

建物の区分所有等に関する法律 Act on Building Unit Ownership

(昭和三十七年四月四日法律第六十九号)
(Act No. 69 of April 4, 1962)

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第一章 建物の区分所有

Chapter I Building Unit Ownership

第一節 総則

Section 1 General Provisions

(建物の区分所有)

(Building Unit Ownership)

第一条 一棟の建物に構造上区分された数個の部分で独立して住居、店舗、事務所又は

倉庫その他建物としての用途に供することができるものがあるときは、その各部分は、この法律の定めるところにより、それぞれ所有権の目的とすることができる。

Article 1 If there are multiple portions into which a single building is structurally divided that can be used as independent residences, stores, offices, warehouses, or other buildings, each of those portions may be made the subject of ownership, pursuant to the provisions of this Act.

(定義)

(Definitions)

第二条 この法律において「区分所有権」とは、前条に規定する建物の部分（第四条第二項の規定により共用部分とされたものを除く。）を目的とする所有権をいう。

Article 2 (1) The term "unit ownership" as used in this Act means ownership whose subject is a portion of a building provided for in the preceding Article (excluding a portion that has been established as a common area pursuant to the provisions of Article 4, paragraph (2)).

2 この法律において「区分所有者」とは、区分所有権を有する者をいう。

(2) The term "unit owner" as used in this Act means a person with unit ownership.

3 この法律において「専有部分」とは、区分所有権の目的たる建物の部分をいう。

(3) The term "exclusively-owned area" as used in this Act means a portion of a building that is the subject of unit ownership.

4 この法律において「共用部分」とは、専有部分以外の建物の部分、専有部分に属しない建物の附属物及び第四条第二項の規定により共用部分とされた附属の建物をいう。

(4) The term "common area" as used in this Act means a portion of a building that is not an exclusively-owned area; an appurtenance to a building that is not a part of an exclusively-owned area; or an attached building that has been established as a common area pursuant to the provisions of Article 4, paragraph (2).

5 この法律において「建物の敷地」とは、建物が所在する土地及び第五条第一項の規定により建物の敷地とされた土地をいう。

(5) The term "grounds of a building" or "building's grounds" as used in this Act means the land on which a building is located and the land that has been established as part of the grounds of the building pursuant to the provisions of Article 5, paragraph (1).

6 この法律において「敷地利用権」とは、専有部分を所有するための建物の敷地に関する権利をいう。

(6) The term "right to use the grounds" as used in this Act means the rights associated with the grounds of a building due to ownership of an exclusively-owned area.

(区分所有者の団体)

(Association of Unit Owners)

第三条 区分所有者は、全員で、建物並びにその敷地及び附属施設の管理を行うための団体を構成し、この法律の定めるところにより、集会を開き、規約を定め、及び管理者を置くことができる。一部の区分所有者のみの共用に供されるべきことが明らかな共用部分（以下「一部共用部分」という。）をそれらの区分所有者が管理するときも、同様とする。

Article 3 All of the unit owners together may organize an association to manage the building, its grounds, and its attached facilities and, pursuant to the provisions of this Act, may hold meetings, establish bylaws, and appoint a manager. The same applies if a common area that should clearly be available for the common use of only some of the unit owners (hereinafter referred to as a "private common area") is managed by those unit owners.

(共用部分)

(Common Areas)

第四条 数個の専有部分に通ずる廊下又は階段室その他構造上区分所有者の全員又はその一部の共用に供されるべき建物の部分は、区分所有権の目的とならないものとする。

Article 4 (1) A corridor or staircase leading to multiple exclusively-owned areas, or any other portion of the building that, due to its structure, should be available for the common use of all or some of the unit owners, is not to be made the object of unit ownership.

2 第一条に規定する建物の部分及び附属の建物は、規約により共用部分とすることができる。この場合には、その旨の登記をしなければ、これをもつて第三者に対抗することができない。

(2) The bylaws may establish that a portion of a building or an attached building provided for in Article 1 is a common area. In such a case, that portion of the building or that attached building may not be asserted against a third party as a common area unless it has been registered as such.

(規約による建物の敷地)

(Specification of the Grounds of the Building by the Bylaws)

第五条 区分所有者が建物及び建物が所在する土地と一体として管理又は使用をする庭、通路その他の土地は、規約により建物の敷地とすることができる。

Article 5 (1) The bylaws may establish that a garden, passage, or other land managed or used by a unit owner as an integral part of the building or of the land on which the building is located is part of the grounds of the building.

2 建物が所在する土地が建物の一部の滅失により建物が所在する土地以外の土地となったときは、その土地は、前項の規定により規約で建物の敷地と定められたものとみなす。建物が所在する土地の一部が分割により建物が所在する土地以外の土地となったときも、同様とする。

(2) If land on which a building is located has become land that does not

constitute that on which the building is located due to the partial destruction of the building, it is deemed to have been established as the grounds of the building by the bylaws pursuant to the provisions of the preceding paragraph. The same applies if part of the land on which a building is located has become land that does not constitute that on which the building is located due to the division of the land.

(区分所有者の権利義務等)

(Rights and Obligations of Unit Owners)

第六条 区分所有者は、建物の保存に有害な行為その他建物の管理又は使用に関し区分所有者の共同の利益に反する行為をしてはならない。

Article 6 (1) A unit owner must not perform an act that is harmful to the preservation of the building or any other act that goes against the common interest of the unit owners in connection with the management or use of the building.

2 区分所有者は、その専有部分又は共用部分を保存し、又は改良するため必要な範囲内において、他の区分所有者の専有部分又は自己の所有に属しない共用部分の使用を請求することができる。この場合において、他の区分所有者が損害を受けたときは、その償金を支払わなければならない。

(2) Within the scope necessary to preserve or improve an exclusively-owned area or a common area, a unit owner may request to use the exclusively-owned area of another unit owner or to use a common area not under their ownership. In such a case, if another unit owner incurs damage, the requesting unit owner must pay them compensation.

3 第一項の規定は、区分所有者以外の専有部分の占有者（以下「占有者」という。）に準用する。

(3) The provisions of paragraph (1) apply mutatis mutandis to a possessor of an exclusively-owned area who is not a unit owner (hereinafter referred to as the "possessor").

4 民法（明治二十九年法律第八十九号）第二百六十四条の八及び第二百六十四条の十四の規定は、専有部分及び共用部分には適用しない。

(4) The provisions of Article 264-8 and Article 264-14 of the Civil Code (Act No. 89 of 1896) do not apply to exclusively-owned areas and common areas.

(先取特権)

(Statutory Liens)

第七条 区分所有者は、共用部分、建物の敷地若しくは共用部分以外の建物の附属施設につき他の区分所有者に対して有する債権又は規約若しくは集会の決議に基づき他の区分所有者に対して有する債権について、債務者の区分所有権（共用部分に関する権利及び敷地利用権を含む。）及び建物に備え付けた動産の上に先取特権を有する。管理者又は管理組合法人がその職務又は業務を行うにつき区分所有者に対して有する債

権についても、同様とする。

Article 7 (1) A unit owner holds a statutory lien on the debtor's unit ownership (including the rights related to the common areas and the right to use the grounds) and on the movables with which they have furnished the building in connection with a claim that involves a common area, the grounds of the building, or attached facilities of the building other than a common area, or in connection with a claim that the unit holder holds against another unit owner based on the bylaws or a meeting resolution. The same applies to a claim that the manager or incorporated management association holds against a unit owner and that involves the manager's or association's performance of their duties or work.

2 前項の先取特権は、優先権の順位及び効力については、共益費用の先取特権とみなす。

(2) The statutory lien referred to in the preceding paragraph is deemed to be a statutory lien on the expenses for common benefits in terms of its order of priority and its effect.

3 民法第三百十九条の規定は、第一項の先取特権に準用する。

(3) The provisions of Article 319 of the Civil Code apply mutatis mutandis to the statutory lien referred to in paragraph (1).

(特定承継人の責任)

(Liability of a Specific Successor)

第八条 前条第一項に規定する債権は、債務者たる区分所有者の特定承継人に対しても行うことができる。

Article 8 The claims provided for in paragraph (1) of the preceding Article may be exercised against the specific successor of the unit owner who is the debtor.

(建物の設置又は保存の瑕疵に関する推定)

(Presumption on Defects in the Erection or Preservation of Buildings)

第九条 建物の設置又は保存に瑕疵があることにより他人に損害を生じたときは、その瑕疵は、共用部分の設置又は保存にあるものと推定する。

Article 9 If a defect in the erection or preservation of a building has caused damage to other persons, the defect is presumed to exist in the erection or preservation of the common areas.

(区分所有権売渡請求権)

(Right to Demand the Sale and Transfer of Unit Ownership)

第十条 敷地利用権を有しない区分所有者があるときは、その専有部分の収去を請求する権利を有する者は、その区分所有者に対し、区分所有権を時価で売り渡すべきことを請求することができる。

Article 10 If there is a unit owner who does not have the right to use the

grounds, a person who has the right to request the removal of the owner's exclusively-owned area may request that the owner should sell and transfer their unit ownership at its market value.

第二節 共用部分等

Section 2 Common Areas

(共用部分の共有関係)

(Co-ownership of Common Areas)

第十一条 共用部分は、区分所有者全員の共有に属する。ただし、一部共用部分は、これを共用すべき区分所有者の共有に属する。

Article 11 (1) Common areas are co-owned by all the unit owners; provided, however, that a private common area is co-owned by the unit owners who should have common use of it.

2 前項の規定は、規約で別段の定めをすることを妨げない。ただし、第二十七条第一項の場合を除いて、区分所有者以外の者を共用部分の所有者と定めることはできない。

(2) The provisions of the preceding paragraph do not preclude any provisions to the contrary in the bylaws; provided, however, that except in the case referred to in Article 27, paragraph (1), a person other than a unit owner may not be established as an owner of a common area.

3 民法第七百七十七条の規定は、共用部分には適用しない。

(3) The provisions of Article 177 of the Civil Code do not apply to a common area.

第十二条 共用部分が区分所有者の全員又はその一部の共有に属する場合には、その共用部分の共有については、次条から第十九条までに定めるところによる。

Article 12 If a common area is co-owned by some or all of the unit owners, co-ownership of that common area is governed by the provisions of the following Article through Article 19.

(共用部分の使用)

(Use of Common Areas)

第十三条 各共有者は、共用部分をその用方に従つて使用することができる。

Article 13 Each co-owner may use a common area in accordance with the purpose of its use.

(共用部分の持分の割合)

(Proportion of Shares in a Common Area)

第十四条 各共有者の持分は、その有する専有部分の床面積の割合による。

Article 14 (1) Each co-owner's share in a common area is proportionate to the floor area of the exclusively-owned area the co-owner owns.

2 前項の場合において、一部共用部分（附属の建物であるものを除く。）で床面積を

有するものがあるときは、その一部共用部分の床面積は、これを共用すべき各区分所有者の専有部分の床面積の割合により配分して、それぞれその区分所有者の専有部分の床面積に算入するものとする。

(2) The preceding paragraph being the case, if a private common area (excluding one that is an attached building) has a floor area, the floor area of that private common area is to be divided in proportion to the floor area of the exclusive area held by each unit owner who should have common use of that private common area, and this is to be included in the calculation of the floor area of each unit owner's exclusively-owned area.

3 前二項の床面積は、壁その他の区画の内側線で囲まれた部分の水平投影面積による。

(3) The floor area referred to in the preceding two paragraphs is calculated as the horizontally projected area of the part that is bounded by the inner lines of the walls and other partitions.

4 前三項の規定は、規約で別段の定めをすることを妨げない。

(4) The provisions of the preceding three paragraphs do not preclude any provisions to the contrary in the bylaws.

(共用部分の持分の処分)

(Disposal of Shares in a Common Area)

第十五条 共有者の持分は、その有する専有部分の処分に従う。

Article 15 (1) A co-owner's share in a common area follows any disposition of the exclusively-owned area they own.

2 共有者は、この法律に別段の定めがある場合を除いて、その有する専有部分と分離して持分を処分することができない。

(2) Unless otherwise provided for in this Act, a co-owner may not dispose of their share separately from the exclusively-owned area they own.

(一部共用部分の管理)

(Management of a Private Common Area)

第十六条 一部共用部分の管理のうち、区分所有者全員の利害に関係するもの又は第三十一条第二項の規約に定めがあるものは区分所有者全員で、その他のものはこれを共用すべき区分所有者のみで行う。

Article 16 The part of the management of a private common area that is related to the interests of all unit owners or that is provided for in the bylaws under Article 31, paragraph (2) is carried out by all unit owners, and all other management of that private common area is carried out only by the unit owners who should have common use of it.

(共用部分の変更)

(Changes to a Common Area)

第十七条 共用部分の変更（その形状又は効用の著しい変更を伴わないものを除く。）

は、区分所有者及び議決権の各四分の三以上の多数による集会の決議で決する。ただし、この区分所有者の定数は、規約でその過半数まで減ずることができる。

Article 17 (1) Changes to a common area (excluding those that do not involve significant changes to the shape or function of a common area) are decided by resolution at a meeting, by at least a three-fourths majority of the unit owners and a three-fourths majority of the votes; provided, however, that the quorum of unit owners may be reduced to a one-half majority by the bylaws.

2 前項の場合において、共用部分の変更が専有部分の使用に特別の影響を及ぼすべきときは、その専有部分の所有者の承諾を得なければならない。

(2) In the case referred to in the preceding paragraph, if the changes to the common area will have a particular influence on the use of an exclusively-owned area, the approval of the owner of that exclusively-owned area must be obtained.

(共用部分の管理)

(Management of Common Areas)

第十八条 共用部分の管理に関する事項は、前条の場合を除いて、集会の決議で決する。ただし、保存行為は、各共有者がすることができる。

Article 18 (1) Except in the case referred to in the preceding Article, matters concerning the management of the common areas may be decided by resolution at a meeting; provided, however, that each co-owner may perform an act of preservation.

2 前項の規定は、規約で別段の定めをすることを妨げない。

(2) The provisions of the preceding paragraph do not preclude any provisions to the contrary in the bylaws.

3 前条第二項の規定は、第一項本文の場合に準用する。

(3) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis pursuant to the case referred to in the main clause of paragraph (1).

4 共用部分につき損害保険契約をすることは、共用部分の管理に関する事項とみなす。

(4) Entering into a non-life insurance contract for a common area is deemed to be a matter that concerns the management of the common areas.

(共用部分の負担及び利益収取)

(Burdens and Collection of Profits from Common Areas)

第十九条 各共有者は、規約に別段の定めがない限りその持分に応じて、共用部分の負担に任じ、共用部分から生ずる利益を収取する。

Article 19 Each co-owner assumes the burdens of the common areas and collects profits arising from the common areas in proportion to their share, except as otherwise provided for in the bylaws.

(管理所有者の権限)

(Authority of the Managing Owner)

第二十条 第十一条第二項の規定により規約で共用部分の所有者と定められた区分所有者は、区分所有者全員（一部共用部分については、これを共用すべき区分所有者）のためにその共用部分を管理する義務を負う。この場合には、それらの区分所有者に対し、相当な管理費用を請求することができる。

Article 20 (1) The unit owner specified as the owner of a common area by the bylaws pursuant to the provisions of Article 11, paragraph (2) assumes the obligation of managing the common area for the benefit of all the unit owners (or, if applicable, for the benefit of all the unit owners who should have common use of the private common area). This being the case, that unit owner may request reasonable management expenses from the relevant unit owners.

2 前項の共用部分の所有者は、第十七条第一項に規定する共用部分の変更をすることができない。

(2) The owner of a common area referred to in the preceding paragraph may not make changes to a common area prescribed in Article 17, paragraph (1).

(共用部分に関する規定の準用)

(Application Mutatis Mutandis of Provisions Concerning Common Areas)

第二十一条 建物の敷地又は共用部分以外の附属施設（これらに関する権利を含む。）が区分所有者の共有に属する場合には、第十七条から第十九条までの規定は、その敷地又は附属施設に準用する。

Article 21 If the grounds of the building or attached facilities not constituting a common area (including rights related to the grounds or facilities) is co-owned by unit owners, the provisions of Articles 17 through 19 apply mutatis mutandis to the grounds or attached facilities.

第三節 敷地利用権

Section 3 Right to Use the Grounds

(分離処分の禁止)

(Prohibition of Separate Disposition)

第二十二条 敷地利用権が数人で有する所有権その他の権利である場合には、区分所有者は、その有する専有部分とその専有部分に係る敷地利用権とを分離して処分することができない。ただし、規約に別段の定めがあるときは、この限りでない。

Article 22 (1) If the right to use the grounds is a right of ownership or other such right that is held by multiple persons, a unit owner may not dispose of their exclusively-owned area separately from the right to use the grounds that is connected with their exclusively-owned area; provided, however, that this does not apply if otherwise provided for in the bylaws.

2 前項本文の場合において、区分所有者が数個の専有部分を所有するときは、各専有部分に係る敷地利用権の割合は、第十四条第一項から第三項までに定める割合による。

ただし、規約でこの割合と異なる割合が定められているときは、その割合による。

(2) In the case referred to in the main clause of the preceding paragraph, if the unit owner holds two or more exclusively-owned areas, the proportion of the right to use the grounds for each exclusively-owned area is to be based on the proportion specified in Article 14, paragraphs (1) through (3); provided, however, that if a proportion different from this proportion is specified in the bylaws, the right to use the grounds for each exclusively-owned area is to be based on that proportion.

3 前二項の規定は、建物の専有部分の全部を所有する者の敷地利用権が単独で有する所有権その他の権利である場合に準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis if the right to use the grounds that is held by the person who owns all the exclusively-owned areas in the building is an ownership right or any other such right that is held by a single person.

(分離処分は無効の主張の制限)

(Limitations on Claims of Invalidity of Separate Disposition)

第二十三条 前条第一項本文（同条第三項において準用する場合を含む。）の規定に違反する専有部分又は敷地利用権の処分については、その無効を善意の相手方に主張することができない。ただし、不動産登記法（平成十六年法律第百二十三号）の定めるところにより分離して処分することができない専有部分及び敷地利用権であることを登記した後に、その処分がされたときは、この限りでない。

Article 23 The invalidity of a disposition of an exclusively-owned area or of the right to use the grounds that is in violation of the provisions of the main clause of paragraph (1) of the preceding Article (including as applied mutatis mutandis pursuant to paragraph (3) of that Article), may not be asserted against the other party if they acted in good faith; provided, however, that this does not apply if the exclusively-owned areas and the right to use the grounds are disposed of after it has been registered that they may not be disposed of separately, as provided for in the Real Property Registration Act (Act No. 123 of 2004).

(民法第二百五十五条の適用除外)

(Exclusion from Application of Article 255 of the Civil Code)

第二十四条 第二十二條第一項本文の場合には、民法第二百五十五条（同法第二百六十四條において準用する場合を含む。）の規定は、敷地利用権には適用しない。

Article 24 In the case referred to in the main clause of Article 22, paragraph (1), the provisions of Article 255 of the Civil Code (including as applied mutatis mutandis pursuant to Article 264 of that Act) do not apply to the right to use the grounds.

第四節 管理者 Section 4 Managers

(選任及び解任)

(Appointment and Dismissal)

第二十五条 区分所有者は、規約に別段の定めがない限り集会の決議によつて、管理者を選任し、又は解任することができる。

Article 25 (1) Except as otherwise provided for in the bylaws, the unit owners may appoint or dismiss a manager by resolution at a meeting.

2 管理者に不正な行為その他その職務を行うに適しない事情があるときは、各区分所有者は、その解任を裁判所に請求することができる。

(2) If the manager has committed a wrongful act or if there are other circumstances due to which it is not suitable for them to carry out their duties, each of the unit owners may file a request with the court for the dismissal of that manager.

(権限)

(Authority)

第二十六条 管理者は、共用部分並びに第二十一条に規定する場合における当該建物の敷地及び附属施設（次項及び第四十七条第六項において「共用部分等」という。）を保存し、集会の決議を実行し、並びに規約で定めた行為をする権利を有し、義務を負う。

Article 26 (1) The manager has the right and the obligation to preserve the common areas and to preserve the building's grounds and attached facilities in the case prescribed in Article 21 (each of these is referred to as a "common area or co-owned grounds or attached facilities" in the following paragraph and Article 47, paragraph (6)), to implement meeting resolutions, and to engage in the acts specified in the bylaws.

2 管理者は、その職務に関し、区分所有者を代理する。第十八条第四項（第二十一条において準用する場合を含む。）の規定による損害保険契約に基づく保険金額並びに共用部分等について生じた損害賠償金及び不当利得による返還金の請求及び受領についても、同様とする。

(2) The manager acts as the unit owners' agent in matters connected with managerial duties. The same applies for claims for and the receipt of insurance money based on a non-life insurance contract under the provisions of Article 18, paragraph (4) (including as applied mutatis mutandis pursuant to Article 21) as well as requests for and the receipt of compensation for damages arising in connection with a common area or co-owned grounds or attached facilities and monies to be returned due to unjust enrichment.

3 管理者の代理権に加えた制限は、善意の第三者に対抗することができない。

(3) A limitation on a manager's authority to act as agent may not be asserted

against a third party in good faith.

4 管理者は、規約又は集会の決議により、その職務（第二項後段に規定する事項を含む。）に関し、区分所有者のために、原告又は被告となることができる。

(4) Pursuant to the provisions of the bylaws or meeting resolutions, the manager may be named as plaintiff or defendant for a unit owner, in connection with their duties (including the matters prescribed in the second sentence of paragraph (2)).

5 管理者は、前項の規約により原告又は被告となつたときは、遅滞なく、区分所有者にその旨を通知しなければならない。この場合には、第三十五条第二項から第四項までの規定を準用する。

(5) If the manager has been named as plaintiff or defendant pursuant to the bylaws under the preceding paragraph, they must notify the unit owner of this without delay. In such a case, the provisions of Article 35, paragraphs (2) through (4) apply mutatis mutandis.

（管理所有）

(Administrative Ownership)

第二十七条 管理者は、規約に特別の定めがあるときは、共用部分を所有することができる。

Article 27 (1) The manager may own common areas if there are special provisions in the bylaws permitting this.

2 第六条第二項及び第二十条の規定は、前項の場合に準用する。

(2) The provisions of Article 6, paragraph (2) and Article 20 apply mutatis mutandis to the case referred to in the preceding paragraph.

（委任の規定の準用）

(Application Mutatis Mutandis of Provisions on Delegation)

第二十八条 この法律及び規約に定めるもののほか、管理者の権利義務は、委任に関する規定に従う。

Article 28 Beyond what is prescribed in this Act and in the bylaws, the rights and obligations of a manager are governed by the provisions on delegation.

（区分所有者の責任等）

(Liability of Unit Owners)

第二十九条 管理者がその職務の範囲内において第三者との間にした行為につき区分所有者がその責めに任ずべき割合は、第十四条に定める割合と同一の割合とする。ただし、規約で建物並びにその敷地及び附属施設の管理に要する経費につき負担の割合が定められているときは、その割合による。

Article 29 (1) The proportion of liability that a unit owner assumes in connection with the acts the manager has performed with a third party within the scope of their duties is the same as the proportion specified in Article 14; provided,

however, that if the bylaws have specified a proportion for sharing in the expenses necessary for the management of the building, its grounds, and its attached facilities, the proportion of liability is to be based on that proportion.

2 前項の行為により第三者が区分所有者に対して有する債権は、その特定承継人に対しても行うことができる。

(2) A claim that a third party holds against a unit owner due to an act under the preceding paragraph may be brought against the specific successor of the unit owner.

第五節 規約及び集会

Section 5 Bylaws and Meetings

(規約事項)

(Matters Provided for in Bylaws)

第三十条 建物又はその敷地若しくは附属施設の管理又は使用に関する区分所有者相互間の事項は、この法律に定めるもののほか、規約で定めることができる。

Article 30 (1) Beyond what is provided for in this Act, the bylaws may provide for matters among the unit owners that concern the management or use of a building or its grounds or attached facilities.

2 一部共用部分に関する事項で区分所有者全員の利害に関係しないものは、区分所有者全員の規約に定めがある場合を除いて、これを共用すべき区分所有者の規約で定めることができる。

(2) Matters concerning a private common area that do not affect the interests of all of the unit owners may be provided for in the bylaws of the unit owners who are to have common use of that area, unless these are provided for in the bylaws of all the unit owners.

3 前二項に規定する規約は、専有部分若しくは共用部分又は建物の敷地若しくは附属施設（建物の敷地又は附属施設に関する権利を含む。）につき、これらの形状、面積、位置関係、使用目的及び利用状況並びに区分所有者が支払った対価その他の事情を総合的に考慮して、区分所有者間の利害の衡平が図られるように定めなければならない。

(3) The bylaws prescribed in the preceding two paragraphs must be established in a manner that ensures equity in the interests among unit owners by comprehensively taking into consideration the shapes, areas, positional relationships, purpose of use, and status of use, as well as the price paid by each unit owner and any other circumstances concerning the exclusively-owned areas, common areas, or grounds or attached facilities of the building (including rights related to the grounds or attached facilities).

4 第一項及び第二項の場合には、区分所有者以外の者の権利を害することができない。

(4) In the cases referred to in paragraph (1) and paragraph (2), the bylaws may not prejudice the rights of persons other than unit owners.

5 規約は、書面又は電磁的記録（電子的方式、磁気的方式その他人の知覚によつては

認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものとして法務省令で定めるものをいう。以下同じ。)により、これを作成しなければならない。

(5) The bylaws must be prepared in writing or by means of electronic or magnetic records (meaning a record that is created in an electronic format, a magnetic format, or any other format that cannot be perceived by the human senses, and that is specified by Ministry of Justice Order as being used in computerized information processing; the same applies hereinafter).

(規約の設定、変更及び廃止)

(Establishment, Amendment, and Repeal of Bylaws)

第三十一条 規約の設定、変更又は廃止は、区分所有者及び議決権の各四分の三以上の多数による集会の決議によつてする。この場合において、規約の設定、変更又は廃止が一部の区分所有者の権利に特別の影響を及ぼすべきときは、その承諾を得なければならない。

Article 31 (1) The establishment, amendment, or repeal of the bylaws is effected by resolution at a meeting, by at least a three-fourths majority of the unit owners and a three-fourths majority of the votes. In such a case, if the establishment, amendment, or repeal of the bylaws will have a special influence on the rights of some unit owners, their approval must be obtained.

2 前条第二項に規定する事項についての区分所有者全員の規約の設定、変更又は廃止は、当該一部共用部分を共用すべき区分所有者の四分の一を超える者又はその議決権の四分の一を超える議決権を有する者が反対したときは、することができない。

(2) The establishment, amendment, or repeal of the bylaws of all the unit owners concerning a matter prescribed in paragraph (2) of the preceding Article may not be effected if more than one-fourth of the unit owners who should have common use of the private common area or persons who hold more than one-fourth of the voting rights connected with the private common area oppose the establishment, amendment, or repeal.

(公正証書による規約の設定)

(Establishment of Bylaws by Notarial Deed)

第三十二条 最初に建物の専有部分の全部を所有する者は、公正証書により、第四条第二項、第五条第一項並びに第二十二條第一項ただし書及び第二項ただし書（これらの規定を同条第三項において準用する場合を含む。）の規約を設定することができる。

Article 32 A person who initially owns all the exclusively-owned areas of a building may establish the bylaws under Article 4, paragraph (2), Article 5, paragraph (1), the proviso to Article 22, paragraph (1), and the proviso to paragraph (2) of that Article (including as applied mutatis mutandis pursuant to paragraph (3) of that Article) by a notarial deed.

(規約の保管及び閲覧)

(Retention and Inspection of the Bylaws)

第三十三条 規約は、管理者が保管しなければならない。ただし、管理者がないときは、建物を使用している区分所有者又はその代理人で規約又は集会の決議で定めるものが保管しなければならない。

Article 33 (1) The bylaws must be retained by the manager; provided, however, that if there is no manager, the bylaws must be retained by a unit owner who is using the building or their agent who has been specified in the bylaws or by meeting resolution.

2 前項の規定により規約を保管する者は、利害関係人の請求があつたときは、正当な理由がある場合を除いて、規約の閲覧（規約が電磁的記録で作成されているときは、当該電磁的記録に記録された情報の内容を法務省令で定める方法により表示したものの当該規約の保管場所における閲覧）を拒んではならない。

(2) If the person who has retained the bylaws pursuant to the provisions of the preceding paragraph receives a request from an interested party, the person must not refuse to allow them to inspect the bylaws (or, if the bylaws have been prepared in the form of electronic or magnetic records, to inspect the content of the data recorded in the electronic or magnetic records, displayed in a means that is specified by Ministry of Justice Order at the place where the bylaws are retained), unless there are legitimate grounds for doing so.

3 規約の保管場所は、建物内の見やすい場所に掲示しなければならない。

(3) The place where the bylaws are retained must be posted somewhere conspicuous within the building.

(集会の招集)

(Convocation of Meetings)

第三十四条 集会は、管理者が招集する。

Article 34 (1) Meetings are to be convened by the manager.

2 管理者は、少なくとも毎年一回集会を招集しなければならない。

(2) The manager must convene a meeting at least once a year.

3 区分所有者の五分の一以上で議決権の五分の一以上を有するものは、管理者に対し、会議の目的たる事項を示して、集会の招集を請求することができる。ただし、この定数は、規約で減することができる。

(3) One-fifth or more of the unit owners who hold at least one-fifth of all of the voting rights may indicate a subject matter for a meeting and request that the manager convene one; provided, however, that this quorum may be reduced by the bylaws.

4 前項の規定による請求がされた場合において、二週間以内にその請求の日から四週間以内の日を会日とする集会の招集の通知が発せられなかつたときは、その請求をした区分所有者は、集会を招集することができる。

(4) If a request under the preceding paragraph has been made, but, within two

weeks, the manager does not send any convocation notice for a meeting setting a day within four weeks from the request date as the date of the meeting, the unit owners who made the request may convene a meeting.

- 5 管理者がないときは、区分所有者の五分の一以上で議決権の五分の一以上を有するものは、集会を招集することができる。ただし、この定数は、規約で減ずることができる。
- (5) If there is no manager, one-fifth or more of the unit owners who hold at least one-fifth of all the voting rights may convene a meeting; provided, however, that this quorum may be reduced by the bylaws.

(招集の通知)

(Convocation Notice)

第三十五条 集会の招集の通知は、会日より少なくとも一週間前に、会議の目的たる事項を示して、各区分所有者に発しなければならない。ただし、この期間は、規約で伸縮することができる。

Article 35 (1) The convocation notice for a meeting must indicate the subject matter of the meeting and be sent to each unit owner at least one week prior to the date of the meeting; provided, however that this period may be extended or reduced by the bylaws.

- 2 専有部分が数人の共有に属するときは、前項の通知は、第四十条の規定により定められた議決権を行使すべき者（その者がいないときは、共有者の一人）にすれば足りる。

(2) If an exclusively-owned area is under the co-ownership of multiple persons, it is sufficient to send the notice under the preceding paragraph to the person whom it has been decided will exercise their voting rights (or to one of the co-owners, if there is no such person) pursuant to the provisions of Article 40.

- 3 第一項の通知は、区分所有者が管理者に対して通知を受けべき場所を通知したときはその場所に、これを通知しなかつたときは区分所有者の所有する専有部分が所在する場所にあててすれば足りる。この場合には、同項の通知は、通常それが到達すべき時に到達したものとみなす。

(3) It is sufficient to send the notice under paragraph (1) to the place where the unit owner has notified the manager that they will receive notices, and if the unit owner has not notified the manager of such a place, to the place where the exclusively-owned area owned by the unit owner is located. In such a case, the notice under that paragraph is deemed to have arrived at the time when the notice should have normally arrived.

- 4 建物内に住所を有する区分所有者又は前項の通知を受けべき場所を通知しない区分所有者に対する第一項の通知は、規約に特別の定めがあるときは、建物内の見やすい場所に掲示してすることができる。この場合には、同項の通知は、その掲示をした時に到達したものとみなす。

(4) If a special provision is provided in the bylaws, the notice under paragraph (1) may be given to a unit owner whose address is in the building, or to a unit

owner who has not notified the manager of the place where they are to receive notices under the preceding paragraph, by posting the notice somewhere conspicuous within the building. In such a case, the notice under paragraph (1) is deemed to have arrived at the time when the notice is posted.

5 第一項の通知をする場合において、会議の目的たる事項が第十七条第一項、第三十一条第一項、第六十一条第五項、第六十二条第一項、第六十八条第一項又は第六十九条第七項に規定する決議事項であるときは、その議案の要領をも通知しなければならない。

(5) If a notice referred to in paragraph (1) is given, and the subject matter of the meeting is a matter for a resolution provided for in Article 17, paragraph (1), Article 31, paragraph (1), Article 61, paragraph (5), Article 62, paragraph (1), Article 68, paragraph (1), or Article 69, paragraph (7), each unit owner must also be notified of an outline of the proposal.

(招集手続の省略)

(Omission of Convocation Procedures)

第三十六条 集会は、区分所有者全員の同意があるときは、招集の手続を経ないで開くことができる。

Article 36 If all of the unit owners have given their consent, a meeting may be held without going through convocation procedures.

(決議事項の制限)

(Limitation on Matters for Resolution)

第三十七条 集会においては、第三十五条の規定によりあらかじめ通知した事項についてのみ、決議をすることができる。

Article 37 (1) Only a matter for which notice has been given in advance pursuant to the provisions of Article 35 may be voted on as a resolution at a meeting.

2 前項の規定は、この法律に集会の決議につき特別の定数が定められている事項を除いて、規約で別段の定めをすることを妨げない。

(2) The provisions of the preceding paragraph do not preclude any provisions to the contrary in the bylaws, except for matters concerning which this Act prescribes a special quorum for meeting resolutions.

3 前二項の規定は、前条の規定による集会には適用しない。

(3) The provisions of the preceding two paragraphs do not apply to a meeting under the provisions of the preceding Article.

(議決権)

(Voting Rights)

第三十八条 各区分所有者の議決権は、規約に別段の定めがない限り、第十四条に定める割合による。

Article 38 The voting rights of each unit owner are to be in accordance with the

proportion specified in Article 14, except as otherwise provided for in the bylaws.

(議事)

(Decisions)

第三十九条 集会の議事は、この法律又は規約に別段の定めがない限り、区分所有者及び議決権の各過半数で決する。

Article 39 (1) A meeting's decisions are to be decided by a majority of the unit owners and with a majority of the votes, except as otherwise provided for in this Act or in the bylaws.

2 議決権は、書面で、又は代理人によつて行使することができる。

(2) Voting rights may be exercised in writing or by proxy.

3 区分所有者は、規約又は集会の決議により、前項の規定による書面による議決権の行使に代えて、電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて法務省令で定めるものをいう。以下同じ。）によつて議決権を行使することができる。

(3) A unit owner may exercise their voting rights by electronic or magnetic means (meaning the means of using an electronic data processing system or of making use of information and communications technology that is specified by Ministry of Justice Order; the same applies hereinafter) in lieu of exercising their voting rights in writing as provided for in the preceding paragraph, pursuant to the bylaws or a meeting resolution.

(議決権行使者の指定)

(Designation of a Person to Exercise Voting Rights)

第四十条 専有部分が数人の共有に属するときは、共有者は、議決権を行使すべき者一人を定めなければならない。

Article 40 If an exclusively-owned area is co-owned by multiple persons, the co-owners must decide upon one person who will exercise their voting rights.

(議長)

(Chairperson)

第四十一条 集会においては、規約に別段の定めがある場合及び別段の決議をした場合を除いて、管理者又は集会を招集した区分所有者の一人が議長となる。

Article 41 The manager or one of the unit owners who convened the meeting is to serve as the chairperson at the meeting, unless otherwise provided for in the bylaws or if it has been otherwise resolved.

(議事録)

(Minutes)

第四十二条 集会の議事については、議長は、書面又は電磁的記録により、議事録を作

成しなければならない。

Article 42 (1) The chairperson must prepare minutes of the proceedings of a meeting in writing or in the form of electronic or magnetic records.

2 議事録には、議事の経過の要領及びその結果を記載し、又は記録しなければならない。

(2) An outline of the proceedings of the meeting and their results must be entered or recorded in the minutes.

3 前項の場合において、議事録が書面で作成されているときは、議長及び集會に出席した区分所有者の二人がこれに署名しなければならない。

(3) In the case referred to in the preceding paragraph, if the minutes have been prepared in writing, the chairperson and two unit owners who attended the meeting must sign them.

4 第二項の場合において、議事録が電磁的記録で作成されているときは、当該電磁的記録に記録された情報については、議長及び集會に出席した区分所有者の二人が行う法務省令で定める署名に代わる措置を執らなければならない。

(4) In the case referred to in paragraph (2), if the minutes have been prepared in the form of electronic or magnetic records, measures specified by Ministry of Justice Order that are used in place of signatures and that are implemented by the chairperson and two unit owners who attended the meeting must be taken for the data recorded in the electronic or magnetic records.

5 第三十三条の規定は、議事録について準用する。

(5) The provisions of Article 33 apply mutatis mutandis to the minutes.

(事務の報告)

(Report of Administrative Affairs)

第四十三条 管理者は、集會において、毎年一回一定の時期に、その事務に関する報告をしなければならない。

Article 43 A manager must report on their administrative affairs at a meeting, at a certain time once a year.

(占有者の意見陳述権)

(Possessors' Right to State Their Opinions)

第四十四条 区分所有者の承諾を得て専有部分を占有する者は、會議の目的たる事項につき利害關係を有する場合には、集會に出席して意見を述べることができる。

Article 44 (1) If a person who has possession of an exclusively-owned area with the consent of the unit owner holds an interest in the subject matter of the meeting, the person may attend the meeting and state their opinion.

2 前項に規定する場合には、集會を招集する者は、第三十五条の規定により招集の通知を發した後遅滞なく、集會の日時、場所及び會議の目的たる事項を建物内の見やすい場所に掲示しなければならない。

(2) In the case prescribed in the preceding paragraph, the person who convened

the meeting must post the date and place of the meeting and the subject matter of the meeting somewhere conspicuous within the building without delay after sending the convocation notice pursuant to the provisions of Article 35.

(書面又は電磁的方法による決議)

(Resolutions Decided on in Writing or by Electronic or Magnetic Means)

第四十五条 この法律又は規約により集会において決議をすべき場合において、区分所有者全員の承諾があるときは、書面又は電磁的方法による決議をすることができる。ただし、電磁的方法による決議に係る区分所有者の承諾については、法務省令で定めるところによらなければならない。

Article 45 (1) If a resolution is required to be voted on at a meeting pursuant to the provisions of this Act or the bylaws and if all of the unit owners consent, the resolution may be voted on either in writing or by electronic or magnetic means; provided, however, that the consent of the unit owners concerning a resolution voted on by electronic or magnetic means must be obtained pursuant to the provisions of Ministry of Justice Order.

2 この法律又は規約により集会において決議すべきものとされた事項については、区分所有者全員の書面又は電磁的方法による合意があつたときは、書面又は電磁的方法による決議があつたものとみなす。

(2) If all of the unit owners agree unanimously in writing or by electronic or magnetic means, a matter that was required to have been decided by a resolution voted on at a meeting pursuant to the provisions of this Act or the bylaws, is deemed to have been decided by a resolution voted on in writing or by electronic or magnetic means.

3 この法律又は規約により集会において決議すべきものとされた事項についての書面又は電磁的方法による決議は、集会の決議と同一の効力を有する。

(3) A resolution that has been voted on in writing or by electronic or magnetic means concerning a matter that was required to have been decided by a resolution voted on at a meeting pursuant to the provisions of this Act or the bylaws has the same effect as a meeting resolution.

4 第三十三条の規定は、書面又は電磁的方法による決議に係る書面並びに第一項及び第二項の電磁的方法が行われる場合に当該電磁的方法により作成される電磁的記録について準用する。

(4) The provisions of Article 33 apply mutatis mutandis to documents related to a resolution voted on in writing or by electronic or magnetic means, and to the electronic or magnetic records that are prepared by electronic or magnetic means in a case in which the electronic or magnetic means referred to in paragraph (1) or paragraph (2) are used.

5 集会に関する規定は、書面又は電磁的方法による決議について準用する。

(5) The provisions concerning meetings apply mutatis mutandis to resolutions voted on in writing or by electronic or magnetic means.

(規約及び集会の決議の効力)

(Effects of Bylaws and Meeting Resolutions)

第四十六条 規約及び集会の決議は、区分所有者の特定承継人に対しても、その効力を生ずる。

Article 46 (1) Bylaws and meeting resolutions also become effective against the specific successor of a unit owner.

2 占有者は、建物又はその敷地若しくは附属施設の使用方法につき、区分所有者が規約又は集会の決議に基づいて負う義務と同一の義務を負う。

(2) A possessor has the same obligations as the obligations that the unit owners have based on the bylaws or meeting resolutions, as it concerns the way in which the possessor uses the building, its grounds, or its attached facilities.

第六節 管理組合法人

Section 6 Incorporated Management Associations

(成立等)

(Establishment)

第四十七条 第三条に規定する団体は、区分所有者及び議決権の各四分の三以上の多数による集会の決議で法人となる旨並びにその名称及び事務所を定め、かつ、その主たる事務所の所在地において登記をすることによつて法人となる。

Article 47 (1) The association prescribed in Article 3 becomes a corporation by deciding that it is to become a corporation and its name and office through a meeting resolution adopted by at least a three-fourths majority of the unit owners and a three-fourths majority of the votes, and by making a registration in the locality of its principal office.

2 前項の規定による法人は、管理組合法人と称する。

(2) A corporation under the provisions of the preceding paragraph is called an "incorporated management association".

3 この法律に規定するもののほか、管理組合法人の登記に関して必要な事項は、政令で定める。

(3) Beyond what is provided for in this Act, Cabinet Order prescribes the necessary matters for the registration of an incorporated management association.

4 管理組合法人に関して登記すべき事項は、登記した後でなければ、第三者に対抗することができない。

(4) A matter that is required to be registered for an incorporated management association may not be asserted against a third party until after it has been registered.

5 管理組合法人の成立前の集会の決議、規約及び管理者の職務の範囲内の行為は、管理組合法人につき効力を生ずる。

- (5) The meeting resolutions, the bylaws, and the acts performed within the scope of the duties of a manager before the establishment of an incorporated management association, become effective against the incorporated management association.
- 6 管理組合法人は、その事務に関し、区分所有者を代理する。第十八条第四項（第二十一条において準用する場合を含む。）の規定による損害保険契約に基づく保険金額並びに共用部分等について生じた損害賠償金及び不当利得による返還金の請求及び受領についても、同様とする。
- (6) An incorporated management association acts as the unit owners' agent in matters connected with its administrative affairs. The same applies for claims for and the receipt of insurance money based on a non-life insurance contract under the provisions of Article 18, paragraph (4) (including as applied mutatis mutandis pursuant to Article 21), as well as requests for and the receipt of compensation for damages arising in connection with a common area or co-owned grounds or attached facilities and monies to be returned due to unjust enrichment.
- 7 管理組合法人の代理権に加えた制限は、善意の第三者に対抗することができない。
- (7) A limitation on an incorporated management association's authority to act as agent may not be asserted against a third party in good faith.
- 8 管理組合法人は、規約又は集会の決議により、その事務（第六項後段に規定する事項を含む。）に関し、区分所有者のために、原告又は被告となることができる。
- (8) Pursuant to the provisions of the bylaws or meeting resolutions, an incorporated management association may be named as plaintiff or defendant for a unit owner, in connection with its administrative affairs (including the matters prescribed in the second sentence of paragraph (6)).
- 9 管理組合法人は、前項の規約により原告又は被告となったときは、遅滞なく、区分所有者にその旨を通知しなければならない。この場合においては、第三十五条第二項から第四項までの規定を準用する。
- (9) If the incorporated management association has been named as a plaintiff or defendant pursuant to the bylaws under the preceding paragraph, it must notify the unit owners of this without delay. In such a case, the provisions of Article 35, paragraphs (2) through (4) apply mutatis mutandis.
- 10 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）第四条及び第七十八条の規定は管理組合法人に、破産法（平成十六年法律第七十五号）第十六条第二項の規定は存立中の管理組合法人に準用する。
- (10) The provisions of Article 4 and Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to an incorporated management association, and the provisions of Article 16, paragraph (2) of the Bankruptcy Act (Act No. 75 of 2004) apply mutatis mutandis to an existing incorporated management association.

1 1 第四節及び第三十三条第一項ただし書（第四十二条第五項及び第四十五条第四項において準用する場合を含む。）の規定は、管理組合法人には、適用しない。

(11) The provisions of Section 4 and the proviso to Article 33, paragraph (1) (including as applied mutatis mutandis pursuant to Article 42, paragraph (5) and Article 45, paragraph (4)) do not apply to an incorporated management association.

1 2 管理組合法人について、第三十三条第一項本文（第四十二条第五項及び第四十五条第四項において準用する場合を含む。以下この項において同じ。）の規定を適用する場合には第三十三条第一項本文中「管理者が」とあるのは「理事が管理組合法人の事務所において」と、第三十四条第一項から第三項まで及び第五項、第三十五条第三項、第四十一条並びに第四十三条の規定を適用する場合にはこれらの規定中「管理者」とあるのは「理事」とする。

(12) When the provisions of the main clause of Article 33, paragraph (1) (including as applied mutatis mutandis pursuant to Article 42, paragraph (5) and Article 45, paragraph (4); hereinafter the same applies in this paragraph) apply to an incorporated management association, the term "by the manager" in the main clause of Article 33, paragraph (1) is deemed to be replaced with "by the director at the office of an incorporated management association", and when the provisions of Article 34, paragraphs (1) through (3) and paragraph (5), Article 35, paragraph (3), Article 41, and Article 43 apply, the term "manager" in those provisions is deemed to be replaced with "director".

1 3 管理組合法人は、法人税法（昭和四十年法律第三十四号）その他法人税に関する法令の規定の適用については、同法第二条第六号に規定する公益法人等とみなす。この場合において、同法第三十七条の規定を適用する場合には同条第四項中「公益法人等（）」とあるのは「公益法人等（管理組合法人並びに）」と、同法第六十六条の規定を適用する場合には同条第一項中「普通法人」とあるのは「普通法人（管理組合法人を含む。）」と、同条第二項中「除く」とあるのは「除くものとし、管理組合法人を含む」と、同条第三項中「公益法人等（）」とあるのは「公益法人等（管理組合法人及び）」とする。

(13) To apply the provisions of the Corporation Tax Act (Act No. 34 of 1965) and other laws and regulations related to corporation tax, an incorporated management association is deemed to be a corporation in the public interest, etc. prescribed in Article 2, item (vi) of that Act. This being the case, when the provisions of Article 37 of that Act apply, the phrase "corporation in the public interest, etc. (excluding" in Article 37, paragraph (4) of that Act is deemed to be replaced with "corporation in the public interest, etc. (excluding an incorporated management association"; and when the provisions of Article 66 of that Act apply, the term "ordinary corporation" in paragraph (1) of Article 66 of that Act is deemed to be replaced with "ordinary corporation (including an incorporated management association)", the phrase "excluding a mutual company as prescribed in the Insurance Business Act" in paragraph (2) of that

Article is deemed to be replaced with "excluding a mutual company as prescribed in the Insurance Business Act, and including an incorporated management association", and the phrase "corporation in the public interest, etc. (excluding" in Article 66, paragraph (3) of the Act is deemed to be replaced with "corporation in the public interest, etc. (excluding an incorporated management association and".

1 4 管理組合法人は、消費税法（昭和六十三年法律第百八号）その他消費税に関する法令の規定の適用については、同法別表第三に掲げる法人とみなす。

(14) To apply the provisions of the Consumption Tax Act (Act No. 108 of 1988) and other laws and regulations related to consumption tax, an incorporated management association is deemed to be a corporation set forth in the Appended Table No. 3 of that Act.

(名称)

(Name)

第四十八条 管理組合法人は、その名称中に管理組合法人という文字を用いなければならない。

Article 48 (1) An incorporated management association must use the characters "管理組合法人" [transliterated as "kanri-kumiai-houjin" and meaning "incorporated management association"] in its name.

2 管理組合法人でないものは、その名称中に管理組合法人という文字を用いてはならない。

(2) No person other than an incorporated management association may use the characters "管理組合法人" [transliterated as "kanri-kumiai-houjin" and meaning "incorporated management association"] in its name.

(財産目録及び区分所有者名簿)

(Inventory of Assets and Register of Unit Owners)

第四十八条の二 管理組合法人は、設立の時及び毎年一月から三月までの間に財産目録を作成し、常にこれをその主たる事務所に備え置かなければならない。ただし、特に事業年度を設けるものは、設立の時及び毎事業年度の終了の時に財産目録を作成しなければならない。

Article 48-2 (1) An incorporated management association must prepare an inventory of assets at the time of its establishment and also annually at a time between January and March, and must keep this at its principal office at all times; provided, however, that if an incorporated management association expressly establishes a business year, it must prepare an inventory of assets at the time of its establishment and at the end of each business year.

2 管理組合法人は、区分所有者名簿を備え置き、区分所有者の変更があるごとに必要な変更を加えなければならない。

(2) An incorporated management association must keep a register of unit owners

and make the necessary changes to the register whenever there is a change in the unit owners.

(理事)

(Directors)

第四十九条 管理組合法人には、理事を置かなければならない。

Article 49 (1) An incorporated management association must have a director.

2 理事が数人ある場合において、規約に別段の定めがないときは、管理組合法人の事務は、理事の過半数で決する。

(2) If there are multiple directors, an incorporated management association's administrative affairs are decided by the majority of the directors, unless otherwise provided for in the bylaws.

3 理事は、管理組合法人を代表する。

(3) The director acts as the representative of the incorporated management association.

4 理事が数人あるときは、各自管理組合法人を代表する。

(4) If there are multiple directors, each director acts as a representative of the incorporated management association.

5 前項の規定は、規約若しくは集会の決議によつて、管理組合法人を代表すべき理事を定め、若しくは数人の理事が共同して管理組合法人を代表すべきことを定め、又は規約の定めに基づき理事の互選によつて管理組合法人を代表すべき理事を定めることを妨げない。

(5) The provisions of the preceding paragraph do not preclude an incorporated management association from designating a director to act as the incorporated management association's representative or from providing for multiple directors to jointly act as the incorporated management association's representatives in its bylaws or by resolution at a meeting, or from specifying that the director who is to act as the incorporated management association's representative is to be chosen by the election of a director by and from among the directors themselves under the provisions of the bylaws.

6 理事の任期は、二年とする。ただし、規約で三年以内において別段の期間を定めたときは、その期間とする。

(6) The director's term of office is to be two years; provided, however, that if the bylaws specify a different period of no longer than three years, that period is to be the director's term of office.

7 理事が欠けた場合又は規約で定めた理事の員数が欠けた場合には、任期の満了又は辞任により退任した理事は、新たに選任された理事（第四十九条の四第一項の仮理事を含む。）が就任するまで、なおその職務を行う。

(7) If there is a vacancy in the office of a director, or a shortfall in the number of directors as specified in the bylaws, a director who has retired due to expiration of their term of office or has resigned from their office is to perform

the duties of a director until a newly appointed director (including a provisional director referred to in Article 49-4, paragraph (1)) assumes office.

8 第二十五条の規定は、理事に準用する。

(8) The provisions of Article 25 apply mutatis mutandis to a director.

(理事の代理権)

(Director's Authority to Act as Agent)

第四十九条の二 理事の代理権に加えた制限は、善意の第三者に対抗することができない。

Article 49-2 A limitation on a director's authority to act as agent may not be asserted against a third party in good faith.

(理事の代理行為の委任)

(Delegation of Director's Authority for Acts as Agent)

第四十九条の三 理事は、規約又は集会の決議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。

Article 49-3 A director may delegate their authority to undertake a specific act as an agent to other persons, but only if that delegation is not prohibited by the bylaws or a meeting resolution.

(仮理事)

(Provisional Director)

第四十九条の四 理事が欠けた場合において、事務が遅滞することにより損害を生ずるおそれがあるときは、裁判所は、利害関係人又は検察官の請求により、仮理事を選任しなければならない。

Article 49-4 (1) If there is a vacancy in the office of a director and damage is likely to occur due to a delay in administrative affairs, the court must appoint a provisional director, at the request of an interested person or the public prosecutor.

2 仮理事の選任に関する事件は、管理組合法人の主たる事務所の所在地を管轄する地方裁判所の管轄に属する。

(2) Cases concerning the appointment of a provisional director are to be subject to the jurisdiction of the district court with jurisdiction in the locality of the incorporated management association's principal office.

(監事)

(Auditor)

第五十条 管理組合法人には、監事を置かなければならない。

Article 50 (1) An incorporated management association is to have an auditor.

2 監事は、理事又は管理組合法人の使用人と兼ねてはならない。

(2) An auditor may not concurrently hold the position of the director or employee

of an incorporated management association.

3 監事の職務は、次のとおりとする。

(3) The duties of an auditor are as follows:

一 管理組合法人の財産の状況を監査すること。

(i) auditing the financial status of the incorporated management association;

二 理事の業務の執行の状況を監査すること。

(ii) auditing the execution of duties by the directors;

三 財産の状況又は業務の執行について、法令若しくは規約に違反し、又は著しく不当な事項があると認めるときは、集会に報告をすること。

(iii) giving reports to the meeting if the auditor finds a violation of laws and regulations or the bylaws, or a significant impropriety, with respect to the financial status or the execution of duties; and

四 前号の報告をするため必要があるときは、集会を招集すること。

(iv) convening a meeting if it is necessary for the auditor to give a report referred to in the preceding item.

4 第二十五条、第四十九条第六項及び第七項並びに前条の規定は、監事に準用する。

(4) The provisions of Article 25, Article 49, paragraph (6) and paragraph (7), and the preceding Article apply mutatis mutandis to an auditor.

(監事の代表権)

(Auditor's Authority to Act as Representative)

第五十一条 管理組合法人と理事との利益が相反する事項については、監事が管理組合法人を代表する。

Article 51 The auditor represents an incorporated management association in connection with a matter involving a conflict of interest between an incorporated management association and directors.

(事務の執行)

(Execution of Administrative Affairs)

第五十二条 管理組合法人の事務は、この法律に定めるもののほか、すべて集会の決議によつて行う。ただし、この法律に集会の決議につき特別の定数が定められている事項及び第五十七条第二項に規定する事項を除いて、規約で、理事その他の役員が決するものとすることができる。

Article 52 (1) Beyond what is provided for in this Act, all administrative affairs of an incorporated management association are carried out based on meeting resolutions; provided, however, that except for matters concerning which this Act prescribes a special quorum for meeting resolutions and the matters prescribed in Article 57, paragraph (2), the bylaws may provide that matters are to be decided by the directors and other officers.

2 前項の規定にかかわらず、保存行為は、理事が決することができる。

(2) Notwithstanding the provisions of the preceding paragraph, the director may

decide on an act of preservation.

(区分所有者の責任)

(Liability of Unit Owners)

第五十三条 管理組合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、区分所有者は、第十四条に定める割合と同一の割合で、その債務の弁済の責めに任ずる。ただし、第二十九条第一項ただし書に規定する負担の割合が定められているときは、その割合による。

Article 53 (1) If an incorporated management association is unable to satisfy its obligations in full with its assets, the unit owners are liable for the performance of obligations in the same proportion as that specified in Article 14; provided, however, that if a proportion for sharing expenses prescribed in the proviso to Article 29, paragraph (1) has been specified, the unit owners' liability is to be in accordance with that proportion.

2 管理組合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) The provisions of the preceding paragraph also apply if enforcement against the assets of the incorporated management association does not prove to be effective.

3 前項の規定は、区分所有者が管理組合法人に資力があり、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 the unit owners have proved that the incorporated management association has sufficient financial resources and that the execution can be easily performed.

(特定承継人の責任)

(Liability of Specific Successors)

第五十四条 区分所有者の特定承継人は、その承継前に生じた管理組合法人の債務についても、その区分所有者が前条の規定により負う責任と同一の責任を負う。

Article 54 A unit owner's specific successor has the same liability as that which the unit owner has pursuant to the preceding Article, even if it concerns obligations of the incorporated management association that arose before the succession.

(解散)

(Dissolution)

第五十五条 管理組合法人は、次の事由によつて解散する。

Article 55 (1) An incorporated management association is dissolved on the following grounds:

一 建物（一部共用部分を共用すべき区分所有者で構成する管理組合法人にあつては、その共用部分）の全部の滅失

(i) the total destruction of the building (or, for an incorporated management association consisting of unit owners who should have common use of private common areas, the total destruction of those common areas);

二 建物に専有部分がなくなつたこと。

(ii) the exclusively-owned areas in the building having ceased to exist; and

三 集会の決議

(iii) a resolution at a meeting.

2 前項第三号の決議は、区分所有者及び議決権の各四分の三以上の多数です。

(2) The resolution referred to in item (iii) of the preceding paragraph is adopted by at least a three-fourths majority of the unit owners and a three-fourths majority of the votes.

(清算中の管理組合法人の能力)

(Capacity of an Incorporated Management Association under Liquidation)

第五十五条の二 解散した管理組合法人は、清算の目的の範囲内において、その清算の終了に至るまではなお存続するものとみなす。

Article 55-2 A dissolved incorporated management association is deemed to continue to exist inasmuch as the purpose of liquidation is concerned, until the completion of the liquidation.

(清算人)

(Liquidators)

第五十五条の三 管理組合法人が解散したときは、破産手続開始の決定による解散の場合を除き、理事がその清算人となる。ただし、規約に別段の定めがあるとき、又は集会において理事以外の者を選任したときは、この限りでない。

Article 55-3 If an incorporated management association is dissolved, unless it is dissolved due to an order commencing bankruptcy proceedings, the director is to be the liquidator; provided, however, that this does not apply if otherwise provided for in the bylaws or if a person other than a director has been appointed at a meeting.

(裁判所による清算人の選任)

(Appointment of a Liquidator by the Court)

第五十五条の四 前条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 55-4 If there is no person to become a liquidator pursuant to the provisions of the preceding Article or if damage is likely to occur due to a vacancy in the office of liquidator, the court may appoint a liquidator at the request of an interested person or the public prosecutor, or by its own authority.

(清算人の解任)

(Dismissal of a Liquidator)

第五十五条の五 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 55-5 If there are material grounds, the court may dismiss a liquidator at the request of an interested person or the public prosecutor, or by its own authority.

(清算人の職務及び権限)

(Duties and Authority of a Liquidator)

第五十五条の六 清算人の職務は、次のとおりとする。

Article 55-6 (1) The duties of a liquidator are as follows:

一 現務の結了

(i) completion of pending affairs;

二 債権の取立て及び債務の弁済

(ii) collection of claims and performance of obligations; and

三 残余財産の引渡し

(iii) 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 engage in any and all acts necessary for the performance of the duties set forth in the items of the preceding paragraph.

(債権の申出の催告等)

(Demands to File Claims)

第五十五条の七 清算人は、その就職の日から二月以内に、少なくとも三回の公告をもって、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、二月を下ることができない。

Article 55-7 (1) Within two months from the day on which a liquidator takes office, the liquidator must demand that creditors file their claims within a stated period of time, by giving public notice on at least three occasions. In such a case, the stated period of time may not be shorter 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) The public notice set forth in the preceding paragraph must be accompanied by a supplementary note stating that if a creditor does not file a claim within the stated period the creditor will be excluded from the liquidation; 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) A liquidator must separately make a demand to each known creditor to file

their claims.

4 第一項の公告は、官報に掲載してする。

(4) The public notice referred to in paragraph (1) is given by publication in the Official Gazette.

(期間経過後の債権の申出)

(Filing of Claims After the Lapse of the Stated Period)

第五十五条の八 前条第一項の期間の経過後に申出をした債権者は、管理組合法人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 55-8 A creditor who files a claim after the lapse of the period referred to in paragraph (1) of the preceding Article may only make a claim against the assets that have not been delivered to persons with vested rights, after all obligations of the incorporated management association have been fully performed.

(清算中の管理組合法人についての破産手続の開始)

(Commencement of Bankruptcy Proceedings with Respect to an Incorporated Management Association Under Liquidation)

第五十五条の九 清算中に管理組合法人の財産がその債務を完済するのに足りないことが明らかになったときは、清算人は、直ちに破産手続開始の申立てをし、その旨を公告しなければならない。

Article 55-9 (1) If it becomes apparent during liquidation that the assets of an incorporated management association are insufficient for the full performance of its obligations, the liquidator must immediately file a petition to commence bankruptcy proceedings and give public notice to that effect.

2 清算人は、清算中の管理組合法人が破産手続開始の決定を受けた場合において、破産管財人にその事務を引き継いだときは、その任務を終了したものとする。

(2) If an incorporated management association under liquidation has become subject to an order commencing bankruptcy proceedings, the liquidator is considered to have completed their duties once the association's administrative affairs are transferred to a bankruptcy trustee.

3 前項に規定する場合において、清算中の管理組合法人が既に債権者に支払い、又は権利の帰属すべき者に引き渡したものがあるときは、破産管財人は、これを取り戻すことができる。

(3) In the case prescribed in the preceding paragraph, if the incorporated management association under liquidation has already paid any money to the creditors, or has delivered any assets to persons with vested rights, the bankruptcy trustee may retrieve that money or those assets.

4 第一項の規定による公告は、官報に掲載してする。

(4) The public notice pursuant to the provisions of paragraph (1) is given by

publication in the Official Gazette.

(残余財産の帰属)

(Vesting of Residual Assets)

第五十六条 解散した管理組合法人の財産は、規約に別段の定めがある場合を除いて、第十四条に定める割合と同一の割合で各区分所有者に帰属する。

Article 56 The assets of a dissolved incorporated management association, unless otherwise provided for in the bylaws, are to vest in each unit owner in the same proportion as that specified in Article 14.

(裁判所による監督)

(Supervision by the Court)

第五十六条の二 管理組合法人の解散及び清算は、裁判所の監督に属する。

Article 56-2 (1) The dissolution and liquidation of an incorporated management association are 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, on its own authority, may conduct any inspection that is necessary for the supervision referred to in the preceding paragraph 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)

第五十六条の三 管理組合法人の解散及び清算の監督並びに清算人に関する事件は、その主たる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 56-3 Cases concerning the supervision of the dissolution and liquidation of an incorporated management association and cases concerning the liquidator are subject to the jurisdiction of the district court with jurisdiction in the locality of the incorporated management association's principal office.

(不服申立ての制限)

(Restriction on Appeals)

第五十六条の四 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 56-4 No appeal may be entered 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 for a Liquidator Appointed by the Court)

第五十六条の五 裁判所は、第五十五条の四の規定により清算人を選任した場合には、管理組合法人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、当該清算人及び監事の陳述を聴かなければならない。

Article 56-5 If the court has appointed a liquidator pursuant to the provisions of

Article 55-4, it may fix the amount of remuneration that the incorporated management association is to pay to the liquidator. In such a case, the court must hear statements from the liquidator and the auditor.

第五十六条の六 削除

Article 56-6 Deleted

(検査役の選任)

(Appointment of Inspectors)

第五十六条の七 裁判所は、管理組合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 56-7 (1) The court may appoint an inspector for the purpose of having them carry out any investigation that is necessary for the supervision of the dissolution and liquidation of an incorporated management association.

2 第五十六条の四及び第五十六条の五の規定は、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「清算人及び監事」とあるのは、「管理組合法人及び検査役」と読み替えるものとする。

(2) The provisions of Article 56-4 and Article 56-5 apply mutatis mutandis if the court has appointed an inspector pursuant to the provisions of the preceding paragraph. In such a case, the term "the liquidator and the auditor" in that Article is deemed to be replaced with "the incorporated management association and the inspector".

第七節 義務違反者に対する措置

Section 7 Measures Against Persons Who Violate Obligations

(共同の利益に反する行為の停止等の請求)

(Request to Discontinue Acts Contrary to Common Interest)

第五十七条 区分所有者が第六条第一項に規定する行為をした場合又はその行為をするおそれがある場合には、他の区分所有者の全員又は管理組合法人は、区分所有者の共同の利益のため、その行為を停止し、その行為の結果を除去し、又はその行為を予防するため必要な措置を執ることを請求することができる。

Article 57 (1) If a unit owner has performed an act prescribed in Article 6, paragraph (1) or if a unit owner is likely to perform such an act, all of the other unit owners or the incorporated management association may request that the unit owner discontinue the act, remove the outcome of the act, or take necessary measures to prevent the act, for the common interest of the unit owners.

2 前項の規定に基づき訴訟を提起するには、集会の決議によらなければならない。

(2) In order for an action to be filed based on the provisions of the preceding paragraph, the decision to file must be adopted as a meeting resolution.

3 管理者又は集会において指定された区分所有者は、集会の決議により、第一項の他の区分所有者の全員のために、前項に規定する訴訟を提起することができる。

(3) Pursuant to a meeting resolution, a manager or a unit owner who has been designated at a meeting may file an action prescribed in the preceding paragraph on behalf of all of the other unit owners referred to in paragraph (1).

4 前三項の規定は、占有者が第六条第三項において準用する同条第一項に規定する行為をした場合及びその行為をするおそれがある場合に準用する。

(4) The provisions of the preceding three paragraphs apply mutatis mutandis if the possessor has performed an act set forth in Article 6, paragraph (1) as applied mutatis mutandis pursuant to paragraph (3) of that Article and if the possessor is likely to perform such an act.

(使用禁止の請求)

(Seeking to Prohibit Use)

第五十八条 前条第一項に規定する場合において、第六条第一項に規定する行為による区分所有者の共同生活上の障害が著しく、前条第一項に規定する請求によつてはその障害を除去して共用部分の利用の確保その他の区分所有者の共同生活の維持を図ることが困難であるときは、他の区分所有者の全員又は管理組合法人は、集会の決議に基づき、訴えをもつて、相当の期間の当該行為に係る区分所有者による専有部分の使用の禁止を請求することができる。

Article 58 (1) In the case prescribed in paragraph (1) of the preceding Article, if the act specified in Article 6, paragraph (1) significantly impedes the unit owners' community life and if there is difficulty in removing the impediment and securing the use of the common area or maintaining the other unit owners' community life by making a request under the provisions of paragraph (1) of the preceding Article, all of the other unit owners or the incorporated management association, based on a meeting resolution, may file an action seeking to prohibit the unit owner involved in the act from using the exclusively-owned area for a reasonable period of time.

2 前項の決議は、区分所有者及び議決権の各四分の三以上の多数です。

(2) A resolution referred to in the preceding paragraph is adopted with at least a three-fourths majority of the unit owners and a three-fourths majority of the votes.

3 第一項の決議をするには、あらかじめ、当該区分所有者に対し、弁明する機会を与えなければならない。

(3) In order for the resolution referred to in paragraph (1) to be decided on, the relevant unit owner must be given the opportunity to give an explanation in advance.

4 前条第三項の規定は、第一項の訴えの提起に準用する。

(4) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the filing of an action as referred to in paragraph (1).

(区分所有権の競売の請求)

(Request for Auction of Unit Ownership)

第五十九条 第五十七条第一項に規定する場合において、第六条第一項に規定する行為による区分所有者の共同生活上の障害が著しく、他の方法によつてはその障害を除去して共用部分の利用の確保その他の区分所有者の共同生活の維持を図ることが困難であるときは、他の区分所有者の全員又は管理組合法人は、集会の決議に基づき、訴えをもつて、当該行為に係る区分所有者の区分所有権及び敷地利用権の競売を請求することができる。

Article 59 (1) In the case prescribed in Article 57, paragraph (1), if the act prescribed in Article 6, paragraph (1) significantly impedes the unit owners' community life and if there is difficulty in removing the impediment and securing the use of the common area or maintaining the other unit owners' community life through other means, all of the other unit owners or the incorporated management association, based on a meeting resolution, may file an action seeking to auction off the unit ownership and the right to use the grounds held by the unit owner who is involved in the act.

2 第五十七条第三項の規定は前項の訴えの提起に、前条第二項及び第三項の規定は前項の決議に準用する。

(2) The provisions of Article 57, paragraph (3) apply mutatis mutandis to the filing of an action referred to in the preceding paragraph, and the provisions of paragraph (2) and paragraph (3) of the preceding Article apply mutatis mutandis to the resolution referred to in the preceding paragraph.

3 第一項の規定による判決に基づく競売の申立ては、その判決が確定した日から六月を経過したときは、することができない。

(3) A petition for an auction based on the judgment pursuant to the provisions of paragraph (1) may not be filed once six months have elapsed from the day on which the judgment has become final and binding.

4 前項の競売においては、競売を申し立てられた区分所有者又はその者の計算において買い受けようとする者は、買受けの申出をすることができない。

(4) In the auction referred to in the preceding paragraph, neither the unit owner who is subject to the petition for the auction nor any person seeking to purchase the unit ownership or the right to use the grounds on the unit owner's account may make a purchase offer.

(占有者に対する引渡し請求)

(Seeking a Transfer from the Possessor)

第六十条 第五十七条第四項に規定する場合において、第六条第三項において準用する同条第一項に規定する行為による区分所有者の共同生活上の障害が著しく、他の方法によつてはその障害を除去して共用部分の利用の確保その他の区分所有者の共同生活の維持を図ることが困難であるときは、区分所有者の全員又は管理組合法人は、集会

の決議に基づき、訴えをもつて、当該行為に係る占有者が占有する専有部分の使用又は収益を目的とする契約の解除及びその専有部分の引渡しを請求することができる。

Article 60 (1) In the case prescribed in Article 57, paragraph (4), if the act prescribed in Article 6, paragraph (1) as applied mutatis mutandis pursuant to paragraph (3) of that Article significantly impedes the unit owners' community life and if there is difficulty in removing the impediment and securing the use of the common area or maintaining the other unit owners' community life through other means, all of the unit owners or the incorporated management association, based on a meeting resolution, may file an action seeking to cancel the contract concluded for the purpose of using or profiting from the exclusively-owned area in the possession of the possessor involved in the act and seeking the transfer of that exclusively-owned area.

2 第五十七条第三項の規定は前項の訴えの提起に、第五十八条第二項及び第三項の規定は前項の決議に準用する。

(2) The provisions of Article 57, paragraph (3) apply mutatis mutandis to the filing of the action referred to in the preceding paragraph, and the provisions of Article 58, paragraph (2) and paragraph (3) apply mutatis mutandis to the resolution referred to in the preceding paragraph.

3 第一項の規定による判決に基づき専有部分の引渡しを受けた者は、遅滞なく、その専有部分を占有する権原を有する者にこれを引き渡さなければならない。

(3) A person to whom an exclusively-owned area has been transferred based on a judgment under the provisions of paragraph (1) must further transfer the exclusively-owned area to the person who holds the title to possess the area without delay.

第八節 復旧及び建替え

Section 8 Restoration and Reconstruction

(建物の一部が滅失した場合の復旧等)

(Restoration If Part of a Building Is Destroyed)

第六十一条 建物の価格の二分の一以下に相当する部分が滅失したときは、各区分所有者は、滅失した共用部分及び自己の専有部分を復旧することができる。ただし、共用部分については、復旧の工事に着手するまでに第三項、次条第一項又は第七十条第一項の決議があつたときは、この限りでない。

Article 61 (1) If part of a building equivalent to up to half of the building's value has been destroyed, each unit owner may restore the common areas and their own exclusively-owned area that have been destroyed; provided, however, that this does not apply to the common areas if the resolution referred to in paragraph (3), paragraph (1) of the following Article, or Article 70, paragraph (1) has been adopted before the commencement of restoration work.

2 前項の規定により共用部分を復旧した者は、他の区分所有者に対し、復旧に要した

金額を第十四条に定める割合に応じて償還すべきことを請求することができる。

(2) A unit owner who has restored a common area pursuant to the provisions of the preceding paragraph may request the other unit owners to reimburse them for the amount required for the restoration in accordance with the proportion specified in Article 14.

3 第一項本文に規定する場合には、集会において、滅失した共用部分を復旧する旨の決議をすることができる。

(3) In the case prescribed in the main clause of paragraph (1), a resolution to restore the destroyed common areas may be brought before a meeting.

4 前三項の規定は、規約で別段の定めをすることを妨げない。

(4) The provisions of the preceding three paragraphs do not preclude any provisions to the contrary in the bylaws.

5 第一項本文に規定する場合を除いて、建物の一部が滅失したときは、集会において、区分所有者及び議決権の各四分の三以上の多数で、滅失した共用部分を復旧する旨の決議をすることができる。

(5) Except in the cases prescribed in the main clause of paragraph (1), if part of a building has been destroyed, a resolution to restore the destroyed common areas may be adopted at a meeting by at least a three-fourths majority of the unit owners and a three-fourths majority of the votes.

6 前項の決議をした集会の議事録には、その決議についての各区分所有者の賛否をも記載し、又は記録しなければならない。

(6) In the minutes of a meeting at which a resolution under the preceding paragraph was adopted, whether each unit owner's vote was in favor of or against the resolution must be entered or recorded.

7 第五項の決議があつた場合において、その決議の日から二週間を経過したときは、次項の場合を除き、その決議に賛成した区分所有者（その承継人を含む。以下この条において「決議賛成者」という。）以外の区分所有者は、決議賛成者の全部又は一部に対し、建物及びその敷地に関する権利を時価で買い取るべきことを請求することができる。この場合において、その請求を受けた決議賛成者は、その請求の日から二月以内に、他の決議賛成者の全部又は一部に対し、決議賛成者以外の区分所有者を除いて算定した第十四条に定める割合に応じて当該建物及びその敷地に関する権利を時価で買い取るべきことを請求することができる。

(7) Other than in the cases referred to in the following paragraph, if a resolution under paragraph (5) has been adopted, once two weeks have elapsed from the day of the resolution, unit owners other than those who were in favor of the resolution (including the successors of those who were in favor of the resolution; hereinafter referred to as "those in favor of the resolution" in this Article) may request that some or all of those in favor of the resolution purchase the building and the rights to the building's grounds at their market value. In such a case, within two months from the day of the request, those in favor of the resolution who have been so requested may request that some or

all of the others who were in favor of the resolution purchase the building and the rights to its grounds at their market value in accordance with the proportion specified in Article 14, calculated by excluding the unit owners other than those in favor of the resolution.

8 第五項の決議の日から二週間以内に、決議賛成者とその全員の合意により建物及びその敷地に関する権利を買い取ることができる者を指定し、かつ、その指定された者（以下この条において「買取指定者」という。）がその旨を決議賛成者以外の区分所有者に対して書面で通知したときは、その通知を受けた区分所有者は、買取指定者に対してのみ、前項前段に規定する請求をすることができる。

(8) If a person who is capable of purchasing the building and the rights to its grounds has been designated by those in favor of the resolution by unanimous consent, and the designated person (hereinafter referred to as the "designated purchaser" in this Article) has notified the unit owners other than those in favor of the resolution to that effect in writing within two weeks from the day of the resolution under paragraph (5), the unit owners who have been so notified may only make the request prescribed in the first sentence of the preceding paragraph against the designated purchaser.

9 買取指定者は、前項の規定による書面による通知に代えて、法務省令で定めるところにより、同項の規定による通知を受けるべき区分所有者の承諾を得て、電磁的方法により買取指定者の指定がされた旨を通知することができる。この場合において、当該買取指定者は、当該書面による通知をしたものとみなす。

(9) Pursuant to the provisions of Ministry of Justice Order and with the consent of the unit owners who are to be notified under the preceding paragraph, a designated purchaser may use electronic or magnetic means to notify the unit owners that a designated purchaser has been designated, in lieu of the written notice under the preceding paragraph. In such a case, the designated purchaser is deemed to have given the written notice.

10 買取指定者が第七項前段に規定する請求に基づく売買の代金に係る債務の全部又は一部の弁済をしないときは、決議賛成者（買取指定者となつたものを除く。以下この項及び第十五項において同じ。）は、連帯してその債務の全部又は一部の弁済の責めに任ずる。ただし、決議賛成者が買取指定者に資力があり、かつ、執行が容易であることを証明したときは、この限りでない。

(10) If a designated purchaser does not perform all or part of the obligations connected with the purchase money for the transaction based on a request prescribed in the first sentence of paragraph (7), those in favor of the resolution (excluding those who have become designated purchasers; hereinafter the same applies in this paragraph and paragraph (15)) will be jointly and severally liable to perform those obligations in whole or in part; provided, however, that this does not apply if those in favor of the resolution have proved that the designated purchaser has sufficient financial resources, and that the execution can be easily performed.

1 1 第五項の集会を招集した者（買取指定者の指定がされているときは、当該買取指定者。次項において同じ。）は、決議賛成者以外の区分所有者に対し、四月以上の期間を定めて、第七項前段に規定する請求をするか否かを確答すべき旨を書面で催告することができる。

(11) A person who has convened a meeting referred to in paragraph (5) (if the designated purchaser has already been designated, the designated purchaser; the same applies in the following paragraph) may specify a period of four months or more and demand in writing that unit owners other than those in favor of the resolution give a definite answer within that period as to whether they will make the request prescribed in the first sentence of paragraph (7).

1 2 第五項の集会を招集した者は、前項の規定による書面による催告に代えて、法務省令で定めるところにより、同項に規定する区分所有者の承諾を得て、電磁的方法により第七項前段に規定する請求をするか否かを確答すべき旨を催告することができる。この場合において、当該第五項の集会を招集した者は、当該書面による催告をしたものとみなす。

(12) Pursuant to the provisions of Ministry of Justice Order and with the consent of the unit owners provided for in the preceding paragraph, in lieu of a demand in writing under the preceding paragraph, a person who has convened a meeting referred to in paragraph (5) may use electronic or magnetic means to make a demand that the unit owners other than those in favor of the resolution give a definite answer as to whether or not they will make the request prescribed in the first sentence of paragraph (7). In such a case, the person who convened the meeting referred to in paragraph (5) is deemed to have made the demand in writing.

1 3 第十一項に規定する催告を受けた区分所有者は、同項の規定により定められた期間を経過したときは、第七項前段に規定する請求をすることができない。

(13) A unit owner who has received a demand prescribed in paragraph (11) may not make the request prescribed in the first sentence of paragraph (7) after the period specified pursuant to the provisions of the paragraph (11) has elapsed.

1 4 第五項に規定する場合において、建物の一部が滅失した日から六月以内に同項、次条第一項又は第七十条第一項の決議がないときは、各区分所有者は、他の区分所有者に対し、建物及びその敷地に関する権利を時価で買い取るべきことを請求することができる。

(14) In the case prescribed in paragraph (5), if a resolution under that paragraph, paragraph (1) of the following Article, or Article 70, paragraph (1) has not been adopted within six months after the day of the partial destruction of the building, each unit owner may request that other unit owners purchase the building and the rights to its grounds at their market value.

1 5 第二項、第七項、第八項及び前項の場合には、裁判所は、償還若しくは買取りの請求を受けた区分所有者、買取りの請求を受けた買取指定者又は第十項本文に規定する債務について履行の請求を受けた決議賛成者の請求により、償還金又は代金の支払

につき相当の期限を許与することができる。

(15) In the cases referred to in paragraph (2), paragraph (7), paragraph (8), and the preceding paragraph, the court may grant a reasonable period for the payment of the redemption money or the purchase money at the request of a unit owner who has been requested to make the redemption or the purchase, a designated purchaser who has been requested to make the purchase, or those in favor of the resolution who has been requested to perform the obligations under the provisions of the main clause of paragraph (10).

(建替え決議)

(Resolutions to Reconstruct)

第六十二条 集会においては、区分所有者及び議決権の各五分の四以上の多数で、建物を取り壊し、かつ、当該建物の敷地若しくはその一部の土地又は当該建物の敷地の全部若しくは一部を含む土地に新たに建物を建築する旨の決議（以下「建替え決議」という。）をすることができる。

Article 62 (1) A resolution to demolish a building and construct a new building on the grounds of the building being demolished or on part of its land, or on land that includes all or part of the grounds of the building being demolished (hereinafter this is referred to as a "resolution to reconstruct") may be adopted at a meeting by at least a four-fifths majority of the unit owners and at least a four-fifths majority of the votes.

2 建替え決議においては、次の事項を定めなければならない。

(2) A resolution to reconstruct must establish the following matters:

一 新たに建築する建物（以下この項において「再建建物」という。）の設計の概要

(i) an outline of the design of the building that is to be newly constructed (hereinafter referred to as the "reconstructed building" in this paragraph);

二 建物の取壊し及び再建建物の建築に要する費用の概算額

(ii) the estimated amount of expenses necessary for the demolition of the building and the construction of the reconstructed building;

三 前号に規定する費用の分担に関する事項

(iii) matters concerning the sharing of expenses prescribed in the preceding item; and

四 再建建物の区分所有権の帰属に関する事項

(iv) matters concerning the attribution of the unit ownership of the reconstructed building.

3 前項第三号及び第四号の事項は、各区分所有者の衡平を害しないように定めなければならない。

(3) The matters referred to in item (iii) and item (iv) of the preceding paragraph must be established in a manner that does not undermine the equity of each unit owner.

4 第一項に規定する決議事項を会議の目的とする集会を招集するときは、第三十五条

第一項の通知は、同項の規定にかかわらず、当該集会の会日より少なくとも二月前に発しなければならない。ただし、この期間は、規約で伸長することができる。

(4) Notwithstanding the provisions of Article 35, paragraph (1), if a meeting whose subject matter is a matter subject to a resolution provided for in paragraph (1) is convened, the notice under Article 35, paragraph (1) must be sent at least two months prior to the date of the meeting; provided, however that this period may be extended by the bylaws.

5 前項に規定する場合において、第三十五条第一項の通知をするときは、同条第五項に規定する議案の要領のほか、次の事項をも通知しなければならない。

(5) In the case prescribed in the preceding paragraph, when a person gives the notice referred to in Article 35, paragraph (1), they must give notice of the following matters, in addition to the outline of the proposal prescribed in paragraph (5) of that Article:

一 建替えを必要とする理由

(i) the reasons that necessitate the reconstruction;

二 建物の建替えをしないとした場合における当該建物の効用の維持又は回復（建物が通常有すべき効用の確保を含む。）をするのに要する費用の額及びその内訳

(ii) if it has been decided that the building will not be reconstructed, the amount of expenses necessary to maintain or recover the utility of the building (including securing the utility that a building normally should have), and the breakdown of the expenses;

三 建物の修繕に関する計画が定められているときは、当該計画の内容

(iii) if a plan for repairing the building has been established, the content of the plan; and

四 建物につき修繕積立金として積み立てられている金額

(iv) the amount of reserve funds reserved for the repair of the building.

6 第四項の集会を招集した者は、当該集会の会日より少なくとも一月前までに、当該招集の際に通知すべき事項について区分所有者に対し説明を行うための説明会を開催しなければならない。

(6) A person who has convened a meeting referred to in paragraph (4) must hold an explanatory meeting to explain to the unit owners the matters of which the person is required to notify them when convening a meeting, by at least one month prior to the date of the meeting.

7 第三十五条第一項から第四項まで及び第三十六条の規定は、前項の説明会の開催について準用する。この場合において、第三十五条第一項ただし書中「伸縮する」とあるのは、「伸長する」と読み替えるものとする。

(7) The provisions of Article 35, paragraphs (1) through (4), and Article 36 apply mutatis mutandis to the holding of an explanatory meeting referred to in the preceding paragraph. In such a case, the term "extended or shortened" in the proviso to Article 35, paragraph (1) is deemed to be replaced with "extended".

8 前条第六項の規定は、建替え決議をした集会の議事録について準用する。

(8) The provisions of paragraph (6) of the preceding Article apply mutatis mutandis to the minutes of a meeting that has adopted a resolution to reconstruct.

(区分所有権等の売渡し請求等)

(Requesting the Sale of Unit Ownership)

第六十三条 建替え決議があつたときは、集会を招集した者は、遅滞なく、建替え決議に賛成しなかつた区分所有者（その承継人を含む。）に対し、建替え決議の内容により建替えに参加するか否かを回答すべき旨を書面で催告しなければならない。

Article 63 (1) If a resolution to reconstruct has been adopted, the person who convened the meeting must, without delay, demand in writing that the unit owners who were not in favor of the resolution to reconstruct (including their successors) answer whether or not they will participate in the reconstruction in accordance with the content of the resolution to reconstruct.

2 集会を招集した者は、前項の規定による書面による催告に代えて、法務省令で定めるところにより、同項に規定する区分所有者の承諾を得て、電磁的方法により建替え決議の内容により建替えに参加するか否かを回答すべき旨を催告することができる。この場合において、当該集会を招集した者は、当該書面による催告をしたものとみなす。

(2) Pursuant to the provisions of Ministry of Justice Order and with the consent of the unit owners provided for in the preceding paragraph, in lieu of a demand in writing under the provisions of the preceding paragraph, the person who convened the meeting may use electronic or magnetic means to make a demand that those who were not in favor of the resolution to reconstruct answer whether or not they will participate in the reconstruction in accordance with the content of the resolution to reconstruct. In such a case, the person who convened the meeting is deemed to have made the demand in writing.

3 第一項に規定する区分所有者は、同項の規定による催告を受けた日から二月以内に回答しなければならない。

(3) A unit owner provided for in paragraph (1) must give their answers within two months from the day on which they received the demand under that paragraph.

4 前項の期間内に回答しなかつた第一項に規定する区分所有者は、建替えに参加しない旨を回答したものとみなす。

(4) A unit owner provided for in paragraph (1) who has failed to give an answer within the period under the preceding paragraph is deemed to have answered that they will not participate in the reconstruction.

5 第三項の期間が経過したときは、建替え決議に賛成した各区分所有者若しくは建替え決議の内容により建替えに参加する旨を回答した各区分所有者（これらの者の承継人を含む。）又はこれらの者の全員の合意により区分所有権及び敷地利用権を買い受けることができる者として指定された者（以下「買受指定者」という。）は、同項の

期間の満了の日から二月以内に、建替えに参加しない旨を回答した区分所有者（その承継人を含む。）に対し、区分所有権及び敷地利用権を時価で売り渡すべきことを請求することができる。建替え決議があつた後にこの区分所有者から敷地利用権のみを取得した者（その承継人を含む。）の敷地利用権についても、同様とする。

(5) After the period under paragraph (3) has expired, each unit owner who was in favor of the resolution to reconstruct or each unit owner who has answered that they will participate in the reconstruction in accordance with the content of the resolution to reconstruct (including the successors of those unit owners), or any person who has been designated as the person who may purchase the unit ownership or the rights to use the grounds with the unanimous consent of the unit owners (hereinafter referred to as the "designated purchaser") may demand that the unit owners who have answered that they will not participate in the reconstruction (including their successors) sell and transfer their unit ownership and the rights to use the grounds at their market value, within two months from the day that the period under paragraph (2) expires. The same applies to the rights to use the grounds that are held by a person who has acquired only the rights to use the grounds from a unit owner who has answered that they will not participate in the reconstruction after the adoption of the resolution to reconstruct (including that person's successor).

6 前項の規定による請求があつた場合において、建替えに参加しない旨を回答した区分所有者が建物の明渡しによりその生活上著しい困難を生ずるおそれがあり、かつ、建替え決議の遂行に甚だしい影響を及ぼさないものと認めるべき顕著な事由があるときは、裁判所は、その者の請求により、代金の支払又は提供の日から一年を超えない範囲内において、建物の明渡しにつき相当の期限を許与することができる。

(6) If a request under the preceding paragraph has been made, and if a unit owner who has answered that they will not participate in the reconstruction is likely to suffer extreme difficulty in their daily life as a result of vacating the building and there are obvious grounds for finding that the evacuation will not have a significant influence on the implementation of the resolution to reconstruct, the court, at the request of that person, may grant the person a reasonable period to vacate the building, within the scope of one year from the day of the payment or provision of the purchase money.

7 建替え決議の日から二年以内に建物の取壊しの工事に着手しない場合には、第五項の規定により区分所有権又は敷地利用権を売り渡した者は、この期間の満了の日から六月以内に、買主が支払った代金に相当する金銭をその区分所有権又は敷地利用権を現在有する者に提供して、これらの権利を売り渡すべきことを請求することができる。ただし、建物の取壊しの工事に着手しなかつたことにつき正当な理由があるときは、この限りでない。

(7) If demolition work on the building has not commenced within two years after the day a resolution to reconstruct was adopted, within six months from the day of the expiration of that period, a person who has sold their unit ownership

or rights to use the grounds pursuant to the provisions of paragraph (5) may demand that the person who holds the unit ownership or the rights to use the grounds at the time in question sell and transfer those rights, by offering the current holder money equivalent to the purchase money paid to them by the purchaser; provided, however, that this does not apply if there are legitimate grounds for not commencing the demolition work on the building.

- 8 前項本文の規定は、同項ただし書に規定する場合において、建物の取壊しの工事の着手を妨げる理由がなくなつた日から六月以内にその着手をしないときに準用する。この場合において、同項本文中「この期間の満了の日から六月以内に」とあるのは、「建物の取壊しの工事の着手を妨げる理由がなくなつたことを知つた日から六月又はその理由がなくなつた日から二年のいずれか早い時期までに」と読み替えるものとする。

- (8) In the case prescribed in the proviso to the preceding paragraph, the provisions of the main clause of the preceding paragraph apply mutatis mutandis if demolition work on the building has not commenced within six months from the day on which the reasons preventing the commencement of the demolition work have ceased to exist. In such a case, the phrase "within six months from the day of the expiration of that period" in the main clause of the preceding paragraph is deemed to be replaced with "by the time six months have elapsed from the day on which the person who sold the unit ownership or the rights to use the grounds became aware that the reasons preventing the commencement of demolition work on the building have ceased to exist, or two years from the day on which those reasons ceased to exist, whichever comes earlier".

(建替えに関する合意)

(Agreement on Reconstruction)

第六十四条 建替え決議に賛成した各区分所有者、建替え決議の内容により建替えに参加する旨を回答した各区分所有者及び区分所有権又は敷地利用権を買い受けた各買受指定者（これらの者の承継人を含む。）は、建替え決議の内容により建替えを行う旨の合意をしたものとみなす。

Article 64 Each unit owner who was in favor of the resolution to reconstruct, each unit owner who answered that they will participate in the reconstruction in accordance with the content of the resolution to reconstruct, and each designated purchaser who purchased unit ownership or rights to use the grounds (including the successor of each of those persons) are deemed to have agreed to implement the reconstruction in accordance with the content of the resolution to reconstruct.

第二章 団地

Chapter II Housing Complexes

(団地建物所有者の団体)

(Association of Building Owners in a Housing Complex)

第六十五条 一団地内に数棟の建物があつて、その団地内の土地又は附属施設（これらに関する権利を含む。）がそれらの建物の所有者（専有部分のある建物にあつては、区分所有者）の共有に属する場合には、それらの所有者（以下「団地建物所有者」という。）は、全員で、その団地内の土地、附属施設及び専有部分のある建物の管理を行うための団体を構成し、この法律の定めるところにより、集会を開き、規約を定め、及び管理者を置くことができる。

Article 65 If two or more buildings are located in a single housing complex and the land or attached facilities located in the housing complex (including rights related to the land or facilities) is co-owned by the buildings' owners (or the unit owners, for buildings with exclusively-owned areas), all of those owners together (hereinafter referred to as the "owners of buildings in a housing complex") may organize an association to manage the land, attached facilities, and buildings with exclusively-owned areas that are located within the housing complex; and may hold meetings, establish bylaws, and assign a manager, pursuant to the provisions of this Act.

(建物の区分所有に関する規定の準用)

(Application Mutatis Mutandis of Provisions Concerning Unit Ownership in a Building)

第六十六条 第七条、第八条、第十七条から第十九条まで、第二十五条、第二十六条、第二十八条、第二十九条、第三十条第一項及び第三項から第五項まで、第三十一条第一項並びに第三十三条から第五十六条の七までの規定は、前条の場合について準用する。この場合において、これらの規定（第五十五条第一項第一号を除く。）中「区分所有者」とあるのは「第六十五条に規定する団地建物所有者」と、「管理組合法人」とあるのは「団地管理組合法人」と、第七条第一項中「共用部分、建物の敷地若しくは共用部分以外の建物の附属施設」とあるのは「第六十五条に規定する場合における当該土地若しくは附属施設（以下「土地等」という。）」と、「区分所有権」とあるのは「土地等に関する権利、建物又は区分所有権」と、第十七条、第十八条第一項及び第四項並びに第十九条中「共用部分」とあり、第二十六条第一項中「共用部分並びに第二十一条に規定する場合における当該建物の敷地及び附属施設」とあり、並びに第二十九条第一項中「建物並びにその敷地及び附属施設」とあるのは「土地等並びに第六十八条の規定による規約により管理すべきものと定められた同条第一項第一号に掲げる土地及び附属施設並びに同項第二号に掲げる建物の共用部分」と、第十七条第二項、第三十五条第二項及び第三項、第四十条並びに第四十四条第一項中「専有部分」とあるのは「建物又は専有部分」と、第二十九条第一項、第三十八条、第五十三条第一項及び第五十六条中「第十四条に定める」とあるのは「土地等（これらに関する権利を含む。）の持分の」と、第三十条第一項及び第四十六条第二項中「建物又はその敷地若しくは附属施設」とあるのは「土地等又は第六十八条第一項各号に掲げる

物」と、第三十条第三項中「専有部分若しくは共用部分又は建物の敷地若しくは附属施設（建物の敷地又は附属施設に関する権利を含む。）」とあるのは「建物若しくは専有部分若しくは土地等（土地等に関する権利を含む。）又は第六十八条の規定による規約により管理すべきものと定められた同条第一項第一号に掲げる土地若しくは附属施設（これらに関する権利を含む。）若しくは同項第二号に掲げる建物の共用部分」と、第三十三条第三項、第三十五条第四項及び第四十四条第二項中「建物内」とあるのは「団地内」と、第三十五条第五項中「第六十一条第五項、第六十二条第一項、第六十八条第一項又は第六十九条第七項」とあるのは「第六十九条第一項又は第七十条第一項」と、第四十六条第二項中「占有者」とあるのは「建物又は専有部分を占有する者で第六十五条に規定する団地建物所有者でないもの」と、第四十七条第一項中「第三条」とあるのは「第六十五条」と、第五十五条第一項第一号中「建物（一部共用部分を共用すべき区分所有者で構成する管理組合法人にあつては、その共用部分）」とあるのは「土地等（これらに関する権利を含む。）」と、同項第二号中「建物に専有部分が」とあるのは「土地等（これらに関する権利を含む。）が第六十五条に規定する団地建物所有者の共有で」と読み替えるものとする。

Article 66 The provisions of Article 7, Article 8, Articles 17 through 19, Article 25, Article 26, Article 28, Article 29, Article 30, paragraph (1), and paragraphs (3) through (5), Article 31, paragraph (1), and Articles 33 through 56-7 apply mutatis mutandis to the case referred to in the preceding Article. In such cases, the terms "unit owner" and "incorporated management association" in those provisions (excluding Article 55, paragraph (1), item (i)) are deemed to be replaced with "owners of the buildings in a housing complex as prescribed in Article 65" and "incorporated housing complex management association", respectively; the phrases "common areas, grounds of the building, or attached facilities of the building that are other than common areas" and "unit ownership" in Article 7, paragraph (1) are deemed to be replaced with "the land or the attached facilities (hereinafter referred to as the 'land or attached facilities) in the case referred to in Article 65" and "rights to the land or attached facilities, building, or unit ownership" respectively; the phrases "common areas" in Article 17, Article 18, paragraph (1) and paragraph (4), and Article 19, "the common areas, and the grounds and attached facilities of the relevant building in the case prescribed in Article 21" in Article 26, paragraph (1), and "the building, its grounds, and its attached facilities" in Article 29, paragraph (1) are deemed to be replaced with "the land or attached facilities, as well as the land or attached facilities set forth in Article 68, paragraph (1), item (i) and the common areas of the building set forth in Article 68, paragraph (1), item (ii) that are specified for management pursuant to the bylaws under the provisions of Article 68"; the term "exclusively-owned area" in Article 17, paragraph (2), Article 35, paragraph (2) and paragraph (3), Article 40, and Article 44, paragraph (1) is be deemed to be replaced with "building or exclusively-owned area"; the term "specified in Article 14" in Article 29,

paragraph (1), Article 38, Article 53, paragraph (1) and Article 56 is deemed to be replaced with "of the share in the land or attached facilities (including rights related to them)"; the phrase "building or its grounds or attached facilities" in Article 30, paragraph (1) and Article 46, paragraph (2) is deemed to be replaced with "land or attached facilities or the things set forth in the items of Article 68, paragraph (1)"; the phrase "the exclusively-owned areas or common areas or the grounds or attached facilities of the building (including the rights related to them)" in Article 30, paragraph (3) is deemed to be replaced with "the building or common areas, or land or attached facilities (including rights related to them), or the land or attached facilities set forth in Article 68, paragraph (1), item (i) (including rights related to them) or the common areas of the building set forth in Article 68, paragraph (1), item (ii) that are specified for management pursuant to the bylaws under the provisions of Article 68"; the phrase "within the building" in Article 33, paragraph (3), Article 35, paragraph (4), and Article 44, paragraph (2) is deemed to be replaced with "within the housing complex"; the phrase "Article 61, paragraph (5), Article 62, paragraph (1), Article 68, paragraph (1) or Article 69, paragraph (7)" in Article 35, paragraph (5) is deemed to be replaced with "Article 69, paragraph (1), or Article 70, paragraph (1)"; the term "possessor" in Article 46, paragraph (2) is deemed to be replaced with "the person who possesses a building or an exclusively-owned area but who is not the owner of a building in the housing complex as prescribed in Article 65"; the term "Article 3" in Article 47, paragraph (1) is deemed to be replaced with "Article 65"; the phrase "building (or, for an incorporated management association consisting of unit owners who should have common use of private common areas, the total destruction of those common areas)" in Article 55, paragraph (1), item (i) is deemed to be replaced with "land or attached facilities (including rights related to them)"; and the phrase "the exclusively-owned areas in the building have ceased to exist" in Article 55, paragraph (1), item (ii) is deemed to be replaced with "the land or attached facilities (including rights related to them) has ceased to be jointly held by the owners of the buildings in the housing complex as prescribed in Article 65".

(団地共用部分)

(Common Areas in a Housing Complex)

第六十七条 一団地内の附属施設たる建物（第一条に規定する建物の部分を含む。）は、前条において準用する第三十条第一項の規約により団地共用部分とすることができる。この場合においては、その旨の登記をしなければ、これをもって第三者に対抗することができない。

Article 67 (1) The bylaws referred to in Article 30, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article may establish that a

building (inclusive of a portion of a building provided for in Article 1) constituting the attached facilities of a single housing complex is a common area in a housing complex. This being the case, a common area may not be asserted against a third party as a common area unless it is registered as such.

2 一団地内の数棟の建物の全部を所有する者は、公正証書により、前項の規約を設定することができる。

(2) A person who wholly owns two or more buildings that are located in a single housing complex may establish bylaws under the preceding paragraph by a notarial deed.

3 第十一条第一項本文及び第三項並びに第十三条から第十五条までの規定は、団地共用部分に準用する。この場合において、第十一条第一項本文中「区分所有者」とあるのは「第六十五条に規定する団地建物所有者」と、第十四条第一項及び第十五条中「専有部分」とあるのは「建物又は専有部分」と読み替えるものとする。

(3) The provisions of the main clause of Article 11, paragraph (1), Article 11, paragraph (3), and Articles 13 through 15 apply mutatis mutandis to the common areas in a housing complex. This being the case, the term "unit owner" in the main clause of Article 11, paragraph (1) is deemed to be replaced with "the owner of a building in the housing complex as prescribed in Article 65" and the term "exclusively-owned area" in Article 14, paragraph (1) and Article 15 is deemed to be replaced with "building or exclusively-owned area".

(規約の設定の特例)

(Special Provisions on the Establishment of Bylaws)

第六十八条 次の物につき第六十六条において準用する第三十条第一項の規約を定めるには、第一号に掲げる土地又は附属施設にあつては当該土地の全部又は附属施設の全部につきそれぞれ共有者の四分の三以上でその持分の四分の三以上を有するものの同意、第二号に掲げる建物にあつてはその全部につきそれぞれ第三十四条の規定による集会における区分所有者及び議決権の各四分の三以上の多数による決議があることを要する。

Article 68 (1) In order to establish the bylaws referred to in Article 30, paragraph (1) as applied mutatis mutandis pursuant to Article 66 concerning the following things, for the land or attached facilities set forth in item (i), the consent of more than three-fourths of the co-owners who hold more than a three-fourths share in all of the land or all of the attached facilities is required, and for the building set forth in item (ii), the adoption of a resolution by at least a three-fourths majority of the unit holders and a four-fifths majority of the votes, at a meeting under the provisions of Article 34 for the whole building is required:

一 一団地内の土地又は附属施設（これらに関する権利を含む。）が当該団地内の一部の建物の所有者（専有部分のある建物にあつては、区分所有者）の共有に属する場合における当該土地又は附属施設（専有部分のある建物以外の建物の所有者のみ

の共有に属するものを除く。)

(i) the land or attached facilities that are located in a single housing complex (including rights related to the land or facilities), if these are co-owned by the owners of some of the buildings located in the housing complex (or unit owners, for buildings with exclusively-owned areas) (excluding land and attached facilities co-owned only by the owners of buildings not constituting buildings with exclusively-owned areas); and

二 当該団地内の専有部分のある建物

(ii) a building with exclusively-owned areas that is located in the housing complex.

2 第三十一条第二項の規定は、前項第二号に掲げる建物の一部共用部分に関する事項で区分所有者全員の利害に関係しないものについての同項の集会の決議に準用する。

(2) The provisions of Article 31, paragraph (2) apply mutatis mutandis to a meeting resolution referred to in the preceding paragraph for the matters concerning the private common areas of the building set forth in item (ii) of the preceding paragraph that do not affect the interests of all of the unit owners.

(団地内の建物の建替え承認決議)

(Resolutions to Approve the Reconstruction of Buildings Located in a Housing Complex)

第六十九条 一団地内にある数棟の建物（以下この条及び次条において「団地内建物」という。）の全部又は一部が専有部分のある建物であり、かつ、その団地内の特定の建物（以下この条において「特定建物」という。）の所在する土地（これに関する権利を含む。）が当該団地内建物の第六十五条に規定する団地建物所有者（以下この条において単に「団地建物所有者」という。）の共有に属する場合においては、次の各号に掲げる区分に応じてそれぞれ当該各号に定める要件に該当する場合であつて当該土地（これに関する権利を含む。）の共有者である当該団地内建物の団地建物所有者で構成される同条に規定する団体又は団地管理組合法人の集会において議決権の四分の三以上の多数による承認の決議（以下「建替え承認決議」という。）を得たときは、当該特定建物の団地建物所有者は、当該特定建物を取り壊し、かつ、当該土地又はこれと一体として管理若しくは使用をする団地内の土地（当該団地内建物の団地建物所有者の共有に属するものに限る。）に新たに建物を建築することができる。

Article 69 (1) If some or all of the buildings in a single housing complex (hereinafter referred to as the "buildings in a housing complex" in this Article and the following Article) are buildings with exclusively-owned areas, and the land on which a specific building in the housing complex (hereinafter referred to as a "specific building" in this Article) is located is co-owned by the owners of buildings in a housing complex provided for in Article 65 (hereinafter simply referred to as the "owners of the buildings in the housing complex" in this Article) who own the buildings in the relevant housing complex, and if the requirements that the relevant of the following items specifies for the category

set forth in that item are satisfied and a resolution for approval has been adopted by at least a three-fourths majority of the votes at the meeting of the association provided for in Article 65 that has been organized by the owners of the buildings in that housing complex who are the co-owners of the land (including the rights related to it) or the incorporated housing complex management association (such a resolution is hereinafter referred to as the "resolution to approve reconstruction"), the owners of buildings in that housing complex who own the specific building may demolish the specific building and construct a new building on the land or on land within the housing complex that is managed or used as a single unit with that land (limited to the land co-owned by the owners of the buildings in the housing complex):

一 当該特定建物が専有部分のある建物である場合 その建替え決議又はその区分所有者の全員の同意があること。

(i) if the specific building is a building with exclusively-owned areas: a resolution to reconstruct has been adopted for the specific building or the consent of all of the unit owners of that specific building has been obtained;
or

二 当該特定建物が専有部分のある建物以外の建物である場合 その所有者の同意があること。

(ii) if the specific building is a building other than a building with exclusively-owned areas: the consent of the owners of that specific building has been obtained.

2 前項の集会における各団地建物所有者の議決権は、第六十六条において準用する第三十八条の規定にかかわらず、第六十六条において準用する第三十条第一項の規約に別段の定めがある場合であつても、当該特定建物の所在する土地（これに関する権利を含む。）の持分の割合によるものとする。

(2) Notwithstanding the provisions of Article 38 as applied mutatis mutandis pursuant to Article 66, the voting rights of each owner of the buildings in a housing complex at the meeting referred to in the preceding paragraph are to be in proportion to the share in the land on which the specific building is located (including rights related to that land), even if it is otherwise provided for in the bylaws referred to in Article 30, paragraph (1) as applied mutatis mutandis pursuant to Article 66.

3 第一項各号に定める要件に該当する場合における当該特定建物の団地建物所有者は、建替え承認決議においては、いずれもこれに賛成する旨の議決権の行使をしたものとみなす。ただし、同項第一号に規定する場合において、当該特定建物の区分所有者が団地内建物のうち当該特定建物以外の建物の敷地利用権に基づいて有する議決権の行使については、この限りでない。

(3) Owners of a building in a housing complex who own the specific building for which the requirements specified in the items of paragraph (1) are satisfied are deemed to have exercised voting rights in favor of the resolution to approve

reconstruction; provided, however, that this does not apply to the exercise of voting rights by the unit owners of the specific building who hold the voting rights based on the right to use the grounds of a building other than the specific building from among the buildings in the housing complex, in the case prescribed in paragraph (1), item (i).

4 第一項の集会を招集するときは、第六十六条において準用する第三十五条第一項の通知は、同項の規定にかかわらず、当該集会の会日より少なくとも二个月前に、同条第五項に規定する議案の要領のほか、新たに建築する建物の設計の概要（当該建物の当該団地内における位置を含む。）をも示して発しなければならない。ただし、この期間は、第六十六条において準用する第三十条第一項の規約で伸長することができる。

(4) Notwithstanding the provisions of Article 35, paragraph (1), if a meeting under paragraph (1) is convened, the notice under Article 35, paragraph (1) as applied mutatis mutandis pursuant to Article 66 must indicate an outline of the design of the building that is to be newly constructed (including the place in the housing complex where the building is to be located) in addition to the outline of the proposal provided for in Article 35, paragraph (5), and be sent by at least two months prior to the meeting date; provided, however, that this period may be extended by the bylaws referred to in Article 30, paragraph (1) as applied mutatis mutandis pursuant to Article 66.

5 第一項の場合において、建替え承認決議に係る建替えが当該特定建物以外の建物（以下この項において「当該他の建物」という。）の建替えに特別の影響を及ぼすべきときは、次の各号に掲げる区分に応じてそれぞれ当該各号に定める者が当該建替え承認決議に賛成しているときに限り、当該特定建物の建替えをすることができる。

(5) In the case referred to in paragraph (1), if the reconstruction under a resolution to approve reconstruction will have a special influence on the reconstruction of a building other than the specific building (hereinafter referred to as "the other building" in this paragraph), the specific building may only be reconstructed if the persons specified in the relevant of the following items for the category set forth in that item are in favor of the resolution to approve reconstruction:

一 当該他の建物が専有部分のある建物である場合 第一項の集会において当該他の建物の区分所有者全員の議決権の四分の三以上の議決権を有する区分所有者

(i) if the other building is a building with exclusively-owned areas: unit owners who hold at least three-fourths of the voting rights of all of the other building's unit owners at the meeting referred to in paragraph (1); or

二 当該他の建物が専有部分のある建物以外の建物である場合 当該他の建物の所有者

(ii) if the other building is a building other than a building with exclusively-owned areas: the owner of the other building.

6 第一項の場合において、当該特定建物が二以上あるときは、当該二以上の特定建物の団地建物所有者は、各特定建物の団地建物所有者の合意により、当該二以上の特定

建物の建替えについて一括して建替え承認決議に付することができる。

(6) In the case referred to in paragraph (1), if there are two or more specific buildings, the owners of buildings in the housing complex who own them may bring a resolution to approve the reconstruction of all of those buildings, with the consent of the owners of the buildings in a housing complex for each specific building.

7 前項の場合において、当該特定建物が専有部分のある建物であるときは、当該特定建物の建替えを会議の目的とする第六十二条第一項の集会において、当該特定建物の区分所有者及び議決権の各五分の四以上の多数で、当該二以上の特定建物の建替えについて一括して建替え承認決議に付する旨の決議をすることができる。この場合において、その決議があつたときは、当該特定建物の団地建物所有者（区分所有者に限る。）の前項に規定する合意があつたものとみなす。

(7) In the case referred to in the preceding paragraph, if the specific buildings are buildings with exclusively-owned areas, a resolution to bring a resolution to approve the reconstruction of all of those buildings may be adopted by at least a four-fifths majority of the unit owners of the specific buildings and at least a four-fifths majority of the votes, at a meeting referred to in Article 62, paragraph (1) for which the reconstruction of the specific buildings is the subject matter. In such a case, if the resolution is adopted, the consent prescribed in the preceding paragraph is deemed to have been obtained from the owners of the buildings in the housing complex who own the specific buildings (limited to unit owners).

（団地内の建物の一括建替え決議）

(Resolutions to Reconstruct All Buildings Located in a Housing Complex)

第七十条 団地内建物の全部が専有部分のある建物であり、かつ、当該団地内建物の敷地（団地内建物が所在する土地及び第五条第一項の規定により団地内建物の敷地とされた土地をいい、これに関する権利を含む。以下この項及び次項において同じ。）が当該団地内建物の区分所有者の共有に属する場合において、当該団地内建物について第六十八条第一項（第一号を除く。）の規定により第六十六条において準用する第三十条第一項の規約が定められているときは、第六十二条第一項の規定にかかわらず、当該団地内建物の敷地の共有者である当該団地内建物の区分所有者で構成される第六十五条に規定する団体又は団地管理組合法人の集会において、当該団地内建物の区分所有者及び議決権の各五分の四以上の多数で、当該団地内建物につき一括して、その全部を取り壊し、かつ、当該団地内建物の敷地（これに関する権利を除く。以下この項において同じ。）若しくはその一部の土地又は当該団地内建物の敷地の全部若しくは一部を含む土地（第三項第一号においてこれらの土地を「再建団地内敷地」という。）に新たに建物を建築する旨の決議（以下この条において「一括建替え決議」という。）をすることができる。ただし、当該集会において、当該各団地内建物ごとに、それぞれその区分所有者の三分の二以上の者であつて第三十八条に規定する議決権の合計の三分の二以上の議決権を有するものがその一括建替え決議に賛成した場合でな

なければならない。

Article 70 (1) Notwithstanding the provisions of Article 62, paragraph (1), if all of the buildings in a housing complex are buildings with exclusively-owned areas, and the grounds of the relevant buildings in the housing complex (meaning the land on which the buildings in a housing complex are located and the land that has been established as part of the grounds of the buildings in a housing complex pursuant to the provisions of Article 5, paragraph (1), and including the rights related to that land; hereinafter the same applies in this paragraph and the following paragraph) are co-owned by the unit owners of the buildings in the housing complex, and the bylaws referred to in Article 30, paragraph (1) as applied mutatis mutandis pursuant to Article 66 have been established for the buildings in the housing complex pursuant to the provisions of Article 68, paragraph (1) (excluding item (i)), a resolution regarding the buildings in a housing complex may be adopted to demolish all of the buildings in the housing complex and construct new buildings on the their grounds (exclusive of the rights related to those grounds; hereinafter the same applies in this paragraph), on part of that land, or on land that includes all or part of the grounds of the buildings in the housing complex (such land is referred to as the "grounds within the reconstructed housing complex" in paragraph (3), item (i)) (hereinafter the resolution is referred to as the "resolution to reconstruct all buildings" in this Article), by at least a four-fifths majority of the unit owners of the relevant buildings in the housing complex and by at least a four-fifths majority of the votes, at a meeting of the association prescribed in Article 65 that consists of the unit owners of the buildings in the housing complex who are the co-owners of the grounds of the buildings in the housing complex, or at a meeting of an incorporated housing complex association; provided, however, that this is limited to cases in which, at that meeting, at least two-thirds of the unit owners who hold at least two-thirds of the total votes prescribed in Article 38 for each building in the housing complex were in favor of the resolution to reconstruct all buildings.

2 前条第二項の規定は、前項本文の各区分所有者の議決権について準用する。この場合において、前条第二項中「当該特定建物の所在する土地（これに関する権利を含む。）」とあるのは、「当該団地内建物の敷地」と読み替えるものとする。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the voting rights of each unit owner referred to in the main clause of the preceding paragraph. In such a case, the phrase "the land where the specific building is located (including the rights related to that land)" in paragraph (2) of the preceding Article is deemed to be replaced with "the grounds of the buildings in the housing complex".

3 団地内建物の一括建替え決議においては、次の事項を定めなければならない。

(3) The following matters must be established by a resolution to reconstruct all

buildings in a housing complex:

一 再建団地内敷地の一体的な利用についての計画の概要

(i) an outline of the plan for the integrated use of the grounds of the reconstructed housing complex;

二 新たに建築する建物（以下この項において「再建団地内建物」という。）の設計の概要

(ii) an outline of the designs of the buildings that are to be newly constructed (hereinafter referred to as the "reconstructed buildings in the housing complex" in this paragraph);

三 団地内建物の全部の取壊し及び再建団地内建物の建築に要する費用の概算額

(iii) the estimated amount of expenses necessary for the demolition of all of the buildings in the housing complex and for constructing the reconstructed buildings in the housing complex;

四 前号に規定する費用の分担に関する事項

(iv) matters concerning the sharing of expenses provided for in the preceding item; and

五 再建団地内建物の区分所有権の帰属に関する事項

(v) matters concerning the attribution of unit ownership in the reconstructed buildings in the housing complex.

4 第六十二条第三項から第八項まで、第六十三条及び第六十四条の規定は、団地内建物の一括建替え決議について準用する。この場合において、第六十二条第三項中「前項第三号及び第四号」とあるのは「第七十条第三項第四号及び第五号」と、同条第四項中「第一項に規定する」とあるのは「第七十条第一項に規定する」と、「第三十五条第一項」とあるのは「第六十六条において準用する第三十五条第一項」と、「規約」とあるのは「第六十六条において準用する第三十条第一項の規約」と、同条第五項中「第三十五条第一項」とあるのは「第六十六条において準用する第三十五条第一項」と、同条第七項中「第三十五条第一項から第四項まで及び第三十六条」とあるのは「第六十六条において準用する第三十五条第一項から第四項まで及び第三十六条」と、「第三十五条第一項ただし書」とあるのは「第六十六条において準用する第三十五条第一項ただし書」と、同条第八項中「前条第六項」とあるのは「第六十一条第六項」と読み替えるものとする。

(4) The provisions of Article 62, paragraphs (3) through (8), Article 63, and Article 64 apply mutatis mutandis to a resolution to reconstruct all buildings in a housing complex. In such a case, the phrase "item (iii) and item (iv) of the preceding paragraph" in Article 62, paragraph (3) is deemed to be replaced with "Article 70, paragraph (3), item (iv) and item (v)"; the phrases "prescribed in paragraph (1)", "Article 35, paragraph (1)", and "bylaws" in Article 62, paragraph (4) are deemed to be replaced with "prescribed in Article 70, paragraph (1)", "Article 35, paragraph (1) as applied mutatis mutandis pursuant to Article 66", and "the bylaws referred to in Article 30, paragraph (1) as applied mutatis mutandis pursuant to Article 66", respectively; the phrase

"Article 35, paragraph (1)" in Article 62, paragraph (5) is deemed to be replaced with "Article 35, paragraph (1) as applied mutatis mutandis pursuant to Article 66"; the phrases "Article 35, paragraphs (1) through (4) and Article 36" and "the proviso to Article 35, paragraph (1)" in Article 62, paragraph (7) are deemed to be replaced with "Article 35, paragraphs (1) through (4) and Article 36 as applied mutatis mutandis pursuant to Article 66" and "the proviso to Article 35, paragraph (1) as applied mutatis mutandis pursuant to Article 66", respectively; and the phrase "paragraph (6) of the preceding Article" in Article 62, paragraph (8) is deemed to be replaced with "Article 61, paragraph (6)".

第三章 罰則

Chapter III Penal Provisions

第七十一条 次の各号のいずれかに該当する場合には、その行為をした管理者、理事、規約を保管する者、議長又は清算人は、二十万円以下の過料に処する。

Article 71 In cases that fall under any of the following items, the manager, director, person retaining the bylaws, chairperson, or liquidator who has performed the acts set forth in that item is punished by a civil fine of not more than 200 thousand yen:

一 第三十三条第一項本文（第四十二条第五項及び第四十五条第四項（これらの規定を第六十六条において準用する場合を含む。）並びに第六十六条において準用する場合を含む。以下この号において同じ。）又は第四十七条第十二項（第六十六条において準用する場合を含む。）において読み替えて適用される第三十三条第一項本文の規定に違反して、規約、議事録又は第四十五条第四項（第六十六条において準用する場合を含む。）の書面若しくは電磁的記録の保管をしなかつたとき。

(i) if the person has failed to retain the bylaws, minutes, or documents, or electronic or magnetic records referred to in Article 45, paragraph (4) (including as applied mutatis mutandis pursuant to Article 66), in violation of the provisions of the main clause of Article 33, paragraph (1) (including as applied mutatis mutandis pursuant to Article 42, paragraph (5) and Article 45, paragraph (4) (including as applied mutatis mutandis pursuant to Article 66) and Article 66; hereinafter the same applies in this item) or the main clause of Article 33, paragraph (1) as applied pursuant to Article 47, paragraph (12) following the deemed replacement of terms (including as applied mutatis mutandis pursuant to Article 66);

二 第三十三条第二項（第四十二条第五項及び第四十五条第四項（これらの規定を第六十六条において準用する場合を含む。）並びに第六十六条において準用する場合を含む。）の規定に違反して、正当な理由がないのに、前号に規定する書類又は電磁的記録に記録された情報の内容を法務省令で定める方法により表示したものの閲覧を拒んだとき。

(ii) if the person has refused to offer for inspection the documents or content of

the data recorded in the electronic or magnetic records prescribed in the preceding item, displayed through a means that is specified by Ministry of Justice Order without legitimate grounds, in violation of the provisions of Article 33, paragraph (2) (including as applied mutatis mutandis pursuant to Article 42, paragraph (5) and Article 45, paragraph (4) (including as applied mutatis mutandis pursuant to Article 66) and Article 66);

三 第四十二条第一項から第四項まで（これらの規定を第六十六条において準用する場合を含む。）の規定に違反して、議事録を作成せず、又は議事録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をしたとき。

(iii) if the person has failed to prepare minutes, or to enter or record the matters required to be entered or recorded in the minutes, or has made a false statement or record, in violation of the provisions of Article 42, paragraphs (1) through (4) (including as applied mutatis mutandis pursuant to Article 66);

四 第四十三条（第四十七条第十二項（第六十六条において準用する場合を含む。）において読み替えて適用される場合及び第六十六条において準用する場合を含む。）の規定に違反して、報告をせず、又は虚偽の報告をしたとき。

(iv) if the person has failed to make a report or has made a false report, in violation of the provisions of Article 43 (including as applied pursuant to Article 47, paragraph (12) (including as applied mutatis mutandis pursuant to Article 66) following the deemed replacement of terms and as applied mutatis mutandis pursuant to Article 66);

五 第四十七条第三項（第六十六条において準用する場合を含む。）の規定に基づく政令に定める登記を怠ったとき。

(v) if the person has neglected to make the registration specified by Cabinet Order based on the provisions of Article 47, paragraph (3) (including as applied mutatis mutandis pursuant to Article 66);

六 第四十八条の二第一項（第六十六条において準用する場合を含む。）の規定に違反して、財産目録を作成せず、又は財産目録に不正の記載若しくは記録をしたとき。

(vi) if the person has failed to prepare an inventory of assets, or has made a false entry or record in the inventory of assets, in violation of the provisions of Article 48-2, paragraph (1) (including as applied mutatis mutandis pursuant to Article 66);

七 理事若しくは監事が欠けた場合又は規約で定めたその員数が欠けた場合において、その選任手続を怠ったとき。

(vii) if there are no directors or auditors or if there is a vacancy that results in a shortfall in the numbers of directors or auditors prescribed in the bylaws, and the person has neglected to follow the procedures for appointing someone to the relevant position;

八 第五十五条の七第一項又は第五十五条の九第一項（これらの規定を第六十六条に

において準用する場合を含む。)の規定による公告を怠り、又は不正の公告をしたとき。

(viii) if the person has neglected to give public notice under the provisions of Article 55-7, paragraph (1) or Article 55-9, paragraph (1) (including as applied mutatis mutandis pursuant to Article 66), or has given a false public notice;

九 第五十五条の九第一項（第六十六条において準用する場合を含む。）の規定による破産手続開始の申立てを怠ったとき。

(ix) if the person has neglected to file a petition to commence bankruptcy proceedings under the provisions of Article 55-9, paragraph (1) (including as applied mutatis mutandis pursuant to Article 66); or

十 第五十六条の二第二項（第六十六条において準用する場合を含む。）の規定による検査を妨げたとき。

(x) if the person has obstructed an inspection under the provisions of Article 56-2, paragraph (2) (including as applied mutatis mutandis pursuant to Article 66).

第七十二条 第四十八条第二項（第六十六条において準用する場合を含む。）の規定に違反した者は、十万円以下の過料に処する。

Article 72 A person violating the provisions of Article 48, paragraph (2) (including as applied mutatis mutandis pursuant to Article 66) is punished by a civil fine of not more than 100 thousand yen.