

# 弁護士法 Attorneys Act

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

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

(弁護士の使命)

(The Mission of an Attorney)

第一条 弁護士は、基本的人権を擁護し、社会正義を実現することを使命とする。

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

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

(2) In keeping with the mission set forth in the preceding paragraph, an attorney must perform duties in good faith and endeavor to maintain the social order and improve the legal system.

(弁護士の職責の根本基準)

(The Basic Standards of the Responsibilities of an Attorney)

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

Article 2 An attorney must endeavor to remain high standards of sophistication and develop a high moral character, and must acquire a mastery of laws, regulations and legal practices.

(弁護士の職務)

(The Duties of an Attorney)

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

Article 3 (1) The duties of an attorney are, at the request of the party or the concerned parties, or through legal practices entrusted by a public agency, to file appeals against administrative authorities, such as lawsuits, non-contentious cases, administrative reviews, objections, requests for re-examination, and conduct other general legal practices.

2 弁護士は、当然、弁理士及び税理士の事務を行うことができる。

(2) An attorney may, without any further qualifications, provide services of

patent attorneys and certified public tax accountants.

## 第二章 弁護士資格

### Chapter II Qualifications for Becoming an Attorney

(弁護士の資格)

(Qualifications for Becoming an Attorney)

第四条 司法修習生の修習を終えた者は、弁護士となる資格を有する。

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

(法務大臣の認定を受けた者についての弁護士の資格の特例)

(Exceptions to an Attorney Qualifications for Persons Certified by the Minister of Justice)

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

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

一 司法修習生となる資格を得た後に簡易裁判所判事、検察官、裁判所調査官、裁判所事務官、法務事務官、司法研修所、裁判所職員総合研修所若しくは法務省設置法（平成十一年法律第九十三号）第四条第一項第三十五号若しくは第三十七号の事務をつかさどる機関で政令で定めるものの教官、衆議院若しくは参議院の議員若しくは法制局参事、内閣法制局参事官又は学校教育法（昭和二十二年法律第二十六号）による大学で法律学を研究する大学院の置かれているものの法律学を研究する学部、専攻科若しくは大学院における法律学の教授若しくは准教授の職に在った期間が通算して五年以上になること。

(i) after acquiring the qualification to become a legal apprentice, a person has served, in total, at least five years as a judge of summary court, a public prosecutor, a judicial research officer, a court administrative official, an administrative official of the Ministry of Justice, an instructor at the Legal Training and Research Institute, the Training and Research Institute for Court Officials or a government organ, as prescribed by Cabinet Order, in charge of the practices set forth in Article 4, paragraph (1), items (xxxv) or (xxxvii) of the Act on the Establishment of the Ministry of Justice (Act No. 93 of 1999), a member of the House of Representatives or of the House of Councilors or a councilor (Sanji) of the Legislative Bureau of the House of

Representatives or of the House of Councilors, a councilor (Sanji-kan) of the Legislative Bureau of the Cabinet, or as a professor or associate professor of law at a department, advanced course or graduate school of law at a university having a graduate school for legal studies as prescribed by the School Education Act (Act No. 26 of 1947);

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

(ii) after acquiring the qualification to become a legal apprentice, a person has engaged in any of the following practices by utilizing their own specialized knowledge in law, for a total of at least seven years:

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

(a) Duties concerning the business of a corporation or another enterprise (excluding national or local government) that is conducted by its employee, such as an officer, agent, member, , and falls under any of the following items (limited to duties which are not in violation of the provisions of Article 72):

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

1. Preparation of drafts of contracts or other documents that need to be prepared based on the results of a legal analysis concerning the rights and obligations of the enterprise in its business activities;

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

2. To validate facts or collect evidence for court proceedings, etc. (meaning court proceedings and proceedings similar to these specified in the Ministry of Justice Order: the same applies hereinafter);

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

3. To prepare drafts of documents stating the assertion of the business operator, such as complaints, petitions, answers, briefs to be submitted for court proceedings, etc.;

(4) 裁判手続等の期日における主張若しくは意見の陳述又は尋問

4. To file a claim or state opinions or to question a witnesses on hearing dates of court proceedings, etc.; or

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

5. To negotiate settlements in order to resolve civil disputes, or to validate facts or collect evidence necessary for the negotiation.

ロ 公務員として行う国又は地方公共団体の事務であつて、次に掲げるもの

(b) Duties at a national or local government conducted by a public employee that fall under any of the following items:

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

1. To draft laws and regulations (including Prefectural and Municipal Orders), to conduct duties relating to the signing of treaties or other international agreements, or to review or deliberate bills relating to the enactment, amendment or repeal of Prefectural and Municipal Orders;

(2) イ（2）から（5）までに掲げる事務

2. To conduct duties set forth in 2. through 5. of sub-item (a); or

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

3. To conduct duties to be handled by a person designated in the Ministry of Justice Order, that require decision-making, such as trial proceedings (shinpan), hearing (shinri) or trial decisions (shinketsu) in proceedings similar to trial hearing, or decision (kettei), specified in the Ministry of Justice Order.

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

(iii) after passing the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act (Act No. 61 of 1947), a person has served, in total, at least 5 years, as a public prosecutor (excluding an assistant prosecutor).

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

(iv) Beyond what is set forth in the preceding three items, the period listed in sub-item (a) or (b) below must exceed the number of years set forth in the respective sub-items. (The periods of serving in the positions the duties provided in items (i) and (ii) below are limited to the period that has elapsed from the date on which a person had acquired the qualification to become a legal apprentice, and the periods of serving in the positions provided in the preceding item are limited to the period that has elapsed from the date on which a person had passed the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act.)

イ 第一号及び前号に規定する職に在つた期間を通算した期間 五年

(a) The total period of time in which they served in the positions set forth in

item (i) and in which they served in the positions set forth in the preceding item - five years

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

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

(認定の申請)

#### (Application for Certification)

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

Article 5-2 (1) A person who intends to become qualified as an attorney pursuant to the provisions of the preceding Article must submit to the Minister of Justice a written application for certification containing the information, such as their name, the date they acquired the qualification to become a legal apprentice or passed the examination referred to in Article 18, paragraph (3) of the Public Prosecutor's Office Act, the duration of service referred to in item (i) or (iii) of the preceding Article or the duration of duty referred to in item (ii) of that Article, as well as the details of duties under that item, specified by Ministry of Justice Order.

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

(2) The documents specified by the Ministry of Justice Order, such as a document certifying that the applicant has acquired the qualification to become a legal apprentice or passed the examination referred to in Article 18, paragraph (3) of the Public Prosecutor's Office Act; documents certifying the duration of service prescribed in items (i) or (iii) of the preceding Article or the duration of service prescribed in item (ii) of that Article, as well as the details of the relevant services; must be attached to the application for certification referred to in the preceding paragraph.

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

(3) A person submitting an application pursuant to the provisions of paragraph (1) must pay a fee prescribed by Cabinet Order, which is determined by taking actual expenses into account.

(認定の手續等)

**(Procedures for Certification)**

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

Article 5-3 (1) If the Minister of Justice confirms that a person submitting an application pursuant to the provisions of paragraph (1) of the preceding Article (hereinafter referred to as the "applicant" in this Chapter) falls under any of the items of Article 5, the Minister must assign the applicant the training course set forth in that Article (hereinafter simply referred to as the "training course" in this Article) and send a written notice on the training course to the applicant.

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

(2) When an applicant completes all training course programs, the corporation implementing the training course must, without delay, provide a written report to the Minister of Justice regarding whether the applicant has completed the training course (including the corporation's opinion about whether or not the Minister of Justice may certify that the applicant has completed all training course programs), pursuant to the provision of Ministry of Justice Order.

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

(3) When the Minister of Justice confirms that the applicant has completed all training course programs based on the report set forth in the preceding paragraph, the Minister must issue the certification set forth in Article 5 (hereinafter simply referred to as "certification") to the applicant.

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

(4) When the Minister of Justice issues a certification or dismisses an application submitted pursuant to the provisions of paragraph (1) of the preceding Article, the Minister must issue a written notice of certification or dismissal to the applicant.

(研修の指定)

**(Designation of a Training Course)**

第五条の四 法務大臣は、研修の内容が、弁護士業務を行うのに必要な能力の習得に適

切かつ十分なものと認めるときでなければ、第五条の規定による研修の指定をしてはならない。

Article 5-4 (1) The Minister of Justice must not designate a training course pursuant to the provisions of Article 5 unless the Minister finds that the contents of the training course are appropriate and sufficient enough for the acquisition of the abilities necessary to provide attorney services.

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

(2) The corporation implementing the training course may state an opinion to the Minister of Justice regarding the designation of the training course referred to in the preceding paragraph.

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

(3) The Minister of Justice may, to the extent necessary to ensure that the training course referred to in Article 5 is implemented in a proper and steady manner, require the corporation implementing the training course to submit reports or materials necessary for the training course, or state any necessary opinions.

(資料の要求等)

(Request for Information)

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

Article 5-5 If the Minister of Justice finds it necessary for the handling of administrative functions relating to certifications, the Minister may request an applicant to submit necessary materials, or request public offices, public or private organizations or other relevant persons to report necessary particulars after making inquiries.

(法務省令への委任)

(Particulars Governed by Ministry of Justice Order)

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

Article 5-6 Beyond what is set forth in this Act, particulars necessary for certification procedures are prescribed by Ministry of Justice Order.

(最高裁判所の裁判官の職に在つた者についての弁護士資格の特例)

(Attorney Qualification Exemptions for Certain Persons who have Served as a Justice of the Supreme Court)

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

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

(弁護士の欠格事由)

(Grounds for Disqualifying an Attorney)

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

Article 7 Notwithstanding the provisions of Articles 4, 5 or 6, persons specified below are not qualified to become an attorney:

一 禁錮以上の刑に処せられた者

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

二 弾劾裁判所の罷免の裁判を受けた者

(ii) a person whose removal from office has been decided by a court of impeachment;

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

(iii) a person who, through disciplinary action, has been disbarred as an attorney or as a registered foreign lawyer, has been prohibited from practicing as a patent attorney, has had their registration as a certified public accountant revoked, has been prohibited from providing services as a certified public tax accountant, or has been dismissed from their office as a public employee, and three years have not elapsed from the date on which disciplinary action was imposed;

四 破産手続開始の決定を受けて復権を得ない者

(iv) a person who received a decision for the commencement of bankruptcy proceedings and has not had their rights restored.

### 第三章 弁護士名簿

#### Chapter III Roll of Attorneys

(弁護士の登録)

(Registration of an Attorney)

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

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



(登録の請求)

**(Requests for the Registration)**

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

Article 9 To become an attorney, a person must file a request for registration with the Japan Federation of Bar Associations through the bar association which they intend to join.

(登録換の請求)

**(Requests for Transfer of Registration)**

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

Article 10 (1) In order for an attorney to transfer the bar association of which the attorney holds a membership, the attorney must file a request for transfer of registration with the Japan Federation of Bar Associations through the bar association which the attorney intends to join.

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

(2) If an attorney files a request for transfer of registration, the attorney must notify the bar association of which they hold a membership of their request.

(登録取消の請求)

**(Request for Revocation of Registration)**

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

Article 11 If an attorney intends to cease their practice, they must file a request for revocation of registration with the Japan Federation of Bar Associations through the bar association of which they hold a membership.

(登録又は登録換えの請求の進達の拒絶)

**(Refusal to Transmit Requests for Registration or Transfer of Registration)**

第十二条 弁護士会は、弁護士会の秩序若しくは信用を害するおそれがある者又は次に掲げる場合に該当し弁護士の職務を行わせることがその適正を欠くおそれがある者について、資格審査会の議決に基づき、登録又は登録換えの請求の進達を拒絶することができる。

Article 12 (1) Bar associations may refuse a request for registration or a request for transfer of registration filed by an applicant who may disturb the bar association's order or harm its reputation, or an applicant who falls under any of the following items and may be unfit to practice law, pursuant to a resolution adopted by its qualifications screening board:

一 心身に故障があるとき。

(i) if the person has mental disorder or physical disability; or

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

(ii) If a person who falls under the provisions of Article 7, item (iii) files a request after three years from the date on which the person was disbarred, prohibited to provide their services, whose registration was revoked, or dismissed.

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

(2) The preceding paragraph applies to an applicant who, in the last one year prior to their request for registration or transfer of registration, was a full-time public employee in the district of the relevant bar association, and who may be particularly unfit to practice law within that district.

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

(3) If a bar association refuses to transmit a request pursuant to the provisions of the preceding two paragraphs, it must promptly give a written notice of refusal stating the reason to the person who has filed the request for registration or request for transfer of registration.

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

(4) If a bar association has failed to transmit the request to the Japan Federation of Bar Associations after three months of having received the request for registration or transfer of registration, a person who filed the request for registration or request for transfer of registration may deem that the transmission of the request is rejected, and may file a request for administrative review under the provisions of the Administrative Appeal Act (Act No. 160 of 1962).

第十二条の二 日本弁護士連合会は、前条の規定による登録又は登録換えの進達の拒絶についての行政不服審査法による審査請求（同条第四項の規定による審査請求を含む。）に対して裁決をする場合には、資格審査会の議決に基づかなければならない。

Article 12-2 (1) If the Japan Federation of Bar Associations is to make a decision on a request for administrative review under the provisions of the Administrative Appeal Act (including the request for administrative review under the provisions of paragraph (4) of the preceding Article) regarding a

refusal to transmit a request for registration or transfer of registration under the provisions of the preceding Article, the Japan Federation of Bar Associations must make an administrative determination based on the resolution adopted by its qualifications screening board.

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

(2) If the Japan Federation of Bar Associations finds grounds for the request for administrative review referred to in the preceding paragraph, it must order the bar association to transmit the request for registration or transfer of registration.

(弁護士会による登録取消しの請求)

(Request for Revocation of Registration Filed by a Bar Association)

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

Article 13 (1) If an attorney has made false statements regarding the particulars set forth in paragraph (1), items (i) or (ii), or in paragraph (2) of Article 12, or there is a likelihood that the attorney may be unfit to practice law because of a mental disorder or physical disability, the bar association may, based on the resolution adopted by its qualifications screening board, request the Japan Federation of Bar Associations to revoke the attorney's registration.

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

(2) If a bar association files a request referred to in the preceding paragraph, it must promptly give a notice of revocation of attorney's registration and the reasons in writing to the attorney.

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

Article 14 (1) A person against whom a request for revocation of registration has been filed pursuant to the provisions of the preceding Article may file an objection with the Japan Federation of Bar Associations within a period not exceeding sixty days from the day following the day on which the notice was received.

2 日本弁護士連合会は、前項の申出を受けた場合においては、資格審査会の議決に基き、その申出に理由があると認めるときは、弁護士会に登録取消の請求を差し戻し、その申出に理由がないと認めるときは、これを棄却しなければならない。

(2) If the Japan Federation of Bar Associations receives an objection referred to in the preceding paragraph, it must, based on the resolution adopted by its

qualifications screening board, either send the request for revocation of registration back to the bar association if it finds that the person who has filed the objection has grounds for objection, or must reject the objection if it finds that that person has no grounds.

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

(3) If the Japan Federation of Bar Associations makes a decision on the disposition referred to in the preceding paragraph, it must promptly give a notice of disposition and the reasons in writing to the person who has filed the objection.

(登録及び登録換の拒絶)

(Refusal of Registration or Transfer of Registration)

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

Article 15 (1) When the Japan Federation of Bar Associations receives the request for registration or request for transfer of registration transmitted by a bar association, if the Federation finds it proper to refuse the request for the reasons set forth in Article 12, paragraphs (1) and (2), it may refuse the registration or transfer of registration based on the resolution adopted by its qualifications screening board.

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

(2) If the Japan Federation of Bar Associations refuses registration or transfer of registration pursuant to the preceding paragraph, it must promptly give a notice of registration or transfer of registration and the reason in writing to the person who has filed a request for registration or transfer of registration and to the bar association which transmitted the request.

(訴えの提起)

(Filing a Lawsuit)

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

Article 16 (1) A person whose request for administrative review of a refusal to transmit their request for registration or transfer of registration under the provisions of Article 12 was dismissed or rejected, or whose objection under the

provisions of Article 14, paragraph (1) was rejected, or whose request for registration or transfer of registration was refused pursuant to the provisions of the preceding Article, may file a lawsuit for the revocation of administrative disposition in the Tokyo High Court.

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

(2) If, three months after receiving a request for examination of a refusal to transmit the request for registration or the request for transfer of registration under the provisions of Article 12 or the objection under the provisions of Article 14, paragraph (1), the Japan Federation of Bar Associations has not made an administrative determination or taken a disciplinary action referred to in Article 14, paragraph (2), or if it has failed to register or transfer the registration in the roll of attorneys within three months of receiving a transmitted request for registration or transfer of registration, the person who filed the request for administrative review or the objection, or filed the request for registration or transfer of registration may deem that the request for administrative review or the objection has been rejected or the request for registration or transfer of registration has been refused, and may file a lawsuit referred to in the preceding paragraph.

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

(3) With regard to the refusal to transmit the request for registration or the request for transfer of registration, a lawsuit for the revocation of administrative disposition may be filed only against the administrative determination made by the Japan Federation of Bar Associations.

(登録取消しの事由)

(Reasons for Revocation of Registration)

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

Article 17 The Japan Federation of Bar Associations must unregister an attorney from its roll of attorneys in the following cases:

一 弁護士が第七条各号（第二号を除く。）のいずれかに該当するに至ったとき。

(i) if an attorney falls under any of the items of Article 7 (excluding item (ii));

二 弁護士が第十一条の規定により登録取消しの請求をしたとき。

(ii) if an attorney files a request for revocation of registration pursuant to the

provisions of Article 11;

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

(iii) if an order to withdraw, disbarment, or revocation of the registration of an attorney under the provisions of Article 13 has become final and binding; or

四 弁護士が死亡したとき。

(iv) if an attorney dies.

(登録取消の事由の報告)

(Reporting the Reasons for Revocation of Registration)

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

Article 18 If a bar association finds that it has grounds to unregister a member from its roll of attorneys, it must promptly report the grounds to the Japan Federation of Bar Associations.

(登録等の通知及び公告)

(Notice and Public Notice of Registrations)

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

Article 19 The Japan Federation of Bar Associations must promptly give a notice of an attorney's registration, transfer of registration, or revocation of registration from the roll of attorneys to the bar association of which the attorney holds a membership, and make the relevant registration, transfer of registration, or revocation of registration public in the Official Gazette.

#### 第四章 弁護士の権利及び義務

#### Chapter IV The Rights and Obligations of an Attorney

(法律事務所)

(Law Offices)

第二十条 弁護士の事務所は、法律事務所と称する。

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

2 法律事務所は、その弁護士の所属弁護士会の地域内に設けなければならない。

(2) A law office must be established within the district of the bar association of which the attorney holds a membership.

3 弁護士は、いかなる名義をもつてしても、二箇以上の法律事務所を設けることができない。但し、他の弁護士の法律事務所において執務することを妨げない。

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

attorney is not prohibited.

(法律事務所の届出義務)

(Duty to Report Regarding a Law Office)

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

Article 21 An attorney must immediately notify the bar association of which they hold a membership and the Japan Federation of Bar Associations when they establish or relocate their law office.

(会則を守る義務)

(Duty to Observe the Articles of Association of the Associations)

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

Article 22 An attorney must observe the articles of association of the bar association of which they hold a membership and of the Japan Federation of Bar Associations.

(秘密保持の権利及び義務)

(Right and Duty to Maintain Confidentiality)

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

Article 23 Unless otherwise provided by law, an attorney or a former attorney has the right and bears the duty to maintain the confidentiality of any facts which they may have learned in the course of performing their duties.

(報告の請求)

(Request for Information)

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

Article 23-2 (1) An attorney may request the bar association of which they hold a membership to make inquiries to public offices or public or private organizations so that they may provide information necessary for a case taken by the attorney. The bar association may refuse the request if it finds that the request is inappropriate.

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

(2) A bar association may, pursuant to the request referred to in the preceding paragraph, request public offices or public or private organizations to provide

necessary information.

(委嘱事項等を行う義務)

**(Duty to Perform Entrusted Matters)**

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

Article 24 An attorney may not decline, without due reason, to undertake matters entrusted by the public agencies pursuant to the provisions of laws and regulations, or to undertake matters designated by the bar association of which they hold a membership or by the Japan Federation of Bar Associations pursuant to the provisions of their articles of association.

(職務を行ない得ない事件)

**(Cases that an Attorney May Not Undertake)**

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

Article 25 An attorney must not take the cases specified below; provided, however, that this does not apply for the cases specified in items (iii) and (ix), if the client of a case undertaken by the attorney gives their consent:

一 相手方の協議を受けて賛助し、又はその依頼を承諾した事件

(i) cases in which their client provided support to the other party after consultations, or accepted the request of the other party;

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

(ii) cases in which their client accepted the consultation requested by the other party and it is obvious that the degree and form of the consultation are determined based on a relationship of mutual trust;

三 受任している事件の相手方からの依頼による他の事件

(iii) other cases requested by the other party than those already undertaken by the attorney;

四 公務員として職務上取り扱った事件

(iv) cases that they handled as a public employee in the course of performing their duties;

五 仲裁手続により仲裁人として取り扱った事件

(v) cases that they handled as an arbitrator through arbitration procedures;

六 第三十条の二第一項に規定する法人の社員又は使用人である弁護士としてその業務に従事していた期間内に、その法人が相手方の協議を受けて賛助し、又はその依頼を承諾した事件であつて、自らこれに関与したもの

(vi) cases in which, during the period in which they engaged in legal services as



a member or employee of a juridical person under the provisions of Article 30-2, paragraph (1), the corporation provided support to the other party after consultation or accepted the request of the other party, and they personally involved;

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

(vii) cases in which, during the period in which they engaged in legal services as a member or employee of a juridical person under the provisions of Article 30-2, paragraph (1), the juridical person accepted the consultation requested by the other party, and it is obvious that the degree and form of the consultation is determined based on a relationship of mutual trust, and they personally involved;

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

(viii) cases undertaken by a corporation which was requested by the other party, when they are a member or an employee of the corporation under the provisions of Article 30-2, paragraph (1); or

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

(ix) other cases requested by the other party than those undertaken by a corporation under the provisions of Article 30-2, paragraph (1), when they are a member or an employee thereof (limited to cases in which they play a role).

(汚職行為の禁止)

(Prohibition of Corruption)

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

Article 26 An attorney must not, in connection with any case undertaken by the attorney, receive, demand, or promise to receive any profit from the other party.

(非弁護士との提携の禁止)

(Prohibition Against Collaboration with Non-Attorneys)

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

Article 27 An attorney must not undertake any cases referred by a person who is in violation of any of the provisions of Articles 72 through 74, or allow these persons to utilize their name.

(係争権利の譲受の禁止)

(Prohibition Against Obtaining Any Rights that are in Dispute)

第二十八条 弁護士は、係争権利を譲り受けることができない。

Article 28 An attorney may not take over any rights that are in dispute.

(依頼不承諾の通知義務)

(Duty to Give Notice of Decision Not To Undertake a Case)

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

Article 29 When an attorney decides not to take a case, they must promptly notify the client of their decision.

(営利業務の届出等)

(Notification of a For-Profit Business)

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

Article 30 (1) If an attorney falls under any of the following items, the attorney must notify the bar association of which they hold a membership of the matters set forth in the relevant items.

一 自ら営利を目的とする業務を営もうとするとき 商号及び当該業務の内容

(i) when they intend to operate their own business for profit - the trade name and the description of the business; or

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

(ii) when they intend to become a director, executive officer or other officer of a person operating a for-profit business (hereinafter referred to as "director, etc." in this Article) or an employee thereof; the trade name or name of the person operating the business, the location or address of the head office or main business office, the description of the business, and if they intend to become a director, etc.; the title.

2 弁護士会は、前項の規定による届出をした者について、同項各号に定める事項を記載した営利業務従事弁護士名簿を作成し、弁護士会の事務所に備え置き、公衆の縦覧に供しなければならない。

(2) A bar association must prepare a roll of attorneys at law engaged in a for-profit businesses for a person who has filed a notification under the provisions of the preceding paragraph, which include the particulars set forth in each item of that paragraph, and keep the roll of attorneys at the office of the bar association for public inspection.

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

(3) A person who has filed a notification under the provisions of paragraph (1) must, if any changes are made to the particulars pertaining the notification, notify the bar association of which they hold a membership, without delay. The same applies if a person discontinues the business pertaining to the notification, or a person ceases to serve as a director, etc. or an employee pertaining to the notification.

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

(4) When a notification under the provisions of the preceding paragraph is filed, the bar association must immediately make changes to or delete the particulars registered in the roll of attorneys at law engaged in for-profit businesses.

#### 第四章の二 弁護士法人

#### Chapter IV-2 Legal Professional Corporation

(設立等)

(Establishment)

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

Article 30-2 (1) An attorney may establish a corporation to provide the general legal services under the provisions of Article 3 (hereinafter referred to as "legal professional corporation") pursuant to the provisions of this Chapter.

2 第一条の規定は、弁護士法人について準用する。

(2) The provisions of Article 1 apply mutatis mutandis to a legal professional corporation.

(名称)

(Name)

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

Article 30-3 A legal professional corporation must include the words "legal professional corporation" in its name.

(社員の資格)

(Eligibility for Membership)

第三十条の四 弁護士法人の社員は、弁護士でなければならない。

Article 30-4 (1) The members of a legal professional corporation must be an

attorney.

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 may not become a member of a legal professional corporation.

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

(i) any person who was subject to suspension of business pursuant to the provisions of Article 56 or 60, and the suspension period has not elapsed yet; or

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

(ii) any person who was a member of a legal professional corporation within 30 days prior to the date on which the legal professional corporation is disbarred or subject to suspension of business as disciplinary action pursuant to the provisions of Article 56 or 60, and three years have not elapsed from the date on which the disciplinary action was taken (or in case the legal professional corporation was subject to suspension of business, the suspension period).

(業務の範囲)

(Scope of Practice)

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

Article 30-5 In addition to the legal services under the provisions of Article 3, a legal professional corporation may, pursuant to the provisions of its articles of incorporation, engage in all or part of any businesses designated by Ministry of Justice Order, as those an attorney may practice pursuant to the provisions of laws and regulations.

(訴訟関係事務の取扱い)

(Handling of Legal Practice Related to Litigation)

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

Article 30-6 (1) For the legal services set forth below, a legal professional corporation is to provide the legal services that the corporation assigns to its members or employees ("members, etc.") upon request from its client. In this

case, the legal professional corporation must allow the client to appoint its representative, defense counsel, attendant, or assistant in court from among the legal professional corporation's members, etc.

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

(i) representation or assistance for the court proceedings in cases (excluding criminal cases); or

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

(ii) representation for court proceedings in criminal cases, acting as a defense counsel in criminal cases, acting as an attendant in juvenile protection cases, or assistance in cases in which a request for administrative review of extradition of fugitive criminal has been filed

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

(2) A legal professional corporation may not be exempted from liability to pay compensation for damages incurred by the client in connection with the legal services specified in the preceding paragraph, unless it proves that the members, etc. used due care in providing the relevant legal services.

(登記)

(Registration)

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

Article 30-7 (1) All legal professional corporations must be registered pursuant to the provisions of Cabinet Order.

2 前項の規定により登記をしなければならない事項は、登記の後でなければ、これをもつて第三者に対抗することができない。

(2) Details required to be registered pursuant to the provisions of the preceding paragraph may not be duly asserted against a third party until the registration thereof has been completed.

(設立の手續)

(Establishment Procedures)

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

Article 30-8 (1) In order to establish a legal professional corporation, the attorneys who are to become members thereof must prepare articles of incorporation.

2 会社法（平成十七年法律第八十六号）第三十条第一項の規定は、弁護士法人の定款

について準用する。

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

3 定款には、少なくとも次に掲げる事項を記載しなければならない。

(3) The articles of incorporation of a legal profession corporation must include, at least, the following particulars.

一 目的

(i) business purposes;

二 名称

(ii) name;

三 法律事務所の所在地

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

四 所属弁護士会

(iv) the bar association of which the legal profession corporation holds a membership;

五 社員の氏名、住所及び所属弁護士会

(v) the names and addresses of its members and the bar association of which they hold a membership;

六 社員の出資に関する事項

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

七 業務の執行に関する事項

(vii) matters concerning the provision of its legal services.

(成立の時期)

(Time of Establishment)

第三十条の九 弁護士法人は、その主たる法律事務所の所在地において設立の登記をすることによつて成立する。

Article 30-9 A legal professional corporation is formed upon registration of its establishment in the district in which its principal law office is located.

(成立の届出)

(Notification of Establishment)

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

Article 30-10 A legal professional corporation must, within two weeks from the date of its establishment, give a notification of establishment to the bar association of which it holds a membership and to the Japan Federation of Bar Associations, together with copies of a certificate of registered information of the legal professional corporation and its articles of incorporation.

(定款の変更)

**(Amendment to the Articles of Incorporation)**

第三十条の十一 弁護士法人は、定款に別段の定めがある場合を除き、総社員の同意によつて、定款の変更をすることができる。

Article 30-11 (1) A legal professional corporation may amend its articles of incorporation with unanimous agreement of all members, unless otherwise provided for in the articles of incorporation.

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

(2) A legal professional corporation must, within two weeks from the date of amendment to its articles of incorporation, notify the bar association of which it holds a membership and the Japan Federation of Bar Associations of the amendment.

(業務の執行)

**(Execution of the Legal Practice)**

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

Article 30-12 All members of a Legal Professional Corporation have the right and obligation to provide legal services unless otherwise provided for in its articles of incorporation.

(法人の代表)

**(Representation of a Corporation)**

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

Article 30-13 (1) Each member of a legal professional corporation who provides its legal services represents the legal professional corporation.

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

(2) The provisions of the preceding paragraph do not preclude a legal professional corporation from designating certain members who must act as a representative thereof from among the members who provide its legal services, in accordance with its articles of incorporation or with unanimous consent of all members.

3 弁護士法人を代表する社員は、弁護士法人の業務に関する一切の裁判上又は裁判外の行為をする権限を有する。

(3) A member who represents a legal professional corporation has the authority to conduct all judicial and non-judicial activities regarding the legal services of the legal professional corporation.

4 前項の権限に加えた制限は、善意の第三者に対抗することができない。

(4) The legal professional corporation may not duly assert the restrictions imposed on the authority referred to in the preceding paragraph against a third party acting in good faith.

5 弁護士法人を代表する社員は、定款によつて禁止されていないときに限り、特定の行為の代理を他人に委任することができる。

(5) A member representing a legal professional corporation may delegate their authority over certain acts to another person, unless prohibited by the articles of incorporation.

(指定社員)

(Designated Member)

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

Article 30-14 (1) A legal professional corporation may designate a member to be in charge of a specific case.

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

(2) With respect to a designated case under the provisions of preceding paragraph (hereinafter referred to as a "designated case"), only the designated member (hereinafter referred to as a "designated member") has the right and obligation to provide the legal services .

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

(3) Notwithstanding the provisions of the preceding Article, only the designated member represents the legal professional corporation with respect to the designated case.

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

(4) If a legal professional corporation designates a member pursuant to the provisions of paragraph (1), it must give a written notice of designation to the client of the designated case.

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

(5) A client may request the legal professional corporation to clarify, by specifying a reasonable period of time, whether or not the legal professional corporation will designate a member who undertakes the case under the provisions of paragraph (1) within that period. In this case, if the legal



professional corporation fails to give a notice under the preceding paragraph within that period, it may not designate a member after the deadline has passed; provided, however, that this does not preclude the legal professional corporation from designating a member with the consent of the client.

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

(6) If the designated member becomes unavailable before the legal services for the designated case have completed, the legal professional corporation must designate a new member. If the legal professional corporation fails to designate a new member, all of its members are deemed to have been designated to undertake the designated case.

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

(7) When a legal professional corporation that has only one member is requested to undertake a case, the member is deemed to have been designated to undertake the case.

(社員の責任)

(Member's Liabilities)

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

Article 30-15 (1) If a legal professional corporation is unable to pay off its obligations by selling its assets, each member is jointly and severally liable to pay the obligations.

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

(2) If a compulsory execution against a legal professional corporation's assets was unsuccessful, the provisions of the preceding paragraph also apply.

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

(3) The provisions of the preceding paragraph do not apply if a member proves that the legal professional corporation has sufficient resources and that a compulsory execution can be easily enforced.

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

(4) If a member has been designated pursuant to the provisions of paragraph (1) of the preceding Article and a notice has been given pursuant to the provisions of paragraph (4) of that Article (including cases in which a member is deemed to have been designated pursuant to the provisions of paragraph (6) or (7) of that Article), and when the legal professional corporation is unable to pay off its obligations owed to the client with respect to the designated case by selling its assets, notwithstanding the provisions of paragraph (1), the designated member (including those who were designated members; hereinafter the same applies in this Article) is jointly and severally liable to pay the obligations; provided, however, that this does not apply if they prove that a designated member who has resigned from the legal professional corporation takes on debts due to the reasons they had after their resignation.

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

(5) In the case referred to in the preceding paragraph, if a compulsory execution against a legal professional corporation's assets based on client's claims with respect to a designated case is unsuccessful, the provisions of preceding paragraph also applies, except when a designated member proves that the legal professional corporation has sufficient resources and that a compulsory execution can be easily enforced.

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

(6) In the case referred to in paragraph (4), if a member who is not a designated member has been involved in legal proceedings on a designated case, regardless of whether the member has been involved in the case before or after it is designated, they assume the same responsibility borne by the designated member pursuant to the provisions of the preceding two paragraphs, unless they are able to prove that they used due care when they involved in the case. The same applies after they resign from the legal professional corporation.

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

(7) The provisions of Article 612 of the Companies Act apply mutatis mutandis to the resignation of a member of a legal professional corporation; provided, however, that this does not apply to the obligations of a legal professional corporation owed to a client with respect to a designated case referred to in paragraph (4).

(社員であると誤認させる行為をした者の責任)

**(Responsibilities of a Person Whose Conduct Misled Others to Believe that They are a Member)**

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

Article 30-16 If a person who is not a member of a legal professional corporation acts in a way that mislead others to believe that they are a member, that person bears the same responsibilities as a member for any party who entered into a transaction with the legal professional corporation based on false beliefs.

(社員の常駐)

**(Permanent Assignment of Members)**

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

Article 30-17 A legal professional corporation must have its member, who holds the membership of the bar association in the district in which the law office is located, (the bar associations of which the legal professional corporation holds a membership, if there are two or more bar associations in that district; hereinafter the same applies in this Article) reside in its law office; provided, however, that this does not apply to secondary law office if the bar association in the district in which the secondary law office is located allows the legal professional corporation to decide not to have its member reside in its secondary law office, taking into consideration of the distribution of attorneys in the vicinity of the relevant secondary law office and other circumstances.

(特定の事件についての業務の制限)

**(Restrictions on the Practice of Law in Specific Cases)**

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

Article 30-18 A legal professional corporation must not undertake a case that falls under any of the following items; provided, however, that this does not apply in the case specified in item (iii) below if the client of a case undertaken by the legal professional corporation gives their consent.

一 相手方の協議を受けて賛助し、又はその依頼を承諾した事件

(i) cases in which the legal professional corporation has provided support to the

other party after consultation, or has accepted the request from the other party;

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

(ii) cases in which the legal professional corporation has accepted the consultation requested by the other party, and it is obvious that the degree and form of the consultation were determined based on a relationship of mutual trust;

三 受任している事件の相手方からの依頼による他の事件

(iii) other cases requested by the other party than those that have already been undertaken by the legal professional corporation;

四 社員等が相手方から受任している事件

(iv) cases that had been requested by the other party, which have been taken by the members, etc.; or

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

(v) cases set forth in Article 25, items (i) through (vii) in which one-half or more of the legal professional corporation's members must not provide legal services.

(他の弁護士法人への加入の禁止等)

**(Prohibition on Joining Another Legal Professional Corporation)**

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

Article 30-19 (1) A member of a legal professional corporation must not become a member of another legal professional corporation.

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

(2) Any member of a legal professional corporation must not, without the approval of the other members, provide any legal services within the scope of the legal professional corporation's practice for their own or a third party's benefit; provided, however, that this does not apply when they handle matters entrusted by a public agency pursuant to the provisions of laws and regulations.

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

(3) If a member violates the provisions of the preceding paragraph and provides any legal services within the scope of the legal professional corporation's practice for their own or a third party's benefit, the amount of profit earned by that member or third party is presumed to be the amount of damages incurred by the legal professional corporation.

(弁護士法人の社員等の汚職行為の禁止)

**(Prohibition of Corruption by Members of a Legal Professional Corporation)**

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

Article 30-20 (1) The members, etc. of a legal professional corporation must not accept, demand, or promise to accept, any profit from the other party in connection with a case that the legal professional corporation has undertaken.

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

(2) The members, etc. of a legal professional corporation must not solicit the benefits from the other party to the legal professional corporation, or demand, or promise to accept any profit from the other party in connection with a case that the legal professional corporation has undertaken.

(弁護士の義務等の規定の準用)

**(Application Mutatis Mutandis of Provisions for the Obligations of an Attorney)**

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

Article 30-21 The provisions of Article 20, paragraphs (1) and (2), Articles 21, 22, 23-2, 24, and 27 through 29 apply mutatis mutandis to a legal professional corporation.

(法定脱退)

**(Statutory Resignation)**

第三十条の二十二 弁護士法人の社員は、次に掲げる理由によつて脱退する。

Article 30-22 A member of a legal professional corporation withdraws from the legal professional corporation based on the following reasons:

一 定款に定める理由の発生

(i) the employee has a reason for resignation prescribed in the articles of incorporation;

二 総社員の同意

(ii) the agreement by all members;

三 死亡

(iii) death;

四 第七条各号（第二号を除く。）のいずれかに該当することとなつたとき。

(iv) the member falls under any of the items of Article 7 (excluding item (ii));

五 第十一条の規定による登録取消しの請求をしたとき。

(v) a request for revocation of their registration is filed pursuant to the provisions of Article 11;

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

(vi) they become subject to any of the disciplinary actions prescribed in Article 57, paragraph (1), items (ii) through (iv), or a request for revocation of their registration filed pursuant to the provisions of Article 13, paragraph (1) becomes final and binding; or

七 第三十条の三十第一項において準用する会社法第八百五十九条の規定による除名  
(vii) they are disbarred pursuant to the provisions of Article 859 of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1).

(解散)

(Dissolution)

第三十条の二十三 弁護士法人は、次に掲げる理由によつて解散する。

Article 30-23 (1) A legal professional corporation is dissolved for any of the following reasons:

一 定款に定める理由の発生

(i) the legal professional corporation has a reason for dissolution prescribed in the articles of incorporation;

二 総社員の同意

(ii) the agreement by all members;

三 他の弁護士法人との合併

(iii) a merger with another legal professional corporation;

四 破産手続開始の決定

(iv) a decision to commence bankruptcy proceedings;

五 解散を命ずる裁判

(v) a dissolution order issued by a court;

六 第五十六条又は第六十条の規定による除名

(vi) disbarment under the provisions of Article 56 or 60; or

七 社員の欠亡

(vii) unavailability or death of its members.

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

(2) If a legal professional corporation is dissolved for any reason other than those referred to in items (iii) and (vi) of the preceding paragraph, it must provide a notification of dissolution to the bar association of which it holds a membership and to the Japan Federation of Bar Associations within two weeks from the date of dissolution.

(弁護士法人の継続)

(Continuation of a Legal Professional Corporation)

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

Article 30-24 Only if a legal professional corporation falls under item (vii) of paragraph (1) of the preceding Article due to the death of a member, the liquidator may, with the consent of the heir to that member (or, if a person is appointed to exercise the rights of that member pursuant to the provisions of Article 608, paragraph (5) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 675 of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-30, paragraph (2), with the consent of the person), continue the legal professional corporation by admitting a new member into the legal professional corporation.

（解散を命ずる裁判）

(Dissolution Orders issued by the Court)

第三十条の二十五 会社法第八百二十四条、第八百二十六条、第八百六十八条第一項、第八百七十条第一項（第十号に係る部分に限る。）、第八百七十一条本文、第八百七十二條（第四号に係る部分に限る。）、第八百七十三条本文、第八百七十五条、第八百七十六条、第九百四条及び第九百三十七条第一項（第三号ロに係る部分に限る。）の規定は弁護士法人の解散の命令について、同法第八百二十五条、第八百六十八条第一項、第八百七十条第一項（第一号に係る部分に限る。）、第八百七十一条、第八百七十二條（第一号及び第四号に係る部分に限る。）、第八百七十三条、第八百七十四条（第二号及び第三号に係る部分に限る。）、第八百七十五条、第八百七十六条、第九百五条及び第九百六条の規定はこの項において準用する同法第八百二十四条第一項の申立てがあつた場合における弁護士法人の財産の保全について、それぞれ準用する。

Article 30-25 (1) The provisions of Article 824, Article 826, Article 868, paragraph (1), Article 870, paragraph (1) (limited to the part pertaining to item (x), the main text of Article 871, Article 872 (limited to the part pertaining to item (iv)), the main text of Article 873, Article 875, Article 876, Article 904 and Article 937, paragraph (1) (limited to the part pertaining to item (iii) (b)) of the Companies Act apply mutatis mutandis to the order to dissolve a legal professional corporation. The provisions of Article 825, Article 868, paragraph (1), Article 870, paragraph (1) (limited to the part pertaining to item (i)), Article 871, Article 872 (limited to the part pertaining to items (i) and (iv)), Article 873, Article 874 (limited to the part pertaining to items (ii) and (iii)), Article 875, Article 876, Article 905 and Article 906 of the Companies Act apply mutatis mutandis to the preservation of the legal professional corporation's assets when a petition is filed pursuant to the provisions of Article 824, paragraph (1) of the Companies Act as applied mutatis mutandis in this item.

2 会社法第八百三十三条第二項、第八百三十四条（第二十一号に係る部分に限る。）、第八百三十五条第一項、第八百三十七条、第八百三十八条、第八百四十六条及び第九百三十七条第一項（第一号りに係る部分に限る。）の規定は、弁護士法人の解散の訴えについて準用する。

(2) The provisions of Article 833, paragraph (2), Article 834 (limited to the part pertaining to item (xxi), Article 835, paragraph (1), Article 837, Article 838, Article 846, Article 937, paragraph (1) (limited to the part pertaining to item (i) (i)) of the Companies Act apply mutatis mutandis to an action seeking a court order to dissolve a legal professional corporation.

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

(3) If the Minister of Justice intends to seek a dissolution order under the provisions of Article 824, paragraph (1) of the Companies Act as applied mutatis mutandis to the paragraph (1), the Minister must hear the opinions of the Japan Federation of Bar Associations in advance.

(清算)

(Liquidation)

第三十条の二十六 弁護士法人の清算人は、弁護士でなければならない。

Article 30-26 (1) The liquidator of a legal professional corporation must be an attorney.

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

(2) Upon completion of liquidation, the liquidator must, upon registration of the completion of liquidation, promptly give a notice of completion of liquidation to the bar association of which the legal professional corporation held a membership and to the Japan Federation of Bar Associations, together with a certificate of registered information.

(裁判所による監督)

(Supervision by the Court)

第三十条の二十六の二 弁護士法人の解散及び清算は、裁判所の監督に属する。

Article 30-26-2 (1) The dissolution and liquidation of a legal professional corporation is subject to the supervision of the court.

2 裁判所は、職権で、いつでも前項の監督に必要な検査をすることができる。

(2) The court may, at any time, ex officio, conduct any inspection, which may be necessary for the supervision referred to in the preceding paragraph.

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



(3) The court supervising the dissolution and liquidation of a legal professional corporation may ask for the opinion of the Japan Federation of Bar Associations or request the Bar Associations to perform an investigation.

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

(4) The Japan Federation of Bar Associations may state its opinion to the court provided for in the preceding paragraph.

(解散及び清算の監督に関する事件の管轄)

(Jurisdiction over the Cases Relating to the Supervision of Dissolution and Liquidation)

第三十条の二十六の三 弁護士法人の解散及び清算の監督に関する事件は、その主たる法律事務所の所在地を管轄する地方裁判所の管轄に属する。

Article 30-26-3 A district court having jurisdiction over the area in which the principal law office of the legal professional corporation is located has jurisdiction over a case relating to the supervision of the dissolution and liquidation of a legal professional corporation.

(検査役の選任)

(Appointment of Inspectors)

第三十条の二十六の四 裁判所は、弁護士法人の解散及び清算の監督に必要な調査をさせるため、検査役を選任することができる。

Article 30-26-4 (1) The court may appoint an inspector in order to have them conduct investigations necessary for the supervision of the dissolution and liquidation of a legal professional corporation.

2 前項の検査役の選任の裁判に対しては、不服を申し立てることができない。

(2) No appeal may be filed against a judicial decision to appoint an inspector referred to in the preceding paragraph.

3 裁判所は、第一項の検査役を選任した場合には、弁護士法人が当該検査役に対して支払う報酬の額を定めることができる。この場合においては、裁判所は、当該弁護士法人及び検査役の陳述を聴かなければならない。

(3) If the court appoints an inspector referred to in paragraph (1), it may decide the amount of compensation that the legal professional corporation pays to the inspector. In this case, the court must hear the statements of the legal professional corporation and the inspector.

(合併)

(Merger)

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

Article 30-27 (1) A legal professional corporation may merge with another legal professional corporation with the consent of all members.

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

(2) A merger between legal professional corporations takes effect upon registration of the legal professional corporation that exists after the merger or formed through the merger in the district in which its principal law office is located.

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

(3) if legal professional corporations are merged, they must give a notice of merger to the bar association of which it holds a membership and to the Japan Federation of Bar Associations within two weeks from the date of merger, together with a certificate of registered information (copies of a certificate of registered information and the articles of incorporation if a legal professional corporation is formed through a merger).

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

(4) The legal professional corporation existing after the merger or formed through the merger succeeds to all rights and obligations of the legal professional corporation which is dissolved by the merger.

（債権者の異議等）

(Creditor's Objections)

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

Article 30-28 (1) A creditor of a legal profession corporation that merges with another may state an objection against the merger of the legal professional corporation.

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

(2) Each legal profession corporation that merges with another must make the following details public in the Official Gazette and notify each known creditor of the following details separately; provided, however that the period referred to in item (iii) below may not be less than one month:

一 合併をする旨

(i) announcement of merger;

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

(ii) name and location of a principal office of the legal professional corporation which is dissolved through merger, and of the legal professional corporation

that exists after the merger or the legal professional corporation that is formed through merger; and

三 債権者が一定の期間内に異議を述べることができる旨

(iii) the fact that a creditor may state an objection against the merger within a certain period.

3 前項の規定にかかわらず、合併をする弁護士法人が同項の規定による公告を、官報のほか、第六項において準用する会社法第九百三十九条第一項の規定による定款の定めに従い、同項第二号又は第三号に掲げる方法によりするときは、前項の規定による各別の催告は、することを要しない。

(3) Notwithstanding the provisions of the preceding paragraph, if the legal professional corporation that merged with another issues a public notice under the provisions of that paragraph in the manner referred to in items (ii) or (iii) of Article 939, paragraph (1) of the Companies Act in addition to the Official Gazette, pursuant to the provisions of its articles of incorporation under the provisions of paragraph (1) of Article 939 of the Companies Act as applied mutatis mutandis pursuant to paragraph (6) below, a notice under the provisions of the preceding paragraph does not need to be issued.

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

(4) A creditor is deemed to have approved the merger unless it states an objection against the merger within the period referred to in paragraph (2), item (iii).

5 債権者が第二項第三号の期間内に異議を述べたときは、合併をする弁護士法人は、当該債権者に対し、弁済し、若しくは相当の担保を提供し、又は当該債権者に弁済を受けさせることを目的として信託会社等（信託会社及び信託業務を営む金融機関（金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。）をいう。）に相当の財産を信託しなければならない。ただし、当該合併をしても当該債権者を害するおそれがないときは、この限りでない。

(5) If a creditor states an objection within the period referred to in paragraph (2), item (iii), the legal professional corporation that merges with another must entrust sufficient properties to a trust company, etc. (meaning a trust company or financial institution that provides trust services (meaning a financial institution to which a permit under Article 1, paragraph (1) of the Act on Concurrent Operation, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943) has been granted)) in order to repay the obligations to the creditor, provide sufficient security or to allow the creditor to receive payment for the debt; provided, however, that this does not apply if it is obvious that the merger will not cause any damage to the creditor.

6 会社法第九百三十九条第一項（第二号及び第三号に係る部分に限る。）及び第三項、第九百四十条第一項（第三号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九

百五十五条の規定は、弁護士法人が第二項の規定による公告をする場合について準用する。この場合において、同法第九百三十九条第一項及び第三項中「公告方法」とあるのは「合併の公告の方法」と、同法第九百四十六条第三項中「商号」とあるのは「名称」と読み替えるものとする。

(6) The provisions of Article 939, paragraph (1) (limited to the part pertaining to items (ii) and (iii)) and paragraph (3), Article 940, paragraph (1) (limited to the part pertaining to item (iii)) and paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953 and Article 955 of the Companies Act apply mutatis mutandis to the public notice under the provisions of paragraph (2) issued by a legal professional corporation. In this case, the phrase "method of public notice" in Article 939, paragraphs (1) and (3) is deemed to be replaced with "method of public notice of merger" and the phrase "trade name" in Article 946, paragraph (3) is deemed to be replaced with "name."

(合併の無効の訴え)

(Petition to Invalidate a Merger)

第三十条の二十九 会社法第八百二十八条第一項（第七号及び第八号に係る部分に限る。）及び第二項（第七号及び第八号に係る部分に限る。）、第八百三十四条（第七号及び第八号に係る部分に限る。）、第八百三十五条第一項、第八百三十六條第二項及び第三項、第八百三十七条から第八百三十九条まで、第八百四十三条（第一項第三号及び第四号並びに第二項ただし書を除く。）並びに第八百四十六条の規定は弁護士法人の合併の無効の訴えについて、同法第八百六十八条第六項、第八百七十条第二項（第六号に係る部分に限る。）、第八百七十条の二、第八百七十一条本文、第八百七十二條（第五号に係る部分に限る。）、第八百七十二條の二、第八百七十三条本文、第八百七十五条及び第八百七十六条の規定はこの条において準用する同法第八百四十三条第四項の申立てについて、それぞれ準用する。

Article 30-29 The provisions of Article 828, paragraph (1) (limited to the part pertaining to items (vii) and (viii)) and paragraph (2) (limited to the part pertaining to items (vii) and (viii)), Article 834 (limited to the part pertaining to items (vii) and (viii)), Article 835, paragraph (1), Article 836, paragraphs (2) and (3), Articles 837 through 839, Article 843 (excluding paragraph (1), items (iii) and (iv) and the proviso to paragraph (2)) and Article 846 of the Companies Act apply mutatis mutandis to a petition to invalidate a merger of legal professional corporation. The provisions of Article 868, paragraph (6), Article 870, paragraph (2) (limited to the part pertaining to item (vi)), Article 870-2, the main text of Article 871, Article 872 (limited to the part pertaining to item (v)), Article 872-2, the main text of Article 873, Article 875 and Article 876 of the Companies Act apply mutatis mutandis to a petition set forth in Article 843, paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to this Article.

(一般社団法人及び一般財団法人に関する法律及び会社法の準用等)

**(Mutatis Mutandis Application of the Act on General Incorporated Associations and General Incorporated Foundations and the Companies Act)**

第三十条の三十 一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第四条並びに会社法第六百条、第六百十四条から第六百十九条まで、第六百二十一条及び第六百二十二条の規定は弁護士法人について、同法第五百八十一条、第五百八十二条、第五百八十五条第一項及び第四項、第五百八十六条、第五百九十三条、第五百九十五条、第五百九十六条、第六百一条、第六百五条、第六百六条、第六百九条第一項及び第二項、第六百十一条（第一項ただし書を除く。）並びに第六百十三条の規定は弁護士法人の社員について、同法第八百五十九条から第八百六十二条までの規定は弁護士法人の社員の除名並びに業務を執行する権利及び代表権の消滅の訴えについて、それぞれ準用する。この場合において、同法第六百十三条中「商号」とあるのは「名称」と、同法第八百五十九条第二号中「第五百九十四条第一項（第五百九十八条第二項において準用する場合を含む。）」とあるのは「弁護士法（昭和二十四年法律第二百五号）第三十条の十九第一項又は第二項」と読み替えるものとする。

Article 30-30 (1) The provisions of Article 4 of the Act on General Incorporated Association and General Incorporated Foundation (Act No. 48 of 2006) and Article 600, Articles 614 through 619, Article 621 and Article 622 of the Companies Act apply mutatis mutandis to a legal professional corporation. The provisions of Article 581, Article 582, Article 585, paragraphs (1) and (4), Article 586, Article 593, Article 595, Article 596, Article 601, Article 605, Article 606, Article 609, paragraphs (1) and (2), Article 611 (excluding the proviso to paragraph (1)) and Article 613 of the Companies Act apply mutatis mutandis to a member of a legal professional corporation. The provisions of Articles 859 through 862 of the Companies Act apply mutatis mutandis to an expulsion of a member of a legal professional corporation or an action for nullifying the right to provide legal services of a legal professional corporation, or the right to represent the legal professional corporation. In these cases, the phrase "trade name" in Article 613 is deemed to be replaced with "name" and the phrase "Article 594, paragraph (1) (including as applied mutatis mutandis pursuant to Article 598, paragraph (2))" in Article 859, item (ii) of that Act is deemed to be replaced with "Article 30-19, paragraph (1) or (2) of the Attorneys Act (Act No. 205 of 1949)."

2 会社法第六百四十四条（第三号を除く。）、第六百四十五条から第六百四十九条まで、第六百五十条第一項及び第二項、第六百五十一条第一項及び第二項（同法第五百九十四条の準用に係る部分を除く。）、第六百五十二条、第六百五十三条、第六百五十五条から第六百五十九条まで、第六百六十二条から第六百六十四条まで、第六百六十六条から第六百七十三条まで、第六百七十五条、第八百六十三条、第八百六十四条、第八百六十八条第一項、第八百六十九条、第八百七十条第一項（第一号及び第二号に係る部分に限る。）、第八百七十一条、第八百七十二条（第四号に係る部分に限

る。)、第八百七十四条(第一号及び第四号に係る部分に限る。)、第八百七十五条並びに第八百七十六条の規定は、弁護士法人の解散及び清算について準用する。この場合において、同法第六百四十四条第一号中「第六百四十一条第五号」とあるのは「弁護士法第三十条の二十三第一項第三号」と、同法第六百四十七条第三項中「第六百四十一条第四号又は第七号」とあるのは「弁護士法第三十条の二十三第一項第五号から第七号まで」と、同法第六百六十八条第一項及び第六百六十九条中「第六百四十一条第一号から第三号まで」とあるのは「弁護士法第三十条の二十三第一項第一号又は第二号」と同法第六百七十条第三項中「第九百三十九条第一項」とあるのは「弁護士法第三十条の二十八第六項において準用する第九百三十九条第一項」と、同法第六百七十三条第一項中「第五百八十条」とあるのは「弁護士法第三十条の十五」と読み替えるものとする。

(2) The provisions of Article 644 of the Companies Act (excluding item (iii)), and Articles 645 through 649, Article 650, paragraphs (1) and (2), Article 651, paragraphs (1) and (2) (excluding the part pertaining to mutatis mutandis application of Article 594), Article 652, Article 653, Articles 655 through 659, Articles 662 through 664, Articles 666 through 673, Article 675, Article 863, Article 864, Article 868, paragraph (1), Article 869, Article 870, paragraph (1) (limited to the part pertaining to items (i) and (ii)), Article 871, Article 872 (only with regard to item (iv)), Article 874 (limited to the part pertaining to items (i) and (iv)), Article 875 and Article 876 of that Act apply mutatis mutandis to dissolution and liquidation of a legal professional corporation. In this case, the phrase "Article 641, item (v)" in Article 644, item (i) is deemed to be replaced with "Article 30-23, paragraph (1), item (iii) of the Attorneys Act" and the phrase "Article 641, item (iv) or (vii)" in Article 647, paragraph (3) of that Act is deemed to be replaced with "Article 30-23, paragraph (1), items (v) through (vii) of the Attorneys Act" and the phrase "Article 641, items (i) through (iii)" in Article 668, paragraph (1) and Article 669 is deemed to be replaced with "Article 30-23, paragraph (1), item (i) or (ii) of the Attorneys Act" and the phrase "Article 939, paragraph (1)" in Article 670, paragraph (3) of that Act is deemed to be replaced with "Article 939, paragraph (1) as applied mutatis mutandis pursuant to Article 30-28, paragraph (6) of the Attorneys Act" and the phrase "Article 580" in Article 673, paragraph (1) of that Act is deemed to be replaced with "Article 30-15 of the Attorneys Act."

3 会社法第八百二十八条第一項(第一号に係る部分に限る。)及び第二項(第一号に係る部分に限る。)、第八百三十四条(第一号に係る部分に限る。)、第八百三十五条第一項、第八百三十七条から第八百三十九条まで並びに第八百四十六条の規定は、弁護士法人の設立の無効の訴えについて準用する。

(3) The provisions of Article 828, paragraph (1) (limited to the part pertaining to item (i)) and paragraph (2) (limited to the part pertaining to item (i)), Article 834 (limited to the part pertaining to item (i)), Article 835, paragraph (1), Articles 837 through 839 and Article 846 of the Companies Act apply mutatis

mutandis to an action to invalidate the incorporation of a legal professional corporation.

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

(4) With regard to the application of the provisions of Article 16 of the Bankruptcy Act (Act No. 75 of 2004), a legal professional corporation is deemed as a general partnership company.

## 第五章 弁護士会

### Chapter V Bar Associations

（目的及び法人格）

(Purpose and Juridical Personality)

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

Article 31 (1) The purpose of a bar association is to, in view of the mission and duties of attorneys and legal professional corporations, perform functions relating to the guidance for, liaison between, and supervision over its members in order to maintain their integrity and improve and advance their legal services.

2 弁護士会は、法人とする。

(2) A bar association is a juridical person.

（設立の基準となる区域）

(District to Serve as Basis of Establishment)

第三十二条 弁護士会は、地方裁判所の管轄区域ごとに設立しなければならない。

Article 32 A bar association must be established in the jurisdiction of each district court.

（会則）

(Articles of Association)

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

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

2 弁護士会の会則には、次に掲げる事項を記載しなければならない。

(2) The following details must be included in the articles of association of a bar association:

一 名称及び事務所の所在地

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

- 二 会長、副会長その他会の機関の選任、構成及び職務権限に関する規定  
(ii) rules pertaining to the selection, structure and authorities of its president, vice presidents and other organs;
- 三 入会及び退会に関する規定  
(iii) rules pertaining to admission to or resignation from the bar association;
- 四 資格審査会に関する規定  
(iv) rules pertaining to the qualifications screening board;
- 五 会議に関する規定  
(v) rules pertaining to the meetings of the bar association;
- 六 弁護士名簿の登録、登録換え及び登録取消しの請求の進達並びに第十三条の規定による登録取消しの請求及びその実施のために必要な手続に関する規定  
(vi) rules pertaining to the transmission of requests for registration, transfer of registration and revocation of registration in the roll of attorneys, and requests for revocation of registration under the provisions of in Article 13, and rules concerning procedures necessary for the implementation thereof;
- 七 弁護士道德その他会員の綱紀保持に関する規定  
(vii) rules pertaining to the ethics of attorneys and maintenance of discipline of its members;
- 八 懲戒並びに懲戒委員会及び綱紀委員会に関する規定  
(viii) rules pertaining to disciplinary actions, the disciplinary action committee and the disciplinary committee;
- 九 無資力者のためにする法律扶助に関する規定  
(ix) rules pertaining to legal support provided to persons having no financial resource;
- 十 官公署その他に対する弁護士の推薦に関する規定  
(x) rules pertaining to the recommendation of an attorney to a public agency and other organs;
- 十一 司法修習生の修習に関する規定  
(xi) rules pertaining to the training of legal apprentices;
- 十二 会員の職務に関する紛議の調停に関する規定  
(xii) rules pertaining to settlement of disputes concerning the duties of a member
- 十三 建議及び答申に関する規定  
(xiii) rules pertaining to proposals and responses to inquiries from public agencies;
- 十四 営利業務の届出及び営利業務従事弁護士名簿に関する規定  
(xiv) rules pertaining to a notice of for-profit business and the roll of attorneys at law engaged in for-profit businesses;
- 十五 会費に関する規定  
(xv) rules pertaining to membership fees; and
- 十六 会計及び資産に関する規定



(xvi) rules pertaining to accounting and assets.

3 前項に掲げる事項を変更するときは、日本弁護士連合会の承認を受けなければならない。

(3) If any changes are to be made to the details provided in the preceding paragraph, approval of the Japan Federation of Bar Associations must be obtained.

(登記)

(Registration)

第三十四条 弁護士会は、その所在地において設立の登記をすることによつて成立する。

Article 34 (1) A bar association is formed upon registration of its establishment in the district in which it is located.

2 弁護士会の設立の登記には、次に掲げる事項を登記しなければならない。

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

一 名称

(i) name;

二 設立の基準となる地方裁判所の名称及び管轄区域

(ii) name and jurisdiction of the district court which forms the basis of its establishment;

三 事務所の所在場所

(iii) location of its office;

四 会長及び副会長の氏名及び住所

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

五 第四十三条第三項において準用する第三十条の二十八第二項の公告を時事に関する事項を掲載する日刊新聞紙に掲載する方法によりする旨の会則の定めがあるときは、その定め

(v) the provisions of articles of association, if public notice under Article 30-28, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 43, paragraph (3) are made by publishing matters on current affairs in a daily newspaper as prescribed in the provisions of articles of association; and

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

(vi) the provisions of its articles of association and the following details, if public notice under Article 30-28, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 43, paragraph (3), are made by electronic notices (meaning an electronic notice referred to in Article 2, item (xxxiv) of the Companies Act; the same applies to sub-item (a)), as prescribed in the provisions of articles of association:

イ 電子公告により公告すべき内容である情報について不特定多数の者がその提供を受けるために必要な事項であつて法務省令で定めるもの

(a) Details that are necessary in order for the general public to receive information that must be made public electronically and that are prescribed by Ministry of Justice Order; and

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

(b) The provisions of articles of association, if the articles of association under the provisions of the latter part of Article 939, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-28, paragraph (6) as applied mutatis mutandis pursuant to the provisions of Article 43, paragraph (3), has been prepared.

3 弁護士会が解散したときは、二週間以内に解散の登記をしなければならない。

(3) If a bar association is dissolved, it must register its dissolution within two weeks.

4 第二項に掲げる事項に変更を生じたときは、二週間以内に変更の登記をしなければならない。

(4) If any changes are made to the details specified in paragraph (2) of this Article, changes to the registered details must be registered within two weeks.

5 弁護士会において登記すべき事項は、登記の後でなければ、これをもつて第三者に対抗することができない。

(5) Details that must be registered by a bar association may not be duly asserted against a third party until the details have been registered.

6 この法律に規定するものの外、弁護士会の登記の手續に関して必要な事項は、政令で定める。

(6) Beyond what is provided for in this Act, particulars necessary for the registration procedures of a bar association are provided by Cabinet Order.

(会長及び副会長)

(President and Vice-Presidents)

第三十五条 弁護士会の代表者は、会長とする。

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

2 会長に事故のあるとき又は会長が欠けたときは、副会長がこの法律及び会則に規定する会長の職務を行う。

(2) If the president is unable to perform their duties or the position is vacant, the vice-president performs the duties of the president as provided in this Act and in the articles of association of the bar association.

3 会長及び副会長は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(3) With regard to the application of the Penal Code (Act No. 45 of 1907) or other

penal provisions, the president and vice-presidents are deemed as officials engaging in public duties pursuant to the provisions of laws and regulations,.

(入会及び退会)

(Admission and Resignation)

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

Article 36 (1) A person who is registered or whose registration has been transferred in the roll of attorneys, by operation of law, becomes a member of the bar association which they intend to join, and if their registration has been transferred, they thereby resign from their former bar association.

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

(2) A person whose registration has been revoked through a request under the provisions of Article 11, by operation of law, resigns from the bar association of which they hold a membership.

(弁護士法人の入会及び退会)

(Admission and Withdrawal of a Legal Professional Corporation)

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

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

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

(2) If a legal professional corporation establishes a new law office or relocates its law office outside the district of the bar association of which it holds a membership, it become a member of the bar association of the district in which the law office is located (if there are two or more bar associations in that district, the one that is specified in its articles of incorporation) upon registration of its establishment or relocation in that district.

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

(3) A legal professional corporation that no longer has a law office in the district

of the bar association of which it holds a membership due to relocation or closure, it withdraws from the association upon registration of relocation or closure of that office in the district it was located.

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

(4) A legal professional corporation may transfer its bar association of which they hold a membership by amending its articles of incorporation, only when there are two or more bar associations in the district in which its law office is located.

5 弁護士法人は、同一の地域にある複数の弁護士会に所属することはできない。

(5) A legal professional corporation may not hold a membership of more than one bar association in the same district.

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

(6) A legal professional corporation that is admitted to a new bar association pursuant to the provisions of paragraph (2) or (4) must, within two weeks from the date of admission, give a notification thereof to the relevant bar association and to the Japan Federation of Bar Associations, together with the copies of a certificate of registered information and its articles of incorporation.

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

(7) If a legal professional corporation withdraws from a bar association pursuant to the provisions of paragraph (3) or (4), within two weeks from the date of withdrawal, it must give a notice of withdrawal to the relevant bar association and to the Japan Federation of Bar Associations.

(総会)

(General Meeting)

第三十七条 弁護士会は、毎年定期総会を開かなければならない。

Article 37 (1) A bar association must hold a regular general meeting every year.

2 弁護士会は、必要と認める場合には、臨時総会を開くことができる。

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

(総会の決議等の報告)

(Reporting General Meeting Resolutions)

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

Article 38 A bar association must report resolutions adopted at its general meeting, and newly appointed and retired officers to the Japan Federation of

## Bar Associations.

(総会の決議を必要とする事項)

(Details Requiring Resolution at a General Meeting)

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

Article 39 Any changes to its articles of association, budgets and settlement of accounts must be resolved at its general meeting.

(総会の決議の取消)

(Revocation of a Resolution Adopted at a General meeting)

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

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

(紛議の調停)

(Mediation of Disputes)

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

Article 41 A bar association may, at the request of an attorney, a legal professional corporation, the party in question, or other concerned parties, mediate any dispute regarding the duties of an attorney or the legal services of a legal professional corporation.

(答申及び建議)

(Response to Inquiries and Proposals)

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

Article 42 (1) A bar association must respond to inquiries from or a consultation requested by the Japan Federation of Bar Associations.

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

(2) A bar association may make proposals on the legal services of an attorney and a legal professional corporation and other judicial affairs to public agencies, or respond to their inquiries.

(合併及び解散)

(Merger and Dissolution)

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

Article 43 (1) If the jurisdiction of a district court is changed, and it is necessary for a bar association located in the district to merge or dissolve, the relevant bar association merges or dissolves, depending on the resolution adopted at its general meeting.

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

(2) The bar association that exists after the merger or is formed through the merger succeeds to all rights and obligations of the bar association which is dissolved by the merger.

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

(3) The provisions of Article 30-28 apply mutatis mutandis to a merger of bar associations. In this case, the phrase "articles of incorporation" in paragraph (3) is deemed to be replaced with "articles of association" and the phrase "Article 939, paragraphs (1) and (3) of that Act" in paragraph (6) of that Article is deemed to be replaced with "that paragraph and paragraph (3) of that Act, and the phrase "articles of incorporation in Article 939, paragraph (1) is deemed to be replaced with "articles of association".

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

(4) When a bar association is merged with another, an attorney who was a member of the bar association which is dissolved through the relevant merger, by operation of law, becomes a member of the bar association that exists after the merger or is formed through the merger.

5 第十条第一項の規定は、前項の場合に弁護士について準用する。

(5) The provisions of Article 10, paragraph (1) apply mutatis mutandis to attorneys in the case specified in the preceding paragraph.

(清算中の弁護士会の能力)

(Capacity of the Bar Association in Liquidation)

第四十三条の二 解散した弁護士会は、清算の目的の範囲内において、その清算の結了に至るまではなお存続するものとみなす。

Article 43-2 A dissolved bar association is deemed as the bar association that still exists until the liquidation is completed, strictly for the purpose of liquidation.

(清算人)

(Liquidators)

第四十三条の三 弁護士会が解散したときは、破産手続開始の決定による解散の場合を除き、会長がその清算人となる。ただし、定款に別段の定めがあるとき、又は総会において会長以外の者を選任したときは、この限りでない。

Article 43-3 (1) If a bar association has been dissolved, the president becomes the liquidator, except in the case of a dissolution of the bar association based on a decision to commence bankruptcy proceedings; provided, however, that this does not apply when provided otherwise in the articles of incorporation or a person other than the president has been appointed as a liquidator at a general meeting.

2 次に掲げる者は、清算人となることができない。

(2) The following persons may not be appointed as a liquidator.

一 死刑又は無期若しくは六年以上の懲役若しくは禁錮の刑に処せられ、復権を得ない者

(i) a person who has been sentenced to the death penalty or life imprisonment, or to imprisonment with or without work exceeding 6 years, and who has not had their rights restored.

二 六年未満の懲役又は禁錮の刑に処せられ、その執行を終わるまで又はその執行を受けることがなくなるまでの者

(ii) a person who has been sentenced to imprisonment with or without work not exceeding 6 years, whose execution of the sentence has not been completed or executed.

(裁判所による清算人の選任)

(Appointment of a Liquidator by the Court)

第四十三条の四 前条第一項の規定により清算人となる者がいないとき、又は清算人が欠けたため損害を生ずるおそれがあるときは、裁判所は、利害関係人若しくは検察官の請求により又は職権で、清算人を選任することができる。

Article 43-4 If there is no person who becomes a liquidator pursuant to the provisions of paragraph (1) of the preceding Article, or if any damage is likely to occur due to the vacancy in the position of a liquidator, the court may appoint a liquidator at the request of any interested person or public prosecutor, or ex officio.

(清算人の解任)

(Dismissal of Liquidators)

第四十三条の五 重要な事由があるときは、裁判所は、利害関係人若しくは検察官の請求により又は職権で、清算人を解任することができる。

Article 43-5 At the request of an interested person or the public prosecutor or ex

officio, the court may dismiss the liquidator if they have sufficient grounds to do so.

(清算人の職務及び権限)

(Duties and Authority of Liquidators)

第四十三条の六 清算人の職務は、次のとおりとする。

Article 43-6 (1) The duties of a liquidator are as follows:

一 現務の結了

(i) termination of current business;

二 債権の取立て及び債務の弁済

(ii) the collection of debts and the performance of obligations; and

三 残余財産の引渡し

(iii) the delivery of residual assets.

2 清算人は、前項各号に掲げる職務を行うために必要な一切の行為をすることができる。

(2) A liquidator may take any action that is necessary to perform their duties set forth in the items of the preceding paragraph.

(債権の申出の催告等)

(Demanding the Filing of Claims)

第四十三条の七 清算人は、その就職の日から二箇月以内に、少なくとも三回の公告をもつて、債権者に対し、一定の期間内にその債権の申出をすべき旨の催告をしなければならない。この場合において、その期間は、二箇月を下ることができない。

Article 43-7 (1) Within two months from the date on which a liquidator begins to act as liquidator, the liquidator must demand that the creditors must file their claims within a specific period, issuing at least three public notices. In this case, the period may not be less than two months.

2 前項の公告には、債権者がその期間内に申出をしないときは清算から除斥されるべき旨を付記しなければならない。ただし、清算人は、知っている債権者を除斥することができない。

(2) A public notice referred to in the preceding paragraph must include a supplementary note stating that if a creditor fails to file their claim within the specified period, their claim will be excluded from the liquidation process; provided, however, that the liquidator may not exclude any known creditor.

3 清算人は、知っている債権者には、各別にその申出の催告をしなければならない。

(3) The liquidator must demand that each known creditor must file its claim.

4 第一項の公告は、官報に掲載してする。

(4) A public notice referred to in paragraph (1) is published in the Official Gazette.

(期間経過後の債権の申出)



**(Filing of Claims after the Specified Period)**

第四十三条の八 前条第一項の期間の経過後に申出をした債権者は、弁護士会の債務が完済された後まだ権利の帰属すべき者に引き渡されていない財産に対してのみ、請求をすることができる。

Article 43-8 A creditor that files a claim after the period referred to in paragraph (1) of the preceding Article is entitled to file a claim only against the assets which, after all debts of the bar association have been paid off, have not yet been delivered to persons with vested rights.

**(裁判所による監督)**

**(Supervision by the Court)**

第四十三条の九 弁護士会の解散及び清算は、裁判所の監督に属する。

Article 43-9 (1) The dissolution and liquidation of a bar association is subject to the supervision of the court.

2 裁判所は、職権で、いつでも前項の監督に必要な検査をすることができる。

(2) The court may conduct the inspections necessary for the supervision under the preceding paragraph ex officio, at any time.

**(解散及び清算の監督等に関する事件の管轄)**

**(Jurisdiction over Cases Concerning Supervision of Dissolution and Liquidation)**

第四十三条の十 弁護士会の解散及び清算の監督並びに清算人に関する事件は、その事務所の所在地を管轄する地方裁判所の管轄に属する。

Article 43-10 A case concerning the supervision of the dissolution and liquidation of a bar association or a case concerning the liquidator is subject to the jurisdiction of the district court that has jurisdiction over the district in which the firm thereof is located.

**(不服申立ての制限)**

**(Restrictions on Appeals)**

第四十三条の十一 清算人の選任の裁判に対しては、不服を申し立てることができない。

Article 43-11 No appeal may be filed against a judicial decision on the appointment of a liquidator.

**(裁判所の選任する清算人の報酬)**

**(Remuneration of Liquidators Appointed by the Court)**

第四十三条の十二 裁判所は、第四十三条の四の規定により清算人を選任した場合には、弁護士会が当該清算人に対して支払う報酬の額を定めることができる。この場合においては、裁判所は、当該清算人の陳述を聴かなければならない。

Article 43-12 If the court appoints a liquidator pursuant to the provisions of Article 43-4, it may determine the amount of remuneration paid to the

liquidator by the bar association. In this case, the court must hear statements from the liquidator.

第四十三条の十三 削除〔平成二三年五月法律五三号〕

Article 43-13 Deletion (May 2011, Act No. 53)

(検査役の選任)

(Appointment of Inspectors)

第四十三条の十四 裁判所は、弁護士会の解散及び清算の監督に必要な調査をさせるため、検査役を選任することができる。

Article 43-14 (1) The court may appoint an inspector in order to have the inspector conduct investigations necessary for the supervision of the dissolution and liquidation of a bar association.

2 第四十三条の十一及び第四十三条の十二の規定は、前項の規定により裁判所が検査役を選任した場合について準用する。この場合において、同条中「清算人の」とあるのは、「弁護士会及び検査役の」と読み替えるものとする。

(2) The provisions of Article 43-11 and Article 43-12 apply mutatis mutandis if the court appoints an inspector pursuant to the provisions of the preceding paragraph. In this case, the phrase "of a liquidator" is deemed to be replaced with "of a bar association and an inspector".

(行政手続法の適用除外)

(Exemption from Application of the Administrative Procedure Act)

第四十三条の十五 弁護士会がこの法律に基づいて行う処分については、行政手続法(平成五年法律第八十八号)第二章、第三章及び第四章の二の規定は、適用しない。

Article 43-15 The provisions of Chapters II, III and IV-2 of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a disposition taken by a bar association pursuant to this Act.

(弁護士会連合会)

(A Federation of Bar Associations)

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

Article 44 Bar associations that fall under the jurisdiction of the same high court may, in order to jointly perform certain matters, set rules and establish a federation of bar associations with the approval of the Japan Federation of Bar Associations.

## 第六章 日本弁護士連合会

### Chapter VI The Japan Federation of Bar Associations

(設立、目的及び法人格)

(Establishment, Purpose, and Juridical Personality)

第四十五条 全国の弁護士会は、日本弁護士連合会を設立しなければならない。

Article 45 (1) Bar associations in Japan must establish the Japan Federation of Bar Associations.

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

(2) The purpose of the Japan Federation of Bar Associations is to, in view of the mission and duties of attorneys and legal professional corporations, perform functions relating to the guidance for, liaison between, and supervision over the attorneys, legal professional corporations, and bar associations, in order to maintain their integrity and improve and advance the functions of attorneys and legal professional corporations.

3 日本弁護士連合会は、法人とする。

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

(会則)

(Articles of Association)

第四十六条 日本弁護士連合会は、会則を定めなければならない。

Article 46 (1) The Japan Federation of Bar Associations must prepare its articles of association.

2 日本弁護士連合会の会則には、次に掲げる事項を記載しなければならない。

(2) The following particulars must be prescribed in the articles of association of the Japan Federation of Bar Associations.

一 第三十三条第二項第一号から第五号まで、第七号から第十一号まで、第十三号、第十五号及び第十六号に掲げる事項

(i) particulars specified in items (i) through (v), (vii) through (xi), (xiii), (xv) and (xvi) of paragraph (2) of Article 33;

二 弁護士名簿の登録、登録換え及び登録取消しに関する規定

(ii) provisions regarding registration, transfer of registration and revocation of registration in the roll of attorneys; and

三 綱紀審査会に関する規定

(iii) provisions regarding the board of discipline review.

(会員)

(Membership)

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

Article 47 Attorneys, legal professional corporations, and bar associations, by

operation of law, become a member of the Japan Federation of Bar Associations.

(調査の依頼)

**(Request for Investigation)**

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

**Article 48** The Japan Federation of Bar Associations may request public agencies or other organs to conduct an investigation necessary for the functions concerning the guidance for, liaison between, and supervision over attorneys, legal professional corporations, and bar associations.

(最高裁判所の権限)

**(Powers of the Supreme Court)**

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

**Article 49** The Supreme Court may, if it deems necessary, demand that the Japan Federation of Bar Associations reports on its functions, or request an investigation into an attorney, a legal professional corporation, or a bar association.

(行政手続法の適用除外)

**(Exemption from Application of the Administrative Procedure Act)**

第四十九条の二 日本弁護士連合会がこの法律に基づいて行う処分については、行政手続法第二章、第三章及び第四章の二の規定は、適用しない。

**Article 49-2** The provisions of Chapters II, III and IV-2 of the Administrative Procedure Act do not apply to a disposition made by the Japan Federation of Bar Associations under this Act.

(不服申立ての制限)

**(Restriction on the Filing of Appeals)**

第四十九条の三 日本弁護士連合会がこの法律に基づいてした処分については、行政不服審査法による不服申立てをすることができない。

**Article 49-3** No appeal under the Administrative Appeal Act may be filed against the dispositions made by the Japan Federation of Bar Associations under this Act.

(準用規定)

**(Provisions Applied Mutatis Mutandis)**

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

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

## 第七章 資格審査会

### Chapter VII The Qualifications Screening Board

(設置及び機能)

(Establishment and Functions)

第五十一条 各弁護士会及び日本弁護士連合会にそれぞれ資格審査会を置く。

Article 51 (1) Each bar association and the Japan Federation of Bar Associations respectively establishes a qualifications screening board.

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

(2) A qualifications screening board conducts necessary examinations of requests for registration, requests for transfer or requests for revocation, at the request of the bar association or the Japan Federation of Bar Associations which established the board.

(組織)

(Organization)

第五十二条 資格審査会は、会長及び委員若干人をもつて組織する。

Article 52 (1) A qualifications screening board is composed of a president and several board members.

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

(2) The president of the bar association or the Japan Federation of Bar Associations in which a qualifications screening board is established becomes the ex-officio president of the relevant board.

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

(3) The president of the qualifications screening board appoints board members from among attorneys, judges, public prosecutors and persons with relevant expertise; provided, however, that the board members of the qualifications screening board of a bar association who are judges or prosecutors must be appointed based on the recommendations respectively of the High Court, the District Court, the superintendent public prosecutor of the High Public Prosecutors Office, or the chief public prosecutor of the District Public

Prosecutors Office, located within the same jurisdiction, and the other members must be appointed based on a resolution adopted at a general meeting of the bar association. The members of the qualifications screening board of the Japan Federation of Bar Associations who are judges or prosecutors must be appointed based on the recommendations of the Supreme Court or the Prosecutor General, and the other members must be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

- 4 委員の任期は、二年とする。但し、補欠の委員の任期は、前任者の残任期間とする。
- (4) The term of office of a board member is two years; provided, however, that the term of office of the substitute board member is the remaining term of office of the predecessor.

(予備委員)

(Reserve Members)

第五十三条 資格審査会に予備委員若干人を置く。

Article 53 (1) Each qualifications screening board has several reserve members.

2 前条第三項及び第四項の規定は、予備委員に準用する。

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

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

(3) If a board member is unable to perform their duties or there is a vacancy in the committee, the president appoints a person who acts in place of that member from among reserve members that have the same qualifications.

(会長の職務及びその身分等)

(Duties and Status of a President)

第五十四条 会長は、会務を総理する。

Article 54 (1) The president supervises all affairs of the board.

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

(2) With regard to the application of the provisions of the Penal Code or other penal provisions, the president, board members and reserve board members are deemed as officials engaged in public duties pursuant to the provisions of laws and regulations.

(審査手続)

(Screening Procedures)

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

Article 55 (1) The qualifications screening board may, when necessary for screening, request the party, person concerned, public agencies or other organs to submit statements, explanations or information.

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

(2) If the qualifications screening board adopts a resolution that allows refusal of a request for registration, a request for transfer of registration or the transmission thereof, or that accepts a request for revocation of registration under the provisions of Article 13, it must provide notice of refusal or acceptance to the party and give them an opportunity to submit statements and information on this notice.

## 第八章 懲戒

### Chapter VIII Disciplinary actions

#### 第一節 懲戒事由及び懲戒権者等

#### Section 1 Grounds for Disciplinary Actions and the Disciplinary Authority

(懲戒事由及び懲戒権者)

(Grounds for Disciplinary Action and the Disciplinary Authority)

第五十六条 弁護士及び弁護士法人は、この法律又は所属弁護士会若しくは日本弁護士連合会の会則に違反し、所属弁護士会の秩序又は信用を害し、その他職務の内外を問わずその品位を失うべき非行があつたときは、懲戒を受ける。

Article 56 (1) An attorney or a legal professional corporation is subject to disciplinary action if the attorney or the legal professional corporation violates this Act or the articles of association of the bar association of which they hold a membership or of the Japan Federation of Bar Associations, or disrupt the order or harm the reputation of the relevant bar association or misbehaves in a manner which undermines the dignity of an attorney or a legal professional corporation, regardless of whether conducted professionally or outside the professional context..

2 懲戒は、その弁護士又は弁護士法人の所属弁護士会が、これを行う。

(2) Disciplinary actions are taken by the bar association of which the attorney or legal professional corporation holds a membership.

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

(3) The grounds for disciplinary actions taken by a bar association against a legal professional corporation having only a secondary law office within the district of the bar association are limited to grounds for disciplinary action taken

against the secondary law office in that district.

(懲戒の種類)

(Types of Disciplinary Actions)

第五十七条 弁護士に対する懲戒は、次の四種とする。

Article 57 (1) There are four types of disciplinary actions against attorneys, as follows:

一 戒告

(i) admonition;

二 二年以内の業務の停止

(ii) suspension for not more than two years;

三 退会命令

(iii) order to withdraw from the bar association of which the attorney holds a membership; or

四 除名

(iv) disbarment.

2 弁護士法人に対する懲戒は、次の四種とする。

(2) There are four types of disciplinary actions against a legal professional corporation, as follows:

一 戒告

(i) admonition;

二 二年以内の弁護士法人の業務の停止又はその法律事務所の業務の停止

(ii) suspension of legal services of the legal professional corporation or of its law office for not more than two years;

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

(iii) order to withdraw from the bar association of which it holds a membership (limited to an order issued to a legal professional corporation having only a secondary law office within the district of the bar association); or

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

(iv) disbarment (limited to disbarment of a legal professional corporation whose principal law office is located within the district of the association).

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

(3) If a bar association takes the disciplinary action referred to in item (ii) of the preceding paragraph against a legal professional corporation having only a secondary law office within the district of the relevant bar association, it may only suspend the legal services of the law office located within the district as a disciplinary action.



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

(4) With regard to the application of the provisions of paragraph (2) or paragraph (3), the Japan Federation of Bar Associations is deemed as the bar association in whose district the legal professional corporation has its principal law office.

(弁護士法人に対する懲戒に伴う法律事務所の設置移転の禁止)

(Prohibition of the Establishment or Relocation of a Law Office by a Legal Professional Corporation subject to Disciplinary Action)

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

Article 57-2 (1) If legal practice of all law offices of a legal professional corporation located within a specific bar association's district is suspended as a disciplinary action, it must not establish or relocate a law office within the district during the period in which the legal practice is suspended.

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

(2) If a legal professional corporation that is subject to the disciplinary action referred to in item (iii) of paragraph (2) of the preceding Article, it must not establish or relocate a law office within the district of the bar association for three years from the date on which disciplinary action is taken.

(懲戒の請求、調査及び審査)

(Request for Disciplinary Action, Investigation and Examination)

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

Article 58 (1) Any person who considers that an attorney or a legal professional corporation has grounds to be disciplined may file a request for disciplinary action with the bar association of which the relevant attorney or legal professional corporation holds a membership, attaching an explanation of grounds for disciplinary action.

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

(2) If a bar association considers that an attorney or a legal professional corporation that is a member thereof has grounds to be disciplined, or if a request referred to in the preceding paragraph is filed, the bar association must start disciplinary procedures and have its disciplinary committee

investigate into the matter.

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

(3) If a disciplinary committee finds, based on an examination pursuant to the preceding paragraph, that it would be appropriate to request the disciplinary actions committee to examine the matter with respect to the accused attorney, etc. (meaning the "accused attorney or the legal professional corporation"; the same applies hereinafter), the disciplinary committee must adopt a resolution accordingly. In this case, the bar association must, based on the relevant resolution, request the disciplinary actions committee to examine the matter.

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

(4) If the disciplinary committee finds, based on an investigation referred to in paragraph (2), that the request referred to in paragraph (1) is unlawful, or it is unable to commence the disciplinary procedure against the accused attorney, etc., or finds that the accused attorney, etc. has no grounds to be disciplined, or it is apparent that disciplinary action must not be taken in light of the severity of the matter or other circumstances, the disciplinary committee adopts a resolution based on its decision that it is not appropriate to request the disciplinary actions committee to examine the matter. In this case, the bar association must make a decision not to take disciplinary action against the accused attorney, etc., based on the relevant resolution.

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

(5) If the disciplinary actions committee finds, based on an examination referred to in paragraph (3), that it is appropriate to discipline the accused attorney, etc., it adopts a resolution accordingly, clarifying the details of the disciplinary action. In this case, the bar association must, based on the relevant resolution, discipline the accused attorney, etc.

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

(6) If the disciplinary actions committee finds, based on an examination referred to in paragraph (3), that it is appropriate not to discipline the accused attorney,

etc., it adopts a resolution accordingly. In this case, the bar association must, based on the relevant resolution, make a decision not to discipline the accused attorney, etc.

(懲戒を受けた者の審査請求に対する裁決)

(Administrative Determination on Request for Administrative Review Filed by a Person Subject to Discipline)

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

Article 59 When a request for administrative review of disciplinary action taken by the bar association pursuant to the provisions of Article 56 is filed with the Japan Federation of Bar Associations pursuant to the provisions of the Administrative Appeal Act, it requests the disciplinary actions committee of the Japan Federation of Bar Associations to examine the matter, and must make an administrative determination based on the relevant resolution of the disciplinary actions committee.

(日本弁護士連合会の懲戒)

(Discipline by the Japan Federation of Bar Associations)

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

Article 60 (1) If the Japan Federation of Bar Associations finds that it is appropriate to discipline an attorney or legal professional corporation regarding the matters referred to in Article 56, paragraph (1) ex officio, it may discipline the attorney or corporation pursuant to the provisions of the paragraphs (2) through (6) below.

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

(2) If the Japan Federation of Bar Associations considers that an attorney or a legal professional corporation has grounds to be disciplined, it may start the disciplinary procedures and have the disciplinary committee of the Japan Federation of Bar Associations investigate into the case.

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

(3) If the disciplinary committee of the Japan Federation of Bar Associations finds it appropriate, based on an examination referred to in the preceding

paragraph, to request the disciplinary actions committee of the Japan Federation of Bar Associations to examine the case with respect to the accused attorney, etc., the disciplinary committee adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, request the disciplinary actions committee of the Japan Federation of Bar Associations to examine the case.

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

(4) If the disciplinary committee of the Japan Federation of Bar Associations finds that, based on an investigation referred to in paragraph (2), it is not able to commence disciplinary procedures against the accused attorney, etc., or that the accused attorney, etc., has no grounds to be disciplined or it is apparent that disciplinary actions must not be taken in light of the severity of the case or other extenuating circumstances, the disciplinary committee adopts a resolution based on the decision that it is not appropriate to request the disciplinary actions committee of the Japan Federation of Bar Associations to examine the case. In this case, the Japan Federation of Bar Associations must make a decision not to discipline the accused attorney, etc., based on the relevant resolution.

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

(5) If the disciplinary actions committee of the Japan Federation of Bar Associations finds, based on an examination referred to in paragraph (3), that it is appropriate to discipline the accused attorney, etc., it adopts a resolution accordingly, clarifying the details of the disciplinary action. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, discipline the accused attorney, etc.

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

(6) If the disciplinary actions committee of the Japan Federation of Bar Associations finds that, based on an examination referred to in paragraph (3), it is appropriate not to discipline the accused attorney, etc., the committee adopts a resolution accordingly. In this case, the Japan Federation of Bar

Associations must, based on the relevant resolution, make a decision not to discipline the accused attorney, etc.

(訴えの提起)

(Filing a Lawsuit)

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

Article 61 (1) A person whose request for administrative review of disciplinary action taken by a bar association pursuant to the provisions of Article 56 is dismissed or rejected or who is subject to disciplinary action taken by the Japan Federation of Bar Associations pursuant to the provisions of Article 60, may file a lawsuit for revocation of the Japan Federation of Bar Associations' decision with the Tokyo High Court.

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

(2) With respect to disciplinary actions taken by a bar association pursuant to the provisions of Article 56, a lawsuit for revocation may be filed only against the administrative determination made by the Japan Federation of Bar Associations.

(登録換等の請求の制限)

(Restrictions on Requests for Transfer of Registration)

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

Article 62 (1) An attorney against whom disciplinary procedures have been started may not file a request for transfer of registration or a request for revocation of registration until the relevant procedures are completed.

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

(2) A legal professional corporation against which disciplinary procedures have been started is not to, even if it no longer has a law office within the district of the bar association of which it holds a membership due to relocation or closure thereof, withdraw from that bar association until the relevant procedures are completed.

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

(3) A legal professional corporation against which disciplinary procedures have been started may not transfer its bar association pursuant to Article 36-2, paragraph (4) until the relevant procedures are completed.

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

(4) If a legal professional corporation against which disciplinary procedures have been started relocates its principal law office to a place outside the district of the bar association of which it holds a membership, the legal professional corporation is, with respect to the application of the provisions of this Chapter, deemed to have its principal law office at its former location until the relevant procedures are completed.

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

(5) With respect to the application of the provisions of this Chapter, a legal professional corporation against which disciplinary procedures have been started, even after its liquidation has been completed, is deemed as the legal professional corporation that still exists until the relevant procedures are completed.

(除斥期間)

(Statute of Limitations)

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

Article 63 No disciplinary procedures can be started if three years have elapsed since the attorney or the legal professional corporation had the grounds to be disciplined.

## 第二節 懲戒請求者による異議の申出等

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

(懲戒請求者による異議の申出)

(Filing of an Objection by a Party Requesting Discipline)

第六十四条 第五十八条第一項の規定により弁護士又は弁護士法人に対する懲戒の請求があつたにもかかわらず、弁護士会が対象弁護士等を懲戒しない旨の決定をしたとき又は相当の期間内に懲戒の手續を終えないときは、その請求をした者（以下「懲戒請求者」という。）は、日本弁護士連合会に異議を申し出ることができる。弁護士会がした懲戒の処分が不当に軽いと思料するときも、同様とする。

Article 64 (1) Despite a request for discipline filed against an attorney or a legal professional corporation pursuant to the provisions of Article 58, paragraph (1), if a bar association made a decision not to discipline the accused attorney, etc., or has not completed disciplinary procedures within a reasonable period, a person that files the request (hereinafter referred to as a "discipline requesting party") may file an objection with the Japan Federation of Bar Associations.

The same applies to cases where the discipline requesting party considers that disciplinary action taken by the bar association was unjustly lenient.

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

(2) An objection under the provisions of the preceding paragraph (excluding an objection filed against disciplinary procedures which are not completed within a reasonable period) must be filed within 60 days from the day following the receipt date of a notice of decision not to discipline under the provisions of Article 64-7, paragraph (1), item (ii), or a receipt date of a notice of disciplinary action under the provisions of Article 64-6, paragraph (2) issued by the bar association.

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

(3) If a written objection is submitted by mail or via a postal service referred to in Article 2, paragraph (2) by a general correspondence delivery service provider referred to in Article 2, paragraph (6) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) or a specified correspondence delivery service provider referred to in paragraph (9) of that Article, the days needed for delivery are not included in calculating the objection filing period referred to in the preceding paragraph.

（日本弁護士連合会の綱紀委員会による異議の審査等）

(Examination of an Objection by the Disciplinary Committee of the Japan Federation of Bar Associations)

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

Article 64-2 (1) After an objection is filed pursuant to the provisions of paragraph (1) of the preceding Article, if the case is not examined by the disciplinary actions committee of the original bar association (meaning the bar association with which a request for discipline is filed by the discipline requesting party; the same applies hereinafter) the Japan Federation of Bar Associations must request the disciplinary committee of the Japan Federation of Bar Associations to examine the objection.

2 日本弁護士連合会の綱紀委員会は、原弁護士会が第五十八条第四項の規定により対象弁護士等を懲戒しない旨の決定をしたことについての異議の申出につき、前項の異

議の審査により原弁護士会の懲戒委員会に事案の審査を求めることを相当と認めるときは、その旨の議決をする。この場合において、日本弁護士連合会は、当該議決に基づき、原弁護士会がした対象弁護士等を懲戒しない旨の決定を取り消して、事案を原弁護士会に送付する。

(2) With respect to the objection filed against a decision not to discipline the accused attorney, etc. made by an original bar association pursuant to the provisions of Article 58, paragraph (4), based on the examination of the objection referred to in the preceding paragraph, if the disciplinary committee of the Japan Federation of Bar Associations finds it appropriate to request the disciplinary actions committee of the original bar association to examine the case, the disciplinary committee of the Japan Federation of Bar Associations adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, revoke the original bar association's decision not to discipline the accused attorney, etc., and remand the case to the original bar association.

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

(3) The original bar association to which the case is sent pursuant to the provisions of the preceding paragraph must request its disciplinary actions committee to examine the case. In this case, the provisions of Article 58, paragraphs (5) and (6) apply *mutatis mutandis*.

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

(4) With respect to the objection filed with the Japan Federation of Bar Associations for disciplinary procedures which are not completed within a reasonable period, if the disciplinary committee of the Japan Federation of Bar Associations finds that the objection is filed based on reasonable grounds, based on an examination of the objection referred to in paragraph (1), it adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, order the original bar association to promptly proceed with disciplinary procedures, and to discipline the accused attorney, etc. or to make a decision not to discipline the accused attorney, etc.

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

(5) If the disciplinary committee of the Japan Federation of Bar Associations



finds that it is appropriate to dismiss the objection as being unlawful, or rejects the objection as being groundless, the disciplinary committee of the Japan Federation of Bar Associations adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, reject the objection or make a decision to dismiss the objection.

(綱紀審査の申出)

(Request for Discipline Review)

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

Article 64-3 (1) When the Japan Federation of Bar Associations makes a decision to reject or dismiss the objection under the provisions of paragraph (2) of the preceding Article pursuant to the provisions of paragraph (5) of that Article, if a discipline requesting party is dissatisfied with the decision made by the Japan Federation of Bar Associations, they may notify the Japan Federation of Bar Associations of their intention to have its discipline review board conduct a discipline review. In this case, the Japan Federation of Bar Associations must request the board of discipline review to conduct a discipline review.

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

(2) The application for a discipline review under the provisions of the preceding paragraph must be filed within 30 days counting from the date following the receipt date of notice of decision to reject or dismiss the request for objection under the provisions of Article 64-7, paragraph (2), item (vi) issued by the Japan Federation of Bar Association.

3 第六十四条第三項の規定は、前項の綱紀審査の申出に準用する。

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

(綱紀審査等)

(Discipline Review)

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

Article 64-4 (1) Based on the discipline review referred to in paragraph (1) of the preceding Article, if the board of discipline review finds that it is appropriate to have the case examined by the disciplinary actions committee of the original

bar association, the board of discipline review adopts a resolution accordingly. This resolution must be adopted by a two-thirds majority of total number of the committee members.

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

(2) In the case referred to in the preceding paragraph, the Japan Federation of Bar Associations remands the case to the original bar association based on the relevant resolution, after it revoked its decision to dismiss or reject the objection, as well as the decision not to discipline the accused attorney, etc., made by the original bar association.

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

(3) The original bar association to which the case has been remanded pursuant to the provisions of the preceding paragraph must have its disciplinary actions committee conduct an examination of the case. In this case, the provisions of Article 58, paragraphs (5) and (6) apply mutatis mutandis.

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

(4) If the board of discipline review finds that it is appropriate to dismiss the request for discipline review as being unlawful, the board of discipline review adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, make a decision to dismiss the request for discipline review.

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

(5) Except for the case referred to in the preceding paragraph, if the board of discipline review is unable to adopt a resolution referred to in paragraph (1), the discipline review committee must adopt a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, make a decision to reject the request for discipline review.

(日本弁護士連合会の懲戒委員会による異議の審査等)

(Examination of an Objection by the Disciplinary Actions Committee of the Japan Federation of Bar Associations)

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

Article 64-5 (1) If an objection is filed pursuant to the provisions of Article 64, paragraph (1), and the relevant case is to be examined by the disciplinary actions committee of the original bar association, the Japan Federation of Bar Associations must request its disciplinary actions committee to conduct an examination of the objection.

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

(2) If the disciplinary actions committee of the Japan Federation of Bar Associations finds that it is appropriate to discipline the accused attorney, etc., based on the examination of the objection referred to in the preceding paragraph, with respect to the objection filed against the decision not to discipline the accused attorney, etc. made by the original bar association pursuant to the provisions of Article 58, paragraph (6), the committee adopts a resolution accordingly, clarifying the details of the disciplinary action. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, revoke a decision not to discipline the accused attorney, etc., made by the original bar association and discipline the accused attorney, etc. ex officio.

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

(3) With respect to an objection filed against the disciplinary procedures which are not completed by the original bar association within a reasonable period, if the disciplinary actions committee of the Japan Federation of Bar Associations finds that the objection is filed based on reasonable grounds, based on an examination of the objection referred to in paragraph (1), it adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, order the original bar association either to promptly proceed with disciplinary procedures, to discipline the accused attorney, etc. or to make a decision not to discipline the accused attorney, etc.

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

(4) With respect to an objection filed against the disciplinary action taken by the original bar association that is considered unjustly lenient, if the disciplinary actions committee of the Japan Federation of Bar Associations finds that the objection is filed based on reasonable grounds, based on an examination of the objection under the provisions of paragraph (1), it concludes that it is appropriate to amend the details of disciplinary action and adopts a resolution accordingly, clarifying the details of the disciplinary action. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, revoke the disciplinary action taken by the original bar association, and discipline the accused attorney, etc., ex officio,

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

(5) If the disciplinary actions committee of the Japan Federation of Bar Associations finds that it is appropriate to dismiss the objection as being unlawful, or to reject the objection as being groundless, it adopts a resolution accordingly. In this case, the Japan Federation of Bar Associations must, based on the relevant resolution, make a decision to dismiss reject the objection.

(懲戒の処分の通知及び公告)

(Notice and Public Notice of Disciplinary Actions)

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

Article 64-6 (1) If disciplinary action is taken against an accused attorney, etc., the bar association or the Japan Federation of Bar Associations must provide the accused attorney, etc. with the details of and the reasons for the disciplinary action in writing.

2 弁護士会又は日本弁護士連合会は、対象弁護士等を懲戒したときは、速やかに、弁護士会にあつては懲戒請求者、懲戒の手續に付された弁護士法人の他の所属弁護士会及び日本弁護士連合会に、日本弁護士連合会にあつては懲戒請求者及び対象弁護士等の所属弁護士会に、懲戒の処分の内容及びその理由を書面により通知しなければならない。

(2) If disciplinary action is taken against an accused attorney, etc., by the bar association or the Japan Federation of Bar Associations; the bar association must promptly notify the discipline requesting party, other bar associations of which the accused legal corporation holds a membership excluding the bar association against which the disciplinary procedures have been started and the Japan Federation of Bar Associations of the details of and grounds for the disciplinary action in writing; and the Japan Federation of Bar Associations must promptly notify the discipline requesting party and the bar association of

which the accused attorney, etc. holds a membership of the details of and grounds for the disciplinary action in writing.

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

(3) If disciplinary action is taken against an accused attorney, etc. by the bar association or the Japan Federation of Bar Associations, the Japan Federation of Bar Associations must make the details of the disciplinary action public in the Official Gazette without delay.

(懲戒の手続に関する通知)

(Notice Regarding Disciplinary Procedures)

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

Article 64-7 (1) If the disciplinary procedure falls under any of the following items, the bar association must promptly notify the accused attorney, etc., the discipline requesting party, the other bar associations of which the accused legal professional corporation holds a membership excluding the legal professional corporation against which disciplinary proceedings are started, and the Japan Federation of Bar Associations, of the details prescribed in the relevant items in writing.

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

(i) if the disciplinary committee was made to investigate into the case or the disciplinary actions committee was requested to examine the case: a statement thereof and the details of the case

二 対象弁護士等を懲戒しない旨の決定をしたとき その旨及びその理由

(ii) if a decision not to discipline the accused attorney, etc. is made; their decision and the reason

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

(iii) if disciplinary proceedings are suspended or resumed by the disciplinary actions committee or its sub-committee due to pending criminal proceedings based on the same grounds; a statement thereof

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

(iv) if disciplinary proceedings are terminated because the attorney who was subject to the disciplinary proceedings dies or is no longer an attorney: a statement thereof and the reason

2 日本弁護士連合会は、その懲戒の手続に関し、次の各号に掲げる場合には、速やか

に、対象弁護士等、懲戒請求者及び対象弁護士等の所属弁護士会に、当該各号に定める事項を書面により通知しなければならない。

- (2) If the disciplinary procedure falls under any of the following items, the Japan Federation of Bar Associations must promptly notify the accused attorney, etc., the discipline requesting party and the bar association of which the accused attorney, etc. holds a membership of the details prescribed in the relevant items in writing.
- 一 綱紀委員会に事案の調査をさせたとき又は懲戒委員会に事案の審査を求めたとき  
その旨及び事案の内容
  - (i) if the disciplinary committee is made to investigate into the case, or the disciplinary actions committee is requested to examine the case: a statement thereof and the details of the case
  - 二 対象弁護士等を懲戒しない旨の決定をしたとき その旨及びその理由
  - (ii) if a decision not to discipline the accused attorney, etc. is made; their decision and the reason
  - 三 綱紀委員会に異議の審査を求めたとき、綱紀審査会に綱紀審査を求めたとき又は懲戒委員会に異議の審査を求めたとき その旨
  - (iii) if the disciplinary committee is requested to examine an objection, or the board of discipline review is requested to conduct a discipline review, or the disciplinary actions committee is requested to examine an objection; a statement thereof
  - 四 第六十四条の二第二項又は第六十四条の四第二項の規定により原弁護士会に事案を送付したとき その旨及びその理由
  - (iv) if a case is remanded to the original bar association pursuant to the provisions of Article 64-2, paragraph (2) or Article 64-4, paragraph (2): a statement thereof and the reason
  - 五 原弁護士会に対し、速やかに懲戒の手続を進め、対象弁護士等を懲戒し、又は懲戒しない旨の決定をするよう命じたとき その旨及びその理由
  - (v) if the original bar association is ordered to either promptly proceed with disciplinary procedures, to discipline the accused attorney, etc. or make a decision not to discipline the accused attorney, etc.: a statement thereof and the reason
  - 六 異議の申出を却下し、又は棄却する決定をしたとき その旨及びその理由
  - (vi) if a decision to dismiss or reject an objection is made: their decision and the reason
  - 七 綱紀審査の申出を却下し、又は棄却する決定をしたとき その旨及びその理由
  - (vii) if a decision to dismiss or reject a request for discipline review is made: their decision and the reason
  - 八 懲戒委員会又はその部会が、同一の事由について刑事訴訟が係属していることにより懲戒の手続を中止したとき又はその手続を再開したとき その旨
  - (viii) if disciplinary proceedings are suspended or resumed by the disciplinary

actions committee or its sub-committee due to pending criminal proceedings based on the same grounds: a statement thereof

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

(ix) if disciplinary proceedings are terminated because the attorney subject to the disciplinary proceedings has died or is no longer an attorney, a statement thereof and the reason

### 第三節 懲戒委員会

#### Section 3 The Disciplinary Actions Committee

(懲戒委員会の設置)

(Establishment of a Disciplinary Actions Committee)

第六十五条 各弁護士会及び日本弁護士連合会にそれぞれ懲戒委員会を置く。

Article 65 (1) A disciplinary actions committee is established within each bar association and within the Japan Federation of Bar Associations.

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

(2) A disciplinary actions committee conducts necessary examinations, at the request of its bar association or the Japan Federation of Bar Associations which established the committee, regarding the disciplinary action against an attorney or a legal professional corporation that is a member of the relevant bar association.

(懲戒委員会の組織)

(Composition of a Disciplinary Actions Committee)

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

Article 66 A disciplinary actions committee is composed of four or more committee members as provided in the articles of association of the bar association or the Japan Federation of Bar Associations which established the committee.

(懲戒委員会の委員)

(The Committee Members of a Disciplinary Actions Committee)

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

Article 66-2 (1) The committee members of a disciplinary actions committee of a

bar association are appointed respectively by the president of the bar association from among attorneys, judges, public prosecutors and persons with relevant expertise. In this case, the committee members who are judges or public prosecutors are appointed based on the recommendations from the High Court or the District Court, or based on the recommendations from the superintendent public prosecutor of the High Public Prosecutors' Office or the chief public prosecutor of the District Public Prosecutors' Office located within the same jurisdiction, and the other members must be appointed based on a resolution adopted at a general meeting of the bar association.

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

(2) The committee members of the disciplinary actions committee of the Japan Federation of Bar Associations are appointed respectively by the president of the Japan Federation of Bar Associations from among attorneys, judges, public prosecutors and persons with relevant expertise. In this case, the committee members who are judges or public prosecutors must be appointed based on the recommendations from the Supreme Court or the Secretary General of the Public Prosecutor's Office, and the other members must be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

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

(3) The term of committee members of a disciplinary actions committee is two years; provided, however, that the term of a substitute committee member is the remaining term of their predecessor.

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

(4) With respect to the application of the Penal Code and other criminal provisions, the committee member of a disciplinary actions committee is deemed as the officials engaged in public duties pursuant to the provisions of laws and regulations.

(懲戒委員会の委員長)

(The Chairperson of a Disciplinary Actions Committee)

第六十六条の三 懲戒委員会に委員長を置き、委員の互選によりこれを定める。

Article 66-3 (1) A disciplinary actions committee has a chairperson who is elected from among its members.

2 委員長は、会務を総理する。

(2) The chairperson presides over the affairs of the committee.



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

(3) If the chairperson is unable to carry out their duties, their duties are fulfilled by another member of the committee designated according to the order determined in advance by the disciplinary actions committee.

4 前条第四項の規定は、委員長に準用する。

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

(懲戒委員会の予備委員)

(Reserve Committee Members of a Disciplinary Actions Committee)

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

Article 66-4 (1) A disciplinary actions committee is composed of four or more reserve committee members specified in the articles of association of the bar association or the Japan Federation of Bar Associations which established the committee.

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

(2) If a committee member is unable to carry out their duties or there is a vacancy in the committee, the president of the bar association or the Japan Federation of Bar Associations designates a person who acts in place of that member from among the reserve committee members having the same qualifications.

3 第六十六条の二の規定は、予備委員に準用する。

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

(懲戒委員会の部会)

(Sub-Committees of a Disciplinary Actions Committee)

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

Article 66-5 (1) A disciplinary actions committee may establish sub-committees to examine a given case as necessary.

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

(2) A sub-committee is composed of one or more attorneys, judges, public prosecutors or persons with relevant expertise, who are appointed as a member by the chairperson.

3 部会に部会長を置き、部会を組織する委員の互選によりこれを定める。

(3) A sub-committee has a chairperson, who is elected from among the sub-committee members.

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

(4) If the chairman of the sub-committee is unable to carry out their duties, their duties are fulfilled by another sub-committee member designated according to the order determined in advance by the sub-committee.

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

(5) A disciplinary actions committee may consider a resolution adopted by a sub-committee on the case examined by the sub-committee as a resolution of the disciplinary actions committee, according to the rules of the committee.

(懲戒委員会の審査手続)

(Examination Procedures of a Disciplinary Actions Committee)

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

Article 67 (1) If a disciplinary actions committee is requested to conduct an examination of the case, it must promptly set the date of the examination and notify the accused attorney, etc. of the relevant date.

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

(2) An attorney or a member of a legal professional corporation subject to an examination may appear before the committee on the date of examination and make a statement. In this case, the relevant attorney or member of the legal professional corporation must follow the directions given by the chairperson of the disciplinary actions committee.

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

(3) If it is necessary for the examination, the disciplinary actions committee may request the accused attorney, etc., the discipline requesting party, person concerned, public agencies or other organs to make statements, provide explanations or submit information.

(懲戒委員会の議決書)

(The Resolution Statement of Disciplinary Actions Committee)

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

Article 67-2 When a resolution is adopted, the disciplinary actions committee must promptly prepare a resolution statement that states the reasons.

(懲戒手続の中止)

(Suspension of Disciplinary Procedures)

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

Article 68 A disciplinary actions committee may suspend disciplinary proceedings while a criminal action is pending based on the same grounds.

(懲戒委員会の部会に関する準用規定)

(Provisions that Apply Mutatis Mutandis to Sub-Committees of a Disciplinary Actions Committee)

第六十九条 前三条の規定は、懲戒委員会の部会に準用する。

Article 69 The provisions of the preceding three Articles apply mutatis mutandis to the sub-committees of a disciplinary actions committee.

#### 第四節 綱紀委員会

#### Section 4 The Disciplinary Committee

(綱紀委員会の設置)

(Establishment of a Disciplinary Committee)

第七十条 各弁護士会及び日本弁護士連合会にそれぞれ綱紀委員会を置く。

Article 70 (1) A disciplinary committee is established by each bar association and the Japan Federation of Bar Associations.

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

(2) A disciplinary committee of a bar association conducts the investigations referred to in Article 58, paragraph (2) and Article 71-6, paragraph (2), and handles other matters related to maintenance of the discipline of attorneys and legal professional corporations that holds a membership of the bar association that established the committee.

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

(3) The disciplinary committee of the Japan Federation of Bar Associations conducts investigations referred to in Article 60, paragraph (2) and Article 71-6, paragraph (2) as well as examinations of the objections referred to in Article 64-2, paragraph (1), and handles other matters related to maintenance of the discipline of attorneys and legal professional corporations.

(綱紀委員会の組織)

(Composition of a Disciplinary Committee)

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

Article 70-2 A disciplinary committee is composed of four or more committee members, and the number thereof is specified in the articles of association of the bar association or the Japan Federation of Bar Associations that established the committee.

(綱紀委員会の委員)

(The Committee Members of a Disciplinary Committee)

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

Article 70-3 (1) The committee members of a disciplinary committee of a bar association is appointed respectively by the president of the bar association from among attorneys, judges, public prosecutors and persons with relevant expertise. In this case, the provisions of the second sentence of Article 66-2, paragraph (1) apply mutatis mutandis.

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

(2) The committee members of the disciplinary committee of the Japan Federation of Bar Associations is appointed respectively by the president of the Japan Federation of Bar Associations from among attorneys, judges, public prosecutors and persons with relevant expertise. In this case, the provisions of the second sentence of Article 66-2, paragraph (2) apply mutatis mutandis.

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

(3) The term of committee members of a disciplinary committee is two years; provided, however, that the term of a substitute committee member is the remaining term of their predecessor.

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

(4) With respect to the application of the Penal Code or other penal provisions, the committee members of a disciplinary committee is deemed as the officials engaged in public duties pursuant to the provisions of laws and regulations.

(綱紀委員会の委員長)

(The Chairperson of a Disciplinary Committee)

第七十条の四 綱紀委員会に委員長を置き、委員の互選によりこれを定める。

Article 70-4 (1) A disciplinary committee has a chairperson who is elected from

among its members.

2 委員長は、会務を総理する。

(2) The chairperson presides over all affairs of the committee.

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

(3) If the chairperson is unable to carry out their duties, their duties are fulfilled by another member of the committee designated according to the order determined in advance by the disciplinary committee.

4 前条第四項の規定は、委員長に準用する。

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

(綱紀委員会の予備委員)

(Reserve Committee Members of a Disciplinary Committee)

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

Article 70-5 (1) A disciplinary committee has four or more reserve committee members, and the number thereof is specified in the articles of association of the bar association or the Japan Federation of Bar Associations which established the the committee.

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

(2) If a committee member is unable to carry out their duties or a vacancy occurs in the committee, the president of the bar association or the Japan Federation of Bar Associations designates a person who acts in place of that member from among the reserve committee members having the same qualifications.

3 第七十条の三の規定は、予備委員に準用する。

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

(綱紀委員会の部会)

(Sub-Committees of a Disciplinary Committee)

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

Article 70-6 (1) A disciplinary committee may establish sub-committees to investigate or examine cases as necessary.

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

(2) A sub-committee is composed of one or more attorneys, court judges, public prosecutors or persons with relevant expertise, who are appointed as a member

by the chairperson.

3 部会に部会長を置き、部会を組織する委員の互選によりこれを定める。

(3) A sub-committee has a chairperson who is elected from among the sub-committee members.

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

(4) If the chairman of the sub-committee is unable to carry out their duties, their duties are fulfilled by another sub-committee member designated according to the order determined in advance by the sub-committee.

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

(5) A disciplinary committee may consider a resolution adopted by a sub-committee on a case investigated or examined by the sub-committee as a resolution of the disciplinary committee, according to the rules of the committee.

(綱紀委員会による陳述の要求等)

(Requests for Statements by a Disciplinary Committee)

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

Article 70-7 If it is necessary for an investigation or examination, a disciplinary committee may request the accused attorney, etc., the discipline requesting party, person concerned, public agencies or other organs to make statements, provide explanations or submit information.

(綱紀委員会の議決書)

(The Resolution Statement of a Disciplinary Committee)

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

Article 70-8 When a resolution is adopted, a disciplinary committee must promptly prepare a resolution statement that states the reasons.

(綱紀委員会の部会に関する準用規定)

(Provisions that Apply Mutatis Mutandis to Sub-Committees of a Disciplinary Committee)

第七十条の九 前二条の規定は、綱紀委員会の部会に準用する。

Article 70-9 The provisions of the preceding two Articles apply mutatis mutandis to the sub-committees of a disciplinary committee.

## 第五節 綱紀審査会

## Section 5 The Board of Discipline Review

(綱紀審査会の設置)

(Establishment of the Board of Discipline Review)

第七十一条 日本弁護士連合会に綱紀審査会を置く。

Article 71 (1) A board of discipline review is established within the Japan Federation of Bar Associations.

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

(2) When a bar association makes a decision not to discipline the accused attorney, etc. pursuant to the provisions of Article 58, paragraph (4), and the Japan Federation of Bar Associations makes a decision to dismiss or reject the objection filed by the discipline requesting party as well, if the discipline requesting party still files a request for discipline review, the board of discipline review conducts a discipline review on ethics as necessary to ensure appropriate disciplinary procedures, reflecting the opinions of the public.

(綱紀審査会の組織)

(Composition of the Board of Discipline Review)

第七十一条の二 綱紀審査会は、委員十一人をもつて組織する。

Article 71-2 The board of discipline review is composed of eleven board members.

(綱紀審査会の委員)

(The Board Members of the Board of Discipline Review)

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

Article 71-3 (1) The board members of the board of discipline review are appointed by the president of the Japan Federation of Bar Associations from among persons with relevant expertise (excluding those who is or was an attorney, judge, or public prosecutor) based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

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

(2) The term of the board members of the board of discipline review is two years; provided, however, that the term of a substitute board member is the remaining term of their predecessor.

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

なす。

- (3) With respect to the application of the Penal Code or other penal provisions, the board members are deemed as the officials engaged in public duties pursuant to the provisions of laws and regulations.

(綱紀審査会の委員長)

(The Chairperson of the Board of Discipline Review)

第七十一条の四 綱紀審査会に委員長を置き、委員の互選によりこれを定める。

Article 71-4 (1) The board of discipline review has a chairperson who is elected from among the board members.

2 委員長は、会務を総理する。

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

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

(3) If the chairperson is unable to carry out their duties, their duties are fulfilled by another board member designated according to the order determined in advance by the board of discipline review.

4 前条第三項の規定は、委員長に準用する。

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

(綱紀審査会の予備委員)

(Reserve Board Members of the Board of Discipline Review)

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

Article 71-5 (1) The board of discipline review has reserve board members, and the number thereof is specified in the articles of association of the Japan Federation of Bar Associations.

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

(2) If a board member is unable to carry out their duties or a vacancy in the board, the president of the Japan Federation of Bar Associations must designate a person who acts in place of that member from among the reserve board members having the same qualifications.

3 第七十一条の三の規定は、予備委員に準用する。

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

(綱紀審査会による陳述の要求等)

(Statements Requested by the Board of Discipline Review)

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



ができる。

Article 71-6 (1) The board of discipline review may request, if it is necessary for the board to conduct a discipline review, the accused attorney, etc., the discipline requesting party, person concerned, public agencies or other organs to make statements, provide explanations or submit information.

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

(2) The board of discipline review may request, if it is necessary for the board to conduct a discipline review, the disciplinary committee of the bar association of which the accused attorney, etc. holds a membership or the disciplinary committee of the Japan Federation of Bar Associations to conduct any necessary investigations.

(綱紀審査会の議決書)

(The Resolution Statement of the Board of Discipline Review)

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

Article 71-7 When a resolution is adopted, the board of discipline review must promptly prepare a resolution statement that states the reasons.

## 第九章 法律事務の取扱いに関する取締り

### Chapter IX Regulations on the Handling of Legal Services

(非弁護士の法律事務の取扱い等の禁止)

(Prohibition of the Provision of Legal Services by Non-Attorneys)

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

Article 72 No person other than an attorney or a legal professional corporation may, for the purpose of earning compensation, engage in the legal services such as provision of an expert opinion, representation, mediation, or settlement of the case for which an appeal is filed with the administrative authority, including a request for administrative review, objection, request for re-examination or other general legal cases, or may engage in mediation services related to these cases; provided, however, this does not apply if otherwise provided in this Act or other laws.

(譲り受けた権利の実行を業とすることの禁止)

(Prohibition Against the Enforcement of Assigned Rights as a Business)

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

Article 73 No person may engage in the business that exercises the rights assigned to a person by others through lawsuit, mediation, conciliation or any other means.

(非弁護士の虚偽標示等の禁止)

(Prohibition Against False Representation by Non-Attorneys)

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

Article 74 (1) A person who is not an attorney or a legal professional corporation must not use the indication or description of "attorney" or "law office."

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

(2) A person who is not an attorney or a legal professional corporation must not use an indication or provide a description that the person provides legal consultations or other legal services, in order to make a profit.

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

(3) A person that is not a legal professional corporation must not use "legal professional corporation" or any other name similar to this in its name.

## 第十章 罰則

### Chapter X Penal Provisions

(虚偽登録等の罪)

(The Crime of False Registration)

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

Article 75 (1) If a person who is not qualified to become an attorney has their name registered in the roll of attorneys by filing a false statement on their professional qualifications with the Japan Federation of Bar Associations, the person is punished by imprisonment with work not more than two years or a fine not more than one million yen.

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

(2) The preceding paragraph also applies to a person who obtained approval on the application filed pursuant to the provisions of Article 5-2, paragraph (1)

from the Minister of Justice, by filing a false statement on the important matters, such as the period during which the person retained the position under the provisions of Article 5, item (i) or (iii), the period during which the person engaged in the duties under the provisions of item (ii) of that Article, and the details of the duties referred to in that item.

3 前二項の罪の未遂は、罰する。

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

(汚職の罪)

(The Crime of Corruption)

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

Article 76 Any person who violates the provisions of Article 26 or Article 30-20 is punished by imprisonment with work not more than three years.

(非弁護士との提携等の罪)

(The Crime of Acting in Concert with a Non-Attorney)

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

Article 77 A person who falls under any of the following items is punished by imprisonment with work not more than two years or a fine not more than three million yen:

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

(i) a person who violates the provisions of Article 27 (including as applied mutatis mutandis pursuant to the provisions of Article 30-21);

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

(ii) a person who violates the provisions of Article 28 (including as applied mutatis mutandis pursuant to the provisions of Article 30-21);

三 第七十二条の規定に違反した者

(iii) a person who violates the provisions of Article 72; or

四 第七十三条の規定に違反した者

(iv) a person who violates the provisions of Article 73.

(虚偽標示等の罪)

(The Crime of False Indication)

第七十七条の二 第七十四条の規定に違反した者は、百万円以下の罰金に処する。

Article 77-2 Any person who violates the provisions of Article 74 is punished by a fine not more than one million yen.

第七十七条の三 第三十条の二十八第六項（第四十三条第三項において準用する場合を含む。）において準用する会社法第九百五十五条第一項の規定に違反して、同項に規定する調査記録簿等に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は当該調査記録簿等を保存しなかつた者は、三十万円以下の罰金に処する。

Article 77-3 Any person that fails to, in violation of the provisions of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-28, paragraph (6) (including as applied mutatis mutandis pursuant to the provisions of Article 43, paragraph (3)), enter or record the details specified by Ministry of Justice Order regarding the investigation into electronic public notice prescribed in that paragraph in the investigation record books, etc., prescribed in that paragraph, or that enters or records a false details, or fails to retain the relevant investigation record books, etc., is punished by a fine not more than three hundred thousand yen.

（両罰規定）

（Concurrent Punishments）

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

Article 78 (1) If members, etc. of a legal professional corporation violate the provisions of the following items in connection with the legal services of the relevant corporation, the accused member is punished, and in addition, the relevant legal professional corporation is subject to a fine specified in the relevant items:

一 第七十六条（第三十条の二十に係る部分に限る。） 三百万円以下の罰金刑

(i) a fine not more than three million yen against a violation of Article 76 (limited to the part pertaining to the provisions of Article 30-20); or

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

(ii) the fine referred to in Article 77 against a violation of Article 77, item (i) (limited to the part pertaining to the provisions of Article 27 as applied mutatis mutandis pursuant to the provisions of Article 30-21) or Article 77, item (ii) (limited to the part pertaining to the provisions of Article 28 as applied mutatis mutandis pursuant to the provisions of Article 30-21).

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

(2) If a representative of a juridical person or other worker such as an agent or employee of a juridical person or an individual violates the provisions of Article 77, item (iii) or (iv), Article 77-2 or the preceding Article in connection with the legal services of the relevant juridical person or individual, the accused person is punished, and in addition the relevant juridical or person or the individual is punished by a fine specified respectively in this Article.

(過料)

(Civil Fines)

第七十九条 次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 79 Any person who falls under any of the following items is punished by a civil fine not more than one million yen:

一 第三十条の二十八第六項（第四十三条第三項において準用する場合を含む。次号において同じ。）において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(i) a person who fails to report or submits a false report, in violation of the provisions of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-28, paragraph (6) (including as applied mutatis mutandis pursuant to the provisions of Article 43, paragraph (3)).

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

(ii) a person who, without justifiable grounds, refuses any requests specified in items of Article 951, paragraph (2) and Article 955, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-28, paragraph (6).

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

Article 79-2 A member or a liquidator of a legal professional corporation who falls under any of the following items is punished by a civil fine not more than three hundred thousand yen:

一 この法律に基づく政令の規定に違反して登記をすることを怠ったとき。

(i) failure to register, in violation of the provisions of Cabinet Order under this Act;

二 第三十条の二十八第二項又は第五項の規定に違反して合併をしたとき。

(ii) a merger in violation of the provisions of Article 30-28, paragraphs (2) or (5);

三 第三十条の二十八第六項において準用する会社法第九百四十一条の規定に違反して同条の調査を求めなかつたとき。

(iii) failure to request an investigation, in violation of the provisions of Article

941 of the Companies Act, as applied mutatis mutandis pursuant to the provisions of Article 30-28, paragraph (6);

四 定款又は第三十条の三十第一項において準用する会社法第六百十五条第一項の会計帳簿若しくは第三十条の三十第一項において準用する同法第六百十七条第一項若しくは第二項の貸借対照表に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、又は虚偽の記載若しくは記録をしたとき。

(iv) failure to enter or record the details that must be entered or recorded in the account books referred to in the articles of incorporation or Article 615, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-30, paragraph (1) or in the balance sheet referred to in Article 617, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-30, paragraph (1), or details falsely entered or recorded in the relevant account books or balance sheet;

五 第三十条の三十第二項において準用する会社法第六百五十六条第一項の規定に違反して破産手続開始の申立てを怠つたとき。

(v) failure to apply for the commencement of bankruptcy proceedings, in violation of the provisions of Article 656, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-30, paragraph (2);

六 第三十条の三十第二項において準用する会社法第六百六十四条の規定に違反して財産を分配したとき。

(vi) the distribution of the corporation's assets in violation of the provisions of Article 664 of the Companies Act as applied mutatis mutandis pursuant to the provisions of Article 30-30, paragraph (2); or

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

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

## 附 則

### Supplementary Provisions

(施行の日)

(Effective Date)

第八十条 この法律は、昭和二十四年九月一日から施行する。

Article 80 This Act comes into effect as of September 1, 1949.

(従前の弁護士資格者)

(Persons Qualified as an Attorney Pursuant to the Prior Provisions)

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

Article 81 With respect to the application of this Act, a person qualified as an attorney pursuant to the prior provisions is deemed to have completed the course for a legal apprentice at the time when the person is qualified as an attorney.

(弁護士試補の特例)

(Exceptions for Probationary Attorneys)

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

Article 82 If a person who is a probationary attorney on the enforcement date of this Act has completed practical training for more than one year and a half and passed the examination under the provisions of the prior Attorneys Act, the person is deemed to have completed the course for a legal apprentice at the time when the person has passed the relevant examination.

(弁護士の欠格事由の適用)

(Application of Grounds for Disqualification of an Attorney)

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

Article 83 With respect to the application of Article 7, a person who has been prohibited from practicing accounting pursuant to the provisions of the prior Accountants Law (Act No.31 of 1927) is deemed as a person whose registration as a certified public accountant is revoked from the register through disciplinary action, and a person whose license as a tax accountant was revoked pursuant to the provisions of the prior Tax Accountants Law (Act No.46 of 1942) is deemed as a person whose registration as a tax accountant is revoked through disciplinary action, and a person who has been dismissed from their office as a government officer pursuant to the provisions of the Imperial Order to Dismiss Government Officers (No. 63 of 1899) is deemed as a public employee who has been dismissed through disciplinary action.

(従前の弁護士名簿の登録)

(Registration on the Former Roll of Attorneys)

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

とみなす。

**Article 84** Registration on the former roll of attorneys under the prior provisions is deemed as registration on the roll of attorneys under the provisions of this Act.

(従前の登録又は登録換の請求)

**(Requests for Former Registration or Transfer of Registration)**

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

**Article 85** Application for registration or transfer of registration filed with the president of the Legal Affairs Office pursuant to the prior provisions is deemed as a transmission of application for registration or transfer of registration to the Japan Federation of Bar Associations.

(従前の弁護士の事務所)

**(Attorney's Office Under the Prior Provisions)**

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

**Article 86** An office of an attorney which has been notified to the Attorney General of the Legal Affairs Office by an attorney pursuant to the prior provisions is deemed as an law office which is notified by the attorney pursuant to the provisions of this Act.

(従前の弁護士名簿等の引継)

**(Transfer of the Former Roll of Attorneys)**

第八十七条 法務府は、従前の規定により同府に備えられた弁護士名簿その他弁護士及び弁護士会に関する関係書類を、日本弁護士連合会の求めにより、これに引き継がなければならない。

**Article 87** At the request of the Japan Federation of Bar Associations, the Legal Affairs Office must transfer the roll of attorneys and other documents concerning the bar associations that have been retained at the Office to the Japan Federation of Bar Associations pursuant to the prior provisions.

(現存の弁護士会及び弁護士会連合会)

**(Current Bar Associations and Federation of Bar Associations)**

第八十八条 この法律施行の際現に存する弁護士会又は同じ高等裁判所の管轄区域内の弁護士会連合会は、この法律により弁護士会又は弁護士会連合会とみなす。

**Article 88** (1) A bar association or a federation of bar associations under the jurisdiction of the same high court that in fact exist on the enforcement date of this Act is deemed as a bar association or federation of bar associations



pursuant to the provisions of this Act.

2 前項の弁護士会又は弁護士会連合会は、すみやかに、その会則又は規約について日本弁護士連合会の承認を受け、なお弁護士会にあつては設立の登記をしなければならない。

(2) The bar associations or federations of bar associations referred to in the preceding paragraph must promptly obtain the approval of the Japan Federation of Bar Associations on their articles of association or rules; in addition, the bar associations must register their establishment.

3 前項の登記については、第三十四条第二項及び第四項乃至第六項の規定を準用する。

(3) Paragraph (2) and paragraphs (4) through (6) of Article 34 applies mutatis mutandis to the registration referred to in the preceding paragraph.

(同じ区域内の弁護士会の特例)

(Special Provisions for Bar Associations within the Same District)

第八十九条 この法律施行の際現に同じ地方裁判所の管轄区域内に在る二箇以上の弁護士会は、第三十二条の規定にかかわらず、この法律施行後もなお存続させることができる。

Article 89 (1) Notwithstanding the provisions of Article 32, two or more bar associations that are located within the jurisdiction of the same district court and in fact exist on the enforcement date of this Act, may continue to exist after this Act comes into effect.

2 前項の弁護士会は、何時でも合併又は解散することができる。

(2) The bar associations referred to in the preceding paragraph may at any time be merged with another or be dissolved.

3 前項の合併又は解散については、第四十三条第二項から第五項まで及び第四十三条の二から第四十三条の十四までの規定を準用する。

(3) The provisions of paragraphs (2) through (5) of Article 43 and Article 43-2 through Article 43-14 apply mutatis mutandis to merger or dissolution referred to in the preceding paragraph.

(日本弁護士連合会設立の準備手続)

(Preparatory Proceedings for the Establishment of the Japan Federation of Bar Associations)

第九十条 日本弁護士連合会設立について必要な準備手続は、第八十条に規定する期日よりも前に行うことができる。

Article 90 Any preparatory proceedings necessary for the establishment of the Japan Federation of Bar Associations may commence prior to the date specified in Article 80.

(弁護士及び弁護士試補の資格の特例に関する法律の適用)

(Application of the Act on Special Measures for the Qualifications of an

Attorney and a Probationary Attorney)

第九十一条 弁護士及び弁護士試補の資格の特例に関する法律（昭和二十一年法律第十一号）の適用については、なお従前の例による。但し、同法に規定する弁護士試補は、司法修習生と読み替え、審査委員会の職務は、この法律に規定する日本弁護士連合会の資格審査会が行うものとする。

Article 91 The prior laws continue to govern the application of the Act on Special Measures for the Qualifications of an Attorney and a Probationary Attorney (Act No. 11 of 1946); provided, however, that the phrase a "probationary attorney" in that Act is deemed to be replaced with a "legal apprentice" and the functions of the Examining Committee are to be performed by the Qualifications Screening Board of the Japan Federation of Bar Associations specified in this Act.

（法律事務取扱の取締に関する法律の廃止）

(Repeal of the Act concerning Control over the Provision of Legal Services)

第九十二条 法律事務取扱の取締に関する法律（昭和八年法律第五十四号）は、廃止する。但し、同法廃止前になした行為に対する罰則の適用については、なお従前の例による。

Article 92 The Act concerning Control over the Provision of Legal Services (Act No. 54 of 1933) is repealed; provided, however, that prior laws continue to govern the application of punishment for any conduct in which a person engaged prior to the repeal of that Act.

附 則 〔昭和二十五年四月十四日法律第九十六号〕 〔抄〕

**Supplementary Provisions [Act No. 96 of April 14, 1950] [Extract]**

1 この法律のうち、裁判所法第六十一条の二、第六十一条の三及び第六十五条の改正規定、検察審査会法第六条第六号の改正規定中少年調査官及び少年調査官補に関するもの並びに少年法の改正規定は公布の日から起算して三十日を経過した日から、その他の部分は公布の日から施行する。

(1) The amendment to the provisions of Articles 61-2, 61-3 and 65 of the Court Act, the amendment to the provisions regarding juvenile investigators or assistant juvenile investigators referred to in the amendment to the provisions of Article 6, item (vi) of the Act on Committee for Inquest of Prosecution and the amendment to the provisions of the Juveniles Act, which are provided in this Act, comes into effect on the day on which 30 days have elapsed from the date of promulgation, and other provisions come into effect as from the day of promulgation.

附 則 〔昭和二十六年六月九日法律第二百二十一号〕

**Supplementary Provisions [Act No. 221 of June 9, 1951]**

この法律は、公布の日から施行する。

This Act comes into effect as from the day of promulgation.

**附 則** 〔昭和二十六年六月十五日法律第二百三十七号〕〔抄〕

**Supplementary Provisions [Act No. 237 of June 15, 1951] [Extract]**

1 この法律は、公布の日から起算して一月を経過した日から施行する。

(1) This Act comes into effect as from the day on which one month has elapsed from the date of promulgation.

**附 則** 〔昭和二十七年七月三十一日法律第二百六十八号〕〔抄〕

**Supplementary Provisions [Act No. 268 of July 31, 1952] [Extract]**

1 この法律は昭和二十七年八月一日から施行する。

(1) This Act comes into effect as of August 1, 1952.

3 従前の機関及び職員は、この法律に基く相当の機関及び職員となり、同一性をもって存続するものとする。

(3) Former organs and employees become organs and employees equivalent to the former under this Act, and those are to continue to exist with the same identity.

4 この法律の施行前における法務府の各長官、法務総裁官房長、法務府事務官及び法務府教官の在職は、裁判所法第四十一条、第四十二条（判事補の職権の特例等に関する法律第一条第二項において準用する場合を含む。）及び第四十四条、検察庁法第十九条、弁護士法第五条並びに司法書士法第二条の規定の適用については、それぞれ法務省の事務次官、法務事務官及び法務教官の在職とみなす。

(4) Tenure of office of Attorney General of Legal Affairs Office, President of the Legal Affairs Office, an administrative officer of the Legal Affairs Office, and an educational officer of the Legal Affairs Office is deemed respectively as the tenure of office of Vice-Minister of the Ministry of Justice, an law official of the Ministry of Justice, and an educational official of the Ministry of Justice, with respect to the application of the provisions of Article 41, Article 42 (including as applied mutatis mutandis pursuant to the provisions of Article 1, paragraph (2) of the Act on Special Measures for the Authority of Assistant Judges, etc.) and Article 44 of the Court Act, and Article 19 of the Public Prosecutor's Office Act, Article 5 of the Attorneys Act and Article 2 of the Judicial Scriveners Act.

**附 則** 〔昭和三十年八月十日法律第百五十五号〕〔抄〕

**Supplementary Provisions [Act No. 155 of August 10, 1955] [Extract]**

1 この法律は、公布の日から施行する。

(1) This Act comes into effect as from the day of promulgation.

3 この法律の施行の際、現に改正前の弁護士法第七条第一項又は第二項に規定する最高裁判所の承認を受けている者については、なお従前の例による。

(3) Prior laws continue to govern persons who have in fact received the approval of the Supreme Court under the provisions of paragraphs (1) or (2) of Article 7 of the Attorneys Act prior to amendment by this Act, on the day when this Act comes into effect.

4 前項に規定する者を除いて、この法律の施行前に改正前の弁護士法第七条第一項又は第二項に規定する最高裁判所の承認を受けた者がこの法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(4) Excluding the persons specified in the preceding paragraph, prior laws continue to govern the application of punishment for conduct in which persons who had received the approval of the Supreme Court specified in Article 7, paragraphs (1) or (2) of the Attorneys Act prior to amendment by this Act, are engaged prior to the enforcement of this Act.

**附 則** 〔昭和三十二年六月一日法律第百五十八号〕 〔抄〕

**Supplementary Provisions [Act No. 158 of June 1, 1957] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、昭和三十二年八月一日から施行する。

(1) This Act comes into effect as of August 1, 1957.

**附 則** 〔昭和三十六年六月十五日法律第百三十七号〕 〔抄〕

**Supplementary Provisions [Act No. 137 of June 15, 1961] [Extract]**

1 この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日から施行する。

(1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

1 5 弁護士法第七条第三号及び第十二条第一項第二号の規定の適用については、旧法の規定による懲戒処分たる税理士の登録の取消しは、新法の規定による懲戒処分たる税理士業務の禁止とみなす。

(15) With respect to the application of the provisions of Article 7, item (iii) and Article 12, paragraph (1), item (ii) of the Attorneys Act, revocation of registration as a tax accountant through disciplinary action under the former law is deemed as prohibition against tax and accounting practice through disciplinary action under the new law.

**附 則** 〔昭和三十七年四月十六日法律第七十七号〕 〔抄〕

**Supplementary Provisions [Act No. 77 of April 16, 1962] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。ただし、第六条及び附則第五項から第十一項までの規定は、昭和三十七年七月一日から施行する。

(1) This Act comes into effect as from the day of promulgation; provided, however, that the provisions of Article 6 and paragraphs (5) through (11) of the Supplementary Provisions come into effect as of July 1, 1962.

10 改正後の弁護士法第五条の規定の適用については、第六条の規定の施行前における法務研修所の教官の在職は法務総合研究所の教官の在職と、法制局参事官の在職は内閣法制局参事官の在職とみなす。

(10) With respect to the application of the provisions of Article 5 of the Attorneys Act amended by this Act, the tenure of office of an instructor of the Training Institute of the Legal Affairs prior to the enforcement of the provisions of Article 6 is deemed as the tenure of office of an instructor of the Research and Training Institute of the Ministry of Justice, and the tenure of office of a councilor of the Legislative Bureau prior to the enforcement of the provisions of Article 6 is deemed as the tenure of office of a councilor of the Legislative Bureau of the Cabinet.

附 則 [昭和三十七年五月十六日法律第百四十号] [抄]

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act comes into effect as of October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前に生じた事項にも適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) The provisions amended by this Act also apply to matters that have occurred prior to the enforcement of this Act, unless otherwise provided for by these Supplementary Provisions; provided, however, that this does not impair the legal validity under the provisions prior to the amendment by this Act.

3 この法律の施行の際現に係属している訴訟については、当該訴訟を提起することができない旨を定めるこの法律による改正後の規定にかかわらず、なお従前の例による。

(3) Prior laws continue to govern lawsuits that are in fact pending on the enforcement date of this Act, notwithstanding the provisions amended by this Act, prescribing that the relevant lawsuits may not be filed.

4 この法律の施行の際現に係属している訴訟の管轄については、当該管轄を専属管轄とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。

(4) Prior laws continue to govern the jurisdiction over lawsuits that are in fact pending on the enforcement date of this Act, notwithstanding the provisions

amended by this Act prescribing that the relevant jurisdiction is deemed to be the exclusive jurisdiction.

5 この法律の施行の際現にこの法律による改正前の規定による出訴期間が進行している処分又は裁決に関する訴訟の出訴期間については、なお従前の例による。ただし、この法律による改正後の規定による出訴期間がこの法律による改正前の規定による出訴期間より短い場合に限る。

(5) Prior laws continue to govern the statute for limitations for a disposition of which statute for limitations under the provisions prior to amendment by this Act has already come into effect on the enforcement date of this Act or the statute of limitations for filing a lawsuit for an administrative determination; provided, however, that this applies only if the statute of limitations under the provisions amended by this Act is shorter than the state of limitations under the provisions prior to amendment by this Act.

6 この法律の施行前にされた処分又は裁決に関する当事者訴訟で、この法律による改正により出訴期間が定められることとなつたものについての出訴期間は、この法律の施行の日から起算する。

(6) The statute of limitations for filing a public law related action for a disposition or an administrative determination before this Act comes into effect, which is determined pursuant to the provisions amended by this Act, is counted from the enforcement date of this Act.

7 この法律の施行の際現に係属している処分又は裁決の取消しの訴えについては、当該法律関係の当事者の一方を被告とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。ただし、裁判所は、原告の申立てにより、決定をもつて、当該訴訟を当事者訴訟に変更することを許すことができる。

(7) Prior laws continue to govern actions for revocation of a disposition or an administrative determination that is in fact pending on the enforcement date of this Act, notwithstanding the provisions amended by this Act prescribing that one of the parties to the legal relationship is a defendant; provided, however, that at the request of a plaintiff, the court may, upon its decision, allow the plaintiff to change the relevant action into a public law related action.

8 前項ただし書の場合には、行政事件訴訟法第十八条後段及び第二十一条第二項から第五項までの規定を準用する。

(8) In the case referred to in the proviso to the preceding paragraph, the provisions of the second sentence of Article 18 and Article 21, paragraphs (2) through (5) of the Administrative Litigation Act apply mutatis mutandis.

附 則 〔昭和三十七年九月十五日法律第百六十一号〕 〔抄〕

**Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]**

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act comes into effect as of October 1, 1962.

- 2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不作為その他この法律の施行前に生じた事項についても適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。
- (2) The provisions amended by this Act also apply to dispositions taken by an administrative authority prior to the enforcement of this Act, inactions by an administrative authority pertaining to requests or applications filed prior to the enforcement of this Act, and other matters occurred prior to the enforcement of this Act, unless otherwise provided for in these Supplementary Provisions; provided, however, that these provisions do not impair the legal validity under the provisions prior to amendment by this Act.
- 3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁決等にさらに不服がある場合の訴願等についても、同様とする。
- (3) Prior laws continue to govern appeals, such as petitions, requests for examination, or objections (hereinafter referred to as "petitions, etc.") filed prior to the enforcement of this Act, even if those are filed after that date. The same applies to petitions, etc. filed after that date, if administrative determinations on dispositions, such as administrative determination, decision on petitions, etc. (hereinafter referred to as "administrative determinations") filed prior to the enforcement of this Act, or petitions, etc., filed prior to that date are dissatisfactory.
- 4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てをすることができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。
- (4) Petitions, etc. specified in the preceding paragraph pertaining to a disposition for which an appeal may be filed pursuant to the provisions of the Administrative Appeal Act after this Act has been amended are deemed as an appeal filed pursuant to the provisions of the Administrative Appeal Act, with respect to the application of laws other than this Act.
- 5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。
- (5) No appeal under the Administrative Appeal Act may be filed against administrative determinations, etc., such as requests for administrative examination, objections filed after the enforcement of this Act, pursuant to the provisions of paragraph (3).
- 6 この法律の施行前にされた行政庁の処分で、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったも

のについて、行政不服審査法による不服申立てをすることができる期間は、この法律の施行の日から起算する。

(6) With respect to dispositions made by an administrative authority prior to the enforcement of this Act for which petitions, etc. may be filed pursuant to the provisions prior to the amendment by this Act and for which a period for filing an appeal has not been specified, the period for filing an appeal under the provisions of the Administrative Appeal Act is counted from the enforcement date of this Act.

8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(8) Prior laws continue to govern the application of penal provisions to conduct in which a person engaged prior to the enforcement of this Act.

9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

(9) Beyond what is set forth in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act are provided by Cabinet Order.

10 この法律及び行政事件訴訟法の施行に伴う関係法律の整理等に関する法律（昭和三十七年法律第百四十号）に同一の法律についての改正規定がある場合においては、当該法律は、この法律によつてまず改正され、次いで行政事件訴訟法の施行に伴う関係法律の整理等に関する法律によつて改正されるものとする。

(10) If this Act and the Act on the Consolidation, etc. of Relevant Acts for the Enforcement of the Administrative Case Litigation Act (Act No. 140 of 1962) contain the provisions amended by that Act, the relevant Act is to be amended by this Act first and then by the Act on the Consolidation, etc. of Relevant Acts for the Enforcement of the Administrative Case Litigation Act.

**附 則** 〔昭和四十年五月十八日法律第六十九号〕〔抄〕

**Supplementary Provisions [Act No. 69 of May 18, 1965] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九十日をこえない範囲内で政令で定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding 90 days from the date of promulgation

**附 則** 〔昭和四十一年六月二十八日法律第八十九号〕〔抄〕

**Supplementary Provisions [Act No. 89 of June 28, 1966] [Extract]**

(施行期日)

(Effective Date)



1 この法律は、公布の日から施行する。

(1) This Act comes into effect as from the day of promulgation.

**附 則** 〔昭和五十八年十二月二日法律第七十八号〕

**Supplementary Provisions [Act No. 78 of December 2, 1983]**

1 この法律（第一条を除く。）は、昭和五十九年七月一日から施行する。

(1) This Act (excluding Article 1) comes into effect as of July 1, 1984.

2 この法律の施行の日の前日において法律の規定により置かれている機関等で、この法律の施行の日以後は国家行政組織法又はこの法律による改正後の関係法律の規定に基づく政令（以下「関係政令」という。）の規定により置かれることとなるものに関し必要となる経過措置その他この法律の施行に伴う関係政令の制定又は改廃に関し必要となる経過措置は、政令で定めることができる。

(2) Transitional measures necessary for organs, etc. that are governed by the provisions of laws on the day prior to the enforcement of this Act that will be governed by the provisions of the National Government Organization Act or Cabinet Order under the provisions of the relevant Acts amended by this Act (hereinafter referred to as "relevant Cabinet Orders") after the enforcement of this Act, and transitional measures for the enactment, amendment or repeal of the relevant Cabinet Orders necessary for the enforcement of this Act, may be prescribed by Cabinet Order.

**附 則** 〔昭和五十八年十二月二日法律第八十号〕 〔抄〕

**Supplementary Provisions [Act. No. 80 of December 2, 1983] [Extract]**

（施行期日）

(Effective Date)

1 この法律は、総務庁設置法（昭和五十八年法律第七十九号）の施行の日から施行する。

(1) This Act comes into effect as from the enactment date of the Act on the Establishment of the Management and Coordination Agency (Act No. 79 of 1983).

（経過措置）

(Transitional Measures)

6 この法律に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定めることができる。

(6) Beyond what is set forth in this Act, transitional measures necessary for the enforcement of this Act may be prescribed by Cabinet Order.

**附 則** 〔昭和六十一年五月二十三日法律第六十六号〕 〔抄〕

**Supplementary Provisions [Act No. 66 of May 23, 1986] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

**附 則** [平成五年十一月十二日法律第八十九号] [抄]

**Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act comes into effect as from the enactment date of the Administrative Procedures Act (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures Concerning Adverse Dispositions on Which Consultations Have Been Held)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

Article 2 Prior to the enforcement of this Act, if a request has been filed or made to a council or any other panel to require that the procedures equivalent to the procedures to hold hearing or grant the opportunity for explanation, or other procedures to hear statements of opinions prescribed in Article 13 of the Administrative Procedure Act should be implemented prior laws continue to govern the procedures to make adverse dispositions pertaining to the appeal or request, notwithstanding the provisions of the relevant Acts amended by this Act.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures for Consolidation of Provisions Relating to Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 Hearings or hearing sessions (excluding those concerning adverse

dispositions) or the procedures for those implemented pursuant to the provisions of laws prior to the enforcement of this Act are deemed to have been implemented pursuant to the corresponding provisions of the relevant Act amended by this Act.

附 則 〔平成八年六月二十六日法律第百三号〕〔抄〕

**Supplementary Provisions [Act No. 103 of June 26, 1996] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act comes into effect as from the date of promulgation.

附 則 〔平成十年三月三十一日法律第十三号〕〔抄〕

**Supplementary Provisions [Act No. 13 of March 31, 1998] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、平成十年四月一日から施行する。

(1) This Act comes into effect as of April 1, 1998.

附 則 〔平成十一年七月十六日法律第百二号〕〔抄〕

**Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as from the enforcement date of the Act on the Partial Amendment to the Cabinet Act (Act No. 88 of 1999); provided, however, that the provisions of the following items come into effect on the date specified therein.

一 略

(i) omitted

二 附則第十条第一項及び第五項、第十四条第三項、第二十三条、第二十八条並びに第三十条の規定 公布の日

(ii) the provisions of paragraphs (1) and (5) of Article 10, paragraph (3) of Article 14, Article 23, Article 28 and Article 30 of the Supplementary Provisions: date of promulgation.

(別に定める経過措置)

(Transitional Measures Provided Separately)

第三十条 第二条から前条までに規定するもののほか、この法律の施行に伴い必要となる経過措置は、別に法律で定める。

Article 30 Beyond what is provided for in Article 2 through the preceding Article, transitional measures necessary for the enforcement of this Act are provided separately by law.

附 則 〔平成十一年七月三十日法律第百十六号〕〔抄〕

**Supplementary Provisions [Act No. 116 of July 30, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect as from the date of promulgation.

附 則 〔平成十一年十二月八日法律第百五十一号〕〔抄〕

**Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2000.

(経過措置)

(Transitional Measures)

第三条 民法の一部を改正する法律（平成十一年法律第百四十九号）附則第三条第三項の規定により従前の例によることとされる準禁治産者及びその保佐人に関するこの法律による改正規定の適用については、次に掲げる改正規定を除き、なお従前の例による。

Article 3 Prior laws continue to govern the application of the provisions amended by this Act with regard to quasi-incompetent persons and their curators to whom prior provisions remain applicable pursuant to the provisions of Article 3, paragraph (3) of the Supplementary Provisions of the Act on the Partial Amendment to the Civil Code (Act No. 149 of 1999), except for the amendment to the following provisions:

一から二十五まで 略

(i) to (xxv) omitted

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the application of penal provisions to conduct in which a person engaged prior to the enforcement of this Act.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

**Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。

Article 1 This Act (excluding Articles 2 and 3) comes into effect as of January 16, 2001.

附 則 〔平成十二年十一月二十七日法律第百二十五号〕 〔抄〕

**Supplementary Provisions [Act No. 125 of November 27, 2000] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect as from the date of promulgation.

附 則 〔平成十三年六月八日法律第四十号〕 〔抄〕

**Supplementary Provisions [Act No. 40 of June 8, 2001] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、平成十四年三月三十一日までの間において政令で定める日から施行する。ただし、第二条中自衛隊法第三十六条の四第一項の改正規定、同条を同法第三十六条の八とする改正規定、同法第三十六条の三を同法第三十六条の七とする改正規定、同法第三十六条の二の前の見出しを削る改正規定、同条の改正規定、同条を同法第三十六条の六とし、同条の前に見出しを付する改正規定及び同法第三十六条の次に四条を加える改正規定並びに第三条（防衛庁の職員の給与等に関する法律第三条第一項、第二十二條第一項、第二十四条の四及び第二十四条の五の改正規定、同条を同法第二十四条の六とする改正規定、同法第二十四条の四の次に一条を加える改正規定並びに同法第二十八条の三の改正規定に係る部分を除く。）、第四条及び附則第三項から第五項までの規定は、公布の日から施行する。

(1) This Act comes into effect as from the day specified by Cabinet Order no later than March 31, 2002; provided, however, that the following provisions come into effect as from the date of promulgation; with respect to the provisions of Article 2, amendment to the provisions of Article 36-4, paragraph (1) of the Self Defense Forces Act; amendment to replace Article 36-4" with "Article 36-8" of that Act; amendment to replace "Article 36-3" with "Article 36-7" of that Act;

amendment to delete the title above Article 36-2 of that Act; amendment to the provisions of those Articles; amendment to replace "Article 36-2" with "Article 36-6" of that Act and add a title above that Article; and amendment to add four Articles following Article 36 of that Act; In addition, the provisions of Article 3 (excluding the part pertaining to amendment to the provisions of Article 3, paragraph (1), Article 22, paragraph (1), Articles 24-4 and 24-5 of the Act on Remuneration, etc. of Ministry of Self Defense Forces Personnel; amendment to replace those Articles with "Article 24-6" of that Act; amendment to add one Article following Article 24-4 of that Article; and amendment to the provisions of Article 28-3 of that Act); and amendment to the provisions of Article 4, and the provisions of paragraphs (3) through (5) of the Supplementary Provisions.

附 則 〔平成十三年六月八日法律第四十一号〕 〔抄〕

**Supplementary Provisions [Act No. 41 of June 8, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十四年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2002.

附 則 〔平成十三年十一月二十八日法律第百二十九号〕 〔抄〕

**Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、平成十四年四月一日から施行する。

(1) This Act comes into effect as of April 1, 2002.

(罰則の適用に関する経過措置)

(Transitional Measures Regarding the Application of Penal Provisions)

2 この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(2) Prior laws continue to govern the application of penal provisions to conduct in which a person engages before this Act comes into effect, and conduct in which a person engages after this Act comes into effect if, pursuant to the provisions of this Act, prior laws continue to govern that conduct.

附 則 〔平成十四年五月二十九日法律第四十五号〕

**Supplementary Provisions [Act No. 45 of May 29, 2002]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect as from the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

附 則 [平成十四年五月二十九日法律第四十八号] [抄]

**Supplementary Provisions [Act No. 48 of May 29, 2002] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect from the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

附 則 [平成十五年七月二十五日法律第百二十八号] [抄]

**Supplementary Provisions [Act No. 128 of July 25, 2003] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2004; provided, however, that the provisions of the following items come into effect on the day specified in the relevant items:

一 附則第六条、第十一条及び第十二条の規定 公布の日

(i) Provisions of Articles 6, 11 and 12 of the Supplementary Provisions: the date of promulgation.

(弁護士の営利業務の届出に関する経過措置)

(Transitional Measures Regarding Notification of For-Profit Business by an Attorney)

第六条 施行日前に第七条の規定による改正前の弁護士法（以下「旧弁護士法」という。）第三十条第三項の許可を受けて営利を目的とする業務を営み、若しくはこれを営む者の使用人となり、又は営利を目的とする法人の業務執行社員、取締役、執行役若しくは使用人となっている弁護士は、施行日において引き続きその業務を営み、又はその地位にあらうとするときは、施行日前に、第七条の規定による改正後の弁護士法（以下「新弁護士法」という。）第三十条第一項各号に掲げる区分に応じ、同項各号に規定する事項を、所属弁護士会に届け出ることができる。

Article 6 (1) If, prior to the amendment of the Attorneys Act ("Old Attorney Act") under the provisions of Article 7, an attorney who obtained the permission referred to in paragraph (3) of Article 30 prior to the enforcement of this Act and operates a for-profit business, or became an employee of a person operating the for-profit business, or became an executive member, director, executive officer or employee of a for-profit juridical person, and intends to continue the relevant business or retain the relevant position on the enforcement date of this Act, the attorney may, prior to the enforcement date, submit a notification of the details prescribed in the items of Article 30, paragraph (1) to the bar association of which the attorney holds a membership, according to the categories of relevant items of the Attorneys Act amended by the provisions of Article 7 (hereinafter referred to as "New Attorneys Act").

2 前項の規定による届出をした者は、その届出に係る事項に変更を生じたときは、遅滞なく、その旨を所属弁護士会に届け出なければならない。施行日前に届出に係る業務を廃止し、又は届出に係る地位を失ったときも、同様とする。

(2) A person who has submitted a notification under the provisions of preceding paragraph must, without delay, notify the bar association of which they hold a membership if any changes are made to the notified details. The same applies, if the person discontinues the business pertaining to the notification or loses their position pertaining to the notification, prior to the enforcement date.

3 前二項の規定による届出のあった事項については、施行日に新弁護士法第三十条第一項の規定による届出があったものとみなす。ただし、前項後段の規定による届出があったものについては、この限りでない。

(3) Any matters that are notified pursuant to the provisions of the preceding two paragraphs, are deemed as matters that are notified pursuant to the provisions of paragraph (1) of Article 30 of the New Attorneys Act on the date of enforcement; provided, however, that this does not apply to the matters that are notified pursuant to the provisions in the latter part of the preceding paragraph.

(弁護士等の懲戒の事由に関する経過措置)

(Transitional Measures Regarding Grounds for Disciplinary Action Against Attorneys)

第七条 施行日前に弁護士が旧弁護士法第三十条の規定に違反したときは、その弁護士の所属弁護士会又は日本弁護士連合会は、施行日以後も、当該事実に基づきその弁護士を懲戒することができる。

Article 7 If an attorney violates the provisions of Article 30 of the Old Attorneys Act prior to the enforcement date, the bar association of which the attorney holds a membership or the Japan Federation of Bar Associations may discipline the attorney based on the relevant fact even after the enforcement date.



(弁護士等の懲戒の手續に関する経過措置の原則)

(General Rule for Transitional Measures Regarding Procedures for Disciplining an Attorney)

第八条 弁護士及び弁護士法人に対する懲戒の手續については、次条に定めるものを除き、施行日前に懲戒の請求があり、又は懲戒の手續が開始された事案についても新弁護士法の規定を適用する。ただし、旧弁護士法の規定により生じた効力を妨げない。

Article 8 Regarding the disciplinary procedures against an attorney or a legal professional corporation, except for the matters specified in the following Article, the provisions of the New Attorney Act apply even to cases in which a request for discipline has been filed or disciplinary procedures have been commenced prior to the enforcement date; provided, however, that this does not impair the legal validity under the Old Attorneys Act.

(弁護士等の懲戒の手續に関する経過措置の特則)

(Special Provisions for Transitional Measures Regarding Disciplinary Procedures Against an Attorney)

第九条 施行日前に旧弁護士法第六十一条第一項の規定による異議の申出がなされた事案に係る懲戒の手續については、新弁護士法第六十四条の六及び第六十四条の七の規定を除き、なお従前の例による。

Article 9 (1) Prior laws continue to govern the application of disciplinary procedures for cases for which an objection has been filed prior to the enforcement date pursuant to the provisions of paragraph (1) of Article 61 of the Old Attorneys Act, except for the provisions of Articles 64-6 and 64-7 of the New Attorneys Act.

2 新弁護士法第六十四条の六第二項及び第三項の規定は、施行日前に弁護士会又は日本弁護士連合会がした懲戒の処分については、適用しない。

(2) The provisions of paragraphs (2) and (3) of Article 64-6 of the New Attorneys Act do not apply in disciplinary actions taken by the bar association or the Japan Federation of Bar Associations prior to the enforcement date.

3 新弁護士法第六十四条の七の規定は、同条第一項各号又は第二項各号に規定する通知の事由が施行日前に生じた場合については、適用しない。

(3) The provisions of Article 64-7 of the New Attorneys Act do not apply if the notice of grounds under the provisions of the items of paragraphs (1) and (2) of that Article is filed prior to the enforcement date.

4 施行日前に弁護士会が弁護士若しくは弁護士法人を懲戒しない旨の決定をし、又はこれを懲戒した場合において、その弁護士又は弁護士法人に対する懲戒の請求をした者が施行日以後にこれについての異議の申出をするときは、その異議の申出は、その懲戒の請求をした者が当該弁護士会からその弁護士若しくは弁護士法人を懲戒しない旨の決定をし、又はこれを懲戒したことの通知を受けた日（通知を受けた日が施行日前である場合は、施行日）の翌日から起算して六十日以内にしなければならない。

(4) If the bar association makes a decision not to discipline or chooses to discipline an attorney or a legal professional corporation prior to the enforcement, and when the person who filed the request for disciplinary action against the attorney or a legal professional corporation files an objection regarding the decision or disciplinary action after the enforcement date, the objection must be filed within 60 days from the day on which the person who filed the request for disciplinary action receives a notice from the relevant bar association (the date of enforcement if the notice is received prior to the date of enforcement) stating that it has made a decision not to discipline or has disciplined the attorney or a legal professional corporation.

5 新弁護士法第六十四条第三項の規定は、前項の異議の申出に準用する。

(5) The provisions of paragraph (3) of Article 64 of the New Attorneys Act apply mutatis mutandis to an objection referred to in the preceding paragraph.

(日本弁護士連合会の綱紀委員会等の委員の任期に関する特例)

(Special Provisions Regarding the Term of Members of the Disciplinary Committee of the Japan Federation of Bar Associations)

第十条 施行日以後最初に委嘱される日本弁護士連合会の綱紀委員会の委員の任期は、新弁護士法第七十条の三第三項の規定にかかわらず、日本弁護士連合会の総会の決議の定めるところにより、当該委員の総数の半数（当該委員の総数が奇数である場合には、その二分の一の数に生じた端数を切り捨てた数）については、一年とする。

Article 10 (1) Notwithstanding the provisions of paragraph (3) of Article 70-3 of the New Attorneys Act, the term of half of the members of the disciplinary committee of the Japan Federation of Bar Associations that are the first to be appointed after the enforcement date, is one year based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations (if there is an odd total of committee members, the number remaining after dividing the total number by two and rounding down to the nearest whole number).

2 施行日以後最初に委嘱される綱紀審査会の委員の任期は、新弁護士法第七十一条の三第二項の規定にかかわらず、日本弁護士連合会の総会の決議の定めるところにより、そのうち五人については、一年とする。

(2) Notwithstanding the provisions of paragraph (2) of Article 71-3 of the New Attorneys Act, the term of five of the members of the board of discipline review that are the first to be appointed after the enforcement date is one year, based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

(綱紀委員会等の委員等の委嘱手続に関する特例)

(Special Provisions Regarding Procedures to Appoint Members of the Disciplinary Committee)

第十一条 新弁護士法第七十条の三第一項及び第二項（これらの規定を新弁護士法第七

十条の五第三項において準用する場合を含む。)の規定による綱紀委員会の委員及び予備委員の委嘱並びに新弁護士法第七十一条の三第一項(新弁護士法第七十一条の五第三項において準用する場合を含む。)の規定による綱紀審査会の委員及び予備委員の委嘱のために必要な行為は、施行日前においても行うことができる。

Article 11 Any action necessary for the appointment of members and reserve members of the disciplinary committee pursuant to the provisions of paragraphs (1) and (2) of Article 70-3 of the New Attorneys Act (including as applied mutatis mutandis pursuant to the provisions of paragraph (3) of Article 70-5 of the New Attorneys Act) and for the appointment of members and reserve members of the board of discipline review pursuant to the provisions of paragraph (1) of Article 71-3 of the New Attorneys Act (including as applied mutatis mutandis pursuant to the provisions of paragraph (3) of Article 71-5 of the New Attorneys Act) may be taken prior to the enforcement date.

附 則 〔平成十六年三月三十一日法律第八号〕〔抄〕

**Supplementary Provisions [Act No. 8 of March 31, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2004.

(裁判所法等に係る資格要件に関する経過措置)

(Transitional Measures for Qualification Requirements Pertaining to the Court Act)

第二条 この法律の施行前における裁判所書記官研修所教官の在職は、裁判所法第四十一条、第四十二条(判事補の職権の特例等に関する法律(昭和二十三年法律第四百四十六号)第一条第二項において準用する場合を含む。)及び第四十四条、検察庁法(昭和二十二年法律第六十一号)第十九条並びに弁護士法(昭和二十四年法律第二百五号)第五条の規定の適用については、裁判所職員総合研修所教官の在職とみなす。

Article 2 Tenure of offices of a professor of the Court Clerk Training Institute is deemed as tenure of office of a professor of the Training and Research Institute for Court Officials, with respect to the application of the provisions of Articles 41, 42 of the Court Act (including as applied mutatis mutandis pursuant to the provisions of Article 1, paragraph (2) of the Act concerning the Exceptions to the Authority of Assistant Judge (Act No. 146 of 1948)) and Article 44 of that Act, Article 19 of the Public Prosecutor's Office Act (Act No. 61 of 1947) and Article 5 of the Attorneys Act (Act No. 205 of 1949).

附 則 〔平成十六年三月三十一日法律第九号〕〔抄〕

**Supplementary Provisions [Act No. 9 of March 31, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2004.

(弁護士法第六条第一項第二号に規定する大学を定める法律の廃止)

(Repeal of the Act Specifying the Universities Prescribed in Article 6,  
paragraph (1), item (ii) of the Attorneys Act)

第二条 弁護士法第六条第一項第二号に規定する大学を定める法律（昭和二十五年法律  
第百八十八号）は、廃止する。

Article 2 The Act Specifying the Universities Prescribed in Article 6, paragraph  
(1), item (ii) of the Attorneys Act (Act No. 188 of 1950) is repealed.

(弁護士の資格の特例に関する経過措置)

(Transitional Measures Regarding Special Provisions for Qualifications of an  
Attorney)

第三条 この法律の施行の際現にこの法律による改正前の弁護士法（以下「旧法」とい  
う。）第五条又は第六条第一項第二号の規定により弁護士となる資格を有する者の弁  
護士となる資格については、なお従前の例による。

Article 3 (1) Prior laws continue to govern the qualifications to become an  
attorney of a person who, as of the date of enforcement of this Act, actually has  
the qualifications to become an attorney pursuant to the provisions of Article 5  
or Article 6, paragraph (1), item (ii) of the Attorneys Act prior to amendment  
by this Act (hereinafter referred to as the "Old Act").

2 前項に規定するもののほか、この法律の施行の日前に旧法第六条第一項第二号に規  
定する職に在った者（この法律による改正後の弁護士法（以下「新法」という。）第  
五条各号のいずれかに該当する者及び新法第六条に規定する者を除く。）の弁護士と  
なる資格については、なお従前の例による。この場合において、旧法第六条第一項中  
「次に掲げる者」とあるのは「法務大臣が、弁護士法の一部を改正する法律（平成十  
六年法律第九号）による改正後の弁護士法第五条から第五条の六までの規定の例によ  
り、第二号に該当し、その後に弁護士業務について研修の課程を修了したと認定した  
者」と、同項第二号中「通算して五年以上となる者」とあるのは「平成二十年三月三  
十一日までに通算して五年以上になること。」とする。

(2) Beyond what is set forth in the preceding paragraph,, prior laws continue to  
govern the qualifications to become an attorney of a person who retains their  
position under the provisions of Article 6, paragraph (1), item (ii) of the Old Act  
(excluding a person who falls under any of the items of Article 5 of the  
Attorneys Act amended by this Act (hereinafter referred to as the "New Act")  
and a person specified in Article 6 of the New Act) prior to the enforcement  
date. In this case, the phrase "following persons" in Article 6, paragraph (1) of

the Old Act is deemed to be replaced with "persons who fall under item (ii) in accordance with the provisions of Articles 5 through 5-6 of the Attorneys Act amended by the Act on the Partial Amendment to the Attorneys Act (Act No. 9 of 2004) and was certified subsequently by the Minister of Justice as a person who has completed the training course for legal practice" and the phrase a "person who has served, in total, at least of not less than five years" in paragraph (1), item (ii) is deemed to be replaced with "in total, at least five years by March 31, 2008".

3 前二項に規定するもののほか、この法律の施行の日前に旧法第六条第一項第二号に規定する職に在った者についての新法第五条の規定の適用については、当該職に在った期間及びこの法律の施行の日から平成二十年三月三十一日までの間におけるこれに相当する職に在った期間（以下この項において「経過在職期間」という。）は、司法修習生となる資格を得た後に同条第一号に規定する職に在った期間、司法修習生となる資格を得た後に同条第二号に規定する職務に従事した期間又は検察庁法第十八条第三項に規定する試験を経た後に新法第五条第三号に規定する職に在った期間（同条第四号において通算する場合におけるこれらの期間を含む。以下この項において「在職等期間」という。）に通算することができる。この場合において、当該経過在職期間は、その通算に係る在職等期間とみなして新法の規定を適用する。

(3) Beyond what is set forth in the preceding two paragraphs, with respect to the application of the provisions of Article 5 of the New Act to a person who retained the position under the provisions of Article 6, paragraph (1), item (ii) of the Old Act prior to the enforcement of this Act, the period of time they serve in that position and the period of time from the enforcement date of this Act to March 31, 2008 during which they serve in a position equivalent to that position (hereinafter referred to as the "transitional tenure period" in this paragraph) may be added to the period of time they serve in a position under the provisions of item (i) of that Article after acquiring the qualification to become a legal apprentice; the period of time they engaged in duties under the provisions of item (ii) of that Article after acquiring the qualification to become a legal apprentice; or the period of time they serve in a position under the provisions of Article 5, item (iii) of the New Act after passing the examination under the provisions of Article 18, paragraph (3) of the Public Prosecutor's Office Act (includes the period of time that are added pursuant to the provisions of item (iv) of that Article; hereinafter referred to as the "tenure, etc. including a specified period" in this paragraph). In this case, the relevant transitional tenure period is deemed as the tenure, etc. including a specified period pertaining to the total tenure and the provisions of the New Act is applied.

(罰則)

(Penal Provisions)

第四条 前条第二項の規定によりなお従前の例によることとされる読み替えられた旧法第六条第一項の規定によりその規定の例によることとされた新法第五条の二第一項の規定による申請において、前条第二項の規定によりなお従前の例によることとされる読み替えられた旧法第六条第一項第二号に規定する職に在った期間その他の重要な事項につき虚偽の申請をして、法務大臣に同項の認定をさせた者は、二年以下の懲役又は百万円以下の罰金に処する。

Article 4 (1) In filing an application under the provisions of Article 5-2, paragraph (1) of the New Act, which is continuously governed by the provisions of Article 6, paragraph (1) of the Old Act, pursuant to the provisions of paragraph (2) of the preceding Article, a person who obtained approval from the Minister of Justice by filing a false statement on the period of time in which they retained the position under the provisions of Article 6, paragraph (1), item (ii) of the Old Act, which is continuously governed by prior laws pursuant to the provisions of paragraph (2) of the preceding Article, as well as other important matters, is punished by imprisonment with work not more than two years or a fine not more than one million yen.

2 前項の罪の未遂は、罰する。

(2) Any attempt to commit a crime referred to in the preceding paragraph is also punishable.

附 則 [平成十六年六月二日法律第七十六号] [抄]

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act comes into effect as from the enforcement date of the Bankruptcy Act (Act No. 75 of 2004; referred to as the "New Bankruptcy Act" in the next Article, paragraph (8), and Article 3, paragraphs (8), Article 5, paragraphs (8), (16) and (21), Article 8, paragraph (3) and Article 13 of the Supplementary Provisions).

(罰則の適用等に関する経過措置)

(Transitional Measures Regarding the Application of Penal Provisions)

第十二条 施行日前にした行為並びに附則第二条第一項、第三条第一項、第四条、第五条第一項、第九項、第十七項、第十九項及び第二十一項並びに第六条第一項及び第三項の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 12 Prior laws continue to govern the application of penal provisions to

conduct in which a person engages prior to the enforcement of this Act and conduct in which a person engages after the enforcement date if prior laws continue to govern that conduct pursuant to the provisions of Article 2 paragraph (1), Article 3 paragraph (1), Article 4, Article 5 paragraph (1), Article 9, Article 17, Article 19 and Article 21 of Supplementary Provisions (Act No. 76, June 2, 2004), Article 6 paragraph (1) and paragraph (3) of the Supplementary Provisions.

(政令への委任)

(Particulars Governed by Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 Beyond what is set forth in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

附 則 〔平成十六年六月九日法律第八十七号〕〔抄〕

**Supplementary Provisions [Act No. 87 of June 9, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(罰則の適用に関する経過措置)

(Transitional Measures Regarding the Application of Penal Provisions)

第三条 この法律の施行前にした行為及び前条においてなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 Prior laws continue to govern the application of penal provisions to conduct in which a person engages prior to the enforcement of this Act, and to conduct in which a person engages after the enforcement of this Act, if the prior provisions continue to govern the provisions of the preceding Article..

附 則 〔平成十六年六月十八日法律第百二十四号〕〔抄〕

**Supplementary Provisions [Act No. 124 of June 18, 2004] [Extract]**

(施行期日)

(Effective date)

第一条 この法律は、新不動産登記法の施行の日から施行する。

Article 1 This Act comes into effect as from the enforcement date of the New Real Property Registration Act.

附 則 〔平成十七年七月十五日法律第八十三号〕〔抄〕

**Supplementary Provisions [Act No. 83 of July 15, 2005] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十九年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2007.

(助教授の在職に関する経過措置)

(Transitional Measures Regarding the Tenure of Assistant Professors)

第二条 次に掲げる法律の規定の適用については、この法律の施行前における助教授としての在職は、准教授としての在職とみなす。

Article 2 With respect to the application of the provisions of the following Acts, the tenure of an assistant professor prior to the enforcement of the provisions of this Act is deemed as the tenure of an associate professor;

一から五まで 略

(i) to (v) Omitted

六 弁護士法（昭和二十四年法律第二百五号）第五条

(vi) Article 5 of the Attorneys Act (Act No. 205 of 1949)

附 則 〔平成十七年七月二十六日法律第八十七号〕〔抄〕

**Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]**

この法律は、会社法の施行の日から施行する。

This Act comes into effect as from the enforcement date of the Companies Act.