の四第二項及び第三項の規定は外国法事務弁護士綱紀委員会の委員長について準用する。

(9) The provisions of Article 70-3, paragraph (4) of the Attorney Act apply mutatis mutandis to the Chairperson, members and reserve members of the Registered Foreign Lawyers Discipline Enforcement Committee, and the provisions of Article 70-4, paragraphs (2) and (3) of the same Act apply mutatis mutandis to the Chairperson of the Registered Foreign Lawyers Discipline Enforcement Committee.

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(外国弁護士による国際仲裁事件の手続の代理)

(Representation by a Foreign Lawyer on the Procedures for an International Arbitration Case)

第五十八条の二 外国弁護士（外国法事務弁護士である者を除く。）であつて外国において当該外国弁護士となる資格を基礎として法律事務を行う業務に従事している者

（国内において雇用されて外国法に関する知識に基づいて労務の提供を行つている者を除く。）は、弁護士法第七十二条の規定にかかわらず、その外国において依頼され又は受任した国際仲裁事件の手続についての代理を行うことができる。ただし、第五十二条第一項第二号又は同法第五十七条第一項第二号に規定する処分に相当する外国の法令による処分により業務を停止されているときは、この限りでない

Article 58-2 A person who is a Foreign Lawyer (excluding a person who is a Registered Foreign Lawyer) and is engaged in legal services on the basis of being qualified to become the Foreign Lawyer in a foreign jurisdiction (excluding a person who is employed in and is providing services in Japan, based on their knowledge concerning foreign laws) may, notwithstanding the provisions of Article 72 of the Attorney Act, represent in the procedures for an International Arbitration Case which they have been requested to undertake or undertook in the foreign jurisdiction; provided, however, that this does not

apply if they are suspended from practicing by an disciplinary action under any laws and regulation of a foreign jurisdiction which corresponds to a disciplinary action prescribed in Article 52, paragraph (1), item (ii) of this Act or Article 57, paragraph (1), item (ii) of the Attorney Act.

(行政不服審査法の適用除外)

(Exclusion from Application of the Administrative Appeal Act)

第五十八条の三 行政不服審査法（平成二十六年法律第六十八号）第二章第四節の規定は、法務大臣が第十条第四項（第十四条第四項、第十六条第二項及び第二十条第三項において準用する場合を含む。）の規定により日本弁護士連合会の意見を聴いて行つた承認に関する処分、第十四条第一項から第三項までの規定による承認の取消しの処分、指定に関する処分及び第二十条第一項又は第二項の規定による指定の取消しの処分についての審査請求については、適用しない。

Article 58-3 The provisions of Chapter II, Section 4 of the Administrative Appeal Act (Act No. 68 of 2014) do not apply to dispositions concerning Approval which the Minister of Justice gives after asking for the opinion of the Japan Federation of Bar Associations pursuant to the provisions of Article 10, paragraph (4) (including as applied mutatis mutandis pursuant to Article 14, paragraph (4), Article 16, paragraph (2), and Article 20, paragraph (3)), dispositions of rescission of Approval pursuant to Article 14, paragraphs (1) to (3), or dispositions concerning Designation, and requests for review of a disposition of rescission of Designation pursuant to the provisions of Article 20, paragraph (1) or (2).

(行政手続法の適用除外)

(Exclusion from Application of the Administrative Procedure Act)

第五十八条の四 行政手続法（平成五年法律第八十八号）第二章、第三章及び第四章の二の規定は、日本弁護士連合会及び弁護士会がこの法律に基づいて行う処分については、適用しない。

Article 58-4 The provisions of Chapters II, III and IV-2 of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to dispositions made by the Japan Federation of Bar Associations and Bar Associations in accordance with this Act.

(審査請求の制限)

(Restriction on Requests for an Administrative Review)

第五十九条 この法律に基づく日本弁護士連合会の処分又はその不作為については、審査請求をすることができない。

Article 59 No administrative review may be requested regarding a disposition made by the Japan Federation of Bar Associations pursuant to this Act or failure to make the disposition by the same.

(訴えの提起)

(Filing of Lawsuits)

第六十条 第二十六条の規定により登録を拒絶された者、第二十八条第三項において準用する第二十六条の規定により登録換えを拒絶された者、第三十条第二項の規定により登録を取り消された者又は第五十一条の規定による懲戒を受けた者は、東京高等裁判所に当該処分取消しの訴えを提起することができる。

Article 60 (1) A person whose Registration has been refused under the provisions of Article 26, a person whose request for change of their Registration has been refused pursuant to the provisions of Article 26 applied mutatis mutandis pursuant to Article 28, paragraph (3), a person whose Registration has been rescinded pursuant to the provisions of Article 30, paragraph (2), or a person who is subject to disciplinary action pursuant to the provisions of Article 51, may file a suit with the Tokyo High Court for the rescission of such disposition.

2 登録請求又は登録換え請求をした者は、その請求の日の翌日から起算して五箇月を経過しても、日本弁護士連合会が当該請求に対して何ら処分をしないときは、当該登録又は登録換えを拒絶されたものとして、前項の訴えを提起することができる。

(2) A person who has made a Request for Registration or for change of Registration may file a suit set forth in the preceding paragraph as if their Registration or change of Registration has been refused, if the Japan Federation of Bar Associations does not make any disposition regarding their request within five months from the day following the date of their request.

(非外国法事務弁護士の虚偽標示等の禁止)

(Prohibition of False Representation by a Person who is not a Registered Foreign Lawyer)

第六十一条 外国法事務弁護士又は外国法事務弁護士法人でない者は、外国法事務弁護士又は外国法事務弁護士事務所の標示又は記載をしてはならない。

Article 61 (1) A person or entity which is not a Registered Foreign Lawyer or Registered Foreign Lawyer Corporation must not indicate that they are "外国法事務弁護士"(with a pronunciation of "Gaikokuho-Jimu-Bengoshi" and with a literal meaning of "Registered Foreign Lawyer" or that their office is "外国法事務弁護士事務所"(with a pronunciation of "Gaikokuho-Jimu-Bengoshi-Jimusho" and with a literal meaning "office of Registered Foreign Lawyer").

2 外国法事務弁護士法人でない者は、その名称中に外国法事務弁護士法人又はこれに類似する名称を用いてはならない。

(2) An entity which is not a Registered Foreign Lawyer Corporation must not include "外国法事務弁護士法人"(with a pronunciation of "Gaikokuho-Jimu-Bengoshi-Hojin" and with a literal meaning of "Registered Foreign Lawyer Corporation") in its name, or must not use a name similar thereto.

(法務省令への委任)

(Delegation to Ordinance of the Ministry of Justice)

第六十二条 この法律に定めるもののほか、承認及びその取消し並びに指定及びその取消しの手続その他第三章の規定の実施に関し必要な事項は、法務省令で定める。

Article 62 Beyond the matters provided for in this Act, the procedures concerning Approval and rescission thereof, and Designation and rescission thereof and other matters necessary for the enforcement of the provisions of Chapter III will be stipulated by Ministry of Justice Order.

## 第八章 罰則

### Chapter VIII Penal Provisions

第六十三条 外国法事務弁護士が、業務に関し、次の各号に掲げる法律事務を行つたときは、二年以下の懲役又は三百万円以下の罰金に処する。

Article 63 If a Registered Foreign Lawyer provides any of the legal services listed in the following items in connection with their practice, they will be punished by imprisonment with required labor for not more than two years or a fine not more than 3,000,000 yen:

一 国内の裁判所における訴訟事件（刑事に関するものを除く。）、非訟事件、家事審判事件、民事執行事件、民事保全事件その他民事に関する事件の手続についての代理

(i) representation in legal proceedings (except a criminal case), a non-litigation case, a family court case, a civil execution case, a case involving civil preservation or other civil cases, in a court in Japan;

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

(ii) representation in proceedings in a criminal case, activities as counsel in a criminal case, activities as an attendant in a juvenile protection case, or legal assistance in a case in connection with a request for the examination of extraditability of a fugitive criminal made with the court;

三 国内の行政庁に対する審査請求、再調査の請求その他の不服申立事件の手続についての代理

(iii) representation in complaint proceedings against an administrative agency in Japan, such as request for administrative review or request for re-investigation;

四 国内において効力を有し、又は有した法（原資格国法若しくは指定法に含まれる条約その他の国際法又は第五条の二第一項の規定により特定外国法に関する法律事務を行う場合の特定外国法に含まれる条約その他の国際法を除く。）の解釈又は適用についての書面による鑑定

(iv) giving an expert opinion in writing regarding the interpretation or

application of laws which are or were in effect in Japan (excluding treaties or other international laws which are the Laws of the Jurisdiction of Primary Qualification or Designated Laws, or treaties or other international laws which are included in the Laws of the Specified Foreign Jurisdiction if they provide legal services concerning the Law of a Specified Foreign Jurisdiction pursuant to the provisions of Article 5-2, paragraph (1)).

第六十四条 偽りその他不正の手段により、外国法事務弁護士名簿に登録をさせ、又は登録に指定法の付記をさせた者は、二年以下の懲役又は百万円以下の罰金に処する。

Article 64 (1) A person who, by a fraudulent or other unjust means, has had themselves registered in the Roll of Registered Foreign Lawyers or had the supplementary notes of Designated Laws added to the Registration, will be punished by imprisonment with required labor for not more than two years or a fine not more than 1,000,000 yen.

2 前項の未遂罪は、罰する。

(2) Attempting any of the offenses mentioned in the preceding paragraph will be punished.

第六十五条 第五十条において準用する弁護士法第二十六条又は第五十条の十三第二項において準用する同法第三十条の二十の規定に違反した者は、三年以下の懲役に処する。

Article 65 A person who violates the provisions of Article 26 of the Attorney Act which applied mutatis mutandis pursuant to Article 50 of this Act or the provisions of Article 30-20 of the Attorney Act which applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of this Act is punished by imprisonment with required labor for not more than three years.

第六十六条 第五十条又は第五十条の十三第二項において準用する弁護士法第二十七条又は第二十八条の規定に違反した者は、二年以下の懲役又は三百万円以下の罰金に処する。

Article 66 A person who violates the provisions of Article 27 or 28 of the Attorney Act applied mutatis mutandis pursuant to Article 50 or Article 50-13, paragraph (2) of this Act will be punished by imprisonment with required labor for not more than two years or a fine not more than 3,000,000 yen.

第六十七条 外国法事務弁護士又は外国法事務弁護士であつた者が、正当な理由がないのに、その業務に関して知ることができた人の秘密を漏らしたときは、六月以下の懲役又は十万円以下の罰金に処する。

Article 67 (1) If a person who is or was a Registered Foreign Lawyer divulges confidential information which has come to their knowledge in the course of their practice, they will be punished by imprisonment with required labor for

not more than six months or a fine not more than 100,000 yen.

2 前項の罪は、告訴がなければ公訴を提起することができない。

(2) The offense mentioned in the preceding paragraph will be prosecuted only upon the filing of a complaint.

第六十八条 第六十一条の規定に違反した者は、百万円以下の罰金に処する。

Article 68 A person who violates the provisions of Article 61 will be punished by a fine not more than 1,000,000 yen.

第六十九条 第五十条の十三第二項において準用する弁護士法第三十条の二十八第六項において準用する会社法（平成十七年法律第八十六号）第九百五十五条第一項の規定に違反して、同項に規定する調査記録簿等に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は当該調査記録簿等を保存しなかつた者は、三十万円以下の罰金に処する。

Article 69 A person who, in violation of the provisions of Article 955, paragraph (1) of the Companies Act (Act No. 86 of 2005), as applied mutatis mutandis pursuant to Article 30-28, paragraph (6) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of this Act, does not make an entry of or record particulars stipulated by Ministry of Justice Order regarding investigations into the electric public notice investigations prescribed in the same paragraph in the investigation record book, etc., prescribed in the same paragraph, or who makes a false entry or recording, or who does not retain such investigation record books, etc., will be punished by a fine of up to three hundred thousand yen.

第七十条 外国法事務弁護士法人の社員又は使用人である外国法事務弁護士が、その外国法事務弁護士法人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、その行為者を罰するほか、その外国法事務弁護士法人に対して当該各号に定める罰金刑を科する。

Article 70 (1) If a Registered Foreign Lawyer who is a member or employee of a Registered Foreign Lawyer Corporation violates the following provisions in connection with the legal practice of the Corporation, the member will be punished, and in addition, the Registered Foreign Lawyer Corporation will be punished by the imposition of a fine as set forth below:

一 第六十三条 同条の罰金刑

(i) a fine set forth in Article 63 for a violation of Article 63;

二 第六十五条（第五十条の十三第二項において準用する弁護士法第三十条の二十に係る部分に限る。） 三百万円以下の罰金刑

(ii) a fine not more than 3,000,000 yen for a violation of Article 65 (to the extent that it relates to the provisions of Article 30-20 of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of this

Act); or

三 第六十六条（第五十条の十三第二項において準用する弁護士法第二十七条又は第二十八条に係る部分に限る。） 第六十六条の罰金刑

(iii) a fine as provided in Article 66 for a violation of the Article (to the extent that it relates to Article 27 or 28 of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of this Act.)

2 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して前二条の違反行為をしたときは、その行為者を罰するほか、その法人又は人に対して各本条の刑を科する。

(2) If a representative of a corporation or the agent, employee, or other worker of a corporation or natural person commits a violation from preceding two articles in connection with the business of the corporation or natural person, the persons who commit the violations will be punished, and in addition the corporation or natural person will be punished by the imposition of a fine as stipulated in this Article.

第七十一条 次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 71 A person who falls under any of the following items will be punished by an administrative fine of not more than 1,000,000 yen:

一 第五十条の十三第二項において準用する弁護士法第三十条の二十八第六項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(i) a person who fails to make the report required by the provisions of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of this Act, or who falsifies such report;

二 正当な理由がないのに、第五十条の十三第二項において準用する弁護士法第三十条の二十八第六項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者

(ii) a person who, without justifiable grounds, rejects claims made pursuant to the provisions of any item of Article 951, paragraph (2) and Article 955, paragraph (2) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2),

第七十二条 次の各号のいずれかに該当する場合には、外国法事務弁護士法人の社員又は清算人は、三十万円以下の過料に処する。

Article 72 A member or a liquidator of a Registered Foreign Lawyer Corporation who falls under any of the following items will be punished by an administrative fine of up to 300,000 yen:



- 一 第五十条の十三第二項において準用する弁護士法第三十条の七第一項の規定に基づく政令に違反して登記をすることを怠ったとき。
- (i) failing to register, in violation of the provisions of a Cabinet Order pursuant to Article 30-7, paragraph (1) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2); or
- 二 第五十条の十三第二項において準用する弁護士法第三十条の二十八第二項又は第五項の規定に違反して合併をしたとき。
- (ii) carrying out a merger in violation of the provisions of Article 30-28, paragraph (2) or (5); of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2); or
- 三 第五十条の十三第二項において準用する弁護士法第三十条の二十八第六項において準用する会社法第九百四十一条の規定に違反して同条の調査を求めなかつたとき。
- (iii) failing to request an investigation, in violation of the provisions of Article 941 of the Companies Act, as applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2); or
- 四 定款又は第五十条の十三第二項において準用する弁護士法第三十条の三十第一項において準用する会社法第六百十五条第一項の会計帳簿若しくは第五十条の十三第二項において準用する弁護士法第三十条の三十第一項において準用する会社法第六百十七条第一項若しくは第二項の貸借対照表に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、又は虚偽の記載若しくは記録をしたとき。
- (iv) failing to make required statements or entries in, or falsifying the articles of incorporation or the account books required by Article 615, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph(1) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2) or balance sheets required by Article 617, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1) of the Attorneys Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2) ; or
- 五 第五十条の十三第二項において準用する弁護士法第三十条の三十第二項において準用する会社法第六百五十六条第一項の規定に違反して破産手続開始の申立てを怠ったとき。
- (v) failing to apply for the commencement of bankruptcy proceedings, in violation of the provisions of Article 656, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2); or
- 六 第五十条の十三第二項において準用する弁護士法第三十条の三十第二項において準用する会社法第六百六十四条の規定に違反して財産を分配したとき。
- (vi) distributing the corporation's assets in violation of the provisions of Article 664 of the Companies act as applied mutatis mutandis to Article 30-30, paragraph (2) of the Attorney Act, as applied mutatis mutandis pursuant to

Article 50-13; or

七 第五十条の十三第二項において準用する弁護士法第三十条の三十第二項において準用する会社法第六百七十条第二項又は第五項の規定に違反して財産を処分したとき。

(vii) disposing of the corporation's assets in violation of the provisions of Article 670, paragraph (2) or (5) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2) of the Attorney Act, as applied mutatis mutandis pursuant to Article 50-13, paragraph (2).