

# Regulations on Real Property Registration

(Ministry of Justice Order No. 18 of February 18, 2005)

In accordance with the enforcement of the Real Property Registration Act (Act No.123 of 2004) and the Real Property Registration Order (Cabinet Order No.379 of 2004), based on the provisions of the same Act and the same Order, and in order to implement the provisions of the same Act and the same Order, the Ministerial Order to amend fully the Detailed Regulation for Enforcement of the Real Property Registration Act (Ministry of Justice Ordinance No.11 of 1899) is established as follows.

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Chapter II Registration Record, etc.

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## **Chapter I General Provisions**

(Definitions)

Article 1 In this Ministerial Order, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

- (i) order number of priority: the number to be recorded in the rights section pursuant to the provisions of Article 147, paragraph (1);
- (ii) a map and related documents: a map, building location picture or drawing equivalent to a map;
- (iii) electronic application: an application made by a method using an electronic data processing system pursuant to the provisions of Article 18, item (i) of

- the Real Property Registration Act (hereinafter referred to as the "Act");
- (iv) written application: an application made by the method of submitting the application referred to in the following item to a registry office pursuant to the provisions of Article 18, item (ii) of the Act;
  - (v) application: a document stating application information and including a magnetic disk referred to in Article 18, item (ii) of the Act;
  - (vi) attachments: documents stating attached information and including a magnetic disk on which attached information referred to in Article 15 of the Real Property Registration Order (hereinafter simply referred to as the "Order") is recorded;
  - (vii) land location picture or other pictures: a land location picture, parcel area survey drawing, servitude drawing, building drawing or plan of each floor;
  - (viii) real property number: the number, mark or other code to be recorded in the heading section pursuant to the provisions of Article 90; and
  - (ix) matters related to real property location: the city ("shi"), ward ("ku"), county ("gun"), town ("machi"), village ("mura") and "aza" where the real property is located (in the case of a building which is a condominium unit, the city ("shi"), ward ("ku"), county ("gun"), town ("machi"), village ("mura") and "aza" where the single building to which the building belongs as its unit is located), and in the case of land, the parcel number; and in the case of a building, the parcel number of the land where the building is located (in the case of a building which is a condominium unit, the parcel number of the land where the single building to which the building belongs as its unit is located) and the building number.

(Chronological Order of Registration)

- Article 2 (1) The chronological order of registrations follows the order number of priority between registrations that are made in the same section of the registration record (meaning Section A or Section B referred to in Article 4, paragraph 4; the same applies hereinafter) and the acceptance number between registrations that are made in different sections.
- (2) With regard to the registration of rights as prescribed in Article 73, paragraph (1) of the Act, the chronological order between registrations that have the effect of registrations made for the right of site over the land for which registration for categorization as a right of site has been made pursuant to the provision of Article 46 of the Act, and registrations that are made in the rights section of the registration record of the land follow the receipt number.

(Supplemental registrations)

- Article 3 The following registrations are to be made by supplemental registrations:

- (i) registration of change or registration of correction with regard to the name or address of the registered right holder;
- (ii) the following registrations and other registrations of change or registrations of correction of rights in the cases as prescribed in Article 66 of the Act:
  - (a) registration of change of mortgage by reason of division of the claim;
  - (b) registration of agreement referred to in Article 398-8, paragraph (1) or (2) of the Civil Code (Act No.89 of 1896) (including as applied mutatis mutandis pursuant to Article 361 of the same Code);
  - (c) registration of change due to a reduction of the maximum amount that is implemented in cases where a revolving pledge or revolving mortgage is assigned by division as prescribed in Article 398-12, paragraph (2) of the Civil Code (including as applied mutatis mutandis pursuant to Article 361 of the same Code); and
  - (d) registration of the provisions referred to in the proviso to Article 398-14, paragraph (1) of the Civil Code (including as applied mutatis mutandis pursuant to Article 361 of the same Code);
- (iii) restoration of a cancelled registration that is performed when part of the matters to be registered have been cancelled;
- (iv) registration of a right that is established for a right other than ownership (including a registration of restriction of disposition);
- (v) registration of transfer of a right other than ownership;
- (vi) registration of provisions concerning the extinction of the right that is the purpose of registration;
- (vii) registration of subrogation pursuant to the provisions of Article 393 of the Civil Code (including as applied mutatis mutandis pursuant to Article 361 of the same Code);
- (viii) registration of the issuance of mortgage securities or preparation of mortgage securities; and
- (ix) registration of a special agreement on redemption.

## **Chapter II Registration Record, etc.**

### **Section 1 Registration Record**

(Organization of Registration Records)

Article 4 (1) The heading section of the registration record of land is to be categorized by the sections set forth in Section I of Appended Table I and the matters set forth in Section II of the same table are to be recorded in the section set forth in Section I of the same table.

(2) The heading section of the registration record of a building (excluding those buildings referred to in the following paragraph) is to be categorized by the

sections set forth in Section I of Appended Table II and the matters set forth in Section II of the table are to be recorded in the sections set forth in Section I of the same table.

- (3) The heading section of the registration record of a building that is a condominium unit is to be categorized by the sections set forth in Section I of Appended Table III and the matters set forth in Section II of the same table are to be recorded in the sections set forth in Section I of the same table.
- (4) The rights section is to be categorized into Section A and Section B: the matters to be registered of the registration of ownership are to be recorded in Section A and the matters to be registered of the registration of rights other than ownership are to be recorded in Section B.

(Transfer or Copy of a Registration Record)

Article 5 (1) If a registrar transfers or copies a registration, unless otherwise provided for in the laws and regulations, they must only transfer or copy registrations that are currently effective.

- (2) When a registrar has transferred or copied a registration, they must record the date at the end of the registration that has been newly recorded.
- (3) When a registrar has transferred a registration, they must close the registration record before the transfer.

(Transfer of a Registration Record due to Excessive Recorded Matters)

Article 6 If the handling of the recorded matters becomes inconvenient due to an excessive amount of the matters recorded in the registration record and other reasons, a registrar may transfer the registration. In this case, the registrations of a description and registrations of ownership that are not currently effective may also be transferred.

(Record of Registrar Identification Code)

Article 7 If a registrar records matters to be registered in the registration record, records cancellation codes of matters to be registered, or copies or transfers a registration, they must record their registrar identification code. The same applies when they record matters to be recorded in the inventory of joint securities or inventory of trust or record the cancellation codes of matters that have been recorded.

(Closure of a Registration Record)

Article 8 If a registrar closes registration records, in addition to recording the reasons for the closure, the date of closure and the cancellation code of the description of real property in the registration record to be closed (excluding matters to be registered set forth in Article 27, item (i) of the Act), they must

record their registrar identification code.

(Deputy Registration Records)

Article 9 (1) The Minister of Justice is to prepare a deputy registration record in which the same matters as the matters recorded in the registration record (including the matters recorded in an inventory of joint security and an inventory of trust) are recorded.

(2) If a registrar cannot engage in registration affairs using the registration record that is recorded in the register, they may engage in the affairs using the deputy registration record referred to in the preceding paragraph. In this case, the matters recorded in the deputy registration record are deemed to serve as the matters recorded in the registration record.

(3) If a registrar is again able to engage in registration affairs using the registration record that is recorded in the register, they must immediately record the matters that were recorded in the deputy registration record pursuant to the provisions of the preceding paragraph to the register.

## **Section 2 A Map and Related Documents**

(A Map)

Article 10 (1) A map is to be prepared for each numbered district or appropriate part thereof based on the results of accurate surveys and investigation; provided, however, that if there are special grounds that are found to be appropriate for preparing the map by deeming the whole or part of a numbered district and adjoining districts thereto to be an integrated district, the map may be prepared including the adjoining districts.

(2) The reduction scale of a map is to follow the reduction scales specified in the following items for the areas set forth in those items; provided, however, that this does not apply in cases where it is not appropriate to follow the reduction scale due to the conditions of the land and other circumstances:

(i) urban areas (meaning areas that are primarily residential land and areas peripheral thereto; the same applies hereinafter): 1/250th or 1/500th;

(ii) rural and agricultural areas (meaning areas that are primarily rice fields or other crops and salt farms and areas peripheral thereto; the same applies hereinafter): 1/500th or 1/1,000th; and

(iii) forests and wilderness areas (meaning areas that are primarily forests, stock farms or wilderness and areas peripheral thereto; the same applies hereinafter): 1/1,000th or 1/2,500th.

(3) The survey for preparing a map is to be conducted based on a triangulation station and GPS-based control station that are the results of basic surveys under the provisions of Chapter II of the Survey Act (Act No. 188 of 1949), a

control point that is certified pursuant to the provisions of Article 19, paragraph (2) of the National Land Survey Act (Act No.180 of 1951) or designated pursuant to the provisions of paragraph (5) of the same Article, or a control point that is found to have the same or more accuracy than these points (hereinafter collectively referred to as "basic triangulation points, etc.").

- (4) The margin of error for the survey of a parcel of land and the measurement of parcel areas in order to prepare a map is to be as follows:
- (i) for urban areas: up to the accuracy category A II set forth in Appended Table 4 of the Enforcement Order of the National Land Survey Act (Cabinet Order No.59 of 1952) (hereinafter referred to as the "accuracy category");
  - (ii) for rural and agricultural areas: up to the accuracy category B I; and
  - (iii) for forests and wilderness areas: up to the accuracy category B III.
- (5) The cadastral map that is sent to a registry office pursuant to the provisions of Article 20, paragraph (1) of the National Land Survey Act is to be kept as a map after registration under the provisions of paragraph (2) or (3) of the same Article is completed; provided, however, that this does not apply in cases where there are special circumstances to find that it is inappropriate to keep it as a map.
- (6) The provisions of the preceding paragraph apply mutatis mutandis to location pictures for the entire land referred to in Article 5, paragraph (2), item (iii) of the Land Improvement Registration Order (Cabinet Order No.146 of 1951) or Article 4, paragraph (2), item (iii) of the Land Readjustment Registration Order (Cabinet Order No.221 of 1955), or other drawings equivalent thereto.

#### (Building Location Pictures)

Article 11 (1) A building location picture may be prepared by using a map or a building drawing.

- (2) Notwithstanding the provisions of the preceding paragraph, location pictures of all of the buildings referred to in Article 6, paragraph (2) of the Cabinet Order on Real Property Registration based on the New Housing and Urban Development Act (Cabinet Order No.330 of 1965) (including as applied mutatis mutandis pursuant to Articles 11 through 13 of the same Order) or other drawings equivalent thereto are to be kept as building location pictures; provided, however, that this does not apply when there are special circumstances to find that it is inappropriate to keep them as building location pictures.

#### (A Map and Related Documents Closure)

Article 12 (1) In cases where a new map is kept, and if a previous map exists, a registrar must close all or part of the previous map. The same applies when a map is recorded as an electronic or magnetic record.

- (2) When a registrar closes a map pursuant to the provisions of the preceding paragraph, in addition to recording the reasons for closure and the date on the map; if the map is a map recorded in an electronic or magnetic record, they must record their registrar identification code; and if the map is categorized as another type of map, they must affix their registrar seal.
- (3) If a registrar closes part of a previous map, they must take measures to distinguish the closed part and the other parts clearly.
- (4) The provisions of the preceding three paragraphs apply mutatis mutandis to drawings equivalent to maps and building location pictures.

(Matters to be Recorded on a Map)

Article 13 (1) The following matters are to be recorded on a map:

- (i) the name of the numbered district;
  - (ii) the map number (in cases where the map is prepared beyond multiple map borders, the number of each map border);
  - (iii) the reduction scale;
  - (iv) the number or mark of the plane rectangular coordinate system as prescribed in Article 2, paragraph (1), item (i) of the Enforcement Order of the National Land Survey Act;
  - (v) the map border lines and their coordinate values;
  - (vi) the boundaries and parcel number of each piece of land;
  - (vii) the location of the basic triangulation points, etc.
  - (viii) the accuracy category;
  - (ix) the relationship with adjacent map borders; and
  - (x) the date of preparation.
- (2) When a map is to be recorded as an electronic or magnetic record, beyond what is set forth in the preceding items, the coordinate value of each parcel boundary point is to be recorded.

(Matters to be Recorded in a Building Location Picture)

Article 14 The following matters are to be recorded in a building location picture:

- (i) the name of the numbered district;
- (ii) the number of the building location picture;
- (iii) the reduction scale;
- (iv) the location and building number of each building (in case of a condominium unit, the location of the single building to which the condominium unit belongs); and
- (v) in case of a building location picture referred to in Article 11, paragraph (2), the date of preparation.



(Map and Building Location Picture Number)

Article 15 A registrar must record the map number referred to in Article 13, paragraph (1), item (ii) (in cases where it is prescribed in the parentheses of the item, the number of the map border to which the land belongs) in the heading section of the registration record of the land that is recorded in the map and the number referred to in item (ii) of the preceding Article in the heading section of the registration record of the building recorded in a building location picture.

(Deputy Record of A Map and Related Documents)

Article 15-2 (1) The Minister of Justice is to prepare a deputy record of the map and related documents in which the same matters are recorded as those recorded in the map and related documents which are recorded in an electronic or magnetic record.

(2) The provisions of Article 9, paragraphs (2) and (3) apply mutatis mutandis when a registrar cannot engage in registration affairs using a map and related documents that are recorded in an electronic or magnetic record.

(Correction of A Map and Related Documents)

Article 16 (1) If there are any errors in the boundaries or parcel number of the land described on a map, the heading-section owner of the land, the registered holder of ownership, or the heirs or other general successors thereof may make a notification of correction. The same applies when there are any errors in the location, shape or parcel number of the land described on a drawing equivalent to the map.

(2) When making the notification referred to in the preceding paragraph, if there are mistakes in the parcel area of the registration record of the land, the notification referred to in the same paragraph must be made along with an application for registration of correction regarding the parcel area.

(3) The notification referred to in paragraph (1) must be made by providing information that includes the following matters (hereinafter referred to as "information for map correction notification") to a registry office:

(i) the name and address of the applicant;

(ii) if the applicant is a juridical person, the name of a representative person thereof;

(iii) if the application is filed by an agent, the name and address of the agent; and if the agent is a juridical person, the name of a representative person thereof;

(iv) if the applicant is an heir or other general successor of a heading-section owner or a registered holder of ownership, a statement to that effect; and

(v) the content of the correction pertaining to the notification.

- (4) The notification referred to in paragraph (1) must be made using any of the following methods:
- (i) a method to provide the information for map correction notification to a registry office using an electronic data processing system as provided for by the Minister of Justice; or
  - (ii) a method to provide documents stating the information for map correction notification (including a magnetic disk on which all or part of the information for map correction notification is recorded) to a registry office.
- (5) When the notification referred to in paragraph (1) is made, the following information must be provided along with the information for map correction notification:
- (i) information certifying that there are errors in the boundaries, location, shape or parcel number of the land described on the map or on a drawing equivalent to the map;
  - (ii) If there are errors in the boundaries, location or shape of the land described on the map or on a drawing equivalent to the map, a land location picture or a parcel area survey drawing; and
  - (iii) if an heir or other general successor of a heading-section owner or a registered holder of ownership makes a notification, information certifying inheritance or other general successions that is prepared by the mayor of municipality (including a mayor of a special ward; for a designated city referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), it is to be a ward mayor or mayor of an administratively consolidated ward; the same applies hereinafter), a registrar or other public officers in the course of their duties (in cases where there is no information prepared by a public officer in the course of their duties, information in lieu of the information).
- (6) The provisions of the main clause of Article 4, Article 7, paragraph (1), items (i) and (ii) of the Order apply mutatis mutandis to cases of making the notification referred to in paragraph (1).
- (7) The provisions of Article 36, paragraphs (1) through (3) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 7, paragraph (1), items (i) and (ii) of the Order as applied mutatis mutandis pursuant to the preceding paragraph and the provisions of Article 37-2 apply mutatis mutandis to the case of making a notification under paragraph (1).
- (8) The provisions of Articles 10 through 14 of the Order apply mutatis mutandis when the notification referred to in paragraph (1) is made by the method referred to in Article 4, item (i).
- (9) The provisions of Articles 41 and 44 apply mutatis mutandis to the cases prescribed in the preceding paragraph; the provisions of Article 42 apply mutatis mutandis to an electronic signature referred to in Article 12,

paragraphs (1) and (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; and the provisions of Article 43, paragraph (2) apply mutatis mutandis to an electronic certificate as specified by Ministry of Justice Order referred to in Article 14 of the Order as applied mutatis mutandis pursuant to the preceding paragraph.

- (10) The provisions of Article 15, Article 16, paragraph (1), Article 17 and Article 18, paragraph (1) of the Order apply mutatis mutandis when a notification referred to in paragraph (1) is made by the method set forth in Article 4, item (ii); and the provisions of Article 16, paragraph (5) of the Order apply mutatis mutandis when a notification referred to in paragraph (1) is made by the method of submitting a magnetic disk on which all of the information for map correction notification as prescribed in paragraph (4), item (ii) is recorded. In this case, the term "must affix their name and seal" in Article 16, paragraph (1) and Article 18, paragraph (1) of the Order is deemed to be replaced with "must sign or affix their name and seal."
- (11) The provisions of Article 45, Article 46, paragraphs (1) and (2), Articles 53 and 55 apply mutatis mutandis when a notification referred to in paragraph (1) is made by the method set forth in Article 4, item (ii); and the provisions of Article 51 apply mutatis mutandis when a notification referred to in paragraph (1) is made by the method of submitting a magnetic disk as prescribed in Article 4, item (ii). In this case, the term "Article 16, paragraph (5) of the Order" in Article 51, paragraphs (7) and (8) is deemed to be replaced with "Article 16, paragraph (5) of the Order as applied mutatis mutandis pursuant to Article 16, paragraph (10)."
- (12) If a registrar finds it necessary to correct a map or a drawing equivalent to the map as a result of the investigation of the matters pertaining to the notification, they must correct the map or the drawing equivalent to the map.
- (13) In the following cases, a registrar must dismiss the notification referred to in paragraph (1) by decision with a statement of the reasons for the decision:
- (i) if the location of the land pertaining to the notification does not fall under the jurisdiction of the registry office which accepted the notification;
  - (ii) if the notification is made by a person who has no authority to make notification;
  - (iii) if the information for map correction notification or the method of providing it does not conform to the method specified by the provisions of this Ministerial Order;
  - (iv) if the information that must be provided along with the information for map correction notification pursuant to the provisions of this Ministerial Order is not provided;
  - (v) if it is not found that there are errors in the map or in a drawing equivalent to the map as a result of the investigation of the matters pertaining to the

- notification; and
- (vi) if the boundaries, location or shape of the land other than the land pertaining to the notification are required to be corrected if the map or a drawing equivalent to the map is corrected.
- (14) The provisions of Articles 38 and 39 apply mutatis mutandis to the notification referred to in paragraph (1).
- (15) If a registrar finds that there are errors in the map and related documents, they may correct them by their own authority.

(Change of Administrative Zone)

Article 16-2 The provisions of Article 92 apply mutatis mutandis to a map and related documents. In this case, the term "registration of change" in paragraph (1) of the same Article is deemed to be replaced with "change" and the term "heading section" in paragraph (2) of the same Article is deemed to be replaced with "a map and related documents."

### **Section 3 Books Related to Registration**

(Preservation of Application Information)

- Article 17 (1) A registrar is to record and preserve application information, attached information and other annexed documents of a register provided in the form of an electronic application (including records of inspection results of electronic signatures and electronic certificates for this information) on electronic or magnetic records controlled by the registry office
- (2) A registrar is to file and preserve application forms, their attachments and other annexed documents of a register that are submitted in the form of the written application in the books set forth in items (ii) through (v) of the following Article in accordance with the provisions of Articles 19 through 22.

(Books)

Article 18 A registry office (in case of the books referred to in items (xiv) and item (xv), limited to the Legal Affairs Bureau or District Legal Affairs Bureau) is to keep the following books:

- (i) an acceptance record book;
- (ii) an application document file;
- (iii) a land drawing file;
- (iv) a servitude drawing file;
- (v) a building drawing file;
- (vi) a case book of registration of descriptions by the registrar's own authority, etc.;
- (vii) a file of documents, etc. for registration of descriptions by the registrar's

- own authority;
- (viii) a file for original decisions;
- (ix) a file of written requests for review;
- (x) a book for various types of notifications;
- (xi) a file of expired notification documents of information for registration identification;
- (xii) a request form file;
- (xiii) a file of written reports on parcel boundary demarcation;
- (xiv) a record book for acceptance of parcel boundary demarcation, etc.;
- (xv) a parcel boundary demarcation affairs journal;
- (xvi) a book related to parcel boundary demarcation;
- (xvii) a journal on affairs related to parcel boundary demarcation;
- (xviii) a closed land drawing file;
- (xix) a closed servitude drawing file;
- (xx) a closed building drawing file;
- (xxi) a book for preserving registers;
- (xxii) a book for preserving registration-related books;
- (xxiii) a book for preserving maps;
- (xxiv) a book for preserving building location pictures;
- (xxv) a book for issuing written notices on information for registration identification;
- (xxvi) a registration affairs journal;
- (xxvii) a register of forms of certificates of registered matters, etc.;
- (xxviii) a file of documents related to registration and license tax;
- (xxix) a file of documents of requests for certification of reuse;
- (xxx) a file of documents of reports for prevention of wrongful registration;
- (xxxi) a file of written notices on land prices;
- (xxxii) a file of written notices on building prices;
- (xxxiii) a file of tables;
- (xxxiv) a file of miscellaneous documents; and
- (xxxv) a file of statutory inheritance information charts.

(Acceptance Record Book)

- Article 18-2 (1) An acceptance record book is to be prepared respectively for applications for registration, notifications of expiration of information for registration identification and certifications of information for registration identification.
- (2) An acceptance record book is to be prepared by recording on a magnetic disk or other electronic or magnetic record, unless it is required to be prepared by means of a document.

(Application Document File)

Article 19 In the application document file, application forms and their attachments, written notices, permits, withdrawal forms or other annexed documents of a register (including documents prepared by a registrar in order to handle cases relating to the application; and excluding documents to be filed in the books referred to in Article 18, items (iii) through (v) and (vii) pursuant to the provisions of this Ministerial Order) are to be filed.

(Land Drawing File)

- Article 20 (1) In the land drawing file, land location pictures and parcel area survey drawings (limited to cases where these are documents) are to be filed.
- (2) Notwithstanding the provisions of Article 17, paragraph (2), a registrar may record and preserve land location pictures and parcel survey drawings referred to in the preceding paragraph in the electronic or magnetic record referred to in paragraph (1) of the same Article.
- (3) When a land location picture and parcel area survey drawing are recorded and preserved in an electronic or magnetic record pursuant to the provisions of the preceding paragraph, a registrar is to file the land location picture and parcel area survey drawing referred to in paragraph (1) in the application document file.
- (4) In the closed land drawing file, the land location picture and parcel area survey drawing referred to in paragraph (1), which have been closed pursuant to the provisions of Article 85, paragraph (2), are to be filed.

(Servitude Drawing File)

- Article 21 (1) In the servitude drawing file, servitude drawings (limited to cases where they are documents) are to be filed.
- (2) The provisions of paragraphs (2) and (3) of the preceding Article apply mutatis mutandis to the servitude drawings referred to in the preceding paragraph.
- (3) In the closed servitude drawing file, the servitude drawing referred to in paragraph (1), which has been closed pursuant to the provisions of Article 87, paragraph (1), is to be filed.

(Building Drawing File)

- Article 22 (1) In the building drawing file, building drawings and plan of each floor (limited in cases where they are documents) are to be filed.
- (2) The provisions of Article 20, paragraphs (2) and (3) apply mutatis mutandis to the building drawings and plan of each floor referred to in the preceding paragraph.
- (3) In the closed building drawing file, the building drawings and plan of each

floor referred to in paragraph (1), which have been closed pursuant to the provisions of Article 85, paragraph (2), are to be filed.

(File of Documents for Registration of Descriptions by the Registrar's Own Authority)

Article 23 In the file of documents, etc. for registrations of descriptions by the registrar's own authority, registrations of descriptions by the registrar's own authority and documents concerning the correction of maps and other drawings are to be filed in accordance with the order of the number provided when a case was established (hereinafter referred to as the "case number").

(File for Original Decisions)

Article 24 In the file for original decisions, originals of written decisions of the decision to dismiss an application or notification are to be filed.

(File of Written Requests for Review)

Article 25 In the file of written requests for review, written requests for review and other documents related to cases of requests for review are to be filed.

(File of Expired Notification Documents of Information for Registration Identification)

Article 26 (1) In the file of expired application documents of information for registration identification, documents related to notifications of expiration of information for registration identification are to be filed.

(2) In cases where a notification of expiration of information for registration identification is made by a method using an electronic data processing system, documents on which the content of the information related to the notification is output are to be filed in the file of expired notification documents of information for registration identification.

(Request Form File)

Article 27 (1) In the request form file, documents related to the following requests are to be filed:

- (i) requests for the issuance of a certificate of registered matters;
- (ii) requests for the issuance of documents stating the outline of matters recorded in the registration record (hereinafter referred to as the "written outline of registered matters");
- (iii) requests for the issuance of copies of all or part of a map and related documents (if the map and related documents are recorded in an electronic or magnetic record, a document certifying the content of the recorded information);

- (iv) requests for inspection of a map and related documents;
  - (v) requests for the issuance of copies of all or part of land location picture or other pictures (if the land location pictures, etc. are recorded in an electronic or magnetic record, a document certifying the content of the recorded information);
  - (vi) requests for inspection of annexed documents of a register;
  - (vii) requests for certificates on information for registration identification;
  - (viii) requests for the issuance of copies of all or part of written reports on parcel boundary demarcation, etc. (if the written reports on parcel boundary demarcation, etc. are prepared in the form of an electronic or magnetic record, a document certifying the content of the recorded information); and
  - (ix) requests for inspection of parcel boundary demarcation procedure records.
- (2) In cases where a request set forth in the items of the preceding paragraph is made by a method using an electronic data processing system, a document on which the content of information related to the request is output is to be filed in the request form file.

(File of Written Report of Parcel Boundary Demarcation)

- Article 27-2 (1) In the file of written reports on parcel boundary demarcation, written reports on parcel boundary demarcation (if the written reports on parcel boundary demarcation are prepared in the form of an electronic or magnetic record, a document on which the content is output) and copies of written reports on parcel boundary demarcation that are sent pursuant to the provisions of the second sentence of Article 233, paragraph (2) or the second sentence of paragraph (3) of the same Article (if the written reports on parcel boundary demarcation are prepared in the form of an electronic or magnetic record, a document on which the content is output) are to be filed.
- (2) In the books set forth in the following items, the matters provided for in the respective items are to be recorded:
- (i) a record book for acceptance of parcel boundary demarcation, etc.: the date of acceptance of the application for parcel boundary demarcation and other necessary matters;
  - (ii) a parcel boundary demarcation affairs journal: matters concerning the dispatch and receipt of documents related to the affairs of parcel boundary demarcation that are not recorded in the record book for acceptance of parcel boundary demarcation, etc.;
  - (iii) a book related to parcel boundary demarcation: date of submission of the written application for parcel boundary demarcation at the registry office that has jurisdiction over the location of the subject parcel and other necessary matters; and
  - (iv) a journal on affairs related to parcel boundary demarcation: the matters



concerning the dispatch and receipt of documents related to the affairs of parcel boundary demarcation that are not recorded in the book related to parcel boundary demarcation at the registry office referred to in the preceding item.

(Book for Preserving Registers)

Article 27-3 In the books set forth in the following items, the matters specified in the respective items are to be recorded:

- (i) a book for preserving registers: state of preservation of registration records;
- (ii) a book for preserving registration-related books: state of preservation of all registration-related books excluding registers;
- (iii) a book for preserving maps or book for preserving building location pictures: state of preservation of a map and related documents (including those which have been closed);
- (iv) a book for issuing written notices on information for registration identification: a statement to the effect that information for registration identification has been notified by the method of issuing a document stating the information for registration identification and other necessary matters;
- (v) a registration affairs journal: matters concerning the dispatch and receipt of documents which are not recorded in the acceptance record book or other books;
- (vi) a register of forms of certificates of registered matters, etc.: matters concerning the management of the forms that is used to prepare certificates of registered matters, copies of a map and related documents, copies of land location picture or other pictures and a document stating the information for registration identification.

(File of Documents Related to Registration and License Tax)

Article 27-4 In the books set forth in the following items, the documents specified in the respective items are to be filed:

- (i) a file of documents related to registration and license tax: documents related to the notice referred to in Article 28, paragraph (1) and Article 31, paragraph (1) of the Registration and License Tax Act (Act No. 35 of 1967), documents related to the report referred to in paragraphs (2) and (6) of the same Article and documents related to the request referred to in paragraph (5) of the same Article;
- (ii) a file of documents of requests for certification of reuse: documents related to the request referred to in Article 31, paragraph (3) of the Registration and License Tax Act;
- (iii) a file of documents of reports for prevention of wrongful registration: documents related to the reports from the registered right holder, the heir

thereof or other general successor or the representative person or agent thereof (excluding a privately appointed agent) to the effect that a person pretending to be such persons is filing or is likely to file an application for registration;

- (iv) a file of written notices on land price or file of written notices on building price: documents related to the notice referred to in Article 422-3 of the Local Tax Act (Act No. 226 of 1950);
- (v) a file of tables: various statistics tables concerning registration cases and cases other than registration cases;
- (vi) a file of miscellaneous documents: documents which are not filed in the books set forth in Article 18, items (ii) through (v), items (vii) through (ix), items (xi) through (xiii), items (xviii) through (xx) and items (xxviii) through (xxxiii).

(Deputy Record of Land Location Picture or Other Pictures)

Article 27-5 (1) The Minister of Justice is to prepare a deputy record of land location picture or other pictures in which the same matters are recorded as those recorded in the land location pictures, etc. that are recorded in an electronic or magnetic record referred to in Article 17 (1).

(2) The provisions of Article 9, paragraphs (2) and (3) apply mutatis mutandis when a registrar cannot engage in registration affairs using land location picture or other pictures that are recorded in an electronic or magnetic record referred to in Article 17, paragraph (1).

(File of Statutory Inheritance Information Chart)

Article 27-6 In the file of statutory inheritance information chart, the statutory inheritance information chart and documents related to the request for the retention thereof are to be filed.

#### **Section 4 Miscellaneous Provisions**

(Preservation Period)

Article 28 The preservation period of information set forth in the following items is to be as specified in those items:

- (i) registration records (excluding a closed registration record (meaning a registration record that is closed; the same applies hereinafter)): permanent;
- (ii) maps and drawings equivalent to the map (including those that are closed): permanent;
- (iii) building location pictures (including those that are closed): permanent;
- (iv) closed registration records of land: fifty years from the date of closure;
- (v) closed registration records of a building: thirty years from the date of

- closure;
- (vi) inventories of joint security: ten years from the date when all matters recorded in the inventory of joint security are cancelled;
  - (vii) inventories of trust: twenty years from the date when the registration of trust is cancelled;
  - (viii) information recorded in the acceptance record book: ten years from the year following acceptance (if it is an acceptance record book related to a request for a certification concerning information for registration identification, one year from the year following acceptance);
  - (ix) application information for registration of a description and their attached information (including information other than application information and their attached information that is stated in the documents filed in the application document file; the same applies in the following item): thirty years from the date of acceptance (if the information is filed in the application document file pursuant to the provisions of Article 20, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22, paragraph (2)), thirty years from the date when it is recorded and preserved in an electronic or magnetic record);
  - (x) application information for registration of rights and their attached information: thirty years from the date of acceptance (if the information is filed in the application document file pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 21, paragraph (2), thirty years from the date when it is recorded and preserved in an electronic or magnetic record);
  - (xi) information recorded in the case book of registration of descriptions by the registrar's own authority, etc.: five years from the date when the case is established;
  - (xii) information stated in the documents that are filed in the file of documents, etc. for registration of descriptions by the registrar's own authority: thirty years from the date when the case is established;
  - (xiii) land location pictures, parcel area survey drawings, building drawings or plan of each floor (excluding those that are filed in the application document file pursuant to the provisions of Article 20, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22, paragraph (2))): permanent (if they are closed, thirty years from the date of closure);
  - (xiv) servitude drawings (excluding drawings filed in the application document file pursuant to the provisions of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 21, paragraph (2)): thirty years from the date of closure;
  - (xv) information stated in the documents that are filed in the file for original decisions or the file of written requests for review: five years from the year

- following the decision to dismiss the application or notification or from the year following the acceptance of the request for review;
- (xvi) information recorded in a book for various types of notifications: one year from the year following the notification;
- (xvii) information on notification of expiration of information for registration identification: ten years from the date of acceptance of the notification; and
- (xviii) information stated in the documents that are filed in the request form file: one year from the date of acceptance.

Article 28-2 The preservation period of the books set forth in the following items is as specified in the respective items:

- (i) a book for preserving registers, book for preserving registration-related books, book for preserving maps and book for preserving building location pictures: 30 years from the day of preparation;
- (ii) a book for issuing written notices on information for registration identification, registration affairs journal and register of forms of certificates of registered matters, etc.: one year from the year following the year of preparation;
- (iii) a file of documents related to registration and license tax and file of documents of requests for certification of reuse: five years from the year following the year of preparation;
- (iv) a file of documents of reports for prevention of wrongful registration, file of written notices on land price, file of written notices on building price and file of tables: three years from the year following the year of preparation;
- (v) a file of miscellaneous documents: one year from the year following the year of preparation; and
- (vi) a file of statutory inheritance information charts: five years from the year following the year of preparation.

(Disposal of Records)

Article 29 When a registry office disposes of electronic or magnetic records, books or documents concerning registration, the approval of the Director of the relevant Legal Affairs Bureau or District Legal Affairs Bureau must be obtained.

(Loss of Registration Records)

Article 30 (1) If a registrar loses a registration record or a map and related documents, the registrar must promptly investigate the situation and report to the Director of the relevant Legal Affairs Bureau or District Legal Affairs Bureau that supervises the registrar.

(2) If the Director of the relevant Legal Affairs Bureau or District Legal Affairs

Bureau referred to in the preceding paragraph receives the report referred to in the same paragraph, they must conduct a reasonable inspection and state their opinion to the Minister of Justice.

- (3) The provisions of the preceding two paragraphs apply mutatis mutandis to when a registration record, a map and related documents or annexed documents of a register are likely to be lost.

(Prohibition of Removal)

Article 31 (1) Registers, maps and related documents, and annexed documents of a register must not be removed from the registry office, excluding those cases where they are removed from the registry office in order to avoid a serious event.

- (2) Notwithstanding the provisions of the preceding paragraph, when there is an order or commission of a court to send an annexed document of a register, a registrar is to send the annexed document of a register limited to the part related to the order. In this case, if the annexed document of a register is recorded in an electronic or magnetic record, the registrar is to output the content of the information recorded in the electronic or magnetic record as a document with respect to the part related to the order and send the document.

- (3) If a register removes a map and related documents, and annexed document of a register from the registry office in order to avoid a serious event, the registrar must promptly report to the Director of the relevant Legal Affairs Bureau or District Legal Affairs Bureau that supervises the registrar to that effect.

(Transfer of Registration Records due to Transfer of Jurisdiction)

Article 32 (1) If the location of a real property is transferred from the jurisdiction of registry office A to the jurisdiction of registry office B, the registrar of registry office A is to transfer the registration record (including an inventory of joint security and inventory of trust; the same applies in the following paragraph), a map and related documents, and annexed document of a register (including a map and related documents, and annexed documents of a register that are recorded in an electronic or magnetic record) of the real property to registry office B.

- (2) In the cases referred to in the preceding paragraph, a registrar of registry office A is to close the transferred registration record and a map and related documents and land location picture or other pictures that are recorded in an electronic or magnetic record.

(Transfer of Inventories of Joint Security due to Transfer of Jurisdiction)

Article 33 (1) If registry office B receives a transferred inventory of joint

securities pursuant to the provisions of paragraph (1) of the preceding Article, the registrar of registry office B is to revise the mark of the inventory of joint security and the inventory number as necessary and change the previous mark of inventory of joint security and the inventory number in Section B of the transferred registration record to a new code and inventory number.

- (2) The provisions of the preceding paragraph apply mutatis mutandis to inventories of trust. In this case, the term "mark and inventory number" in the same paragraph is deemed to be replaced with "inventory number" and the term "Section B" in the same paragraph is deemed to be replaced with "corresponding section."
- (3) The provisions of paragraph (1) apply mutatis mutandis to servitude drawings. In this case, the term "mark and inventory number" in the same paragraph is deemed to be replaced with "number."

### **Chapter III Registration Procedures**

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

##### **Subsection 1 General Rules**

(Application Information)

Article 34 (1) The application for registration is to include the following matters as the content of the application information:

- (i) telephone number or other point of contact of an applicant or agent;
  - (ii) in case of an application for registration of a parcel subdivision, the code referred to in Article 78;
  - (iii) in case of an application for registration of a separation of buildings or a registration of division into units, the code referred to in Article 84;
  - (iv) if there is an annex building, the distinction between the principal building and annex building and the code referred to in Article 112, paragraph (2);
  - (v) if it is a condominium unit with registered right of site, the code referred to in Article 118, item (i) (a);
  - (vi) description of attached information;
  - (vii) date of application; and
  - (viii) description of the registry office.
- (2) The matter for real property identification as prescribed in Article 6, paragraph (1) of the Order is to be the real property number.
- (3) In cases where the matters specified in the items of Article 6, paragraph (1) of the Order or items of paragraph (2) pertain to a real property in the jurisdictional district of a registry office other than the registry office that accepts the application, the provisions of the same Article apply only if the description of the registry office other than the registry office that accepts the application is included in the content of the application information along with

the real property number of the real property.

- (4) Notwithstanding the provisions of Article 6, paragraph (1), item (i) or (ii) of the Order, when an application is filed for a heading registration of a real property, when the person set forth in Article 74, paragraph (1), item (ii) or (iii) of the Act files an application for registration of preservation of ownership for a real property without a heading registration, and when the registration of restriction on the disposition of ownership for a real property without a heading registration is commissioned, the matters set forth in Article 3, item (vii) or (viii) of the Order must be the content of the application information.

(Cases Where Multiple Applications May Be Filed Based on a Single Set of Application Information)

Article 35 The cases specified by Ministry of Justice Order referred to in the proviso to Article 4 of the Order are to be as follows:

- (i) cases where it is planned to subdivide part of a piece of land and consolidate the land with other land, when applications for a registration of subdivision and a registration of consolidation are filed;
- (ii) cases where it is planned to separate an annex building of building A from the registration record of building A and make the separated building an annex building of building B, when applications for a registration of separation of building and a registration of merger of buildings are filed;
- (iii) cases where it is planned to separate an annex building (limited to a condominium unit) of building A from the registration record of building A and to merge the annex building with building B or an annex building of building B (limited to cases where building B or the annex building of building B is a condominium unit adjoining the annex building of building A), when applications for a registration of separation of building and a registration of merger of buildings are filed;
- (iv) cases where it is planned to divide building A into units and to make part of the units into an annex building of building B, when applications for a registration of division into units and a registration of merger of buildings are filed;
- (v) cases where it is planned to divide building A into units and to merge part of the units with building B or an annex building of building B (limited to cases where building B or the annex building of building B is a condominium unit adjoining with the part), when applications for a registration of division into units and a registration of merger of buildings are filed;
- (vi) cases where all of two or more registrations for which applications are made for the same real property are registrations of change or registrations of correction to the matters to be registered for the heading section of the real property;

- (vii) cases where the two or more registrations for which applications are made for the same real property are registrations of change or registrations of correction to matters to be registered for the heading section of the real property and registrations of subdivision or registrations of consolidation of land, or registrations of division into units or registrations of a merger of buildings;
- (viii) cases where all of the two or more registrations for which applications are made for one or two or more real properties in the jurisdictional district of the same registry office are registrations of change or registrations of correction with respect to the name or address of the same registered right holder;
- (ix) cases where the purpose of registration, cause of registration and the date of two or more registrations of rights for which applications are made with respect to the same real property (excluding the registrations referred to in the preceding item) are identical; and
- (x) cases where the registrations for which applications are made for two or more real properties in the jurisdictional district of the same registry office are the registrations concerning the registered statutory lien, pledge or mortgage (hereinafter collectively referred to as "security interests") to secure the same claim that have the same purpose of registration.

(Cases Where Provision of Corporate Identification Number is Not Required)

Article 36 (1) The cases specified by Ministry of Justice Order referred to in Article 7, paragraph (1), item (i) of the Order are those where the applicant is a corporation prescribed in sub-item (a) of the same item and the application for registration is filed by providing the following certificate of registered matters (meaning a certificate of registered matters prescribed in Article 10, paragraph (1) of the Commercial Registration Act (Act No. 125 of 1963) (including as applied mutatis mutandis pursuant to other laws and regulations); hereinafter the same applies in this paragraph, the following paragraph, Article 209, paragraphs (3) and (4) and Article 243, paragraph (2)):

- (i) in cases other than the case prescribed in the following item, a certificate of registered matters certifying the capacity of the corporation's representative;
  - (ii) in cases where a manager, etc. (meaning a manager or other person who can represent a corporation pursuant to the provisions of other laws and regulations and who is registered to that effect; the same applies hereinafter) files an application for registration, a certificate of registered matters certifying the authority of the manager, etc.
- (2) The certificate of registered matters referred to in the items of the preceding paragraph must be one that has been prepared within the past one month.
- (3) The cases specified by Ministry of Justice Order referred to in Article 7,



paragraph (1), item (ii) of the Order are those where the applicant is a corporation prescribed in item (i) (a) of the same paragraph and the manager, etc. of the corporation files an application for registration on behalf of the corporation:

- (4) The information specified by Ministry of Justice Order referred to in Article 9 of the Order is to be the resident's card code (meaning the resident's card code as prescribed in Article 7, item (xiii) of the Residential Basic Book Act (Act No. 81 of 1967)) or the corporate identification number (meaning the corporate identification number prescribed in Article 7 of the Commercial Registration Act (including as applied mutatis mutandis pursuant to other laws and regulations); the same applies hereinafter); provided, however, that in cases where information certifying that there are changes, errors or omissions with respect to the address must be provided, it is to be limited to the information which can confirm that there are changes, errors or omissions with respect to the address.

(Omission of Attached Information)

Article 37 (1) In cases where two or more applications are filed simultaneously to the same registry office, if there is attached information common to each application, it is sufficient to provide the attached information with the application information of one application.

- (2) In the cases referred to in the preceding paragraph, the fact that the attached information has been provided with the application information of one application must be included in the content of the application information of the other application.

Article 37-2 In cases where an agent which is a corporation files an application for registration, if the corporate identification number of the agent is provided, the provision of the corporate identification number may substitute for the provision of information certifying the capacity of the agent's representative.

Article 37-3 In cases where an heir of a heading-section owner or registered holder files an application for registration, if the heir provides a copy of a statutory inheritance information chart issued pursuant to the provisions of Article 247 in relation to the inheritance, the provision of a copy may substitute for the provision of information prepared by a mayor of municipality or other public officer in the course of their duties which certifies that there was an inheritance.

(Application Dismissal)

Article 38 (1) If a registrar dismisses an application, they are to prepare and

issue a written decision to each applicant; provided, however, that in cases where the application is filed by an agent, it is sufficient to issue a written decision to the agent.

- (2) The issuance referred to in the preceding paragraph may be made by the method of sending the written decision.
- (3) In cases where a written application is filed, if a registrar dismisses the application, they are to return the attachments; provided, however, that this does not apply to fraudulent documents or other documents that are suspected to have been used for an application for wrongful registration.

#### (Application Withdrawal)

Article 39 (1) An application must be withdrawn in accordance with the application categories set forth in the following items and by the method provided for in those items:

- (i) electronic application: by the method of providing a registry with the information that the application is withdrawn using an electronic data processing system as provided for by the Minister of Justice; or
- (ii) written application: by the method of submitting documents stating the information that the application is withdrawn to a registry office.

- (2) The application cannot be withdrawn after the registration is completed.
- (3) In cases where a written application is filed, if the application is withdrawn, a registrar is to return the application form and its attachments. The provisions of the proviso to paragraph (3) of the preceding Article apply *mutatis mutandis* to this case.

#### (Transfer over Multiple Jurisdictional Districts)

Article 40 (1) In cases where an application for registration is filed in accordance with the provisions of Article 6, paragraph (3) of the Act, if another registry office is designated as the registry office referred to in paragraph (2) of the same Article, a registrar of the registry office that accepted the application for registration is to transfer the case pertaining to the application to the designated another office.

- (2) If a registrar transfers the case pursuant to the provisions of the preceding paragraph, they are to notify the applicant to that effect.
- (3) If a registrar of the registry office that is designated as the registry office referred to in Article 6, paragraph (2) of the Act completes the registration of the real property pertaining to the designation, they are to promptly notify the other registry office to that effect.
- (4) A registrar of the registry office that receives the notification referred to in the preceding paragraph is to enter the notified matters in the book of the appropriate format.

## Subsection 2 Electronic Application

(Electronic Application Method)

Article 41 Application information in the form of an electronic application must be transmitted as provided for by the Minister of Justice. The same applies to attached information to be transmitted with the application information pursuant to the provisions of Article 10 of the Order.

(Electronic Signature)

Article 42 The electronic signature referred to in Article 12, paragraphs (1) and (2) of the Order is a measure taken with respect to information that can be recorded in an electronic or magnetic record, which is a method in conformance with Annex D of X5731-8 of the Japan Industrial Standards (hereinafter referred to as "JIS") based on the Industrial Standardization Act (Act No. 185 of 1949), in which the value of the length of "n" as specified in the same Annex is 1024 bit or 2048 bit.

(Electronic Certificate)

Article 43 (1) In cases where an applicant who falls under the persons set forth in Article 47, item (iii) (a) through (d), their representative person or agent (excluding a privately appointed agent; the same applies in Article 47, items (ii) and (iii) and Article 49, paragraph (1), items (i) and (ii)) affixes an electronic signature to application information or to information certifying the authority vested in a privately appointed agent, the electronic certification specified by Ministry of Justice Order referred to in Article 14 of the Order is the following electronic certificates; provided, however, that the electronic certificate set forth in item (iii) is limited to cases where it is impossible to obtain the electronic certificates set forth in items (i) and (ii):

- (i) an electronic signature certificate that is prepared based on the provisions of Article 3, paragraph (1) of the Act on Certification Business of Japan Agency for Local Authority Information Systems Pertaining to Electronic Signatures (Act No. 153 of 2002);
- (ii) if the person who affixed the electronic signature is the person submitting a seal impression as prescribed in Article 12-2 of the Commercial Registration Act (including as applied mutatis mutandis pursuant to other laws and regulations), an electronic certificate as prescribed in Article 33-8, paragraph (2) of the Regulation on Commercial Registration (Ministry of Justice Order No. 23 of 1964) (including as applied mutatis mutandis pursuant to other laws and regulations);
- (iii) an electronic certificate prepared by the accredited certification business

operator as prescribed in Article 8 of the Act on Electronic Signatures and Certification Business (Act No. 102 of 2000) (meaning an electronic certificate as prescribed in Article 4, item (i) of the Enforcement Regulation of the Act on Electronic Signatures and Certifications Business (Ministerial Order of Ministry of Internal Affairs and Communications, Ministry of Justice and Ministry of Economy, Trade and Industry No. 2 of 2001) and other electronic certification that is specified by the Minister of Justice as a certificate to confirm the person who affixed an electronic signature by name, address, date of birth or other matters; or

(iv) in cases where a government agency or public office makes a commission, an electronic certificate prepared by the government agency or public office with which a registrar can confirm the person who affixed the electronic signature.

(2) In cases other than the cases prescribed in the main clause of the preceding paragraph, the electronic certificate specified by Ministry of Justice Order referred to in Article 14 of the Order is to be the electronic certificate set forth in items of the preceding paragraph or that is specified by the Minister of Justice as an electronic certificate equivalent thereto.

(Omission of Information for an Address Certificate)

Article 44 (1) When an applicant for an electronic application provides their electronic certificate set forth in paragraph (1), item (i) of the preceding Article, the provision of an electronic certificate may be substituted for the provision of information certifying the current address of the applicant.

(2) When an applicant for an electronic application provides their electronic certificate set forth in paragraph (1), item (ii) of the preceding Article, the provision of an electronic certificate may be substituted for the provision of corporate identification number of the applicant.

(3) The provisions of the preceding paragraph apply mutatis mutandis to information certifying the authority of representation that a registrar can confirm with an electronic certificate referred to in the same paragraph.

### **Subsection 3 Written Application**

(Characters of the Application Form)

Article 45 (1) The characters stated in an application form (excluding a magnetic disk on which all application information is recorded; the same applies hereinafter in this Subsection (excluding Article 53)) or other documents for registration must be printed clearly.

(2) If characters are corrected, added or deleted with respect to the document referred to in the preceding paragraph, the fact that the correction, addition or

deletion has been made and the number of corrected, added or deleted characters must be stated in the margin of the page, or codes such as parentheses must be appended before and after the corrected, added or deleted characters to clarify the range; and a seal must be affixed to the part stating the number of characters or to the part to which the codes are appended. In this case, the corrected or deleted characters must remain readable.

(Seal to Confirm Page Continuation)

Article 46 (1) If an application form has two or more sheets, the applicant or their representative person or agent must affix a seal to confirm page continuation across the boundary of each of the contiguous sheets.

(2) In cases where there are two or more applicants or their representative persons or agents, it is sufficient that one of them affixes the seal to confirm page continuation referred to in the preceding paragraph; provided, however, that if the person entitled to register and the person obliged to register jointly file an application for registration, the person entitled to register or their representative person or agent and the person obliged to register or their representative person or agent must each individually affix the seal to confirm page continuation.

(3) If there are two or more sheets of documents stating the information to be recorded in an inventory of trust set forth in the attached information section in paragraph (lxv) of the Appended Table of the Order, the applicant or their representative person or agent must state the number on each sheet to identify the number of the sheet and affix a seal to confirm page continuation across the boundary of each of the contiguous sheets. In this case, the provisions of the preceding paragraph apply *mutatis mutandis*.

(Cases Where Signature or Seal on an Application Form is Not Required)

Article 47 The cases specified by Ministry of Justice Order referred to in Article 16, paragraph (1) of the Order are the following cases:

(i) cases where a privately appointed agent signed the application form;  
(ii) cases where an application form that the applicant or their representative person or agent signed is certified by a notary or a person equivalent thereto;  
and

(iii) cases where an applicant falls under none of the following persons and the applicant or their representative person or agent signed the application form (excluding cases set forth in the preceding item):

(a) a registered holder of ownership (including a registered right holder of provisional registration of ownership) who files an application for the following registrations:

1. a registration of right for which the registered right holder becomes a

- person obliged to register (excluding a registration of change and registration of correction of an obligor of security interest (excluding revolving mortgages and revolving pledges);
2. a registration of change of right related to the provisions on prohibition of division of property in co-ownership;
  3. a cancellation of registration of ownership in cases where no registration of transfer of ownership is made;
  4. a registration of change of right as a result of a trust that is made by the method set forth in Article 3, item (iii) of the Trust Act (Act No. 108 of 2006);
  5. a cancellation of provisional registration (limited to a cancellation applied independently by a registered right holder of the provisional registration of ownership pursuant to the provisions of the first sentence of Article 110 of the Act); and
  6. a registration of parcel consolidation, registration, etc. by reason of combination or registration of merger of buildings:
- (b) a registered holder of ownership who files an application for a registration of change or registration of correction concerning the obligor of security interests (excluding revolving mortgages and revolving pledges) without providing information for registration identification pursuant to the provisions of the proviso to Article 22 of the Act;
  - (c) a registered right holder of a right other than ownership who files an application for registration of a right for which the registered right holder becomes a person obliged to register without providing information for registration identification pursuant to the provisions of the proviso to Article 22 of the Act;
  - (d) a registered right holder of a right other than ownership who files an application for registration of change of a right as a result of a trust that is made by the registered right holder by the method set forth in Article 3, item (iii) of the Trust Act without providing information for registration identification pursuant to the provisions of the proviso to Article 22 of the Act; and
  - (e) an applicant who is to receive notification of information for registration identification pursuant to the provisions of the main clause of Article 21 of the Act.

(Cases Where a Certificate of Seal Impression is Not Required to be Attached to an Application Form)

Article 48 (1) The cases specified by Ministry of Justice Order referred to in Article 16, paragraph (2) of the Order are as follows:

- (i) cases where a registry office that accepts an application is the same registry

office as the one that is to prepare the certificate of seal impression to be attached and is other than the registry office designated by the Minister of Justice;

- (ii) cases where an application which an applicant or their representative person or agent has signed or sealed is certified by a notary or a person equivalent thereto;
  - (iii) cases where a certificate of seal impression that is affixed on the application form for an application which is filed by a person appointed by the court in the course of their duties, and is prepared by a court clerk as provided for by the Supreme Court Rules is attached;
  - (iv) cases where an applicant falls under the person set forth in item (iii) (e) of the preceding Article (excluding cases where an applicant falls under the person set forth in (a) 6. of the same item); and
  - (v) cases where an applicant falls under none of the persons set forth in item (iii) (a) through (d) of the preceding Article (excluding cases set forth in the preceding item).
- (2) The designation referred to in the preceding paragraph must be made by public notice.

(Special Provisions on Signature and Seal to a Letter of Attorney)

Article 49 (1) The cases specified by Ministry of Justice Order referred to in Article 18, paragraph (1) of the Order are as follows:

- (i) cases where a document stating the information certifying the authority of a privately appointed agent which an applicant or their representative person or agent signed (hereinafter referred to as "letter of attorney") is certified by a notary or a person equivalent thereto;
- (ii) cases where an applicant falls under none of the persons set forth in Article 47, item (iii) (a) through (e) and the applicant or their representative person or agent signs the letter of attorney; and
- (iii) cases where the agent (limited to a privately appointed agent) signs the document certifying the authority of the subagent, when the application is filed by a subagent.

(2) The cases specified by Ministry of Justice Order referred to in Article 18, paragraph (2) of the Order are as follows:

- (i) cases where a registry office that accepts an application is the same registry office as the one that is to prepare the certificate of seal impression to be attached and is other than the registry office designated by the Minister of Justice;
- (ii) cases where a letter of attorney which an applicant or their representative person or agent signed and sealed is certified by a notary or a person equivalent thereto;

- (iii) cases where a certificate of seal impression that is affixed on the application form for an application which is filed by a person appointed by the court in the course of their duties, and is prepared by a court clerk as provided for by the Supreme Court Rules is attached;
  - (iv) cases set forth in paragraph (1), items (iv) and (v) of the preceding Article; and
  - (v) cases where an agent (limited to a privately appointed agent), signs on the document certifying the authority of the subagent, when an application is filed by a subagent.
- (3) The designation referred to in the preceding paragraph must be made by public notice.

(Special Provisions on Signature and Seal to a Written Approval)

- Article 50 (1) The cases specified by Ministry of Justice Order referred to in Article 19, paragraph (1) of the Order are those where a document that is signed by the person who prepared the document stating the information certifying consent or approval is certified by a notary or a person equivalent thereto.
- (2) The provisions of Article 48, paragraph (1), items (i) through (iii) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 19, paragraph (2) of the Order. In this case, the term "application form" in Article 48, paragraph (1), item (ii) is deemed to be replaced with "document stating the information certifying consent or approval" and the term "application form for an application" in item (iii) of the same paragraph is deemed to be replaced with "document stating the information certifying consent, consent on approval or approval."
- (3) The provisions of Article 48, paragraph (2) apply mutatis mutandis to the designation referred to in Article 48, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph.

(Magnetic Disk on which Application Information is Recorded)

- Article 51 (1) An application by the method of submitting a magnetic disk as prescribed in Article 18, item (ii) of the Act may be filed at the registry office designated by the Minister of Justice.
- (2) The designation referred to in the preceding paragraph must be made by public notice.
- (3) In terms of the structure of the magnetic disk referred to in paragraph (1), it must be a 120 millimeter optical disk conforming to JIS X0606.
- (4) A document stating the name of the applicant and date of application must be affixed on the magnetic disk referred to in paragraph (1).
- (5) The application information must be recorded on the magnetic disk referred



- to in paragraph (1) as provided for by the Minister of Justice.
- (6) The magnetic disk on which all of the application information is recorded must be prepared as provided for by the Minister of Justice.
  - (7) The provisions of Article 42 apply mutatis mutandis to an electronic signature referred to in Article 12, paragraph (1) of the Order as applied mutatis mutandis pursuant to Article 16, paragraph (5) of the Order.
  - (8) The provisions of Article 43 apply mutatis mutandis to an electronic certificate referred to in Article 14 of the Order as applied mutatis mutandis pursuant to Article 16, paragraph (5) of the Order; provided, however, that the electronic certificate is to include an electronic certificate by a designated notary as prescribed in Article 3, paragraph (1) of the Ministerial Order on Affairs Related to Electronic or Magnetic Records by a Designated Notary (Ministry of Justice Order No.24 of 2001).
  - (9) The provisions of Article 44 apply mutatis mutandis to providing the electronic certificate referred to in the preceding paragraph.
  - (10) When a magnetic disk recording part of the application information is submitted, even if the name of the applicant is recorded on the magnetic disk, the name of the applicant must be stated in the application form. In this case, if there are two or more applicants, it is sufficient to state the name of one of the applicants.

(Magnetic Disks Attachable to Application Forms)

- Article 52 (1) The provisions of paragraphs (3) through (7) of the preceding Article apply mutatis mutandis to magnetic disks recording the attached information referred to in Article 15 of the Order.
- (2) An electronic certificate referred to in Article 14 of the Order as applied mutatis mutandis pursuant to the second sentence of Article 15 of the Order is to be an electronic certificate as prescribed in Article 43, paragraph (1) or (2) and be provided for by the Minister of Justice.

(Sending Method of Application Forms)

- Article 53 (1) If a person who intends to file an application for registration sends the application form and its attachments, it is to be done by registered mail, or service of correspondence delivery as prescribed in Article 2, paragraph (2) of the Act on Letter Service by Private Business Operators (Act No. 99 of 2002) (hereinafter referred to as "correspondence delivery") conducted by a general correspondence delivery service operator as prescribed in paragraph (6) of the same Article or a specified correspondence delivery service operator as prescribed in paragraph (9) of the same Article (hereinafter collectively referred to as "correspondence delivery service operators"), where the correspondence delivery service operators record the acceptance and delivery.

- (2) In case referred to in the preceding paragraph, the fact that an application form for the registration of real property is enclosed is to be clearly indicated on the front side of the envelope in which the application and its attachments are placed.

(Request for Issuance of a Receipt)

Article 54 (1) An applicant who has filed a written application may request the issuance of a receipt of the application form and its attachments during the time period until the registration related to the application is completed.

- (2) An applicant who requests the issuance of a receipt pursuant to the provisions of the preceding paragraph must submit a document stating the same content as that for the application form; provided, however, that if there are two or more applicants, with regard to the statement of the applicant on the document, it is sufficient to state the name of the person stated at the top of the application form and the number of other applicants.
- (3) When a request under the provisions of paragraph (1) is made, after preparing a receipt that states the date of acceptance of the application, the acceptance number and their title and name, and affixing their official seal on the document submitted pursuant to the provisions of the preceding paragraph, the registrar must issue the receipt.

(Request for Return of Original Attachments)

Article 55 (1) An applicant who filed a written application may request the return of the original attachments to the application form (excluding magnetic disks); provided, however, that this does not apply to the certificate of seal impression referred to in Article 16, paragraph (2), Article 18, paragraph (2) or Article 19, paragraph (2) of the Order, Article 48, paragraph (1), item (iii) (including as applied mutatis mutandis pursuant to Article 50, paragraph (2)) or Article 49, paragraph (2), item (iii) of this Ministerial Order and letters of attorney and other documents prepared only for the application.

- (2) An applicant who requests the return of original attachments pursuant to the provisions of the main clause of the preceding paragraph must submit a transcript stating that the transcript is consistent with the original copy.
- (3) When a request under the provisions of the main clause of paragraph (1) is made, a registrar must return the original document related to the request after the investigation is completed. In this case, after they verify the transcript referred to in the preceding paragraph with the original document related to the request and confirm that this content is consistent, they must state that the original copy has been returned on the transcript referred to in the same paragraph and affix their registrar seal thereon.
- (4) The transcript referred to in paragraph (2) on which a registrar seal is affixed

pursuant to the provisions of the second sentence of the preceding paragraph is to be filed in the application document file after the registration is completed.

- (5) Notwithstanding the provisions of the first sentence of paragraph (3), a registrar cannot return a fraudulent document or other documents that are suspected to have been used for an application for wrongful registration.
- (6) The return of an original copy under the provisions of paragraph (3) may be made by the method of sending the original copy based on the notification of the applicant. In this case, the applicant must also notify the sending address.
- (7) In the cases referred to in the preceding paragraph, the documents are to be sent to the address referred to in the same paragraph by registered mail or by a service of correspondence delivery where the correspondence delivery service operators record the acceptance and delivery.
- (8) The costs required for the sending of documents referred to in the preceding paragraph must be paid by the method of submitting postage stamps or an identification card which can be used for payment of the fee for the service of correspondence delivery and is designated by the Minister of Justice.
- (9) The designation referred to in the preceding paragraph must be made by public notice.

#### **Subsection 4 Acceptance, etc.**

(Application Acceptance)

- Article 56 (1) If application information is provided, a registrar must record in the acceptance record book the purpose of registration, date of application acceptance, acceptance number and the matters related to real property location.
- (2) When a registrar accepts a written application pursuant to the provisions of the preceding paragraph, they must record the date of acceptance and acceptance number on the application form (in case of a magnetic disk recording all of the application information, on an appropriate sheet).
  - (3) The acceptance number is to be updated every year.
  - (4) The provisions of paragraphs (1) and (2) apply mutatis mutandis to the following cases:
    - (i) cases where there is a permission referred to in Article 67, paragraph (2) of the Act;
    - (ii) cases where it is planned to cancel a registration pursuant to the provisions of Article 71 of the Act;
    - (iii) cases where there is an order referred to in Article 157, paragraph (3) or (4) of the Act; and
    - (iv) cases where there is a notification referred to in Article 110, paragraph (3) (including as applied mutatis mutandis pursuant to Article 144, paragraph

(2)), Article 119, paragraph (2), Article 124, paragraph (8) (including as applied mutatis mutandis pursuant to Article 120, paragraph (7), Article 126, paragraph (3), Article 134, paragraph (3) and Article 145, paragraph (1)), Article 159, paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (4) of the same Article) or Article 168, paragraph (5) (including as applied mutatis mutandis pursuant to Article 170, paragraph (3)).

(Investigation)

Article 57 If application information is provided, a registrar must investigate all the matters related to the application without delay.

(Order of Making Registration)

Article 58 A registrar is to register in accordance with the order of the acceptance number also in cases other than the cases prescribed in Article 20 of the Act.

(Identity Confirmation by a Registrar)

Article 59 (1) If a registrar investigates whether or not the applicant has the authority to apply pursuant to the provisions of Article 24, paragraph (1) of the Act, they must prepare a record in which the results of the investigation are recorded. The same applies to cases where they investigate based on the commission referred to in paragraph (2) of the same Article.

(2) In the case referred to in the second sentence of the preceding paragraph, a registrar of the registry office who investigates based on the commission must send a record in which the results of the investigation are recorded to the registrar who made the commission.

(Corrections)

Article 60 (1) If a registrar specifies the period during which the application can be corrected, they cannot dismiss the application on the grounds of defects related to the matters to be corrected during the period.

(2) The application must be corrected in accordance with the application categories set forth in the following items by the method provided for in those items:

(i) electronic application: by the method of correcting an application using an electronic data processing system as provided for by the Minister of Justice;  
or

(ii) written application: by the method of correcting the document that has been submitted to the registry office or of submitting the document pertaining to the correction to the registry office.

## **Subsection 5 Information for Registration Identification**

(How to Determine Information for Registration Identification)

Article 61 The information for registration identification is to be determined based on a combination of Arabic figures and other codes for each real property and applicant who has become a registered right holder.

(Counterparty of Notification of Information for Registration Identification)

Article 62 (1) The notification of information for registration identification in cases set forth in the following items is to be made to the persons specified in those items:

- (i) cases where an application is filed by a statutory agent (including a manager and other persons who can serve as the agent of a person who is to receive the notification pursuant to the provisions of laws and regulations): the statutory agent; or
  - (ii) cases where an applicant is a juridical person (excluding cases prescribed in the preceding item): a representative person of the juridical person.
- (2) In cases where there is a special agent privately appointed to receive a notification of information for registration identification, the notification of information for registration identification is to be made to the agent.

(Method of Notifying Information for Registration Identification)

Article 63 (1) A notification of information for registration identification is to be made in accordance with the application categories set forth in the following items by the method provided for in those items unless otherwise provided for by the Minister of Justice:

- (i) electronic application: by the method of using an electronic data processing system to transmit the information for registration identification that is recorded in the file stored on a computer used by a registrar, and then recording it in a file stored on a computer used by the applicant or their agent (hereinafter collectively referred to as an "applicant or equivalent person" in this Article), as provided for by the Minister of Justice; or
  - (ii) written application: by the method of issuing a document stating the information for registration identification.
- (2) If a registrar makes a notification referred to in the preceding paragraph, they must take measures to keep the information for registration identification related to the notification unknown to persons other than the person to receive notification of information for registration identification pursuant to the provisions of the main clause of Article 21 of the Act, the persons provided for in the items of paragraph (1) of the preceding Article and the agent referred to in paragraph (2) of the same Article (limited to a person who is specially

permitted by the applicant to learn the information for registration identification).

- (3) In cases where an applicant requests the issuance of a document stating information for registration identification by the method of sending, they are to include in the content of the application information to that effect and distinguish the sending addresses in accordance with the categories of cases referred to in the following paragraph and paragraph (5) (in cases prescribed in paragraph (5) and when requesting to send the document to the address of an agent who is a natural person: the address of the agent).
- (4) The documents stating information for registration identification in case of the preceding paragraph are to be sent in accordance with the categories of cases set forth in the following items and by the methods specified in those items:
  - (i) in cases where the applicant or equivalent person is a natural person and if the document is sent to the address of the applicant or equivalent person, or when the applicant or equivalent person is a juridical person and if the document is sent to the address of a representative person of the juridical person who is the applicant or equivalent person (excluding cases set forth in item (iii)): by the method of postal mail to be received only by the person themselves, where it is issued or delivered only to the subject party themselves as provided for by the conditions of domestic postal mail of Japan Post Holdings Co., Ltd. or by a method equivalent thereto;
  - (ii) in cases where the applicant or equivalent person is a juridical person and if the document is sent to the address of the juridical person who is the applicant or equivalent person (excluding cases set forth in the following item): by registered mail or by a service of correspondence delivery where the correspondence delivery service operator records acceptance and delivery; and
  - (iii) in cases where the applicant or equivalent person has their address in a foreign country: by registered mail, by a service of correspondence delivery where the correspondence delivery service operator records acceptance and delivery or by a method equivalent thereto.
- (5) Notwithstanding the provisions of the preceding paragraph, in cases where an agent receives a notification of information for registration identification pursuant to the provisions of paragraph (2) of the preceding Article and if the agent is the agent prescribed in Article 23, paragraph (4), item (i) of the Act (hereinafter referred to as a "qualified agent"), the document stating the information for registration identification is to be sent in accordance with the categories of cases set forth in the following items by the methods specified in those items:
  - (i) in cases where the agent is a natural person and if the document is sent to

- the address of the agent or in cases where the agent is a juridical person and if the document is sent to the address of a representative person of the juridical person that is the agent: where it is issued or delivered only to the subject party themselves as provided for by the conditions of domestic mail of Japan Post Holdings Co., Ltd., by mail to be received only by the person themselves, or by a method equivalent thereto; and
- (ii) in cases where the agent is a natural person and if the document is sent to the location of the office of the agent or in cases where the agent is a juridical person and if the document is sent to the address of the juridical person that is the agent: by registered mail or by a service of correspondence delivery where the correspondence delivery service operator records acceptance and delivery.
- (6) When the issuance of the document stating information for registration identification by the method of sending is requested, the costs necessary for the sending must be paid.
- (7) The costs required for the sending referred to in the preceding paragraph must be paid by the method of submitting postage stamps or an identification card which can be used for payment of the fee for the service of correspondence delivery and is designated by the Minister of Justice together with the application.
- (8) If an applicant submits postage stamps corresponding to the fee for sending the postal items as priority mail over other postal items belonging to the same type of postal items, the sending referred to in paragraph (6) must be handled accordingly. The same applies to the handling of the sending in the cases referred to in paragraph (4) (ii) or (iii) or paragraph (5) (ii), when an identification card of the correspondence delivery service operator that is equivalent to the fee for the service of correspondence delivery and is designated by the Minister of Justice is submitted.
- (9) The designation referred to in the preceding two paragraphs must be made by public notice.

Article 63-2 (1) When a government agency or public office commissions a registration for a person entitled to register, the notification of information for registration identification may also be made by the method of issuing the document stating the information for registration identification based on the notification of the government agency or public office. In this case, the government agency or public office is to include in the content of the commission information the fact that the notification has been made, when it requests the issuance by the method of sending, the fact thereof and the sending address.

- (2) The document stating information for registration identification in the case

referred to in the preceding paragraph is to be sent to the address referred to in the same paragraph by the method of sending the document by registered mail, a service of correspondence delivery where the correspondence delivery service operator records the acceptance and delivery, or other mails or correspondence delivery.

- (3) The provisions of paragraphs (6) through (9) of the preceding Article apply *mutatis mutandis* to cases where a government agency or public office requests the issuance of the document stating information for registration identification by the method of sending.

(Cases Where Notification of Information for Registration Identification is Not Required)

Article 64 (1) The cases specified by Ministry of Justice Order referred to in the proviso to Article 21 of the Act are the following cases:

- (i) cases where a person who is to receive a notification of information for registration identification has made notification in advance to the effect that they do not wish to receive the notification of information for registration identification pursuant to the provisions of the main clause of Article 21 of the Act (in the cases where a government agency or public office commissions a registration for a person entitled to register; this includes when the government agency or public office makes notification to the effect that it does not wish to receive the notification of information for registration identification, based on a notification from the person entitled to register.);
- (ii) cases where a person who is to receive a notification of information for registration identification pursuant to the provisions of the main clause of Article 21 of the Act (limited to persons who are to receive the notification by the method provided for in Article 63, paragraph (1), item (i)) does not record the information for registration identification in the file stored on a computer used by them within thirty days from the date when the information for registration identification is recorded in the file stored on a computer used by a registrar and it becomes possible to transmit the information using an electronic data processing system;
- (iii) cases where the person who is to receive a notification of information for registration identification pursuant to the provisions of the main clause of Article 21 of the Act (limited to persons who are to receive the notice by the method provided for in Article 63, paragraph (1), item (ii)) does not receive the document stating the information for registration identification within three months from when the registration is completed; and
- (iv) cases where the person who is to receive a notification of information for registration identification pursuant to the provisions of the main clause of Article 21 of the Act is a government agency or a public office (excluding



cases where the government agency or public office has made notification in advance to the effect that it wishes to receive the notification of information for registration identification).

- (2) In case of making the notification referred to in items (i) and (iv) of the preceding paragraph, the content of the application information is to be to that effect.
- (3) A registrar may dispose of the information for registration identification prescribed in paragraph (1), item (ii) in the case prescribed in the same item or the document stating the information for registration identification prescribed in item (iii) of the same paragraph in the case prescribed in the same item.
- (4) The provisions of Article 29 do not apply to the case where the information for registration identification or the document stating the information for registration identification is disposed of pursuant to the provisions of the preceding paragraph.

(Notification of Expiration of Information for Registration Identification)

Article 65 (1) A registered right holder or their heirs or other general successors may make a notification of expiration to a registrar with regard to the information for registration identification for which the notification was made.

- (2) The notification referred to in the preceding paragraph must be made by providing the information with the content of the following matters (hereinafter referred to as "notification information" in this Article) to a registry office:
  - (i) the name and address of the person who is making the notification;
  - (ii) if the person who is making the notification is a juridical person, the name of a representative person thereof;
  - (iii) if the notification is made by an agent, the name and address of the agent, and if the agent is a juridical person, the name of a representative person thereof;
  - (iv) if the person who is making the notification is an heir or other general successor of a registered right holder, a statement to that effect and the name and address of the registered right holder; and
  - (v) the following matters pertaining to the registration of the information for registration identification:
    - (a) matters related to the real property location or real property number;
    - (b) purpose of registration;
    - (c) the date of acceptance of the application and acceptance number; and
    - (d) if notification is made by the method set forth in item (i) of the following paragraph, the distinction of Section A or Section B.
- (3) The notification referred to in paragraph (1) must be made by either of the following methods:

- (i) by the method of providing the notification information to a registry office using an electronic data processing system as provided for by the Minister of Justice; or
  - (ii) by the method of submitting the document stating the notification information to a registry office.
- (4) if the name or address of a registered right holder which is the content of notification information is inconsistent with the registration record, information certifying that there were changes, errors or omissions with regard to the name or address of the registered right holder that is prepared by the mayor of municipality, a registrar or other public officer in the course of their duties must be provided together with the notification information. However, in cases where there is no information prepared by a public officer in the course of their duties, it is sufficient to provide information in lieu thereof.
- (5) When an heir or other general successor of a registered right holder makes the notification referred to in paragraph (1), the information certifying that there was an inheritance or other general succession that is prepared by a mayor of municipality, a registrar or other public officer in the course of their duties must be provided together with the notification information; However, in cases where there is no information prepared by a public officer in the course of their duties, it is sufficient to provide information in lieu thereof.
- (6) The provisions of the main clause of Article 4, Article 7, paragraph (1), items (i) and (ii) of the Order apply mutatis mutandis to cases where the notification referred to in paragraph (1) is made.
- (7) The provisions of Article 36, paragraphs (1) through (3) apply to cases specified by Ministry of Justice Order referred to in Article 7, paragraph (1), items (i) and (ii) of the Order as applied mutatis mutandis pursuant to the preceding paragraph and the provisions of Article 37 and Article 37-2 apply mutatis mutandis to cases where the notification referred to in paragraph (1) is made respectively.
- (8) The provisions of Articles 10 through 12 and Article 14 of the Order apply to cases where the notification referred to in paragraph (1) is made by the methods set forth in paragraph (3), item (i).
- (9) The provisions of Articles 41 and 44 apply mutatis mutandis to cases prescribed in the preceding paragraph, the provisions of Article 42 apply mutatis mutandis to the electronic signature referred to in Article 12, paragraphs (1) and (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph, and the provisions of Article 43 apply mutatis mutandis to the electronic certification as specified by Ministry of Justice Order referred to in Article 14 of the Order as applied mutatis mutandis pursuant to the preceding paragraph respectively.
- (10) The provisions of Articles 15 through 18 of the Order apply mutatis

mutandis when the notification referred to in paragraph (1) is made by the methods set forth in paragraph (3), item (ii).

- (11) The provisions of Article 45, Article 46, paragraphs (1) and (2), Article 53 and Article 55 apply mutatis mutandis to cases as prescribed in the preceding paragraph; the provisions of Article 47, items (i) and (ii) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 16, paragraph (1) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; the provisions of Article 48, paragraph (1), items (i) through (iii) and paragraph (2) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 16, paragraph (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; the provisions of Article 49, paragraph (1), items (i) and (iii) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 18, paragraph (1) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; and the provisions of items of Article 49, paragraphs (2) (excluding item (iv)) and (3) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 18, paragraph (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph respectively.

(Provision of Information for Registration Identification)

Article 66 (1) In case of providing information for registration identification of a person obliged to register as prescribed in the main clause of Article 22 of the Act pursuant to the provisions of the main clause of the same Article, the information is provided in accordance with the categories of application set forth in the following items by the methods specified in those items:

- (i) electronic application: by the method of providing the information for registration identification using an electronic data processing system as provided for by the Minister of Justice; or
- (ii) written application: by the method of submitting the application form by attaching a document stating the information for registration identification.

(2) The document stating the information for registration identification referred to in item (ii) of the preceding paragraph is to be enclosed in an envelope and the envelope is to be sealed.

(3) The name of the applicant who provides the information for registration identification and the purpose of registration is to be stated and the fact that the document stating the information for registration identification is enclosed is to be clearly stated on the envelope referred to in the preceding paragraph.

(Omission of Provision of Information for Registration Identification)

Article 67 In cases where applications are filed for two or more registrations of right with respect to the same real property (limited to when applications are

filed simultaneously by clarifying the chronological order of the two or more registrations of right), when a person who is to be a registered right holder in the former registration becomes a person obliged to register for the latter registration, the information for registration identification to be provided together with the application information for the latter registration is deemed to have been provided together with the application information for the latter registration.

(Certification of Information for Registration Identification)

Article 68 (1) The request for certification referred to in Article 22, paragraph (1) of the Order must be made by providing the information with the content of the following matters (hereinafter referred to as "information for the request of a validity certificate" in this Article) to a registry office:

- (i) the name and address of the applicant;
- (ii) if the applicant is a juridical person, the name of a representative person thereof;
- (iii) if the request is made by an agent, the name and address of the agent, and if the agent is a juridical person, the name of a representative person thereof;
- (iv) if the applicant is an heir or other general successor of a registered right holder, to that effect and the name and address of the registered right holder;
- (v) the following matters concerning the registration pertaining to the information for registration identification:
  - (a) matters related to the real property location or real property number;
  - (b) purpose of registration;
  - (c) the date of acceptance of the application and acceptance number; and
  - (d) when a request is made by the method set forth in paragraph (3), item (i), the distinction of Section A or Section B;
- (vi) if the information as prescribed in paragraph (15) is not provided pursuant to the provisions of the same paragraph, to that effect and the description of the information.

(2) When the request for certification referred to in the preceding paragraph (excluding a request for certification that information for registration identification has not been notified or is expired) is made, the information for registration identification must be provided together with the information for the request of a validity certificate. The provisions of Article 66 apply *mutatis mutandis* to the method of providing information for registration identification in this case.

(3) The certificate request referred to in paragraph (1) must be made by using either of the following methods:

- (i) by the method of providing information for the request of a validity certificate to a registry office using an electronic data processing system as provided for by the Minister of Justice; or
  - (ii) by the method submitting a document stating the information for the request of a validity certificate.
- (4) The certificate referred to in paragraph (1) is to be made in accordance with the categories of cases set forth in the following items by the methods specified in those items:
- (i) in cases where the information for the request of a validity certificate is provided by the method set forth in item (i) of the preceding paragraph: by the method of transmitting the information that is recorded in the file stored on a computer for the use of a registrar using an electronic data processing system and recording it in a file stored on a computer for the use of the applicant or their agent, as provided for by the Minister of Justice; or
  - (ii) in cases where the information for the request of a validity certificate is provided by the method set forth in item (ii) of the preceding paragraph: by the method of a registrar issuing a document stating the matters related to the certificate.
- (5) If the name or address of the registered right holder that is the content of the information for the request of a validity certificate is inconsistent with the registration record, information certifying that there were changes, errors or omissions with respect to the name or address of the registered right holder that is prepared by the mayor of municipality, a registrar or other public officer in the course of their duties together with the information for the request of a validity certificate must be provided. However, that in cases where there is no information prepared by a public officer in the course of their duties, it is sufficient to provide information in lieu thereof.
- (6) When an heir or other general successor of a registered right holder requests the certificate referred to in paragraph (1), information certifying that there is an inheritance or other general succession that is prepared by the mayor of municipality, a registrar or other public officer in the course of their duties together with the information for the request of a validity certificate must be provided. However, in cases where there is no information prepared by a public officer in the course of their duties, it is sufficient to provide information in lieu thereof.
- (7) The provisions of Article 4 and Article 7, paragraph (1), items (i) and (ii) of the Order apply mutatis mutandis when the request for a certificate referred to in paragraph (1) (with regard to the provisions of the same Article, excluding cases where the request for a certificate referred to in paragraph (1) is made by a qualified agent). In this case, the phrase "in cases where the purpose of registration, cause of registration and the date of registration for which

application is to be made are identical and other cases specified by Ministry of Justice Order" in the proviso to Article 4 of the Order is deemed to be replaced with "in cases where the name and address of the registered right holder, which is the content of the information for the request of a validity certificate, are identical."

- (8) The provisions of Article 36, paragraphs (1) through (3) apply mutatis mutandis to cases specified by Ministry of Justice Order referred to in Article 7, paragraph (1), items (i) and (ii) of the Order as applied mutatis mutandis pursuant to the preceding paragraph and the provisions of Article 37 and Article 37-2 apply mutatis mutandis to cases of making the request for a certificate referred to in paragraph (1) respectively.
- (9) The provisions of Articles 10 through 12 and 14 of the Order apply mutatis mutandis to cases of making the request for a certificate referred to in paragraph (1) by the method set forth in paragraph (3), item (i).
- (10) The provisions of Articles 41 and 44 apply mutatis mutandis pursuant to the cases prescribed in the preceding paragraph; the provisions of Article 42 apply mutatis mutandis to electronic signatures referred to in Article 12, paragraphs (1) and (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; and the provisions of Article 43 apply mutatis mutandis to electronic certificates as specified by Ministry of Justice Order referred to in Article 14 of the Order as applied mutatis mutandis pursuant to the preceding paragraph, respectively.
- (11) The provisions of Articles 15 through 18 of the Order apply mutatis mutandis to cases of making the request for the certificate referred to in paragraph (1) by the methods set forth in paragraph (3), item (ii).
- (12) The provisions of Article 45, Article 46, paragraphs (1) and (2), Article 53 and Article 55 (excluding the proviso to paragraph (1)) apply mutatis mutandis to the cases prescribed in the preceding paragraph; the provisions of Article 47, items (i) and (ii) apply mutatis mutandis to the cases specified by Ministry of Justice Order referred to in Article 16, paragraph (1) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; the provisions of Article 48, paragraph (1), items (i) through (iii) and paragraph (2) apply mutatis mutandis to the cases specified by Ministry of Justice Order referred to in Article 16, paragraph (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; the provisions of Article 49, paragraph (1), items (i) and (iii) apply mutatis mutandis to the cases specified by Ministry of Justice Order referred to in Article 18, paragraph (1) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; and the provisions of items of Article 49, paragraph (2) (excluding item (iv)) and paragraph (3) apply to the cases specified by Ministry of Justice Order referred to in Article 18, paragraph (2) of the Order as applied mutatis mutandis pursuant to the

preceding paragraph, respectively.

- (13) The provisions of Article 197, paragraph (6) and Article 204 apply *mutatis mutandis* to cases of providing the certificate referred to in paragraph (1) by the method provided for in paragraph (4) (ii).
- (14) If a qualified agent makes the request for a certificate referred to in paragraph (1), information certifying that the qualified agent is a person who is qualified to act as an agent in applying for a registration in the course of trade (in cases where the qualified agent is a juridical person, including information certifying the capacity of a representative person of the juridical person) must be provided along with the request.
- (15) In cases where a qualified agent makes the request for a certificate referred to in paragraph (1), notwithstanding the provisions of paragraphs (5) and (6), the information prescribed in these provisions is not required to be provided.

(Disposal of Documents Stating Information for Registration Identification)

- Article 69 (1) In cases where the documents stating the information for registration identification are submitted pursuant to the provisions of Article 66, paragraph (1), item (ii) (including as applied *mutatis mutandis* pursuant to the second sentence of paragraph (2) of the preceding Article), if a registrar completes the registration or finishes the requested examination based on the application for which the information for registration identification has been provided, they are to promptly dispose of the documents.
- (2) The provisions of Article 29 do not apply to the case where the document stating the information for registration identification is disposed of pursuant to the provisions of the preceding paragraph.

### **Subsection 6 Procedure in Cases Where There is No Provision of Information for Registration Identification**

(Prior Notification)

- Article 70 (1) The notification referred to in Article 23, paragraph (1) of the Act is to be made by sending the documents in accordance with the categories of cases set forth in the following items by the method provided for in those items:
- (i) in cases where the person obliged to register as prescribed in Article 22 of the Act is a natural person or in cases where the person obliged to register is a juridical person, if the document is sent to the address of a representative person of the juridical person who is the person obliged to register: by postal mail to be received only by the subject person themselves, where it is issued or delivered only to the subject person themselves as provided for by the conditions of domestic postal mail of Japan Post Holdings Co., Ltd. or by a method equivalent thereto;

- (ii) in cases where the person obliged to register as prescribed in Article 22 of the Act is a juridical person (excluding the cases set forth in the preceding item): by registered mail or by a service of correspondence delivery where the correspondence delivery service operator records acceptance and delivery; and
  - (iii) in cases where the person obliged to register as prescribed in Article 22 of the Act has their address in a foreign country: by registered mail, by a service of correspondence delivery where the correspondence delivery service operator records acceptance and delivery or by a method equivalent thereto.
- (2) The number, mark or other code used to identify the notification (these are collectively referred to as the "notification number, etc." in paragraph (5), item (i)) must be stated on the document referred to in the preceding paragraph.
- (3) If an applicant submits postage stamps corresponding to the fee for sending the postal items as priority mail over other postal items belonging to the same type of postal items, the sending under the provisions of paragraph (1) must be handled accordingly. The same applies to the cases referred to in items (ii) or (iii) of the same paragraph, when an identification card of a correspondence delivery service operator that is equivalent to the fee for the service of correspondence delivery, which is equivalent to the treatment and is designated by the Minister of Justice is submitted.
- (4) The designation referred to in the preceding paragraph must be made by public notice.
- (5) The notification as prescribed in Article 23, paragraph (1) of the Act must be made in accordance with the categories of application set forth in the following items and by the method provided for in those items:
- (i) electronic application: by the method where a person obliged to register as prescribed in Article 22 of the Act specifies the content of the document referred to in paragraph (1) using the notification number, etc., affixes their electronic signature to the information to the effect that the content of the application is true and transmits the information to a registry office as provided for by the Minister of Justice; or
  - (ii) written application: by the method where a person obliged to register as prescribed in Article 22 of the Act states that the content of the application pertaining to the notification is true on the document referred to in paragraph (1), signs it, affixes a seal to the document using a seal that is consistent with those provided on the application form or letter of attorney and then submits the document to a registry office (in cases where a magnetic disk on which all of the application information is recorded is submitted, by the method where the person obliged to register as prescribed in Article 22 of the Act affixes their electronic signature to the information to the effect that the content of the application is true and submits a magnetic



disk on which the electronic signature is recorded together with the documents referred to in paragraph (1) to the registry office).

- (6) The provisions of Article 14 of the Order apply *mutatis mutandis* when the notification referred to in the preceding paragraph is made.
- (7) The provisions of Article 43 apply *mutatis mutandis* to the electronic certificate as specified by Ministry of Justice Order referred to in Article 14 of the Order as applied *mutatis mutandis* pursuant to the preceding paragraph.
- (8) The period specified by Ministry of Justice Order referred to in Article 23, paragraph (1) of the Act is to be two weeks from the day when the notification is dispatched; provided, however, that it is to be four weeks in cases where the person obliged to register as prescribed in Article 22 of the Act has their address in a foreign country.

(Notification to Prior Domicile)

Article 71 (1) The notification referred to in Article 23, paragraph (2) of the Act is to be sent by the method of sending the document as a postal item that is not required to be forwarded or by a method equivalent thereto.

(2) The cases specified by Ministry of Justice Order referred to in Article 23, paragraph (2) of the Act are the following cases:

- (i) in cases where the cause of registration for a registration of change (including a registration of correction; the same applies hereinafter in this paragraph) with respect to the address of the person obliged to register referred to in Article 23, paragraph (2) of the Act is a change, error or omission of the administrative zone or its name or of the "aza" or its name;
- (ii) in cases where the date of application for the registration referred to in Article 23, paragraph (2) of the Act is made after three months have elapsed from the date of acceptance pertaining to the final application for a registration of change with respect to the address of the person obliged to register referred to in the same paragraph;
- (iii) in cases where the person obliged to register referred to in Article 23, paragraph (2) of the Act is a juridical person; and
- (iv) in addition to the cases set forth in the preceding three items, in cases where the information for identification confirmation as prescribed in paragraph (1) of the following Article is provided and it is deemed certain that the applicant is a person obliged to register based on the content of the information for identification confirmation.

(Provision of Information for Identification Confirmation by a Qualified Agent)

Article 72 (1) The information that is necessary for confirming that an applicant is a registered right holder who has the authority to apply and that is provided to a registrar by a qualified agent pursuant to the provisions of Article 23,

paragraph (4), item (i) of the Act (hereinafter the information is referred to as "information for identification confirmation") must clearly indicate the following matters:

- (i) date and time, location and condition where the qualified agent (in cases where the qualified agent is a juridical person, meaning a person representing the juridical person in the application; the same applies hereinafter in this Article) interviews the applicant (in cases where the applicant is a juridical person, a representative person or a person who acts in their place; hereinafter the same applies in this Article);
  - (ii) if the qualified agent knows the name of the applicant and is acquainted with the applicant, to the effect that they know the name of the applicant and are acquainted with the applicant, and the particulars of how the acquaintance arose; and
  - (iii) if the qualified agent does not know the name of the applicant or has no acquaintance with the applicant, the content of the documents set forth in the following items of the following paragraph that are presented by the applicant in order to confirm that the applicant is a registered right holder who has the authority to apply and the reasons why they deemed that the applicant is a registered right holder who has the authority to apply.
- (2) In the cases prescribed in item (iii) of the preceding paragraph, the qualified agent is to confirm the applicant by either of the following methods; provided, however, that in case of the documents set forth in items (i) and (ii) and the documents set forth in item (iii) which have an effective period or validity period, this confirmation is limited to documents that are effective on the date when presented to the qualified agent:
- (i) by the method of requesting the presentation of one or more of any of the following: drivers' license (meaning a driver's license as prescribed in Article 92, paragraph (1) of the Road Traffic Act (Act No.105 of 1960), individual number card (meaning the individual number card prescribed in Article 2, paragraph (7) of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures (Act No. 27 of 2013)), passport, etc. (meaning a passport as prescribed in Article 2, item (v) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951) and a crew member's pocket-ledger as prescribed in item (vi) of the same Article; provided, however, that they are limited to those stating the name and date of birth of the applicant), residence card (meaning the residence card prescribed in Article 19-3 of the same Act), special permanent resident certificate (meaning the special permanent resident certificate prescribed in Article 7 of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991)) or certificate of driving history (meaning a

certificate of driving history as prescribed in Article 104-4 of the Road Traffic Act);

(ii) by the method of requesting the presentation of any one or more of the following stating the name and date of birth of the applicant: an insurance card of national health insurance, health insurance, mariners insurance, medical care for elderly people aged 75 or older or long-term care insurance, health insurance specially-insured day laborer certificate book, certificate of a member of the mutual aid association for national public officers or the local public service mutual aid association, certificate of a membership in a private school personnel mutual aid system, national pension book (meaning a national pension book as prescribed in Article 13, paragraph (1) of the National Pension Act (Act no.141 of 1959)), certificate of child rearing allowance, certificate of special child rearing allowance, maternal and child health handbook, physical disability certificate, health and welfare certificate of a persons with mental disabilities, medical treatment and education handbook or a certificate of wounded and ill retired soldiers; and

(iii) by the method of requesting the presentation of any one or more of the documents set forth in the preceding item and either one or more of the documents issued or provided by a government and public office or what is equivalent thereto, in which the name and address of the applicant are stated.

(3) If a qualified agent provides information for identification confirmation, the information certifying that the qualified agent is a person qualified to act as an agent for applying for registration in the course of trade must be provided at the same time.

### **Subsection 7 Land Location Picture and Other Pictures**

(Preparation Method of Land Location Pictures, Parcel Area Survey Drawings, Building Drawings and Plan of Each Floor)

Article 73 (1) Land location pictures, parcel area survey drawings, building drawings and plan of each floor to be transmitted in the form of an electronic application must be prepared in accordance with the method specified by the Minister of Justice. The same applies when these drawings are recorded in an electronic or magnetic record and submitted in the form of a written application.

(2) The date of preparation and the name of the applicant and the person who prepared the drawings must be stated on the land location pictures, parcel area survey drawings, building drawings and plan of each floor referred to in the preceding paragraph.

- Article 74 (1) Land location pictures, parcel area survey drawings, building drawings and plan of each floor (limited to cases where these are documents) must present drawings clearly using fine lines of 0.2 millimeters or less.
- (2) The date of preparation is to be recorded on the land location pictures, parcel area survey drawings, building drawings and plan of each floor referred to in the preceding paragraph, the applicant is to sign their name and the person who prepared these drawings must sign their name and affix their seal on them.
- (3) The land location pictures, parcel area survey drawings, building drawings and plan of each floor referred to in paragraph (1) must be prepared in accordance with Appended Forms (i) and (ii) by using a sturdy JIS B4 size sheet.

(Preparation Unit of Land Location Pictures and Parcel Area Survey Drawings)

- Article 75 (1) A land location picture and parcel area survey drawing must be prepared for each parcel of land.
- (2) The parcel area survey drawing of the land after parcel subdivision that is provided in cases where an application is filed for registration of a parcel subdivision is to be prepared for each piece of land before the parcel subdivision.

(Content of Land Location Pictures)

- Article 76 (1) The azimuth direction, reduction scale, shape of the land and parcel number of adjacent land must be recorded in the land location picture.
- (2) The land location picture is to be prepared at the same reduction scale as the map referred to in Article 14, paragraph (1) of the Act with respect to similar land in the vicinity.
- (3) The provisions of Article 10, paragraph (4) apply mutatis mutandis to the land location picture.

(Content of Parcel Area Survey Drawings)

- Article 77 (1) The following matters must be recorded in the parcel area survey drawing:
- (i) the name of the numbered district;
  - (ii) azimuth direction;
  - (iii) reduction scale;
  - (iv) parcel number (including the parcel numbers of adjacent land);
  - (v) parcel area and measurement method thereof;
  - (vi) distance between parcel boundary points;
  - (vii) the number or mark of the plane rectangular coordinate system as prescribed in Article 2, paragraph (1), item (i) of the Enforcement Order of

- the National Land Survey Act;
- (viii) the coordinate values of the parcel boundary points as a result of measurement based on the basic triangulation points, etc.;
  - (ix) if there are boundary markers (meaning durable stone piles or metal markers located at parcel boundary points or signs similar thereto; the same applies hereinafter), a description of the boundary markers; and
  - (x) the date of measurement.
- (2) In cases where there are no basic triangulation points, etc. in the vicinity or there are special circumstances where it is impossible to measure based on the basic triangulation points, etc., the coordinate values of the parcel boundary points as a result of measurement based on the permanent planimetric features in the vicinity must be recorded in lieu of matters set forth in items (vii) and (viii) of the preceding paragraph.
- (3) The description of the boundary markers referred to in paragraph (1), item (ix) is to be recorded by the method of providing codes for parcel boundary points where boundary markers exist and recording the codes and types of boundary markers in the appropriate parts or by other methods equivalent thereto.
- (4) The parcel area survey drawing is to be prepared on the reduction scale of 1/250th; provided, however, that this does not apply when it is not appropriate to use the reduction scale due to the land conditions and other circumstances.
- (5) The provisions of Article 10, paragraph (4) apply mutatis mutandis to parcel area survey drawings.

(Parcel Area Survey Drawings in Case of Registration of a Parcel Subdivision)

Article 78 The parcel area survey drawing of the land after parcel subdivision that is provided in cases where an application is filed for a registration of parcel subdivision must illustrate the land before the subdivision, clearly indicate the parcel subdivision line to describe each piece of land after the parcel subdivision and provide a code thereto.

(Content of Servitude Drawings)

- Article 79 (1) In the servitude drawings, the range of servitude to be established must be clearly indicated and the azimuth direction, reduction scale, parcel number and the parcel number of the vicinity and the name of the applicant must be recorded.
- (2) The servitude drawings may be prepared on an appropriate reduction scale.
  - (3) The date of preparation must be recorded on the servitude drawing.
  - (4) On the servitude drawings (limited to documents), the easement holder must sign or write their name or affix their seal.

(Preparation Method of Servitude Drawings)

Article 80 (1) The provisions of Article 73, paragraph (1) and Article 74, paragraph (1) apply mutatis mutandis to the servitude drawings.

(2) A servitude drawing that is submitted in the form of a written application (excluding those submitted by recording in an electronic or magnetic record), must be prepared in accordance with the Appended Form (iii) using a sturdy JIS B4 size sheet.

(Preparation Unit of Building Drawings and Plans of Each Floor)

Article 81 A building drawing and plain view of each floor must be prepared for each building (if there is an annex building, the principal building and annex building are collectively deemed to be one building).

(Content of Building Drawings)

Article 82 (1) The building drawings must clearly indicate the site of the building, its location and the shape of the first floor (in case of a condominium unit, the floor closest to the ground).

(2) In the building drawings, the azimuth direction, reduction scale, parcel number and shape of the site, parcel number of the adjacent land and: if there is an annex building, whether the building is a principle building or annex building, and the code of the annex building must be recorded.

(3) The building drawings must be prepared on the reduction scale of 1/500th; provided, however, that this does not apply when it is not appropriate to use the reduction scale due to the building condition or other circumstances.

(Content of the Plan of Each Floor)

Article 83 (1) In the plan of each floor, the reduction scale, the classification of each floor, plain shape of each floor, location of the first floor, girth and floor area of the building on each floor, the measurement method thereof and: if there is an annex building, whether the building is a principle building or annex building, and the code of the annex building must be recorded.

(2) The plan of each floor must be prepared on the reduction scale of 1/250th; provided, however, that this does not apply when it is not appropriate to use the reduction scale due to the building conditions or other circumstances.

(Building Drawings in Case of Registration of Separation of Buildings)

Article 84 In the building drawings and plan of each floor to be provided in case of an application for registration of a separation of buildings or registration of division into units, each building after the separation or after the division into units must be described and a code must be provided thereto.

(Management and Closure of Land Location Pictures)

Article 85 (1) In cases where a land location picture, parcel area survey drawing, building drawing and plan of each floor is provided along with the application information, if a registrar completes the registration based on the application, they must record the date of completion of registration on these drawings.

(2) In the cases set forth in the following items, a registrar close the drawing provided for in those items:

- (i) in cases where a registration of change or registration of correction concerning matters to be registered for a heading section is made (limited to cases where there are a land location picture, parcel area survey drawing, building drawing and plan of each floor after the change or after the correction): land location pictures, parcel area survey drawings, building drawings and plan of each floor before the change or before the correction;
- (ii) in cases where a registration of loss or cancellation of a heading section is made: land location pictures, parcel area survey drawings, building drawings and plan of each floor before the loss or before the cancellation; and
- (iii) in case of a registration of replotting disposition based on the Land Improvement Act (Act No.195 of 1949) or the Land Readjustment Act (Act No. 119 of 1954) (excluding the cases set forth in the preceding item): land location pictures or parcel area survey drawings pertaining to the previous land.

(3) In cases where a registrar closes the drawings provided for in the items of the preceding paragraph pursuant to the provisions of the same paragraph, if the drawings are recorded in an electronic or magnetic record referred to in Article 17, paragraph (1), they are to record the reason for the closure, the date thereof and their registrar identification code in the electronic or magnetic record; if they are filed in a land drawing file or building drawing file, the registrar must record the reason for closure of the drawings and the date thereof and affix their registrar seal.

(4) The provisions of paragraph (1) do not apply when the drawings as prescribed in the same paragraph are preserved by recording them in an electronic or magnetic record referred to in Article 17, paragraph (1). In this case, the date of completion of registration must be recorded in the electronic or magnetic record.

(Management of Servitude Drawings)

Article 86 (1) In cases where a servitude drawing is provided along with application information, if a registrar makes a registration based on the application, they must provide a number to the servitude drawing (hereinafter referred to as the "servitude drawing number"). In this case, the servitude drawing number, the date of acceptance of the application and acceptance

number must be recorded on the servitude drawing.

- (2) In cases where a servitude drawing is preserved by recording it in an electronic or magnetic record referred to in Article 17, paragraph (1), the provisions of the second sentence of the preceding paragraph do not apply. In this case, the servitude drawing number and the date of registration must be recorded in the electronic or magnetic record.
- (3) The servitude drawing number is to be updated every year.

(Closure of Servitude Drawings)

Article 87 (1) If a registrar cancels a registration of servitude, or makes a registration of parcel subdivision or registration of parcel consolidation based on the application for which the attached information is a servitude drawing or registration of change or registration of correction of servitude, they must close the previous servitude drawing.

- (2) The provisions of Article 85, paragraph (3) apply mutatis mutandis to the cases referred to in the preceding paragraph.

(Correction of Land Location Pictures)

Article 88 (1) If there is an error in a land location picture, parcel area survey drawing, building drawing or plan of each floor, the heading-section owner or registered holder of ownership or their heir or other general successor may make notification of the correction to be made; provided, however, that this does not apply when a registration of correction may be made concerning the matters to be registered in the heading section (limited to registrations for which the attached information is a land location picture, parcel area survey drawing, building drawing and plan of each floor).

- (2) The notification referred to in the preceding paragraph must be made by providing a land location picture, parcel area survey drawing, building drawing and plan of each floor after the correction.
- (3) The provisions of Article 16, paragraphs (3), (4) and paragraph (5), item (iii) and paragraphs (6) through (14) apply mutatis mutandis to the notification referred to in paragraph (1).

## **Section 2 Registration of a Description**

### **Subsection 1 General Rules**

(Registration of the Heading Section)

Article 89 When a registrar makes a registration of a description in the heading section, unless otherwise provided for in the laws and regulations, the information that is to be newly registered must be recorded among the matters to be registered in the registration of description, in addition to the cause of



registration of the registration of description, the date thereof and the date of registration.

(Real Property Number)

Article 90 A registrar may record the number, mark or other code for each parcel of land or building unit as necessary matters to identify the real property referred to in Article 27, item (iv) of the Act.

(Registration of Change or Registration of Correction of Heading Section)

Article 91 When a registrar makes a registration of change or registration of correction concerning the matters to be registered in the heading section, they must record the marks to cancel matters before the change or before the correction.

(Changes of Administrative Zone)

Article 92 (1) In cases where there is a change in the administrative zone or the name, it is deemed that there is a registration of change with respect to the administrative zone or the name recorded in the registration record. The same applies when a change is made to the "aza" or its name.

(2) In the cases referred to in the preceding paragraph, a registrar must promptly change the administrative zone or "aza" recorded in the heading section, or their names.

(Field Investigation)

Article 93 In cases where a registrar makes a registration of a description, they must implement a field investigation pursuant to the provisions of Article 29 of the Act; provided, however, that this does not apply if a registrar finds it unnecessary to implement a field investigation based on the report on the investigation of real property pertaining to the application (in cases where a land and house investigator or a land and house investigating firm files an application for registration as an agent, limited to the report prepared by the land and house investigator (in case of a land and house investigating firm, a representative person thereof)), other information provided along with the application information, public knowledge or facts that the registrar has learned in the course of their duties.

(Presentation Method of Matters Recorded in the Electronic or Magnetic Record in the Field Investigation)

Article 94 (1) The method specified by an Ministry of Justice Order referred to in Article 29, paragraph (2) of the Act is the method of outputting the matters recorded in the electronic or magnetic record as a document or of presenting

the matters on the screen of the output device.

- (2) The document certifying the status of a registrar as prescribed in Article 29, paragraph (2) of the Act is to be prepared in accordance with the Appended Form (iv).

(Field Investigation Report)

Article 95 When a registrar implements a field investigation, they must prepare a report in which the results of the investigation are recorded.

(Procedures of Registration of a Description by a Registrar's Own Authority)

Article 96 (1) If a registrar intends to make a registration of description by their own authority, the cause of registration, date of establishing the case, case number and the matters related to the real property location must be recorded in the case book of registration of descriptions by the registrar's own authority, etc.

- (2) If a registrar intends to correct a map or a drawing equivalent to the map (including cases of correction based on the notification referred to in Article 16) or intends to correct a land location picture, parcel area survey drawing, building drawing or plan of each floor (including case of correction based on the notification referred to in Article 88), they must record the type of case, the date of establishing the case, the case number and the matters related to the real property location in the case book of registration of descriptions by the registrar's own authority, etc.

## **Subsection 2 Registration of Description of Land**

(Numbered District)

Article 97 The numbered district is to be specified based on the city ("shi"), ward ("ku"), county ("gun"), town ("machi"), village ("mura") and "aza" or an area equivalent thereto.

(Parcel Number)

Article 98 (1) The parcel number is to be provided and specified for each numbered district.

- (2) The parcel number is to be specified so that the location of the land is comprehensive.

(Land Category)

Article 99 The land category is to be specified based on the primary use of the land by its categorization as a rice field, field for other crops, residential land, school site, railway site, salt field, mineral spring site, pond and swamp, forest,

stock farm, wilderness, graveyard, temple or shrine site, canal site, waterworks site, irrigation and drainage, storage reservoir, bank, well and ditch, protected forest, public road, park or miscellaneous sites.

(Parcel Area)

Article 100 With regard to the parcel area, the unit is square meter for the horizontal projection area and fractions less than 1/100th of one square meter (for land other than residential land and mineral spring sites that exceed ten square meters, one square meter) are rounded down.

(Recording Method of Heading Section in the Registration of Parcel Subdivision)

- Article 101 (1) When a registrar makes a registration of parcel subdivision to subdivide land B from land A, they must prepare a new registration record with regard to land B and record in the heading section of the registration record the fact that land B is subdivided from the numbered land in this case.
- (2) In the case referred to in the preceding paragraph, a registrar must provide a new parcel number to land A and record in the registration record of land A the matters to be registered in the heading section of the remaining part of land, a statement that the numbered land in this case is subdivided and the marks to cancel the changed part of the matters to be registered in the heading section of the previous land.
- (3) Notwithstanding the provisions of the preceding paragraph, a registrar may provide the same parcel number as the previous parcel number with regard to land A after the subdivision. In this case, they are not required to record the marks to cancel the previous parcel number in the heading section of the registration record of land A.

(Recording Method of Rights Section of the Registration of Parcel Subdivision)

Article 102 (1) In the cases of the preceding Article, a registrar must copy the registration of right (in the case of a registration of servitude, limited to the cases where the servitude remains in land B) from the registration record of land A and record the date of acceptance of the application pertaining to the registration of parcel subdivision and the acceptance number in the corresponding area of the rights section in the registration record of land B. In this case, with regard to ownership and rights other than security interests (excluding the servitude), they must record the fact that land A is also subject to these rights after the parcel subdivision, prepare an inventory of joint securities with regard to the security interests except for cases where an inventory of joint securities has been prepared with regard to the security interests, and record the marks of the inventory of joint securities and the

inventory number at the end of the copied registration of right.

- (2) In the cases referred to in the preceding paragraph, if the right to be copied is a security interest and an inventory of joint securities has been prepared with regard to the right, a registrar must record the right concerning land B that is copied pursuant to the provisions of the same paragraph in the inventory of joint securities.
- (3) When a registrar copies a registration of right other than ownership in the registration record of land B from the registration record of land A, they must record in the registration of right in the registration record of land A after the parcel subdivision to the effect that land B is also subject to the right with regard to rights other than security interests (excluding servitudes), and the marks of the inventory of joint securities prepared pursuant to the provisions of paragraph (1) and the inventory number with regard to the security interests, except for the cases where an inventory of joint securities has been prepared with regard to the right.

(Registration of Parcel Subdivision of Land with Registration of Servitude)

Article 103 (1) When a registrar makes a registration of parcel subdivision to subdivide land B from land A: for which a registration of servitude for the servient land is made, if the range of establishment of servitude becomes part of land A or land B after the parcel subdivision, they must record the range of establishment of servitude and the servitude drawing number in the registration of servitude in the registration record of land A or land B after the parcel subdivision.

- (2) In the cases referred to in the preceding paragraph, a registrar must make a registration of change concerning the matters set forth in the items of Article 159, paragraph (1) of the registration record of the dominant land.
- (3) In the cases referred to in paragraph (1), if the dominant land is in the jurisdictional district of another registry office, a registrar must make notification without delay to the effect that they made a registration of parcel subdivision of the servient land to another registry office.
- (4) A registrar of the registry office that has received the notification referred to in the preceding paragraph must make the registration prescribed in paragraph (2) without delay.

(Registration of Extinction of Right upon Parcel Subdivision)

Article 104 (1) The registration to the effect that the right has extinguished pursuant to the provisions of Article 40 of the Act is to be made in cases where the following information is to be provided along with the application information of the registration of parcel subdivision:

- (i) information prepared by the registered right holder certifying that the

- registered right holder of the right (in cases where the right is a mortgage, including a holder or endorser of the mortgage securities when mortgage securities have been issued) has accepted the extinguishment of the right or the information certifying that there was a judicial decision that a defense could be asserted against the registered right holder;
- (ii) if there is a registration of the right of a third party that is subject to the right referred to in the preceding item, information certifying the acceptance of the third party prepared by the third party or information certifying that there was a judicial decision that a defense could be asserted against the third party; and
  - (iii) if the right referred to in item (i) is a mortgage for which mortgage securities have been issued, the mortgage securities.
- (2) In case of making a registration of parcel subdivision to subdivide land B from land A, if making a registration to the effect that the right has extinguished with regard to land B pursuant to the provisions of Article 40 of the Act, a statement that the right with respect to land B has been extinguished by the supplemental registration that is made for the registration of the right listed in the registration record of land A after the parcel subdivision must be recorded. In this case, notwithstanding the provisions of Article 102, paragraph (1), it is not required to copy the registration of right pertaining to the extinguished right to the registration record of land B.
  - (3) In cases where the registration of parcel subdivision to subdivide land B from land A is made, if making a registration to the effect that the right with regard to land A after the parcel subdivision has extinguished pursuant to the provisions of Article 40 of the Act, a statement that the right with regard to land A after the parcel subdivision has been extinguished by the supplemental registration that is made for the registration of right listed in the registration record of land A after the parcel subdivision must be recorded and the marks to cancel the registration of right must be recorded.
  - (4) In cases where there is the registration of parcel subdivision to subdivide land B from land A with a registration of servitude to be made for the servient land, the provisions of paragraph (2) apply mutatis mutandis to those cases where the servitude no longer exists with land B (excluding the cases referred to in Article 40 of the Act).
  - (5) In cases where there is the registration of parcel subdivision to subdivide land B from land A with a registration of servitude to be made for the servient land, the provisions of paragraph (3) apply mutatis mutandis to those cases where the servitude no longer exists in the land A after the parcel subdivision (excluding the case referred to in Article 40 of the Act).
  - (6) In cases where a registrar makes a registration of parcel subdivision with regard to the land with a registration of servitude made for the dominant land,

if the information prepared by the easement holder certifying that servitude is to be extinguished with regard to either piece of land after the parcel subdivision is provided together with the application information of the registration of parcel subdivision (in cases where there is a registration of right of a third party that is established over the land, limited to cases where the information certifying the acceptance of the third party is provided along with it), they must register to the effect that the servitude has extinguished with regard to the land. The provisions of paragraph (1) (ii), paragraphs (2) and (3) apply mutatis mutandis to this case.

(Special Provisions on the Restriction on Registration of Parcel Consolidation)

Article 105 The registration of rights that can be registered in the registration record of the land after parcel consolidation referred to in Article 41, item (vi) of the Act are to be the following registrations:

- (i) a registration of servitude made over a servient land;
- (ii) a registration of security interests, for which the purpose of registration, date of acceptance of application, acceptance number, cause of registration and date thereof are identical;
- (iii) a registration of trust, for which the matters to be registered as set forth in the items of Article 97, paragraph (1) of the Act are identical; and
- (iv) a registration that is made concerning a registration of compensation for mine damage as prescribed in Article 26 of the Order for Registration of Compensation for Mine Damage (Cabinet Order No.27 of 1955), for which the registration numbers as prescribed in Article 2 of the Regulations on Registration of Compensation for Mine Damage (Ministry of Justice Order No.47 of 1955) are identical.

(Recording Method of the Heading Section of Registration of Parcel Consolidation)

Article 106 (1) When a registrar makes a registration of parcel consolidation to consolidate land A into land B, they must record in the heading section of the registration record of land B the matters to be registered in the heading section of the land after the parcel consolidation, including the fact that the numbered land in this case are consolidated and the cancellation code of the changed part of the matters to be registered in the heading section of the previous land.

- (2) In the cases referred to in the preceding paragraph, a registrar must record in the heading section of the registration record of land A the fact that land A is consolidated with the numbered land in this case and the cancellation code of the matters to be registered of the heading section of the previous land and must close the registration record.

(Recording Method of the Rights Section of the Registration of Parcel Consolidation)

Article 107 (1) In the cases referred to in paragraph (1) of the preceding Article, if land A and land B before the parcel consolidation are lands with registrations of ownership, a registrar must record the following matters in section A of the registration record of land B:

- (i) the fact of making a registration of ownership by reason of merger;
  - (ii) the name and address of the registered holder of the ownership and, if there are two or more registered right holders, the share of each the registered holder of ownership;
  - (iii) the date of acceptance of the application pertaining to the registration of parcel consolidation and the acceptance number; and
  - (iv) if there is a registration of trust for which the matters to be registered set forth in the items of Article 97, paragraph (1) of the Act are identical, the registration of trust.
- (2) In the cases referred to in the preceding paragraph, if there is a registration of servitude to be made for a servient land in the registration record of land B, a registrar must record in the registration of servitude the range of establishment of the servitude and the number of the servitude drawings.
- (3) In the cases referred to in paragraph (1), if there is a registration of servitude to be made for a servient land in the registration record of land A, a registrar must transfer the registration of servitude from the registration record of land A to Section B of the registration record of land B and record in the transferred registration of servitude the range of establishment of the servitude and the number of the servitude drawings.
- (4) In cases where a registration of servitude is to be transferred pursuant to the provisions of the preceding paragraph, if land B has a registration of servitude for a servient land where the purpose of registration, date of acceptance of the application, acceptance number, cause of registration and the date are identical, notwithstanding the provisions of the same paragraph, a registrar must record in the registration record of land B the parcel number of land A and the fact that there is a registration on the same matters with regard to land A.
- (5) The provisions of Article 103, paragraphs (2) through (4) apply mutatis mutandis to the cases referred to in the preceding three paragraphs.
- (6) In the cases referred to in paragraph (1), when the registration records of land A and land B have a registration of security interests where the purpose of registration, date of acceptance of the application, acceptance number, cause of registration and the date are identical, a registrar must record the fact that the registration concerns all of the land after the parcel consolidation in the registration record of land B by supplemental registration.

(Registration of Parcel Subdivision and Parcel Consolidation)

Article 108 (1) In cases where part of land A is subdivided and the portion is consolidated into land B, when a registrar makes a registration of parcel subdivision and registration of parcel consolidation, they must record the matters to be registered in the heading section of the land after parcel consolidation in the heading section of the registration record of land B, the fact that part of the numbered land in this case is consolidated, and the cancellation code of the changed part of the matters to be registered in the heading section of the previous land. In this case, the provisions of Article 106 do not apply.

(2) When a registrar makes a registration as prescribed in the preceding paragraph, they must record in the heading section of the registration record of land A the matters to be registered in the heading section of the remaining part of the land, the fact that the part of land is consolidated with the numbered land in this case, and the cancellation code of the changed part of the matters to be registered in the heading section of the previous land. In this case, the provisions of Article 101, paragraphs (1) and (2) do not apply.

(3) The provisions of Article 102, paragraph (1) (limited to the part pertaining to the registration of servitude to be made for a servient land), Articles 103, 104 and the preceding Article apply *mutatis mutandis* to the cases referred to in paragraph (1).

(Registration of Loss of Land)

Article 109 When a registrar makes a registration of loss of land, they must record the cancellation code of the matters to be registered in the heading section of the registration record of the land and close the registration record.

Article 110 (1) In the cases referred to in the preceding Article, if the lost land was subject to a right other than ownership along with other real property (limited to those cases where it is recorded to that effect in the registration record), a registrar must record in Section B of the registration record of the other real property the matters related to the real property location of the lost land, the cause of loss and the fact that the land is lost and must record the cancellation code of the matters related to the real property location of the lost land that are recorded in a record stating the fact that the lost land is subject to a right along with other real property.

(2) If the lost land is subject to security interests together with other real property, a registrar must make the record pursuant to the provisions of the preceding paragraph (excluding the record of the matters related to the real property location of the lost land) in an inventory of joint securities.



- (3) In the cases referred to in paragraph (1), if the other real property is in the jurisdictional district of another registry office, a registrar must notify another registry office to that effect without delay.
- (4) A registrar of the registry office that receives the notice under the provisions of the preceding paragraph must make a registration under the provisions of paragraphs (1) and (2) without delay.

### **Subsection 3 Registration of a Description of a Building**

#### **(Buildings)**

Article 111 A building must have a roof and walls or similar components, must be a building structure affixed to the land and be in a condition that allows it to fulfill its purpose.

#### **(Building Numbers)**

Article 112 (1) A building number is to be specified using the same number as the parcel number of the building site for each numbered district; provided, however, that if there are two or more buildings on one parcel of land, one building on two or more parcels of land or other special circumstances, it is to be specified by the method of attaching a sub-number to the same number as the parcel number of the site or by another method.

(2) A code is to be attached to an annex building.

#### **(Type of Building)**

Article 113 (1) The type of a building is to be specified based on the main use of the building by placing it in one of the following categories: homes, stores, dormitories, apartment houses, offices, hotels, restaurants, factories, warehouses, garages, power plants and transformer substations, and buildings that do not fall under the categories are to be specified according to their main use.

(2) In cases where there are two or more main uses of the building, the building type is to be specified by the two or more uses.

#### **(Building Structure)**

Article 114 The structure of a building is to be specified by the construction materials used for the main part of the building, the type of roof and the number of floors by using the following categories, and those buildings that do not fall under these categories are to be specified according to these specifications:

(i) categorization by construction material:

(a) wooden construction;

- (b) earthen-wall construction;
  - (c) stone construction;
  - (d) brick construction;
  - (e) concrete-block construction;
  - (f) steel-frame construction;
  - (g) reinforced concrete structure; or
  - (h) steel reinforced concrete structures.
- (ii) categorization by roof type:
- (a) tile roofing;
  - (b) slate roofing;
  - (c) galvanized steel plate roofing;
  - (d) thatch; or
  - (e) deck roof.
- (iii) categorization by number of floors:
- (a) single-floor construction; or
  - (b) two-floor construction (buildings with three or more floors are to be placed in this category)

(Building Floor Area)

Article 115 The floor area of the building is to be determined by the horizontal projection area of the parts bounded by the center lines of the walls or other boundaries (in the case of a condominium unit, the inner lines of the walls or other boundaries) for each floor; the unit of measure is to be square meters; and fractions of less than 1/100th of one square meter are to be rounded down.

(Building Number of Condominium Units)

Article 116 (1) In the heading section of the registration record of a building that is a condominium unit, in addition to the matters to be registered in the heading section of the building, the building number of other buildings that belong to the condominium to which the building belongs to are to be recorded.

(2) If a registrar makes a registration of change or registration of correction concerning the building number of a building that is a condominium unit, they must record the cancellation code of the building number of the building that has been recorded in the registration record of other buildings that belong to the single building to which the building belongs to and must record the building number after the change or after the correction.

(Closure of the Registration Record of Condominium Units)

Article 117 (1) When a registrar closes the registration record of a building which is a condominium unit, if another building (excluding one that is registered as an annex building) becomes to exist in the single building to

which the building (hereinafter referred to as the "closed building" in this Article) belongs, even after the closure of the registration record, notwithstanding the provisions of Article 8, they are not required to record the cancellation code of the following matters that are recorded in the registration record of the closed building:

- (i) the city ("shi"), ward ("ku"), county ("gun"), town ("machi"), village ("mura") and "aza" where the condominium is located and the parcel number of the land;
  - (ii) structure and floor area of the single building;
  - (iii) if there is a name for the single building, the name; and
  - (iv) the building number of the other building that is recorded pursuant to the provisions of paragraph (1) of the preceding Article.
- (2) In the cases referred to in the preceding paragraph, a registrar must record the cancellation code of the building number of the closed building that is recorded in the registration record of the other building which belongs to the single building to which the closed building belongs.
- (3) In the cases other than the cases prescribed in paragraph (1), when a registrar closes the registration record of a building which is a condominium unit they must record the cancellation code of the matters set forth in the items of paragraph (1) in the registration record of the closed building and in the registration record (including what has been closed) of the other buildings that belong to the single building to which the closed building belongs.

(Recording Method of the Right of Site Made in the Heading Section)

Article 118 When a registrar records the right of site set forth in Article 44, paragraph (1), item (ix) of the Act in the heading section of the registration record of a building that is a condominium unit, they must record the following matters in addition to the cause of registration of the right of site and the date:

- (i) the following matters concerning land that is subject to the right of site:
  - (a) the code that is provided in accordance with the order of recording the land;
  - (b) matters related to the real property location of the land;
  - (c) the land category; and
  - (d) the parcel area:
- (ii) the type of right of site; and
- (iii) the share of the right of site.

(Registration of Categorization as a Right of Site)

Article 119 (1) When a registrar makes a registration of categorization as a right of site referred to in Article 46 of the Act, they must record the following matters in the corresponding section of the rights section of the registration

record of the land that is subject to the right of site:

- (i) the fact that it is a right of site;
  - (ii) the city ("shi"), ward ("ku"), county ("gun"), town ("machi"), village ("mura") and "aza" where the single building to which the condominium unit for which the right of site is registered belongs is located, and the parcel number of the land;
  - (iii) the structure and floor area of the single building to which the condominium unit for which the right of site is registered belongs and the name of the condominium;
  - (iv) if the right of site is a right of site for part of a building that belongs to a single building, the building number of the part of building; and
  - (v) the date of registration.
- (2) When the land that is subject to the right of site is in the jurisdictional district of another registry office, a registrar must notify another registry office of the matters to be recorded pursuant to the provisions of the preceding paragraph without delay.
- (3) A registrar of the registry office that receives the notification under the provisions of the preceding paragraph must record without delay the notified matters in the corresponding section of the rights section of the registration record of the land which is subject to the right of site.

(Registration by Reason of Combination)

- Article 120 (1) When making a heading registration of a building for a building after combination, if there is a building with a registration of ownership in the building before the combination, it is not required to record the matters to be registered concerning the heading-section owner in the heading section of the registration record of the building after combination. The same applies when an application for registration of ownership is filed together pursuant to the provisions of the second sentence of Article 49, paragraph (1) of the Act.
- (2) In the cases referred to in the first sentence of the preceding paragraph, if a registrar has made a heading registration, they must record the following matters in Section A of the registration record of the building after the combination:
- (i) the fact of making a registration of ownership by reason of combination;
  - (ii) the name and address of the registered holder of ownership, and the share of each registered holder of ownership if there are two or more registered right holders; and
  - (iii) the date of registration.
- (3) In cases where an application is filed for registration of ownership together pursuant to the provisions of the second sentence of Article 49, paragraph (1) of the Act, when a registrar makes a registration of ownership based on the

application, in addition to the matters set forth in the items of the preceding paragraph, they must record the date of acceptance of the application and the acceptance number.

- (4) In cases where there is a surviving registration (meaning a surviving registration as prescribed in application information section (c) in paragraph (xiii) of the Appendix Table of the Order; the same applies hereinafter in this paragraph) with regard to the building before combination, when a registrar makes the same registration as the surviving registration with respect to the share of the building after combination, they must transfer the surviving registration from the registration record of the building before combination to the corresponding section of the rights section of the registration record of the building after combination, and must record the fact that the registration has been transferred pursuant to the provisions of this paragraph together with the date at the end of the record.
- (5) Registration of the fact that the right is extinguished pursuant to the provisions of Article 50 of the Act is to be made in cases where the following information is provided together with the application information of the registration, etc. by reason of combination:
  - (i) information that is certifying that the registered right holder of the right (in cases where the right is a mortgage, if mortgage securities have been issued, including the holder or endorser of the mortgage securities) has accepted the extinguishment of the right that is prepared by the registered right holder or information certifying that there was a judicial decision that a defense could be asserted against the registered right holder;
  - (ii) if there is a registration of a third party's right that is established over the right referred to in the preceding item, information prepared by the third party certifying the acceptance of the third party or information certifying that there was a juridical decision that a defense could be asserted against the third party; or
  - (iii) if the right referred to in item (i) is a mortgage for which mortgage securities have been issued, the mortgage securities.
- (6) Registration of the fact that the right in the cases referred to in the preceding paragraph has been extinguished is to be made by a supplemental registration. In this case, notwithstanding the provisions of paragraph (4), it is not required to transfer the registration of right pertaining to the extinguished right to the registration record of the building after combination.
- (7) The provisions of Article 124 apply mutatis mutandis when a condominium unit with the right of site is combined and the registration of the right of site is not made with regard to the building after combination.
- (8) The provisions of the preceding Article do not apply when all of two or more buildings before combination are condominium units with the right of site and

the building after combination also becomes a condominium unit with the right of site, if the total share of all rights of site of the building before combination is the share of the right of site of the building after combination.

(9) The provisions of Article 144 apply mutatis mutandis to cancellation of the registration of the heading section of the building before combination.

(Registration of Newly Constructed Annex Buildings)

Article 121 When a registrar makes a registration of change concerning the matters to be registered in the heading section of the building by reason of the new construction of an annex building, they must record the code, type, structure and floor area of the annex building in the heading section of the registration record of the building.

(Registration of Change of the Heading Section of a Condominium Unit)

Article 122 (1) The matters to be registered as specified by Ministry of Justice Order referred to in Article 51, paragraph (5) of the Act are as follows:

- (i) matters related to the real property location, land category and parcel area of the land that is subject to the right of site; and
- (ii) type of right of site.

(2) The matters specified by Ministry of Justice Order referred to in Article 51, paragraph (5) as applied mutatis mutandis pursuant to Article 53, paragraph (2) of the Act are the matters set forth in the items of the preceding paragraph, the cause of registration of the right of site and the date.

(Registration in Case of Registering the Right of Site by Registration of Change in the Heading Section of a Building)

Article 123 (1) In cases where a registrar makes a new registration of a right of site by a registration of change or registration of correction concerning the matters to be registered in the heading section of the building, excluding registration of ownership, when there is a registration of the right pertaining to the ownership or specified security interests (meaning general registered statutory liens, pledges or mortgages; the same applies hereinafter in this Article) with regard to the building, the registrar must record the fact that the registration only concerns the building by a supplemental registration that is made for the registration of the right; provided, however, that this does not apply to a registration of right pertaining to the specified security interests where the purpose, etc. (meaning the purpose of registration, the date of acceptance of application, acceptance number, the cause of registration and the date; the same applies hereinafter in this paragraph) of the registration is the same as the purpose, etc. of a registration of right pertaining to specified security interests, which is made for the right of the site.

(2) In the cases referred to in the proviso of the preceding paragraph, a registrar must cancel the registration of right related to the specified security interests that is made for the right of site by their own authority. In this case, they must record the fact that the registration is cancelled pursuant to the provisions of this paragraph in the corresponding section of the rights section of the registration record of the land that is subject to the right of site together with the date.

(Cancellation of Registration of Right of Site)

Article 124 (1) With regard to a condominium unit with the right of site, if a registrar makes a registration of change concerning the heading section of the building based on the fact that the right which was the right of site has become a right other than the right of site, they must record in the corresponding section of the rights section of the registration record of the land that was subject to the right of site to the effect that the right of site is cancelled by the registration of change of the right of site together with the date, and must cancel the registration of categorization as the right of the site as stated in the same section. The same applies when they make a registration of change concerning the heading section of a building based on the fact that the right which was a right of site is extinguished.

(2) In the cases referred to in the first sentence of the preceding paragraph, a registrar must record the following in the corresponding section of the rights section of registration record of the land referred to in the same paragraph: the right which was the right of site; the name and address of a registered right holder of the right; if there are two or more registered right holders, the share of each registered right holder of the right; the fact that the registration is made by reason that the registration of categorization as the right of site is cancelled; and the date of the registration.

(3) In cases where the registrations prescribed the preceding paragraph are to be made, if there is a specified registration (meaning a specified registration as prescribed in Article 55, paragraph (1) of the Act; the same applies hereinafter) in the registration record of a condominium unit with the right of site, a registrar must copy the specified registration to the corresponding section of the rights section of the registration record of the land referred to in paragraph (1) from the registration record of the condominium unit with the right of site.

(4) In the cases referred to in the preceding paragraph, if there is a registration that is made after the registration to be copied pursuant to the provisions of the preceding paragraph in the corresponding section of the rights section of the registration record of the land referred to in paragraph (1), notwithstanding the provisions of the same paragraph, a registrar must newly prepare a registration record of the land, transfer the registration that has

been made in the heading section of the previous registration record to the heading section of the registration record, and also copy the registration to be copied pursuant to the provisions of the same paragraph and transfer the registration that was made in the rights section of the previous registration record in the rights section in accordance with the order of the rights. In this case, they must record in the heading section and the rights section of the previous registration record the fact that the registration has been transferred pursuant to the provisions of this paragraph together with the date, and must close the previous registration record.

- (5) If a registrar copies or transfers the registration to the corresponding section of the rights section of the registration record of the land pursuant to the provisions of the preceding two paragraphs, they must record that it has been copied or transferred pursuant to the provisions of paragraph (3) or (4) at the end of the registration.
- (6) When the registration to be copied pursuant to the provisions of paragraph (3) is the registration of a general registered statutory lien, pledge or mortgage, a registrar must prepare an inventory of joint securities. In this case, they must record the code of the newly prepared inventory of joint securities and the inventory number at the end of the registration pertaining to the copied right in each registration record of the building and land.
- (7) The provisions of the preceding paragraph do not apply when an inventory of joint securities has been prepared with regard to the right related to the registration to be copied. In this case, a registrar must record the cancellation code of the right that is established on the previous condominium unit with the right of site in the inventory of joint securities, the right over the building and land after extinction of the right of site, and then the code of the inventory of joint securities and the inventory number at the end of registration of the right in the registration record of land.
- (8) In cases where a registrar makes a registration of change referred to in paragraph (1), if the land that is subject to the right of site is in the jurisdictional district of another registry office, they must notify another registry office of the fact that the registration referred to in the same paragraph has been made and the matters to be recorded or copied pursuant to the provisions of paragraph (2) or (3).
- (9) A registrar of the registry office that receives the notification referred to in the preceding paragraph must take the procedures provided for in paragraphs (1) through (7) without delay.
- (10) The provisions of the second sentence of Article 6 apply *mutatis mutandis* to cases of transferring the registration pursuant to the provisions of paragraph (4).



(Registration of an Extinction of Right Related to Specified Registration)

Article 125 (1) Registration in cases where the right related to a specified registration is extinguished is to be made in cases where the following information is provided together with the application information for the registration of change of the right of site:

- (i) the information that certifies that the registered right holder of the right (in cases where the right is a mortgage, if mortgage securities have been issued, a holder or endorser of the mortgage securities) has accepted the extinguishment of the right that is prepared by the registered right holder or the information certifying that there was a judicial decision that a defense could be asserted against the registered right holder;
  - (ii) If there is a registration of a third party's right that is established over the right referred to in the preceding item, information prepared by the third party certifying that this has been accepted by the third party or information certifying that there was a judicial decision that a defense could be asserted against the third party;
  - (iii) if the right referred to in item (i) is a mortgage for which mortgage securities have been issued, the mortgage securities.
- (2) Registration of the fact that the right pertaining to a specified registration in the cases referred to in the preceding paragraph has been extinguished with respect to the land is to be made by a supplemental registration. In this case, notwithstanding the provisions of paragraph (3) of the preceding Article, it is not required to copy the registration of right related to the extinguished right to the registration record of land.
- (3) Registration of the fact that the right related to specified registration in the cases referred to in paragraph (1) has been extinguished with respect to the building is to be made by a supplemental registration. In this case, the date of registration and the cancellation code of the registration of right must be recorded.
- (4) The provisions of the preceding three paragraphs apply mutatis mutandis to registration in cases where the right related to the specified registration pursuant to the provisions of Article 55, paragraphs (2) through (4) of the Act has extinguished.

(Registration of Correction by Reason of Absence of Right of Site)

Article 126 (1) If a registrar makes a registration of correction concerning the heading section of the building due to the absence of the right of site, they must record the fact that the right of site is cancelled by making a registration of correction of the right of site and the date in the corresponding section of the rights section of the registration record of the land which is subject to the right and must cancel the registration of categorization as the right of site in the

same section.

- (2) In the cases referred to in the preceding paragraph, when there is a registration which has the effect as a registration of transfer of the right of site pursuant to the provisions of the main clause of Article 73, paragraph (1) of the Act, a registrar must copy all of the registration in the corresponding section of the rights section of the registration record of the land referred to in the preceding paragraph.
- (3) The provisions of Article 124, paragraphs (3) through (10) apply mutatis mutandis to the cases referred to in the preceding paragraph.

(Recording Method of the Heading Section of the Registration of Separation of a Building)

Article 127 (1) When a registrar makes a registration of separation of a building where an annex building of building A is separated from building A and is established as building B, they must newly prepare a registration record with respect to building B and must record the fact that the annex building is separated from the building with the numbered building in this case in the heading section of the registration record.

- (2) In the cases referred to in the preceding paragraph, a registrar must record in the heading section of the registration of building A the fact that the annexed building is separated into the building with the numbered building in this case and the cancellation code of the separated annex building.
- (3) In the cases referred to in paragraph (1), if a change arises with the matters related to the real property location by the separation, a registrar must record the matters related to the real property location after the change, the fact that it is changed by the separation and the cancellation code of the matters related to the real property location before the change.

(Recording Method of the Rights Section for the Registration of Separation of a Building)

Article 128 (1) The provisions of Article 102 and Article 104, paragraphs (1) through (3) apply mutatis mutandis to the cases where a registration of separation of a building where an annex building of building A is separated from building A and established as building B pursuant to the provisions of paragraph (1) of the preceding Article.

- (2) When a registration of ownership that is currently in effect with regard to the building before separation is made and then a registration of change concerning the matters to be registered in the heading section of the building before the separation is made by the new construction of an annex building pertaining to the separation, a registrar must record the following matters in section A of the registration record of building B instead of copying the

registration of ownership pursuant to the provisions of Article 102 as applied mutatis mutandis pursuant to the preceding paragraph:

- (i) the fact of making a registration of ownership due to separation;
- (ii) The name and address of the registered holder of ownership, and if there are two or more registered right holders, the share of each registered holder of ownership; and
- (iii) the date of registration.

(Recording Method of the Heading Section of the Registration of Division into Units)

Article 129 (1) When a registrar makes a registration of division into units where building A, which is not a condominium unit, is divided into building A and building B, they must prepare a new registration record with respect to each building after the division and record the fact that it is divided from the building with the numbered building in this case in the heading section of each registration record.

(2) In the cases referred to in the preceding paragraph, a registrar must record in the heading section of the registration record of building A before the division the fact that it is transferred by division to the registration records of the numbered buildings with the numbered building in this case and the cancellation code of the matters to be registered of the heading section of the previous building, and must close the registration record.

(3) When a registrar makes a registration of division into units where building A that is a condominium unit is divided into building A and building B, they must prepare a new registration record with respect to building B and must record the fact that it is divided from the building with the numbered building in this case in the new registration record.

(4) In the cases referred to in the preceding paragraph, a registrar must record in the heading section of the registration record of building A the matters to be registered in the heading section of remaining part of the building, the fact that the building with the numbered building in this case is divided and the cancellation code of the changed part of the matters to be registered in the heading section of the previous building.

(Recording Method of the Rights Section for the Registration of Division into Units)

Article 130 (1) In the cases referred to in paragraph (1) of the preceding Article, a registrar must transfer the registration of the right from the registration record of the building before the division to the corresponding section of the rights section of a new registration record with respect to each building after division and the date of acceptance of the application related to the

registration of division into units and the acceptance number. In this case, the provisions of the second sentence of Article 102, paragraph (1), paragraphs (2) and (3) and Article 104, paragraphs (1) through (3) apply mutatis mutandis.

- (2) The provisions of Article 102 and Article 104, paragraphs (1) through (3) apply mutatis mutandis to the registration of right in the cases referred to in paragraph (3) of the preceding Article.
- (3) In cases where the registration of division into units is made pursuant to the provisions of paragraph (1) of the preceding Article, the provisions of Article 123 apply mutatis mutandis when the building after division becomes a condominium unit with the right of site.

(Special Provisions on the Restriction on Registration of a Merger of Buildings)

Article 131 Registrations of right that may be registered in the registration record of the building after the merger referred to in Article 56, item (v) of the Act are the following registrations:

- (i) registrations of security interests, for which the purpose of registration, date of acceptance of application, acceptance number, cause of registration and the date are identical; and
- (ii) trust registrations, for which the matters to be registered as set forth in items of Article 97, paragraph (1) of the Act are identical.

(Recording Method of the Heading Section of the Registration of an Attachment Merger)

Article 132 (1) When a registrar makes a registration of a merger of buildings pertaining to a merger of buildings where building A is merged into building B as its annex building (hereinafter referred to as an "attachment merger"), they must record in the heading section of the registration record of building B the matters to be registered in the heading section of the building after the attachment merger and the fact that the building with the numbered building in this case is merged.

- (2) In the cases referred to in the preceding paragraph, in cases where a change arises with the matters related to the real property location due to an attachment merger, a registrar must record the matters related to the real property location after the change, the fact that it is changed due to the merger and the cancellation code of the matters related to the real property location before the change.
- (3) In the cases referred to in paragraph (1), a registrar must record in the heading section of the registration record of building A the fact that it is merged with the building with the numbered building in this case and the cancellation code of the matters to be registered in the heading section of the previous building, and must close the registration record.

(Recording Method of the Heading Section of the Registration of a Division Merger)

- Article 133 (1) When a registrar makes a registration of merger of buildings related to the merger of buildings where building A, which is a condominium unit, is merged with building B or an annex building of building B (limited to cases where building B or the annex building of building B is a condominium unit adjoining building A; hereinafter referred to as a "division merger" ), they must record in the heading section of the registration record of building B the matters to be registered in the heading section of the building after the division merger, the fact that the building with the numbered building in this case is merged and the cancellation code of the changed part of the matters to be registered in the heading section of the previous building.
- (2) In the cases prescribed in the preceding paragraph, a registrar must record in the heading section of the registration record of building A the fact that it is merged into the building with the numbered building in this case and the cancellation code of the matters to be registered in the heading section of the previous building, and must close the registration record.
- (3) Notwithstanding the provisions of paragraph (1), in cases where a registrar makes a registration of the merger of buildings pertaining to a division merger (excluding cases of merging building A to an annex building of building B), if the building after the division merger is not a condominium unit, they must newly prepare a registration record with respect to building B after the division merger and must record in the heading section of the registration record the matters to be registered in the heading section of the building after the division merger and the fact that it is transferred from the registration record of the building with the numbered building in this case.
- (4) In the cases referred to in the preceding paragraph, a registrar must record in the heading section of the registration record of building B before the division merger that fact that the building with the numbered building in this case is merged, the fact that it is transferred by merger to the registration record of the building with the numbered building in this case and the cancellation code of the matters to be registered in the heading section of the building with respect to building B, and must close the registration record of building B.

(Recording Method of the Rights Section for the Registration of a Merger of Buildings)

- Article 134 (1) The provisions of Article 107, paragraphs (1) and (6) apply mutatis mutandis to the registration of a merger of buildings.
- (2) In the cases referred to in paragraph (3) of the preceding Article, when there is a registration as prescribed in Article 131 for all buildings before the

division merger, a registrar must transfer the registration to Section B of the registration record that is newly prepared with respect to the building after the division merger pursuant to the provisions of the same paragraph and must record the fact that the registration concerns all of the building after the merger by a supplemental registration.

- (3) In case of making a registration of a merger of buildings pertaining to a division merger, the provisions of Article 124 apply mutatis mutandis when the building after the division merger becomes a building without the right of site.

(Recording Method of the Heading Section for the Registration of a Separation of Buildings and the Registration of an Attachment Merger)

Article 135 (1) In cases where an annex building of building A is separated from the registration record of building A to be an annex building of building B, if a registrar makes a registration of the separation of buildings and a registration of the merger of buildings, they must record in the heading section of the registration record of building B the matters to be registered in the heading section of the building after the attachment merger and the fact that it is separated from the building with the numbered building in this case and merged. In this case, the provisions of Article 132, paragraphs (1) and (3) do not apply.

- (2) In the cases referred to in the preceding paragraph, with regard to the annex building pertaining to the separation in the heading section of the registration record of building A, a registrar must record the fact that it is merged with the building with the numbered building in this case and the cancellation code of the changed part of the matters to be registered in the heading section of the previous building. In this case, the provisions of Article 127, paragraphs (1) and (2) do not apply.

(Recording Method of the Heading Section for the Registration of Separation and Division Merger of Buildings)

Article 136 (1) In cases where an annex building of building A (limited to a condominium unit) is separated from the registration record of building A and is merged with building B or an annex building of building B (limited to cases where building B or the annex building of building B is a condominium unit adjoining the annex building of building A), when a registrar makes a registration of separation of buildings and a registration of merger of buildings, they must record in the heading section of the registration record of building B the matters to be registered in the heading section of the building after the division merger, the fact that part of the building with the numbered building in this case is merged and the cancellation code of the changed part of the matters to be registered in the heading section of the previous building. In this

case, the provisions of Article 133, paragraphs (1) and (2) do not apply.

- (2) In the cases referred to in the preceding paragraph, the provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the recording method of the heading section of the registration record of building A.
- (3) In the cases referred to in paragraph (1), (excluding cases where the annex building of building A is separated and merged with the annex building of building B) the provisions of Article 133, paragraphs (3) and (4) apply mutatis mutandis when building B after the division merger becomes a building that is not a condominium unit.

(Recording Method of the Heading Section for the Registration of Division into Units and Attachment Merger)

Article 137 (1) In cases where building A is planned to divide and to make part of the building be an annex building of building B, the provisions of Article 135, paragraph (1) apply mutatis mutandis to the recording method of the heading section of the registration record of building B in cases where a registration of division into units and registration of attachment merger are made.

- (2) In the cases referred to in the preceding paragraph, if building A before the division is a building that is not a condominium unit, a registrar must newly prepare a registration record with respect to building A after the division, record in the heading section of the registration record the fact that it is divided from the building with the numbered building in this case, record in the registration record of building A before the division the fact that it is transferred to the registration records of the numbered buildings with the numbered building in this case by division and merger and the cancellation code of the matters to be registered in the heading section of the previous building, and then close the registration record. In this case, the provisions of Article 129, paragraphs (1) and (2) do not apply.
- (3) In the cases referred to in paragraph (1), if building A before division is a condominium unit, a registrar must record in the heading section of the registration record of building A the matters to be registered in the heading section of the remaining part of the building, the fact that the divided part is merged with the building with the numbered building in this case and the cancellation code of the changed part of the matters to be registered in the heading section of the previous building. In this case, the provisions of Article 129, paragraphs (3) and (4) do not apply.

(Recording Method of the Heading Section for the Registration of Division into Units and Division Merger)

Article 138 (1) In cases where building A is planned to divide and to make part of the building merge with building B or an annex building of building B

(limited to cases where building B or the annex building of building B is a condominium unit adjoining the part of the building), the provisions of Article 136, paragraph (1) apply mutatis mutandis to the recording method of the heading section of the registration record of building B in case of making a registration of division into units and registration of merger of buildings.

(2) In the cases referred to in the preceding paragraph (limited to cases where building A before the division was a condominium unit), the provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the recording method of the heading section of the registration record of building A.

(Recording Method of the Rights Section for the Registration of Division into Units and Registration of Attachment Merger)

Article 139 The provisions of Article 104, paragraphs (1) through (3) and Article 107, paragraphs (1) and (6) apply mutatis mutandis to the recording method of the rights section in the cases referred to in Article 135 through the preceding Article.

(Registration, in Cases Where a Building Becomes a Condominium Unit)

Article 140 (1) When a registrar makes a registration of change concerning the matters to be registered in the heading section as prescribed in Article 52, paragraphs (1) and (3) of the Act, they must newly prepare a registration record with respect to the building that is a condominium unit related to the registration of change and record in the heading section of the registration record the fact that the registration is transferred pursuant to the provisions of this paragraph.

(2) In the cases referred to in the preceding paragraph, in the corresponding section of the rights section of the newly prepared registration, a registrar must transfer the registration of right from the registration record of the building before the change and record the date of registration and the fact that the registration is transferred pursuant to the provisions of this paragraph.

(3) In the cases referred to in paragraph (1), a registrar must record in the heading section of the registration of the building before the change the fact that the registration is transferred pursuant to the provisions of the same paragraph and the cancellation code of the matters to be registered in the heading section of the previous building and close the registration record.

(4) The provisions of the preceding three paragraphs apply mutatis mutandis when a building that is a condominium unit becomes a building that is not a condominium unit by reasons other than a division merger. In this case, the term "building that is a condominium unit" in paragraph (1) is deemed to be replaced with "building."



(Registration of Categorization as a Common Element)

Article 141 When a registrar makes a registration of categorization as a common element or registration of categorization as a common element of a housing complex, they must record the cancellation code of the matters to be registered concerning the heading-section owner for a building without registration of ownership and must cancel the registration of right for a building with registration of ownership.

(Separation of a Building with Registration of Categorization as a Common Element)

Article 142 When a registrar makes a registration of separation of a building where an annex building of building A is separated from building A: for which there is a registration of categorization as a common element or registration of categorization as a common element of a housing complex, and to designate the annex building as building B, or when they make a registration of division into units where building A is divided into building A and building B, if there are the matters to be registered set forth in the items of Article 58, paragraph (1) of the Act in the registration record of building A, they must copy the matters to be registered in the registration record of building B.

(Heading Registration of a Building Due to Abolition of the Regulation that Categorizes the Building as a Common Element)

Article 143 When an application is filed for a heading registration of a building due to abolition of the regulation that categorizes the building as a common element or common element of a housing complex, if a registrar makes a heading registration based on the application, it is sufficient that they record in the heading section of the registration record of the building the name and address of the owner, the share of each owner if there are two or more owners and the content of the right of site, if any. In this case, they must record the cancellation code of the record of the fact that categorizes the building as a common element or common element of a housing complex.

(Registration of Loss of a Building)

Article 144 (1) If a registrar makes a registration of loss of a building, they must record the cancellation code of the matters to be registered in the heading section of the registration record of the building and must close the registration record.

(2) The provisions of Article 110 apply mutatis mutandis to the registration referred to in the preceding paragraph.

(Registration of Loss of a Condominium Unit with the Right of Site)

Article 145 (1) The provisions of Article 124, paragraphs (1) through (5) and paragraphs (8) through (10) apply mutatis mutandis to the cases of making a registration of loss of a condominium unit with the right of site.

(2) In the cases referred to in the preceding paragraph, the provisions of Article 124, paragraphs (6) and (7) apply mutatis mutandis when there are two or more parcels of land which were subject to the right of site of the condominium unit with the right of site.

### **Section 3 Registration of Right**

#### **Subsection 1 General Rules**

(Registration of Rights Section)

Article 146 In cases where a registrar makes a registration of right in the corresponding section of the rights section, unless otherwise provided for in the laws and regulations, among the matters to be registered for the registration of right they must record what is to be newly recorded in addition to the purpose of registration, the date of acceptance of the application, acceptance number, the cause of registration and the date.

(Order Number of Priority)

Article 147 (1) When a registrar makes a registration of right, they must record in the corresponding section of the rights section the number indicating the order in which the matters to be registered have been recorded.

(2) When a registrar makes two or more registrations of right that are in the same order of priority, they must provide a code for the order number of priority in order to identify the registration.

(3) The matters for clarifying the order of priority referred to in Article 2, item (viii) of the Order are the order number of priority and the code referred to in the preceding paragraph.

(Order Number of Priority of Supplemental registration)

Article 148 When recording the order number of priority of supplemental registration, it is to be recorded by the method of adding an accessory number in this case to the order number of priority of the principal registration.

(Registration of Provisions Concerning the Extinction of the Right)

Article 149 In cases where a registrar has made a registration of provisions concerning the extinction of a right that is subject to the registration, if they make a registration to cancel a registration because the right has been extinguished due to the provisions or make another registration, they must cancel the registration of provisions concerning the extinction of the right.

(Registration of Change or Registration of Correction of Right)

Article 150 When a registrar makes a registration of change or registration of correction of right, they must record the cancellation code of the matters before the change or before the correction.

(Correction of Registration)

Article 151 When a registrar corrects a registration pursuant to the provisions of Article 67, paragraph (2) of the Act, they must record the title of the person who gave the consent referred to in the same paragraph, the date of consent and the date of registration.

(Cancellation of Registration)

Article 152 (1) When a registrar cancels the registration of right, they must make a registration of cancellation as well as a record of the cancellation code of the registration to be cancelled.

(2) In the cases referred to in the preceding paragraph, when there is a registration of a third party's right that is established over the right pertaining to the cancellation, they must cancel the registration of the third party's right. In this case, they must record the fact that the registration of the third party's right is cancelled by reason of the cancellation of the registration of right and the date of registration.

(Cancellation of Registration by a Registrar's Own Authority)

Article 153 When a registrar cancels a registration pursuant to the provisions of Article 71, paragraph (4) of the Act, they must record the reasons thereof in the registration record.

(Method of Public Notice in Case of Cancellation of Registration by a Registrar's Own Authority)

Article 154 The public notice referred to in Article 71, paragraph (2) of the Act is to be given for two weeks by the method of posting it in the posting area of the registry office where the registration to be cancelled has been registered and at other places within the registry office that is easily visible to the public or by the method of providing the content of information recorded in the file stored on a computer used by the registry office for the inspection of persons who receive information through the telecommunications line and recording the information in a file stored on a computer used by persons who receive the information, which is a method that uses the automatic public transmission server (meaning an automatic public transmission server as prescribed in Article 2, paragraph (1) item (ix)-5 (a) of the Copyright Act (Act No. 48 of

1970); the same applies in Article 217, paragraph (1) (including as applied mutatis mutandis pursuant to Article 232, paragraph (5), Article 244, paragraph (4), Article 245, paragraph (4) and Article 246, paragraph (2)) connected to the Internet.

(Restoration of Cancelled Registration)

Article 155 When a registrar restores a registration that has been cancelled, they must a registration of restoration and then make the same registration as the registration related to the cancellation.

(Registration of Right of a Building with Registration of Right of Site)

Article 156 When a registrar makes a registration as prescribed in the proviso to Article 73, paragraph (3) of the Act, they must record the fact that the registration concerns only the building and the date of registration by the method of attaching a statement to that effect to the registration.

## **Subsection 2 Registration of Ownership**

(Registration of Preservation of Ownership to Be Made for a Real Property Without Heading Registration)

Article 157 (1) What is provided for by Ministry of Justice Order referred to in Article 75 of the Act (including as applied mutatis mutandis pursuant to Article 76, paragraph (3) of the Act; the same applies in the following paragraph) are the matters other than the following matters among the matters to be registered concerning the description:

- (i) the matters to be registered concerning the heading-section owner;
- (ii) the cause of registration and the date; and
- (iii) the cause of registration of the right of site and the date.

(2) When making a registration pursuant to the provisions of Article 75 of the Act, the fact that the registration is made in order to register ownership in the heading section is to be recorded.

(3) When a registrar makes a registration of restriction on the disposition of ownership by commission with respect to a real property without registration of ownership, they must record in section A of the registration record the name and address of the owner, and if there are two or more registered right holders, the share for each of the registered holders of ownership and the fact that the registration of ownership is made by commission of the registration of restriction on the disposition.

(Cancellation of Name of the Heading-Section Owner)

Article 158 When a registrar has made a registration of ownership with respect

to a real property with a heading registration (excluding a real property with a registration of ownership), they must record the cancellation code of the matters to be registered concerning the heading-section owner.

### **Subsection 3 Registration of Usufruct**

(Registration of Servitude)

Article 159 (1) The matters specified by Ministry of Justice Order as prescribed in Article 80, paragraph (4) of the Act are as follows:

- (i) the fact that it is a registration of servitude of a dominant land;
- (ii) matters related to the real property location pertaining to the servient land and the fact that the land is a servient land;
- (iii) purpose and range of establishment of the right of servitude; and
- (iv) the date of registration.

(2) In cases where a registrar has made a registration of establishment of servitude, if the dominant land is in the jurisdictional district of another registry office, they must notify another registry office of the purpose and range of establishment of the servient land, dominant land and the servitude, and the date of acceptance of the application for registration of establishment of servitude without delay.

(3) When a registrar has cancelled a registration of change or registration of correction concerning the matters to be registered for servitude or a registration of servitude, they must cancel the registration of change or registration of correction or registration concerning the matters set forth in the items of paragraph (1) of the registration record of the dominant land or a registration of servitude of the dominant land.

(4) The provisions of paragraph (2) apply mutatis mutandis when the registration of change or registration of correction concerning the matters to be registered for servitude or the registration of servitude has been cancelled and if the dominant land is in the jurisdictional district of another registry office.

(5) A registrar of a registry office that receives the notification referred to in paragraph (2) (including as applied mutatis mutandis pursuant to the preceding paragraph) must record in Section B of the registration record of the dominant land the notified matters or make a registration referred to in paragraph (3) without delay.

(Record of Servitude Drawing Number)

Article 160 In cases where the range of establishment of servitude is part of the servient land, if a registrar makes a registration of establishment of servitude, they must record the servitude drawing number at the end of the registration. In the case that a registration of change or registration of correction of the

range of establishment of servitude is made, the same applies when the range of establishment of servitude after the change or after the correction becomes part of the servient land.

#### **Subsection 4 Registration of Security Interests, etc.**

(Registration of Preservation of a Statutory Lien on Construction Work for Real Property in Case of Constructing a New Building)

Article 161 When a registrar makes a registration of preservation of a statutory lien on construction work for real property in case of constructing a new building, they must record in section A of the registration record the name and address of the person obliged to register and the fact that this registration is made because a registration of preservation of a statutory lien on construction work for real property has been made.

(Registration upon Completion of Construction of a Building)

Article 162 (1) In cases where a registrar has made a registration referred to in the preceding Article, when they make a heading registration for the reason that the construction of the building has been completed, they must make a heading registration in the heading section of the registration record for which the registration referred to in the same Article has been made and must record the cancellation code of the matters to be registered set forth in Article 86, paragraph (2), item (i) of the Act.

(2) When a registrar makes a registration of preservation of ownership referred to in Article 87, paragraph (1) of the Act, they must record the cancellation code of the matters that have been recorded pursuant to the provisions of the preceding Article.

(3) When a registrar has made a registration of change concerning the matters to be registered in the heading section of the building referred to in Article 87, paragraph (2) of the Act, they must record the cancellation code of the matters to be registered set forth in Article 86, paragraph (2), item (i) of the Act as applied *mutatis mutandis* pursuant to paragraph (3) of the same Article.

(Registration of Change by Reason of Assigning or Waiving the Order of Priority)

Article 163 When a registrar makes a registration of change by reason of assigning or waiving the order of priority with regard to the registered security interests, they must record the order number of priority for the registration of change in parentheses following the order number of priority of the registration of security interests.

(Registration of Change for the Order of Priority of Security Interests)

Article 164 When a registrar makes a registration of change for the order of priority of security interests, they must record the order number of priority for the registration of change in parentheses following the order number of priority for the registration of security interests for which the order of priority has been changed.

(Registration of Division and Assignment of Revolving Mortgage)

Article 165 (1) Notwithstanding the provisions of Article 3, item (v), registration in cases where a revolving pledge or revolving mortgage (excluding what is established for rights other than ownership) is divided and assigned pursuant to the provisions of Article 398-12, paragraph (2) of the Civil Code (including as applied mutatis mutandis pursuant to Article 361 of the same Code) is to be made by the principal registration.

(2) When a registrar records the order number of priority for the registration in cases where the revolving pledge or revolving mortgage is divided and assigned pursuant to the provisions of Article 398-12, paragraph (2) of the Civil Code (including as applied mutatis mutandis pursuant to Article 361 of the same Code), they must use the order number of priority for the registration of revolving pledge or revolving mortgage before the division.

(3) When a registrar has recorded the order number of priority pursuant to the provisions of the preceding paragraph, they must provide the code referred to in Article 147, paragraph (2) respectively to the order number of priority and the order number of priority for the registration of revolving pledge or revolving mortgage before the division.

(4) When a registrar has made the registration referred to in paragraph (2), they must make a registration of change of a revolving mortgage by the reduction of the maximum amount with respect to the revolving pledge or revolving mortgage before the division by their own authority and must record in the registration the fact of making a registration for the reason that the revolving pledge or revolving mortgage is registered by division and assignment and the date of registration.

(Preparation of an Inventory of Joint Securities)

Article 166 (1) In cases where an application has been filed for a registration of preservation or establishment of security interests for which the right for two or more real properties is established, if a registrar makes a registration (excluding the cases prescribed in Article 168, paragraph (2)) based on the application, they must prepare an inventory of joint securities as provided for in the following Article, and must record the code of the inventory of joint securities and the inventory number at the end of the registration of security

interests.

- (2) In cases where the application referred to in the preceding paragraph is a written application, a registrar must record in the application (excluding a magnetic disk on which all of the application information is recorded) the code of the inventory of joint securities and inventory number.

(Matters to Be Recorded in the Inventory of Joint Securities)

Article 167 (1) When a registrar prepares an inventory of joint securities, they must record the following matters:

- (i) the date when the inventory of joint securities has been made;
- (ii) the code of the inventory of joint securities and the inventory number; and
- (iii) the following matters pertaining to the right for two or more real properties for which the security interests are established:
  - (a) the number to be provided to the right in accordance with the order of priority of recording to an inventory of joint securities;
  - (b) matters related to the real property location pertaining to the two or more real properties;
  - (c) if the right is a right other than ownership, the right; and
  - (d) the order number of priority of registration of the security interests (excluding those related to a real property that is in the jurisdictional district of another registry office).

- (2) The inventory number referred to in item (ii) of the preceding paragraph is to be updated for each code referred to in the same item.

(Registration of Additional Joint Securities)

Article 168 (1) The matters specified by Ministry of Justice Order referred to in application information section (b) in paragraph (xlii) of the Appendix Table of the Order, application information section (c) in paragraph (xlvi) of the same table, application information section (e) 4. in paragraph (xlvii) of the same table, application information section (c) and (f) 4. in paragraph (xlix) of the table, application information section (c) in paragraph (lv) of the same table, application information section (d) 4. in paragraph (lvi) of the same table, and application information section (c) and (f) 4. in paragraph (lviii) of the same table are the code of the inventory of joint securities and inventory number.

- (2) In cases where a registrar makes a registration of preservation or establishment of security interests that is established over the right of one or two or more real properties and then an application is filed for a registration of preservation, establishment or disposition of security interests that is established over the rights of one or two or more real properties in order to secure the same claim, if they make a registration based on the application, they must record the code of the inventory of joint securities and the inventory



number at the end of the registration.

- (3) In the cases referred to in the preceding paragraph, if there is an inventory of joint securities concerning the previous registration, a registrar must record in the inventory of joint securities the fact that the right related to the application becomes a subject of security and the date of acceptance of application and acceptance number in addition to the matters set forth in the items of paragraph (1) of the preceding Article.
- (4) In the cases referred to in paragraph (2), when there is no inventory of joint securities concerning the previous registration, a registrar must newly prepare an inventory of joint securities and must record in a supplemental registration to be made for the registration of previous security interests the fact that security is added for the security interests, the code of the inventory of joint securities and the inventory number and the date of registration.
- (5) In cases where a registrar has made a registration based on the application referred to in paragraph (2), if there is a former registration concerning real property that is in the jurisdictional district of another registry office, they must notify another registry office without delay of the fact that a registration based on the application referred to in the same paragraph has been made.
- (6) A registrar of the registry office that receives the notification referred to in the preceding paragraph must take the procedures provided for in paragraphs (2) through (4) without delay.

(Registration of Division and Assignment of Revolving Mortgages for Joint Securities)

- Article 169 (1) The matters specified by Ministry of Justice Order referred to in application information section (e) in paragraph (li) of the Appended Table of the Order and application information section (e) in paragraph (lx) of the same table are the code of inventory of joint securities and inventory number.
- (2) When a registrar makes a registration referred to in Article 165, paragraph (2) with respect to the revolving pledge or revolving mortgage before the division with an inventory of joint securities, they must prepare an inventory of joint securities recording the right concerning the same real property as the inventory of joint securities with respect to the revolving pledge or revolving mortgage after the division.
  - (3) In the cases referred to in the preceding paragraph, a registrar must record at the end of registration of the revolving pledge or revolving mortgage after the division the code of the inventory of joint securities and inventory number.

(Partial Extinction of Joint Securities)

- Article 170 (1) In cases where the rights concerning two or more real properties are subject to security interests, if a registrar has cancelled a registration of

security interests that are established for the right concerning one of the real properties, they must record in the inventory of joint securities the date of acceptance of the application and the acceptance number, the fact that the registration of security interests with regard to the real property has been cancelled and the cancellation code of the matters set forth in Article 167, paragraph (1), item (iii) relating to the cancelled registration.

- (2) When a registrar has made a registration of change or registration of correction concerning the matters recorded in an inventory of security interests, they must record in the inventory of joint securities the matters set forth in Article 167, paragraph (1), item (iii) after the change or after the correction, the date of acceptance of application for a registration of change or registration of correction and the acceptance number, the fact that the change or correction has been made and the cancellation code of the matters to be registered set forth in the same item relating to the right before the change or before the correction.
- (3) The provisions of Article 168, paragraph (5) apply mutatis mutandis to the cases referred to in the preceding two paragraphs.
- (4) A registrar of the registry office that receives the notification under the provisions of Article 168, paragraph (5) as applied mutatis mutandis pursuant to the preceding paragraph must take the procedures provided for in paragraph (1) or (2) without delay.
- (5) The provisions of paragraphs (1), (3) and (4) apply mutatis mutandis to cases of recording pursuant to the provisions of Article 110, paragraph (2) (including as applied mutatis mutandis pursuant to Article 144, paragraph (2)).

#### (Registration of the Issuance of Mortgage Securities)

Article 171 With regard to a registration of the issuance of mortgage securities referred to in Article 94, paragraph (1) of the Act (excluding what is based on the commission under the provisions of paragraph (3) of the same Article), the fact that the mortgage securities have been issued for the order of priority in this case of the numbered mortgage, the date of issue of the mortgage securities, the numbers of the mortgage securities and the date of registration must be recorded.

#### (Registration of Preparation and Issuance of Mortgage Securities)

Article 172 (1) With regard to the registration of preparation of mortgage securities referred to in Article 94, paragraph (2) of the Act, the fact that mortgage securities have been prepared by the commission of the numbered registry office for the order of priority of the numbered mortgage, the date of preparation of the mortgage securities, the numbers of the mortgage securities and the date of registration must be recorded.

(2) With regard to registration of the issuance of mortgage securities based on the commission pursuant to the provisions of Article 94, paragraph (3) of the Act, the fact that the mortgage securities have been issued for the order of priority of the numbered mortgage, the date of issue of mortgage securities, the fact that the mortgage securities have been issued at the numbered registry office, and the numbers of the mortgage securities must be recorded.

(Cancellation of Registration of Issuance of Mortgage Securities)

Article 173 In cases where a registrar cancels a registration of issuance of mortgage securities, if there is a registration of preparation of mortgage securities referred to in Article 94, paragraph (2) of the Act with regard to the mortgage securities, they must cancel the registration of preparation of mortgage securities.

(Cancellation of Registration of Special Agreement on Redemption)

Article 174 When a registrar has made a registration of acquisition of the right by reason of redemption, they must cancel the registration of special agreement on redemption.

### **Subsection 5 Trust Registration**

(Trust Registration)

Article 175 (1) In cases where an application is filed for registration pursuant to the provisions of Article 98, paragraph (1) of the Act, if a registrar makes a registration of preservation, establishment, transfer or change of the right based on the application and a registration of trust, they must record them using the order number of priority in the corresponding section of the rights section.

(2) In cases where an application is filed for registration pursuant to the provisions of Article 104, paragraph (1) of the Act, if a registrar makes a registration of transfer of right or registration of change of right based on the application or registration of cancellation of the right and registration of cancellation of trust, they must record them using one order number of priority in the corresponding section of the rights section.

(3) Notwithstanding the provisions of the preceding two paragraphs, in cases where an application is filed for a registration pursuant to the provisions of Article 104-2, paragraph (1) of the Act, if a registrar makes a registration of change of right based on the application and registration of trust or registration of cancellation of trust, they must record them using one order number of priority in the corresponding section of the rights section.

(Inventory of Trust)

Article 176 (1) When a registrar makes a registration of trust, they must prepare an inventory of trust recording the matters to be registered set forth in the items of Article 97, paragraph (1) of the Act, provide an inventory number for the inventory and record the inventory number of the inventory of trust at the end of the registration of trust.

(2) The provisions of the second sentence of Article 102, paragraph (1) apply mutatis mutandis to an inventory of trust when making a registration of parcel subdivision, registration of separation of building or a registration of division into units with respect to a real property with a registration of trust. In this case, a registrar must change the inventory number of the inventory of trust after the parcel subdivision, after the separation or after the division into units.

(3) When a registrar makes a registration of change of trust, they must change the record of the inventory of trust.

Article 177 Deleted

### **Subsection 6 Provisional Registration**

(Requirements for Provisional Registration Referred to in Article 105, item (i) of the Act)

Article 178 The information specified by Ministry of Justice Order as prescribed in Article 105, item (i) of the Act is information for registration identification or information certifying the permission, consent or acceptance of a third party.

(Method of Provisional Registration and Definitive Registration)

Article 179 (1) When a registrar has made a provisional registration in the corresponding section of the rights section, subsequently they must make a space for a definitive registration based on the same order number of priority as the provisional registration.

(2) When a registrar makes a definitive registration based on the provisional registration, they must make the registration using the same order number of priority as the provisional registration.

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to provisional registrations for the purpose of preservation.

(Definitive Registration Based on the Provisional Registration of Ownership)

Article 180 When a registrar cancels the registration of a third party's right referred to in Article 109, paragraph (1) of the Act pursuant to the provisions of paragraph (2) of the same Article, they must record in the corresponding section of the rights section the fact that the third party's right is cancelled by

definitive registration, the date of registration and the cancellation code of the registration of right.

#### **Section 4 Auxiliary Provisions** **Subsection 1 Notification**

(Certificate of Completion of Registration)

Article 181 (1) When a registrar has completed a registration based on the application for registration, they must notify the applicant of the fact that the registration is complete by issuing a certificate of completion of registration. In this case, if there are two or more applicants, it is sufficient to notify one of the applicants (if the person entitled to register and person obliged to register are applicants, each one of both the person entitled to register and the person obliged to register).

- (2) The certificate of completion of registration referred to in the preceding paragraph is to be prepared in accordance with the Appended Form (vi) by recording the matters set forth in the following items:
- (i) date of acceptance of the application and acceptance number;
  - (ii) the code referred to in Article 147, paragraph (2);
  - (iii) the real property number;
  - (iv) the matters set forth in the items of Article 34, paragraph (1) and the items of Article 44, paragraph (1) (excluding items (vi) and (ix)) of the Act;
  - (v) the mark of the inventory of joint security and the inventory number (limited to the case where an inventory of joint security is newly prepared and where a mark to change, correct or cancel the matters recorded in the inventory of joint security is recorded);
  - (vi) date of the registration referred to in Article 27, item (ii) of the Act; and
  - (vii) application information (in the case of an electronic application, excluding the information prescribed in Article 34, paragraph (1), item (i) and the residence certificate code prescribed in Article 36, paragraph (4), and in the case of a written application, limited to the purpose of registration).

(Method of Issuance of a Certificate of Completion of Registration)

Article 182 (1) A certificate of completion of registration is to be issued in accordance with the categories of application set forth in the following items by the method provided for in those items unless otherwise provided for by the Minister of Justice:

- (i) electronic application: by the method of transmitting a certification of completion of registration that is recorded in a file stored on the computer used by a registrar using an electronic data processing system and recording the certificate in the file stored on a computer used by the applicant or their

- agent as provided for by the Minister of Justice; or
- (ii) written application: by the method of issuing a certification of completion of registration in a document.
- (2) In cases where an applicant requests the issuance of certificate of completion of registration by the method of sending, the applicant must include a statement to that effect and the sending address in the content of the application information.
  - (3) The provisions of Article 55, paragraphs (7) through (9) apply mutatis mutandis to the cases where the certificate of completion of registration is issued by the method of sending.
  - (4) Sending of a certificate of completion of registration in the case where the government agency or public office requests the issuance of the certificate of completion of registration by the method of sending is to be made by the method of sending documents to the address stated in the commission information by registered mail or by a service of correspondence delivery by a correspondence delivery service operator who records the acceptance and delivery or by other postal mail and correspondence delivery.

(Cases Where Notice of Completion of Registration is Not Required)

Article 182-2 (1) In the cases set forth in the following items, notwithstanding the provisions of Article 181, paragraph (1), a registrar is not required to notify the applicant of the completion of the registration. In this case, the registrar may dispose of the certificate of completion of registration prepared pursuant to the provisions of paragraph (2) of the same Article:

- (i) in the case where the certificate of completion of registration is issued by the method prescribed in paragraph (1), item (i) of the preceding Article, if the person who is to receive the issuance of the certificate of completion of registration does not record the certificate of completion of registration in the file stored on the computer used by the person even after 30 days have passed from the date on which the certificate of completion of registration was recorded in the file stored on the computer used by the registrar and it becomes possible to transmit the information using an electronic data processing system; or
  - (ii) in the case where the certificate of completion of registration is issued by the method prescribed in paragraph (1), item (ii) of the preceding Article, if the person who is to receive the issuance of the certificate of completion of registration does not receive the certificate of completion of registration even after three months have passed from the date of completion of registration.
- (2) The provisions of Article 29 do not apply to the cases where the certificate of completion of registration is disposed of pursuant to the provisions of the preceding paragraph.

(Notification to a Person Other than the Applicant)

Article 183 (1) In the cases set forth in the following items, a registrar must notify the person specified in those items (in the cases set forth in item (i), limited to a person other than the applicant) of the fact that the registration is completed:

- (i) in cases where a registration of description is completed: the heading-section owner (for a registration of correction of a heading-section owner or a registration of correction of shares of a co-owner who is a heading-section owner: the heading-section owner before correction) or registered holder of ownership; and
  - (ii) in case of a registration based on the application to be filed on behalf of other person pursuant to the provisions of Article 423 of the Civil Code or other laws and regulations is completed: the other person.
- (2) With regard to the notification under the provisions of the preceding paragraph, if there are two or more persons who are to receive the notification pursuant to the provisions of the same paragraph, it is sufficient to notify one of those persons.
- (3) The provisions of paragraph (1), item (i) do not apply to a registration under the provisions of Article 51, paragraph (6) of the Act (including as applied mutatis mutandis pursuant to Article 53, paragraph (2) of the Act).

(Notification of Registration of a Restriction on Disposition)

Article 184 (1) When a registrar has made a registration of a restriction on the disposition of ownership by commission with regard to real property with no heading registration or real property with no registration of ownership, they must notify the owner of the real property of the fact that the registration is completed.

- (2) The notification referred to in the preceding paragraph must be made by clearly indicating the following matters:
- (i) matters related to the real property location and real property number;
  - (ii) purpose of registration;
  - (iii) cause of registration and the date; and
  - (iv) the name and address of the registered right holder.

(Notification of Cancellation of Registration by a Registrar's Own Authority)

Article 185 (1) The notification referred to in Article 71, paragraph (1) of the Act must be made by clearly indicating the following matters:

- (i) the following matters related to the registration to be cancelled:
  - (a) matters related to the real property location and real property number;
  - (b) purpose of registration;

- (c) the date of acceptance of the application and the acceptance number;
  - (d) the cause of registration and the date; and
  - (e) the name and address of the applicant.
- (ii) reasons for cancellation.
- (2) With regard to the notification referred to in the preceding paragraph, if the registration to be cancelled is based on an application that is filed on behalf of other person pursuant to the provisions of Article 423 of the Civil Code and other laws and regulations, it must also be made to the subrogee.

(Notification of Reasonable Disposition Made in Response to the Request for Review)

Article 186 When a registrar has made a reasonable disposition pursuant to the provisions of Article 157, paragraph (1) of the Act, they must notify the requester for review of the content of the disposition.

(Notification to the Court)

Article 187 When a registrar has learned in the course of their duties that there is a person who is to be punished by a civil fine pursuant to the provisions of Article 70, item (xviii) of the Secured Bond Trust Act (Act No. 52 of 1905), they must notify the district court with jurisdiction of the case without delay

(Method of Various Notifications)

Article 188 The notification referred to in Article 67, paragraphs (1), (3) and (4), Article 71, paragraphs (1) and (3), and Article 157, paragraph (3) of the Act and Article 40, paragraph (2) and Article 183 through the preceding Article of this Ministerial Order is to be made by postal mail, correspondence delivery service or other appropriate methods.

## **Subsection 2 Registration and License Tax**

(Application Information in the Case of Paying Registration and License Tax)

- Article 189 (1) When filing an application for registration, the amount of the registration and license tax must be included in the content of the application information. In this case, with regard to the registration set forth in item (i) 1. through 3., 5. through 7., 10., 11. and 12 (a) through (e) of the Appended Table I of the Registration and License Tax Act, the amount of the tax base must also be included in the content of the application information.
- (2) In case of exemption of the registration and license tax pursuant to the provisions of the Registration and License Tax Act or Act on Special Measures Concerning Taxation (Act No. 26 of 1957) or other laws and regulations, in lieu of the matters to be the content of the application information pursuant to the



provisions of the preceding paragraph (hereinafter referred to as "registration and license tax amount, etc."), the specific provisions of the laws and regulations which is the grounds for exemption must be included in the content of the application information.

- (3) In case of reduction of the registration and license tax pursuant to the provisions of the Registration and License Tax Act or Act on Special Measures Concerning Taxation or other laws and regulations, the specific provisions of the laws and regulations which is the grounds for reduction in addition to the registration and license tax amount, etc. must be included in the content of the application information.
- (4) In cases where an application is filed for a registration that is deemed to be a registration of establishment of one mortgage, etc. pursuant to the provisions of Article 13, paragraph (1) of the Registration and License Tax Act (meaning a registration of establishment of mortgage, etc. prescribed in the same paragraph) by two or more sets of application information, regarding the registration and license tax amount, etc. it is sufficient if one of these sets of application information is included in the content.; provided, however, that in cases where the lowest tax rate is applied as the tax rate of registration and license tax for the registration of establishment pursuant to the provisions of the second sentence of Article 13, paragraph (1) of the Act, the registration and license tax amount, etc. must be included in the content of the application information for the registration related to the right concerning the real property, etc. for which the lowest tax rate of the registration and license tax amount, etc. is applied (meaning a right concerning the real property, etc. as prescribed in Article 11 of the same Act).
- (5) In the cases referred to in the preceding paragraph, if the application is an electronic application, the fact that the registration and license tax amount, etc. has been included in the content of the application information of one application must be included in the content of the other application information and if the application is a written application, a receipt of registration and license tax or stamps equivalent to the registration and license tax amount must be affixed to the application form stating the registration and license tax amount, etc. (in case of a magnetic disk on which all of the application information is recorded, a document specified by the registry office), and in the other applications a statement to that effect must be recorded.
- (6) In cases where the amount of the tax base certified by a registrar exceeds the tax amount based on the tax base amount which is included in the content of the application information, if the applicant pays the difference, the fact that payment is made as a difference must also be added to the content of the application information.

(7) In cases where an application is filed for a registration by paying the registration and license tax based on the tax base amount that has become final and binding by the determination of the request for review under the provisions of Article 75, paragraph (1) of the Act on General Rules for National Taxes (Act No. 66 of 1962), the applicant must include in the content of the application information the fact that the tax base amount has become final and binding and must provide information certifying that the amount has become final and binding along with the application information.

(Certification of the Tax Base)

Article 190 (1) When a registrar finds that the tax base amount that has been included in the content of the application information is not reasonable, they must notify the applicant of the tax base amount certified by the registrar by the appropriate method.

(2) In the case referred to in the preceding paragraph, if the application is a written application, a registrar must state the tax base amount certified by the registrar in the application form (in cases of a magnetic disk on which all of the application information is recorded, the appropriate sheet).

### **Subsection 3 Miscellaneous Provisions**

(Registration by Order of the Director of the Relevant Legal Affairs Bureau or District Legal Affairs Bureau that Accepts the Request for Review)

Article 191 When a registrar makes a registration based on an order under the provisions of Article 157, paragraph (3) or (4) of the Act, they must record the title of the person who gave the order, the date of the order, the fact that the registration is made by the order and the date of registration.

(Commission of Registration)

Article 192 The provisions of the Act concerning the application for registration as prescribed in this Ministerial Order are to include the cases where the provisions are applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act, and the terms "application," "applicant" and "application information" in this Ministerial Order are to respectively include the commission, the person who commissions and the commission information.

### **Chapter IV Certification of Registered Matters**

(Request Information for Issuance of a Certificate of Registered Matters)

Article 193 (1) When requesting the issuance of a certificate of registered matters, a written outline of registered matters, a copy of all or part of the map

and related documents (when the map and related documents is recorded in an electronic or magnetic record, a document certifying the content of the recorded information; the same applies hereinafter in this Article) or copy of all or part of the land location picture or other pictures (when the land location picture or other pictures is recorded in an electronic or magnetic record, a document certifying the content of the recorded information; the same applies hereinafter in this Article), the information including the following matters as the content (hereinafter referred to as "request information" in this Chapter) must be provided. The same applies when requesting an inspection of a map and related documents or annexed documents of a register:

- (i) the name of the requester;
  - (ii) matters related to the real property location or real property number;
  - (iii) in case of requesting an issuance, the number of copies of documents related to the request;
  - (iv) categories of the certificates of registered matters set forth in the items of Article 196, paragraph (1) (including as applied *mutatis mutandis* pursuant to paragraph (2) of the same Article);
  - (v) in case of requesting the issuance of a certificate of registered matters, if requesting a certification with respect to the matters recorded in an inventory of joint securities or inventory of trust, a statement to that effect;
  - (vi) when requesting the issuance of a copy of part of a map and related documents or land location picture or other pictures, the requested part; and
  - (vii) when requesting the issuance of a certificate of registered matters, a copy of all or part of a map and related documents or a copy of all or part of a land location picture or other pictures by the method of sending, a statement to that effect and the sending address.
- (2) When requesting an inspection of annexed documents of a register other than a land location picture or other pictures pursuant to the provisions of Article 121, paragraph (2) of the Act, the following matters are to be included in the content of the request information in addition to the matters set forth in items (i) and (ii) of the preceding paragraph:
- (i) the address of the requester;
  - (ii) if the requester is a juridical person, the name of the representative person;
  - (iii) if it is requested by an agent, the name and address of the agent and, if the agent is a juridical person, the name of the representative person; and
  - (iv) the reason for possessing the interests referred to in the proviso to Article 121, paragraph (2) of the Act and the part for inspection.
- (3) When requesting the inspection referred to in the preceding paragraph, a document certifying the reasons for possessing the interests referred to in item (iv) of the same paragraph must be presented.
- (4) In cases of requesting the inspection referred to in paragraph (2), when the

requester is a corporation, a document certifying the capacity of the corporation's representative must be presented, provided, however, that this does not apply to the case when the corporation's corporate identification number is also included in the content of the request information.

- (5) When requesting the inspection referred to in paragraph (2) by an agent, a document certifying the authority of the agent must be presented; provided, however, that this does not apply to the case where the manager, etc. requests the inspection referred to in the same paragraph on behalf of a corporation and if the corporation's corporate identification number is also included in the content of the request information.
- (6) In cases of requesting the inspection referred to in paragraph (2) by an agent which is a corporation, if the agent's corporate identification number is also included in the content of the request information, a document certifying the capacity of the agent's representative is not required to be presented.

(Method of Requesting the Issuance of a Certificate of Registered Matters)

Article 194 (1) The request for issuance referred to in paragraph (1) of the preceding Article or the request for inspection referred to in the same paragraph or paragraph (2) of the same Article must be made by submitting a document stating the request information (the document is to be referred to as the "request form" in Article 203 and Article 204, paragraphs (1) and (2)) to a registry office.

- (2) The request for issuance of a certificate of registered matters (excluding an issuance by the method of sending) may be made by inputting the request information in the input-output device managed by a registrar as provided for by the Minister of Justice, in addition to the method referred to in the preceding paragraph.
- (3) The request for issuance of a certificate of registered matters may be made by the method of providing the request information to a registry office using an electronic data processing system as provided for by the Minister of Justice in addition to the methods referred to in the preceding two paragraphs. In this case, if a requester intends to receive the certificate of registered matters at the registry office, a statement to that effect must be included in the content of request information.

Article 195 Deleted

(Type of a Certificate of Registered Matters)

Article 196 (1) The matters to be stated in the certificate of registered matters are the matters set forth in the following items in accordance with the categories of the type referred to in those items:

- (i) certificate of all matters: all of the matters recorded in the registration record (excluding closed registration records; the same applies hereinafter in this paragraph);
  - (ii) certificate of current matters: the matters that are currently effective among those that are recorded in the registration record and;
  - (iii) certificate of numbered section and numbered number: the parts related to the request among the matters that are recorded in the corresponding section of the rights section;
  - (iv) certificate of ownership: the name and address of the registered holder of current ownership that is recorded in the registration record as well as the share of each registered holder if there are two or more registered holders;
  - (v) certificate of all matters of a single building: all of the matters recorded in the registration record of the building, which includes all of the condominium units that belong to a single building; and
  - (vi) certificate of current matters of a single building: the matters that are currently effective among those that are recorded in the registration record of a building that includes all of the condominium units that belong to a single building.
- (2) The provisions of items (i), (iii) and (v) of the preceding paragraph apply mutatis mutandis to the matters to be stated in the certificate of registered matters related to a closed registration record.

(Preparation and Issuance of a Certificate of Registered Matters)

Article 197 (1) When a registrar prepares a certificate of registered matters, they must attach a certification statement to the effect that it is all or part of the matters recorded in the registration record related to the request and then must state the date of preparation and their title and name and affix their official seal. In this case, if there is no statement in Section A or Section B of the registration record, a statement to that effect must be attached to the certification statement.

- (2) A certificate of registered matters that is prepared pursuant to the provisions of the preceding paragraph is to be prepared in accordance with the categories in the following items by using the form provided for in those items; provided, however, that a certificate of registered matters related to the part of the matters recorded in the registration record is to be prepared by using the appropriate form:
- (i) a registration record of land: Appended Form (vii);
  - (ii) a registration record of a building (excluding the building referred to in the following item): Appended Form (viii);
  - (iii) a registration record of a building that is a condominium unit: Appended Form (ix);

- (iv) an inventory of joint securities: Appended Form (x); and
  - (v) an inventory of trust: Appended Form (v).
- (3) In the case where a certificate of registered matters is prepared, if the matters set forth in Article 193, paragraph (1), item (v) are not included in the content of the request information, the statement of matters recorded in an inventory of joint securities or inventory of trust are to be omitted.
- (4) If the matters recorded in the registration record are stated in the certificate of registered matters, they are to be stated in accordance with the order of the order number of priority.
- (5) In the case where the cancellation code of the matters recorded in the registration record has been recorded, if the cancellation code is described in a certificate of registered matters, it is to be stated by underlining the matters pertaining to cancellation.
- (6) A certificate of registered matters may be issued by the method of sending, based on notification of a requester.

(Method of Receiving a Certificate of Registered Matters)

Article 197-2 When the person who requested the issuance of a certificate of registered matters pursuant to the provisions of the first sentence of Article 194, paragraph (3) receives the certificate of registered matters at a registry office, they must provide the information specified by the Minister of Justice to the registry office.

(Preparation of a Written Outline of Registered Matters)

Article 198 (1) A written outline of registered matters is to be prepared in accordance with Appended Form (xi) stating, in addition to the matters concerning the description of real property, the following matters regarding the registration of ownership: the date of acceptance of the application, the acceptance number, and the name and address of the registered holder of the ownership, and if there are two or more registered right holders, the share of each of the registered holders of ownership; and regarding registrations other than the registration of ownership, major matters among those that are currently effective.

- (2) Notwithstanding the provisions of the preceding paragraph, based on the notification of a requester, a registrar may prepare a written outline of registered matters that omits the matters for the description of real property that currently are not effective, and only states the number of registrations that currently are in effect regarding registrations other than registrations of ownership, In this case, the written outline of registered matters referred to in the preceding paragraph is to be prepared in accordance with Appended Form (xii).

- (3) Unless there is special notification by a requester, a registrar may prepare a written outline of registered matters stating the matters concerning two or more real properties in one sheet.

Article 199 Deleted

(Preparation and Issuance of a Copy of a Map and Related Documents.)

- Article 200 (1) When a registrar prepares a copy of all or part of a map and related documents, they must attach a certification statement of the fact that it is a copy of all or part of a map and related documents, state the date of preparation and their title and name, and affix their official seal.
- (2) In cases where a map and related documents are recorded in an electronic or magnetic record, if a registrar prepares a document certifying the content of the recorded map and related documents, they must output the map and related documents recorded in the electronic or magnetic record as a document, attach a certification statement of the fact that it is a document certifying the content recorded in the map and related documents, and state the date of preparation and their title and name and affix their official seal.
- (3) The provisions of Article 197, paragraph (6) apply mutatis mutandis to a copy of all or part of a map and related documents and issuance of the document referred to in the preceding paragraph.
- (4) The provisions of Article 194, paragraphs (2) and (3) and Article 197-2 apply mutatis mutandis to requests for the issuance of the document referred to in paragraph (2).

(Preparation and Issuance of a Copy of a Land Location Picture or Other Pictures)

- Article 201 (1) When a registrar prepares a copy of a land location picture or other pictures, they must attach a certification statement of the fact that it is a copy of all or part of the land location picture or other pictures, and state the date of preparation and their title and name, and affix their official seal.
- (2) In cases where a land location picture or other pictures is recorded in an electronic or magnetic record, if a registrar prepares a document certifying the content of the recorded land location picture or other pictures, they must output the land location picture or other pictures recorded in the electronic or magnetic record as a document, attach a certification statement of the fact that it is a document certifying the content recorded in the land location picture or other pictures, and state the date of preparation and their title and name and affix their official seal.
- (3) The provisions of Article 197, paragraph (6) apply mutatis mutandis to the copy of a land location picture or other pictures and the issuance of the

document referred to in the preceding paragraph.

- (4) The provisions of Article 194, paragraphs (2) and (3) and Article 197-2 apply mutatis mutandis to a request for issuance of the document referred to in paragraph (2).

(Method of Inspection)

Article 202 (1) A map and related documents or annexed documents of a register are to be inspected in front of a registrar or an officer designated by the registrar.

- (2) The method specified by Ministry of Justice Order referred to in Article 120, paragraph (2) and Article 121, paragraph (2) of the Act is the method of outputting the content of the information recorded in an electronic or magnetic record as a document and displaying it.

(Payment Method of Fees)

Article 203 (1) When the fee referred to in Article 119, paragraphs (1) and (2), Article 120, paragraphs (1) and (2) and Article 121, paragraphs (1) and (2) of the Act is paid with fiscal stamps, the fiscal stamps must be affixed to the request form.

- (2) The provisions of the preceding paragraph apply mutatis mutandis to the payment of fees if the request for certification as prescribed in Article 22, paragraph (1) of the Order is made by the method set forth in Article 68, paragraph (3), item (ii).

(Payment Method of the Cost Required for Sending)

Article 204 (1) In case of requesting an issuance referred to in Article 193, paragraph (1) by the method of submitting a request form to a registry office, if a notification is made pursuant to the provisions of Article 197, paragraph (6) (including as applied mutatis mutandis pursuant to Article 200, paragraph (3) and Article 201, paragraph (3)), the cost required for sending must be also paid in addition to the fee.

- (2) The cost required for sending referred to in the preceding paragraph must be paid by the method of submitting postage stamps or an identification card which can be used for payment of the fee of a service of correspondence delivery as designated by the Minister of Justice, together with the request form.
- (3) The designation referred to in the preceding paragraph must be made by public notice.

(Payment Method of the Fees for the Request of Issuance of a Certificate of Registered Matters by an Electronic Data Processing System)

Article 205 (1) The methods specified by Ministry of Justice Order referred to in



the proviso to Article 119, paragraph (4) of the Act (including as applied mutatis mutandis pursuant to Article 120, paragraph (3) and Article 121, paragraph (3) of the Act and other laws and regulations) are the methods prescribed in Article 194, paragraphs (2) and (3).

- (2) In cases where the issuance of a certificate of registered matters is requested by the methods prescribed in Article 194, paragraph (2) or (3) (including as applied mutatis mutandis pursuant to Article 200, paragraph (4) and Article 201, paragraph (4)), if the fee is paid, it must be paid by the method of paying based on the payment information obtained from a registrar.
- (3) The provisions of the preceding paragraph apply mutatis mutandis to payment of the fee in cases where a request for certification as prescribed in Article 22, paragraph (1) of the Order is made by the method set forth in Article 68, paragraph (3), item (i).

## **Chapter V Parcel Boundary Demarcation**

### **Section 1 General Provisions**

(Definitions)

Article 206 In this Chapter, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

- (i) electronic application for parcel boundary demarcation: an application for parcel boundary demarcation made by a method using an electronic data processing system pursuant to the provisions of Article 18, item (i) of the Act as applied mutatis mutandis pursuant to Article 131, paragraph (4) of the Act;
- (ii) written application for parcel boundary demarcation: an application for parcel boundary demarcation made by a method submitting an application form for parcel boundary demarcation referred to in the following item to the Legal Affairs Bureau or District Legal Affairs Bureau pursuant to the provisions of Article 18, item (ii) of the Act as applied mutatis mutandis pursuant to Article 131, paragraph (4) of the Act;
- (iii) application form for a parcel boundary demarcation: a document stating application information for a parcel boundary demarcation, including a magnetic disk referred to in Article 18, item (ii) of the Act as applied mutatis mutandis pursuant to Article 131, paragraph (4) of the Act;
- (iv) attached information for a parcel boundary demarcation: the information set forth in the items of Article 209, paragraph (1); and
- (v) attachment for a parcel boundary demarcation: a document stating attached information for a parcel boundary demarcation, including a magnetic disk in which attached information for a parcel boundary demarcation is recorded.

**Section 2 Procedures of Parcel Boundary Demarcation**  
**Subsection 1 Application for Parcel Boundary Demarcation**

(Application Information for Parcel Boundary Demarcation)

- Article 207 (1) What is to be clarified as the matters set forth in Article 131, paragraph (2), item (iv) of the Act are the particulars that led to the filing of an application for a parcel boundary demarcation and other specific circumstances.
- (2) The matters specified by Ministry of Justice Order referred to in Article 131, paragraph (2), item (v) of the Act are the following matters:
- (i) if an applicant for a parcel boundary demarcation (hereinafter simply referred to as an "applicant" in this Chapter) is a juridical person, the name of the representative person;
  - (ii) if an application for a parcel boundary demarcation is filed by an agent, the name and address of the agent and if the agent is a juridical person, the name of the representative person;
  - (iii) if an applicant is an heir or other general successor of a registered holder of ownership or a heading-section owner, a statement to that effect and the name and address of the registered holder of ownership or heading-section owner;
  - (iv) if an applicant is a person who acquired part of ownership of a parcel of land, a statement to that effect;
  - (v) if the subject parcel is land without a heading registration, the matters that are sufficient to specify the land; and
  - (vi) the existence of structures, fences or boundary markers and other conditions on the subject parcel.
- (3) When an application for a parcel boundary demarcation is filed, in addition to the matters set forth in Article 131, paragraph (2), items (i) through (iv) of the Act and the items of the preceding paragraph, the following matters are to be the content of the application information for a parcel boundary demarcation:
- (i) the telephone number or other point of contact for the applicant or agent;
  - (ii) real property location matters or real property number concerning the related parcel (in cases of land without a heading registration, matters set forth in Article 34, paragraph (1), item (i) of the Act and matters that are sufficient to specify the land);
  - (iii) the name and address or other point of contact of related persons;
  - (iv) the existence of structures, fences or boundary markers and other conditions on the related parcel;
  - (v) if an applicant claims a specific line as a parcel boundary of the subject parcel, the line and the reasons;
  - (vi) if a registered holder of ownership or other owner of the subject parcel who is not an applicant claims a specific line as a parcel boundary of the subject

- parcel, the line;
  - (vii) if a lawsuit seeking to determine a parcel boundary through civil proceedings with regard to a parcel boundary pertaining to an application (hereinafter the suit is referred to as "lawsuit to determine a parcel boundary") is pending, a statement to that effect, description of the case and other matters that are sufficient to specify the case;
  - (viii) a description of attached information for a parcel boundary demarcation;
  - (ix) if there are opinions or materials to be submitted pursuant to the provisions of Article 139, paragraph (1) of the Act, the description;
  - (x) the date of application for a parcel boundary demarcation; and
  - (xi) a description of the Legal Affairs Bureau or District Legal Affairs Bureau.
- (4) When including the matters set forth in paragraph (2), items (v) and (vi) and item (ii) of the preceding paragraph (limited to the part relating to the matters that are sufficient to specify the land without a heading registration) and items (iv) through (vi) in the content of the application information for a parcel boundary demarcation, the conditions of the site and the location of the line that is claimed as a parcel boundary are to be specifically clarified, by the method of using drawings, etc.

(Multiple Applications Based on One Set of Application Information)

Article 208 Multiple applications for a parcel boundary demarcation that share one of the subject parcels may be filed based on one set of application information for a parcel boundary demarcation.

(Attached Information for a Parcel Boundary Demarcation)

Article 209 (1) In cases where an application for a parcel boundary demarcation is filed, the following information must be submitted to the relevant Legal Affairs Bureau or District Legal Affairs Bureau:

- (i) if an applicant is a juridical person, the following information:
  - (a) in the case of a corporation that has a corporate identification number, the corporation's corporate identification number;
  - (b) in the case of a corporation other than the corporation prescribed in (a) above, information certifying the capacity of the corporation's representative;
- (ii) if an application for a parcel boundary demarcation is filed by an agent (excluding cases where an applicant is the corporation prescribed in sub-item (a) of the preceding item and the manager, etc. files a request for a parcel boundary demarcation on behalf of the corporation), information certifying the authority of the agent;
- (iii) if an applicant is an heir or other general successor of a registered holder of ownership or a heading-section owner, the information prepared by the

- mayor of municipality, a registrar or other public officer in the course of their duties certifying that there was an inheritance or other general succession (in cases where there is no information prepared by a public officer in the course of their duties, information in lieu thereof);
- (iv) if an applicant is an owner of land without a heading registration, the information certifying that the applicant has ownership of the land;
  - (v) when an applicant is a person who acquired part of a parcel of land, information certifying that the applicant has acquired ownership with respect to the part of the parcel of land; and
  - (vi) in cases where an applicant is a registered holder of ownership or a heading-section owner, or an heir or other general successor thereof, if the name or address of the registered right holder of ownership or heading-section owner that is the content of application information for a parcel boundary demarcation is inconsistent with the registration record, the information prepared by the mayor of municipality, a registrar or other public officer in the course of their duties certifying that there are changes, errors or omissions with respect to the name or address of the registered holder of ownership or heading-section owner (in cases where there is no information prepared by a public officer in the course of their duties, information in lieu thereof).
- (2) The provisions of items (i) and (ii) of the preceding paragraph do not apply when an officer of a government agency or public office designated by an order or regulations with respect to the land that belongs to the jurisdiction of a national agency files an application for a parcel boundary demarcation.
- (3) The provisions of paragraph (1), item (i) do not apply to the case where the applicant is a corporation prescribed in sub-item (a) of the same item and files an application for parcel boundary demarcation by providing the following certificate of registered matters:
- (i) in the case other than the case prescribed in the following item, a certificate of registered matters certifying the capacity of the corporation's representative; or
  - (ii) in the case where the manager, etc. files an application for parcel boundary demarcation, a certificate of registered matters certifying the authority of the manager, etc.
- (4) The certificate of registered matters referred to in the items of the preceding paragraph must be one that has been prepared within the past month.
- (5) In the case where an agent which is a corporation files an application for parcel boundary demarcation, if the agent's corporate identification number is provided, the provision of the corporate identification number may substitute for the provision of information certifying the capacity of the agent's representative.

(Method of Electronic Application for Parcel Boundary Demarcation)

Article 210 (1) The application information for a parcel boundary demarcation or attached information for a parcel boundary demarcation in the form of an electronic application for parcel boundary demarcation must be transmitted as prescribed by the Minister of Justice; provided, however, that it does not preclude submitting an attachment for a parcel boundary demarcation to the Legal Affairs Bureau or District Legal Affairs Bureau in lieu of transmitting attached information for a parcel boundary demarcation.

(2) In the cases referred to in the proviso to the preceding paragraph, the fact that an attachment for a parcel boundary demarcation is submitted to the Legal Affairs Bureau or District Legal Affairs Bureau is to be included in the content of the application information for a parcel boundary demarcation.

(3) The provisions of Article 12, paragraph (1) of the Order apply mutatis mutandis when application information for a parcel boundary demarcation is transmitted in the form of an electronic application for a parcel boundary demarcation; the provisions of paragraph (2) of the same Article apply mutatis mutandis to attached information for a parcel boundary demarcation in cases of transmission of an electronic application for a parcel boundary demarcation; and the provisions of Article 14 of the Order apply mutatis mutandis when the information to which an electronic signature is affixed is transmitted in an electronic application for a parcel boundary demarcation, respectively.

(4) The provisions of Article 42 apply mutatis mutandis to the electronic signature referred to in Article 12, paragraphs (1) and (2) of the Order as applied mutatis mutandis pursuant to the preceding paragraph; the provisions of Article 43, paragraph (2) apply mutatis mutandis to an electronic certificate as specified by Ministry of Justice Order referred to in Article 14 of the Order as applied mutatis mutandis pursuant to the preceding paragraph; and the provisions of Article 44, paragraphs (2) and (3) apply mutatis mutandis when an electronic application for a parcel boundary demarcation is filed, respectively.

(Method of Written Application for a Parcel Boundary Demarcation)

Article 211 (1) If a written application for a parcel boundary demarcation is filed, the application form for a parcel boundary demarcation must be submitted, attaching the attachment for a parcel boundary demarcation.

(2) An applicant or their representative person or agent must sign or affix their name and seal the application form for a parcel boundary demarcation (excluding a magnetic disk on which all of the application information for a parcel boundary demarcation is recorded).

(3) The document stating the information set forth in Article 209, paragraph (1),

items (i) (b) and (ii) that is prepared by the mayor of municipality, a registrar or other public officer in the course of their duties must be submitted within three months after its preparation; provided, however, that this does not apply when a government agency or a public office files an application for a parcel boundary demarcation.

- (4) In cases where an application for a parcel boundary demarcation is filed by a privately appointed agent, the applicant or their representative person must sign or affix their name and seal to the letter of attorney. The same applies to an agent in cases where the application is filed by a subagent.
- (5) The provisions of Article 12, paragraph (1) of the Order apply mutatis mutandis when an application is filed for a parcel boundary demarcation by the method of submitting a magnetic disk on which all of the application information for a parcel boundary demarcation is recorded; the provisions of paragraph (2) of the same Article apply mutatis mutandis to the attached information for a parcel boundary demarcation that is recorded on a magnetic disk; and the provisions of Article 14 of the Order apply mutatis mutandis to cases of submitting a magnetic disk on which all of the application information for a parcel boundary demarcation or the attached information for a parcel boundary demarcation is recorded, respectively.
- (6) The provisions of Article 45 and Article 46, paragraphs (1) and (2) apply mutatis mutandis to the application form for a parcel boundary demarcation (excluding a magnetic disk on which all of the application information for a parcel boundary demarcation is recorded); the provisions of Article 51 apply mutatis mutandis to the application for a parcel boundary demarcation made by the method of submitting a magnetic disk on which application information for a parcel boundary demarcation is recorded; and the provisions of Article 52 apply mutatis mutandis to a magnetic disk on which attached information for a parcel boundary demarcation is recorded, respectively. In this case, the term "Article 16, paragraph (5) of the Order" in Article 51, paragraphs (7) and (8) is deemed to be replaced with "Article 211, paragraph (5)," the phrase "a magnetic disk on which the attached information referred to in Article 15 of the Order is recorded" in Article 52, paragraph (1) is deemed to be replaced with "a magnetic disk on which attached information for a parcel boundary demarcation is recorded," the phrase "an electronic certificate referred to in Article 14 of the Order as applied mutatis mutandis pursuant to the second sentence of Article 15 of the Order," in paragraph (2) of the same Article is deemed to be replaced with "an electronic certificate to be recorded on a magnetic disk on which attached information for a parcel boundary demarcation is recorded," respectively.
- (7) A written application for a parcel boundary demarcation may be filed via the registry office that has jurisdiction over the location of the subject parcel.

(Sending Method of an Application Form for a Parcel Boundary Demarcation)

- Article 212 (1) If a person who intends to file an application for a parcel boundary demarcation sends an application form for a parcel boundary demarcation or an attachment for a parcel boundary demarcation, it is to be sent by registered mail or by a service of correspondence delivery by a correspondence delivery service operator who records the acceptance and delivery.
- (2) In cases referred to in the preceding paragraph, the fact that an application form for a parcel boundary demarcation or an attachment for a parcel boundary demarcation is enclosed is to be clearly indicated on the front side of the envelope in which the application form for a parcel boundary demarcation or the attachment for a parcel boundary demarcation is placed.

(Request for Return of an Original Copy of an Attachment for a Parcel Boundary Demarcation)

- Article 213 (1) An applicant may request the return of the original copy of an attachment for a parcel boundary demarcation (excluding a magnetic disk); provided, however, that this does not apply to the letters of attorney or other documents that are prepared only for the application for a parcel boundary demarcation.
- (2) An applicant who requests the return of the original copy pursuant to the provisions of the main clause of the preceding paragraph must submit a transcript stating the fact that the transcript is consistent with the original copy.
- (3) In cases where a request under the provisions of the main clause of paragraph (1) is made, a registrar of a parcel boundary demarcation must return the original copy of the document related to the request after the investigation into the existence of reasons for dismissal is completed. In this case, they must verify the transcript referred to in the preceding paragraph against the original copy of the document related to the request, confirm that the content of these documents is consistent, and then state the fact that the original copy has been returned on the transcript referred to in the same paragraph, and affix the registrar's seal on the transcript.
- (4) Notwithstanding the provisions of the first sentence of the preceding paragraph, a registrar of a parcel boundary demarcation may not return the fraudulent documents or other documents that are suspected to be used for an application for a wrongful parcel boundary demarcation.

## **Subsection 2 Acceptance of an Application for Parcel Boundary Demarcation**

(Acceptance of an Application for Parcel Boundary Demarcation)

Article 214 (1) If an application information for a parcel boundary demarcation is provided pursuant to the provisions of Article 18 of the Act as applied mutatis mutandis by replacing the terms and phrases pursuant to Article 131, paragraph (4) of the Act, the registrar of a parcel boundary demarcation must accept the application for a parcel boundary demarcation related to the application information for a parcel boundary demarcation.

(2) If a registrar of a parcel boundary demarcation accepts an application for a parcel boundary demarcation, they must provide a procedure number for the application for a parcel boundary demarcation.

(Transfer Between Multiple Jurisdiction Districts)

Article 215 The provisions of Article 40, paragraphs (1) and (2) apply mutatis mutandis when an application for a parcel boundary demarcation is filed in accordance with the provisions of Article 6, paragraph (3) of the Act as applied mutatis mutandis by replacing the terms and phrases pursuant to Article 124, paragraph (2) of the Act.

(Correction)

Article 216 If a registrar for a parcel boundary demarcation specifies a period during which an application for a parcel boundary demarcation may be corrected, the application may not be dismissed on the grounds of defects related to the matters to be corrected within the period.

(Method of Public Notice and Notification)

Article 217 (1) The public notice under the provisions of Article 133, paragraph (1) of the Act is to be given for two weeks by the method of posting it in the posting area of the Legal Affairs Bureau or District Legal Affairs Bureau or other places within the Legal Affairs Bureau or District Legal Affairs Bureau that are easily visible to the public or by the method of providing the content of the information recorded in the file stored on a computer used by the Legal Affairs Bureau or District Legal Affairs Bureau for the inspection of persons who receive the provision of information through the telecommunications line and of recording the information in a file stored on a computer used by the persons who receive the information, which uses the automatic public transmission server connected to the Internet.

(2) The notification under the provisions of Article 133, paragraph (1) of the Act is to be made by postal mail, correspondence delivery service or other appropriate methods.

(3) The notification referred to in the preceding paragraph must be made by



clarifying the fact that related persons may submit opinions, drawings or other materials pertaining to the parcel boundary demarcation as provided for in Article 139 of the Act.

### **Subsection 3 Submission of Opinions or Materials**

(Submission of Opinions or Materials)

Article 218 (1) The submission of opinions or materials under the provisions of Article 139, paragraph (1) of the Act must be made by clarifying the following matters:

- (i) procedure number;
- (ii) the name of the person who submits the opinions or materials;
- (iii) if a person who submits the opinions or materials is a juridical person, the name of the representative person;
- (iv) if the opinions or materials are submitted by an agent; the name of the agent and if the agent is a juridical person, the name of the representative person;
- (v) the date of submission; and
- (vi) a description of the Legal Affairs Bureau or District Legal Affairs Bureau.

(2) The submission of materials under the provisions of Article 139, paragraph (1) of the Act must be made by clarifying the following matters in addition to the matters set forth in the items of the preceding paragraph:

- (i) a description of the materials;
- (ii) the preparer and the date of preparation;
- (iii) if the materials are photographs or videotapes (including objects on which certain matters may be recorded by a method equivalent thereto), the object, date and time and location of photographing, visual recording, etc.; and
- (iv) the purpose of the submission of materials.

(Method of Using Information and Communications Technology)

Article 219 The methods specified by Ministry of Justice Order referred to in Article 139, paragraph (2) of the Act are the following methods:

- (i) the method of transmitting information using an electronic data processing system as provided for by the Minister of Justice;
- (ii) the method of submitting a magnetic disk in which the information is recorded or other electronic or magnetic records as provided for by the Minister of Justice; and
- (iii) beyond what is set forth in the preceding two items, a method that a registrar of a parcel boundary demarcation finds to be reasonable.

(Submission Method of Documents)

- Article 220 (1) When an applicant or related person submits their opinions or materials under the provisions of Article 139, paragraph (1) of the Act in writing, they must submit three copies of the documents.
- (2) If a registrar of a parcel boundary demarcation finds it necessary, they may request the applicant or related person who submitted the copies of documents pursuant to the preceding paragraph to present the original version of the documents.

(Request for the Return of Materials)

- Article 221 (1) An applicant or related person who submits materials pursuant to the provisions of Article 139, paragraph (1) of the Act (excluding what is submitted by the method set forth in the items of Article 219; the same applies hereinafter in this Article) may request the return of the materials.
- (2) In cases where a request under the provisions of the preceding paragraph is made, if a registrar of a parcel boundary demarcation finds that it is not necessary to retain the materials related to the request for a parcel boundary demarcation, they are to promptly return the materials.

**Subsection 4 Proceedings for Hearing Opinions, etc.**

(Location for the Proceedings for Hearing Opinions)

- Article 222 The proceedings referred to in Article 140, paragraph (1) of the Act (hereinafter referred to as "proceedings for hearing opinions, etc.") are to be carried out at the Legal Affairs Bureau or District Legal Affairs Bureau, the registry office that has jurisdiction over the location of the subject parcel or other places that the registrar of a parcel boundary demarcation finds appropriate.

(Notification of Proceedings for Hearing Opinions)

- Article 223 (1) The notification under the provisions of article 140, paragraph (1) of the Act must be made by clarifying the fact that an applicant and related person may state their opinion or submit materials with regard to the parcel boundary of the subject parcel, as provided for in the same paragraph.
- (2) The provisions of Article 217, paragraph (2) apply mutatis mutandis to the notification referred to in the preceding paragraph.

(Authority of a Registrar of a Parcel Boundary Demarcation in the Proceedings for Hearing Opinions)

- Article 224 (1) A registrar of a parcel boundary demarcation may allow the statement of opinions or prohibit the statement of opinions of a person who does not follow their instructions in the proceedings for hearing opinions, etc.

- (2) If it is necessary to maintain order of the proceedings for hearing opinions, etc., a registrar of a parcel boundary demarcation may have a person who ignores the order or commits a disturbing act removed.
- (3) A registrar of a parcel boundary demarcation may allow a person who is found to be appropriate to attend the hearing at the proceedings for hearing opinions, etc.

(Submission of Materials in the Proceedings for Hearing Opinions)

Article 225 The provisions of Articles 218, 220 and 221 apply mutatis mutandis when an applicant or related person submits materials in the proceedings for hearing opinions, etc.

(Record of the Proceedings for Hearing Opinions)

Article 226 (1) The following matters are to be recorded in the record referred to in Article 140, paragraph (4) of the Act:

- (i) the procedure number;
  - (ii) the name of the registrar of the parcel boundary demarcation and the parcel boundary examiner;
  - (iii) the names of appearing applicants, related persons, witnesses and agents;
  - (iv) the date and time and place of the proceedings for hearing of opinions, etc.;
  - (v) a summary of the procedures taken in the proceedings for hearing opinions, etc. (including a outline of the statements); and
  - (vi) other matters that are found to be necessary by the registrar of the parcel boundary demarcation.
- (2) Notwithstanding the provisions of the preceding paragraph, a registrar of a parcel boundary demarcation may record the statements of opinions of the applicants, related persons or witnesses on a videotape or other recording medium that is found to be appropriate and may substitute it for a written record.
- (3) In the record of the proceedings for hearing opinions, etc., documents, photographs, videotapes or other objects that are found to be appropriate by the registrar of the parcel boundary demarcation may be quoted and attached to the parcel boundary demarcation procedure record as part of the record.

**Subsection 5 Inspection of Records, etc.**

(Inspection of Records)

Article 227 (1) If an applicant or a related person requests the inspection of records or materials pursuant to the provisions of Article 141, paragraph (1) of the Act, information related to the following matters must be provided:

- (i) the procedure number;

- (ii) the name and address of the requester and whether they are the applicant or a related person;
  - (iii) if the requester is a juridical person, the name of the representative person; and
  - (iv) if a request is made by an agent, the name and address of the agent; and if the agent is a juridical person, the name of the representative person.
- (2) When the request for inspection referred to in the preceding paragraph is made, a document certifying that the requester has the authority to make the request must be presented.
- (3) In case of requesting the inspection referred to in paragraph (1), if the requester is a corporation, a document certifying the capacity of the corporation's representative must be presented; provided, however, that this does not apply when the corporation's corporate identification number is also provided.
- (4) If the request for inspection referred to in paragraph (1) is made by an agent, a document certifying the authority of the agent must be presented; provided, however, that this does not apply to the case where the manager, etc. requests the inspection referred to in the same paragraph on behalf of a corporation and if the corporation's corporate identification number is also provided.
- (5) In cases of requesting the inspection referred to in paragraph (1) by an agent which is a corporation, if the agent's corporate identification number is also provided, a document certifying the capacity of the agent's representative is not required to be presented.
- (6) The request for inspection referred to in paragraph (1) must be made by the method of submitting a document stating the information referred to in the same paragraph to the Legal Affairs Bureau or District Legal Affairs Bureau.

(Method of Inspection of Records)

- Article 228 (1) The inspection of records or materials under the provisions of Article 141, paragraph (1) of the Act is to be made in front of a registrar of a parcel boundary demarcation or an officer designated by the registrar.
- (2) The method specified by Ministry of Justice Order referred to in Article 141, paragraph (1) of the Act is the method of outputting and describing the content of the information recorded in an electronic or magnetic record as a document or other methods that the registrar of the parcel boundary demarcation finds appropriate.

**Section 3 Parcel Boundary Demarcation**

(Report of the Examination by a Parcel Boundary Examiner)

- Article 229 A registrar of a parcel boundary demarcation may request a parcel

boundary examiner to report on the progress or results of the examination of facts under the provisions of Article 135 of the Act or other necessary matters.

(Method of Submitting Opinions of a Parcel Boundary Examiner)

Article 230 The submission of opinions under the provisions of Article 142 of the Act is to be made in writing or as an electronic or magnetic record.

(Matters to Be Recorded in the Written Report of Parcel Boundary Demarcation)

Article 231 (1) The following matters are to be recorded in a written report of parcel boundary demarcation:

(i) procedure number;

(ii) matters related to the real property location and real property number related to the subject parcel (in cases of land without a heading registration, the matters set forth in Article 34, paragraph (1), item (i) of the Act and the matters that are sufficient to specify the land);

(iii) conclusion;

(iv) outline of reasons;

(v) the name and address of the applicant;

(vi) if the applicant has an agent, the name of the agent;

(vii) the name of the parcel boundary examiner; and

(viii) a description of the Legal Affairs Bureau or District Legal Affairs Bureau to which the parcel boundary examiner belongs.

(2) If a registrar of a parcel boundary demarcation prepares a written report of parcel boundary demarcation in writing, they must state their title and name and affix a registrar's seal on the written report of parcel boundary demarcation.

(3) If a registrar of a parcel boundary demarcation prepares a written report of parcel boundary demarcation in the form of an electronic or magnetic record, they must take measures to clarify a registrar of a parcel boundary demarcation as specified by the Minister of Justice.

(4) The following matters are to be recorded in the drawing referred to in Article 143, paragraph (2) of the Act:

(i) name of numbered district;

(ii) azimuth direction;

(iii) reduction scale;

(iv) parcel number of the subject parcel and relevant parcel;

(v) parcel boundary subject to the parcel boundary demarcation or range of the location;

(vi) distance between the parcel boundary points related to the parcel boundaries subject to parcel boundary demarcation (if the range of the

- location of the parcel boundary is specified, each of the points comprising the range; the same applies in the following paragraph);
- (vii) if there are boundary markers, a description of the boundary markers; and
- (viii) the date of measurement.
- (5) What is provided for by Ministry of Justice Order as a method to indicate the location at the site of the point on the drawing referred to in Article 143, paragraph (2) of the Act is the number or code of the plane rectangular coordinate system as prescribed in Article 2, paragraph (1), item (i) of the Enforcement Order for Enforcement of the National Land Survey Act or the coordinate values of the parcel boundary points as a result of measurement based on the basic triangulation points, etc.; provided, however, that in cases where there are no basic triangulation points, etc. in the vicinity or where there are special circumstances due to which the measurement cannot be performed based on the basic triangulation points, etc., the method is the coordinate values of the parcel boundary points as a result of measurement based on the permanent planimetric features in the vicinity.
- (6) The provisions of Article 10, paragraph (4) and Article 77, paragraphs (3) and (4) apply mutatis mutandis to drawings referred to in Article 143, paragraph (2) of the Act. In this case, the term "paragraph (1), item (ix)" in Article 77, paragraph (3) is to be deemed to be replaced with "Article 231, paragraph (4), item (vii)."

(Public Notice and Notification of Parcel Boundary Demarcation)

- Article 232 (1) If a registrar of a parcel boundary demarcation prepares a copy of a written report of parcel boundary demarcation referred to in Article 144, paragraph (1) of the Act, they must attach to it a certification statement of the fact that it is a copy of a written report of parcel boundary demarcation, state the date of preparation and their title and name and affix their official seal on the copy.
- (2) The method specified by Ministry of Justice Order referred to in Article 144, paragraph (1) of the Act is the method of issuing a document certifying the content of the written report of parcel boundary demarcation prepared in the form of an electronic or magnetic record.
- (3) If a registrar of a parcel boundary demarcation prepares the document referred to in the preceding paragraph, they must output a written report of parcel boundary demarcation that is prepared in the form of an electronic or magnetic record as a document, attach a certification statement to the effect that it is a document certifying the content recorded in a written report of parcel boundary demarcation, state the date of preparation and their title and name and affix their official seal on the document.
- (4) The issuance of a copy of the written report of parcel boundary demarcation

under the provisions of Article 144, paragraph (1) of the Act (including the document referred to in paragraph (2)) may be made by the method of sending.

(5) The provisions of Article 217, paragraph (1) apply mutatis mutandis to the public notice under the provisions of Article 144, paragraph (1) of the Act; the provisions of Article 217, paragraph (2) apply mutatis mutandis to the notification to a related person under the provisions of Article 144, paragraph (1) of the Act, respectively.

#### **Section 4 Retention of Parcel Boundary Demarcation Procedure Records**

(Sending of Parcel Boundary Demarcation Procedure Records)

- Article 233 (1) When the procedure for parcel boundary demarcation is completed, a registrar of the parcel boundary demarcation must send the parcel boundary demarcation procedure record to the registry office that has jurisdiction over the location of the subject parcel without delay.
- (2) In cases where the subject parcel is in the jurisdictional districts of two or more Legal Affairs Bureaus or District Legal Affairs Bureaus, the sending pursuant to the provisions of the preceding paragraph is to be made to the registry office that is in the jurisdictional district of the Legal Affairs Bureau or District Legal Affairs Bureau, which is designated by the Minister of Justice or the Director of the Legal Affairs Bureau pursuant to the provisions of Article 6, paragraph (2) of the Act as applied mutatis mutandis by replacing the terms and phrases pursuant to Article 124, paragraph (2) of the Act, and that has jurisdiction over the location of the subject parcel. In this case, the registrar of the parcel boundary demarcation must send a copy of the written report of parcel boundary demarcation (if the written report of parcel boundary demarcation, etc. is prepared in the form of an electronic or magnetic record, the document in which the content is output; the same applies in the following paragraph and the following Article) to the registry office that is in the jurisdictional district of the Legal Affairs Bureau or District Legal Affairs Bureau other than the Legal Affairs Bureau or District Legal Affairs Bureau designated by the Minister of Justice or the Director of the Legal Affairs Bureau and that is the registry office that has jurisdiction over the location of the subject parcel among the two or more Legal Affairs Bureaus or District Legal Affairs Bureaus..
- (3) In the case where the subject parcel is in the jurisdictional districts of two or more registry offices (excluding the cases prescribed in the preceding paragraph), the sending under the provisions of paragraph (1) is to be made to the registry office designated by the Director of the Legal Affairs Bureau or District Legal Affairs Bureau. In this case, the registrar of the parcel boundary demarcation must send a copy of the written report of parcel boundary

demarcation, etc. to the registry office which is other than the registry office designated by the Director of the Legal Affairs Bureau or District Legal Affairs Bureau, among the two or more registry offices.

(Recording in the Registration Record)

Article 234 A registrar of the registry office that accepts the sent copy of a parcel boundary demarcation procedure record or a written report of parcel boundary demarcation, etc. where a parcel boundary demarcation is made must record in the registration record of the subject parcel the fact that a parcel boundary demarcation has been made.

(Preservation Period of the Parcel Boundary Demarcation Procedure Record)

Article 235 (1) The preservation period of the information set forth in the following items is as provided for in those items:

- (i) information stated or recorded in a written report of parcel boundary demarcation: permanent; and
  - (ii) information stated or recorded in a parcel boundary demarcation procedure record other than a written report of parcel boundary demarcation: a period of thirty years from the year following the year when the registry office that has a jurisdiction over the location of the subject parcel receives the sent parcel boundary demarcation procedure record pursuant to the provisions of Article 233.
- (2) If all or part of the parcel boundary demarcation procedure record is prepared in the form of an electronic or magnetic record, the information recorded in the electronic or magnetic record may be preserved by the method of preserving the document in which the content of the information is output.
- (3) If all or part of the parcel boundary demarcation procedure record is prepared in writing, the information recorded in the document may be preserved by the method of preserving an electronic or magnetic record in which the content of the information is recorded.

Article 235-2 The preservation period of the books set forth in the following items is as provided for in the respective items:

- (i) a record book for acceptance of parcel boundary demarcation, etc. and book related to parcel boundary demarcation: a period of thirty years from the year following the year of preparation;
- (ii) a parcel boundary demarcation affairs journal and journal on affairs related to parcel boundary demarcation: a period of thirty years from the year following the year of preparation.

(Application Mutatis Mutandis)



Article 236 The provisions of Articles 29 through 32 (excluding Article 32, paragraph (2)) apply mutatis mutandis to the parcel boundary demarcation procedure record. In this case, the phrase "electronic or magnetic records, books or documents concerning the registry" in Article 29, the phrase "registration record or map and related documents" in Article 30, paragraph (1), the phrase "registration record, map and related documents or annexed documents of a register" in paragraph (3) of the same Article, the phrase "a register, a map and related documents. and annexed documents of a register" in Article 31, paragraph (1), the phrase "annexed documents of a register" in paragraph (2) of the same Article, and the phrase "a register, a map and related documents or annexed documents of a register" in paragraph (3) of the same Article are deemed to be replaced with "parcel boundary demarcation procedure record"; and the phrase "the registration record (including an inventory of joint security and inventory of trust; the same applies in the following paragraph), a map and related documents and annexed document of a register (including a map and related documents and annexed documents of a register that are recorded in an electronic or magnetic record) of the real property" in Article 32, paragraph (1) is deemed to be replaced with "parcel boundary demarcation procedure record pertaining to the real property", respectively.

(Handling of the Cases Where There is a Final and Binding Decision in a Lawsuit to Determine a Parcel Boundary)

Article 237 If the decision in a lawsuit to determine a parcel boundary (excluding the decision to dismiss the claim as unlawful; the same applies hereinafter in this Article) becomes final and binding with regard to the parcel boundary for which parcel boundary demarcation related to the parcel boundary demarcation procedure record that is preserved by a registrar is made, the registrar may clarify the fact that the decision of the lawsuit to determine a parcel boundary has become final and binding and the matters that are sufficient to specify the case related to the lawsuit to determine a parcel boundary in a written report of parcel boundary demarcation related to the parcel boundary demarcation.

#### **Section 5 Issuance, etc. of a Copy of the Written Report of Parcel Boundary Demarcation, etc.**

(Request Information for the Issuance of a Copy of the Written Report of Parcel Boundary Demarcation)

Article 238 (1) When requesting the issuance of a copy of the written report of parcel boundary demarcation, etc. pursuant to the provisions of Article 149,

paragraph (1) of the Act (in cases where a parcel boundary demarcation procedure record, etc. is prepared in the form of an electronic or magnetic record, including the document certifying the content of the recorded information; the same applies hereinafter), the information including the following matters in the content (hereinafter referred to as the "request information" in this Section) must be provided. The same applies to the request for inspection of a parcel boundary demarcation procedure record:

- (i) the name of the requester;
  - (ii) procedure number;
  - (iii) when requesting an issuance, the number of copies of documents related to the request;
  - (iv) when requesting the issuance of a copy of part of a parcel boundary demarcation procedure record, etc., the requested part; and
  - (v) when requesting the issuance of a copy of a parcel boundary demarcation procedure record, etc. by the method of sending, a statement to that effect and the sending address.
- (2) When requesting an inspection of a parcel boundary demarcation procedure record other than a written report of parcel boundary demarcation pursuant to the provisions of Article 149, paragraph (2) of the Act, the following matters are to be included in the content of the request information in addition to the matters set forth in items (i) and (ii) of the preceding paragraph:
- (i) address of the requester;
  - (ii) if the requester is a juridical person, the name of the representative person;
  - (iii) when the request is made by an agent, the name and address of the agent and if the agent is a juridical person, the name of the representative person; and
  - (iv) the reasons for having the interests referred to in the proviso to Article 149, paragraph (2) of the Act and the inspecting part.
- (3) When requesting an inspection referred to in the preceding paragraph, a document certifying the reasons for having the interests referred to in item (iv) of the same paragraph must be presented.
- (4) In cases of requesting the inspection referred to in paragraph (2), if the requester is a corporation, a document certifying the capacity of the corporation's representative must be presented; provided, however, that this does not apply when the corporation's corporate identification number is also included in the content of the request information.
- (5) When requesting an inspection referred to in paragraph (2) by an agent, a document certifying the authority of the agent must be presented.; provided, however, that this does not apply when the manager, etc. requests the inspection referred to in the same paragraph on behalf of a corporation and if the corporation's corporate identification number is also included in the

content of the request information.

- (6) In cases of requesting an inspection referred to in paragraph (2) by an agent which is a corporation, if the agent's corporate identification number is also included in the content of the request information, a document certifying the capacity of the representative person of the agent is not required to be presented.

(Requesting Method for Issuance of a Copy of a Written Report of Parcel Boundary Demarcation)

Article 239 (1) The request for issuance referred to in paragraph (1) of the preceding Article or the request for an inspection referred to in paragraph (2) of the same Article must be made by the method of submitting a document stating the request information to the registry office.

- (2) The request for issuance of a copy of a written report of parcel boundary demarcation, etc. by the method of sending may be made by providing the request information to the registry office using an electronic data processing system as provided for by the Minister of Justice in addition to the method referred to in the preceding paragraph. In this case, the sending address is also included in the content of the request information.

- (3) The method specified by Ministry of Justice Order referred to in the proviso to Article 119, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 149, paragraph (3) of the Act is the method prescribed in the preceding paragraph.

(Preparation and Issuance of a Copy of a Written Report of Parcel Boundary Demarcation)

Article 240 (1) If a registrar prepares a copy of a written report of parcel boundary demarcation, etc. (excluding the cases prescribed in the following paragraph), they must attach a certification statement to the effect that it is a copy of all or part of a written report of parcel boundary demarcation, etc., state the date of preparation and their title and name, and affix their official seal.

- (2) In cases where a written report of parcel boundary demarcation, etc. has been prepared in the form of an electronic or magnetic record, if a registrar prepares a copy of the written report of parcel boundary demarcation, etc., they must output a written report of parcel boundary demarcation, etc. recorded in an electronic or magnetic record as a document, attach a certification statement to the effect that it is a document certifying the content recorded in a written report of parcel boundary demarcation, etc., state the date of preparation and their title and name and affix their official seal to the document.

- (3) The issuance of a copy of a written report of parcel boundary demarcation, etc.

is to be made by the method of sending, based on the notification of the requester.

(Application Mutatis Mutandis)

Article 241 The provisions of Article 202 apply mutatis mutandis to the inspection of the parcel boundary demarcation procedure record; the provisions of Article 203, paragraph (1) apply mutatis mutandis to when the payment of the fees referred to in Article 149, paragraphs (1) and (2) of the Act is made by fiscal stamps; the provisions of Article 204 apply mutatis mutandis to when a notification under the provisions of paragraph (3) of the preceding Article is made in the case of requesting the issuance referred to in Article 238, paragraph (1) by the method of submitting a document stating the request information to the registry office; the provisions of Article 205, paragraph (2) apply mutatis mutandis to when the payment of fees is made in the case of requesting the issuance of a copy of a written report of parcel boundary demarcation, etc. by the method prescribed in Article 239, paragraph (2), respectively. In this case, the phrase "Article 120, paragraph (2) and Article 121, paragraph (2) of the Act" in Article 202, paragraph (2) is deemed to be replaced with "Article 149, paragraph (2) of the Act"; the phrase "Article 109, paragraphs (1) and (2), Article 120, paragraphs (1) and (2) and Article 121, paragraphs (1) and (2) of the Act" in Article 203, paragraph (1) is deemed to be replaced with "Article 149, paragraphs (1) and (2) of the Act"; the phrase "Article 193, paragraph (1)" in Article 204, paragraph (1) is deemed to be replaced with "Article 238, paragraph (1)"; the phrase "Article 197, paragraph (6) (including as applied mutatis mutandis pursuant to Article 200, paragraphs (3) and Article 201, paragraph (3))" in the same paragraph is deemed to be replaced with "Article 240, paragraph (3)", respectively.

## **Section 6 Miscellaneous Provisions**

(Procedural Costs)

Article 242 The cost specified by Ministry of Justice Order referred to in Article 146, paragraph (1) of the Act is to be the amount that a registrar of a parcel boundary demarcation finds to be reasonable as the amount of rewards and costs to be paid to a person who is found to be reasonable by a registrar for parcel boundary demarcation, with respect to measurement, expert examination or other acts requiring specialized knowledge that the registrar of the parcel boundary demarcation orders the person to implement.

(Agents)

Article 243 (1) In cases where a related person is a judicial person, if the related

person submits their opinion or undertakes other acts in the procedure of parcel boundary demarcation, the following information must be submitted to the Legal Affairs Bureau or District Legal Affairs Bureau.

- (i) in the case of a corporation that has a corporate identification number, the corporation's corporate identification number;
  - (ii) in the case of a corporation other than the corporation prescribed in the preceding item, information certifying the capacity of the corporation's representative.
- (2) The provisions of the preceding paragraph do not apply to the case where a related person is the corporation prescribed in item (i) of the same paragraph and undertakes the acts referred to in the same paragraph by providing the following certificate of registered matters:
- (i) in a case other than the case prescribed in the following item, a certificate of registered matters certifying the capacity of the corporation's representative;
  - (ii) in the case where the manager, etc. undertakes the acts referred to in the preceding paragraph, a certificate of registered matters certifying the authority of the manager, etc.
- (3) After an application for a parcel boundary demarcation is filed, if the applicant or a related person has selected an agent, the applicant or related person must provide information certifying the authority of the agent to the Legal Affairs Bureau or District Legal Affairs Bureau; provided, however, that this does not apply to the case where the applicant or related person is a corporation that has a corporate identification number and the agent is a manager, etc.
- (4) In the case where the agent prescribed in the main clause of the preceding paragraph is a corporation, if the agent's corporate identification number is provided, the provision of the corporate identification number may substitute for the provision of information certifying the capacity of the agent's representative.

#### (Application Dismissal)

- Article 244 (1) If a registrar of a parcel boundary demarcation dismisses an application for parcel boundary demarcation pursuant to the provisions of Article 132, paragraph (1) of the Act, they must prepare a written decision and issue it to the applicant.
- (2) The issuance under the provisions of the preceding paragraph is to be made by the method of sending the written decision.
  - (3) If a registrar of a parcel boundary demarcation has dismissed an application, they are to return the attachment for a parcel boundary demarcation; provided however, that this does not apply to fraudulent documents or other documents that are suspected to be used for a wrongful application.

- (4) If a registrar of a parcel boundary demarcation has dismissed an application for parcel boundary demarcation after they made a public notice under the provisions of Article 133, paragraph (1) of the Act, they must make a public notice to that effect. The provisions of Article 217, paragraph (1) apply mutatis mutandis to the public notice in this case.
- (5) If a registrar of a parcel boundary demarcation has dismissed an application for parcel boundary demarcation after they made a notification under the provisions of Article 133, paragraph (1) of the Act, they must notify the related persons concerning the notification to that effect. The provisions of paragraph (2) of the same Article and Article 217, paragraph (2) apply mutatis mutandis to the notification in this case.

(Application Withdrawal)

- Article 245 (1) The application for parcel boundary demarcation must be withdrawn in accordance with the category of application set forth in the following items by the method provided for in those items:
- (i) electronic application for parcel boundary demarcation: the method of providing information to the effect that an application is withdrawn using an electronic data processing system to a registrar of a parcel boundary demarcation, as provided for by the Minister of Justice; and
  - (ii) written application for parcel boundary demarcation: the method of submitting a document stating the information to the effect that an application is withdrawn to a registrar of a parcel boundary demarcation.
- (2) An application for parcel boundary demarcation cannot be withdrawn after notification has been dispatched to an applicant pursuant to the provisions of Article 144, paragraph (1) of the Act.
  - (3) If an application for parcel boundary demarcation has been withdrawn, a registrar of a parcel boundary demarcation is to return the attachment for a parcel boundary demarcation. The provisions of the proviso to paragraph (3) of the preceding Article apply mutatis mutandis to this case.
  - (4) If an application for parcel boundary demarcation has been withdrawn after a public notice was made pursuant to the provisions of Article 133, paragraph (1) of the Act, a registrar of a parcel boundary demarcation must make a public notice to that effect. The provisions of Article 217, paragraph (1) apply mutatis mutandis to the public notice in this case.
  - (5) If an application for parcel boundary demarcation has been withdrawn after a notification under the provisions of Article 133, paragraph (1) of the Act was made, a registrar of a parcel boundary demarcation must notify the related persons concerning the notice to that effect. The provisions of paragraph (2) of the same Article and Article 217, paragraph (2) apply mutatis mutandis to the notification in this case.

(Correction of a Written Report of Parcel Boundary Demarcation)

- Article 246 (1) If there are clerical errors or any other obvious errors similar thereto in a written report of parcel boundary demarcation, a registrar of a parcel boundary demarcation may correct the error at any time after obtaining permission from the Director of the Legal Affairs Bureau or District Legal Affairs Bureau that supervises the registrar of a parcel boundary demarcation.
- (2) If a registrar of a parcel boundary demarcation has corrected a written report of parcel boundary demarcation, they must notify the applicant of the content of the correction, make a public notice of the fact that a correction has been made, and notify related persons. The provisions of Article 133, paragraph (2) of the Act and Article 217, paragraph (2) of this Ministerial Order apply mutatis mutandis to the notification in this case and the provisions of paragraph (1) of the same Article apply mutatis mutandis to the public notice in this case, respectively.

## **Chapter VI Statutory Inheritance Information**

(Statutory Inheritance Information Chart)

- Article 247 (1) In the case where an inheritance of a heading-section owner, registered holder or other person commences, if it is necessary for registration or other procedures resulting from the inheritance, the heir (limited to those who may be confirmed by the statements made in the document set forth in paragraph (3), item (ii); hereinafter the same applies in this Article) or the person who has succeeded to the status of the heir by inheritance may file an application to the registrar of the registry office that has jurisdiction over the registered domicile or last domicile of the decedent, domicile of the applicant or the location of the real property where the decedent is the heading-section owner or registered holder of ownership for retention of the document stating the statutory inheritance information (meaning the information referred to in the following items; the same applies hereinafter) (hereinafter referred to as the "statutory inheritance information chart") and issuance of a copy of the statutory inheritance information chart:
- (i) name, date of birth, last domicile and date of death of the decedent; and
  - (ii) names, dates of birth and relationships to the decedent of the heirs of the same rank at the time of commencement of inheritance.
- (2) The application referred to in the preceding paragraph must be filed by providing a written application including the following matters to the registry office:
- (i) name, address, point of contact and relationship to the decedent of the applicant;

- (ii) in the case of filing an application by an agent (in the case of a statutory agent of the applicant or privately appointed agent thereof, limited to the relative thereof or persons set forth in Article 10-2, paragraph (3) of the Family Register Act (Act No. 224 of 1947); hereinafter the same applies in this Article), the name, address and point of contact of the agent and the name of the representative if the agent is a corporation;
  - (iii) purpose of use;
  - (iv) number of copies requested to be issued;
  - (v) if there is a real property for which the decedent is the heading-section owner or registered holder of ownership, matters related to real property location and real property number;
  - (vi) date of application; and
  - (vii) if issuance of a copy of a statutory inheritance information chart and return of document under the provisions of paragraph (6) are requested by the method of sending, a statement to that effect.
- (3) An applicant or agent thereof must affix their name and seal on the written application referred to in the preceding paragraph and attach to it the following documents:
- (i) statutory inheritance information chart (limited to one in which the information set forth in the items of paragraph (1) and the date of preparation are stated, an applicant has signed their name and the applicant who has prepared it or their agent has signed or has affixed their name and seal on it);
  - (ii) certified copies or certificates of all entries of all of the family registers and removed family registers since the birth of the decedent (in the case where there are heirs per stirpes, including the original heir);
  - (iii) a document certifying the decedent's last domicile;
  - (iv) a certified copy, extract or certificate of the family register or a certificate of family register description of the decedent referred to in paragraph (1), item (ii);
  - (v) if an applicant is a person who has succeeded to the status of the heir by inheritance, a document certifying this;
  - (vi) a certificate which states the same name and address of the applicant that are stated in the written application, which is prepared by the mayor of municipality or other public employee in the course of their duties (including a certified copy in which the applicant has stated to the effect that the copy is no different from the original);
  - (vii) if an application referred to in paragraph (1) is filed by an agent, a document certifying the authority of the agent.
- (4) If the address of the heir is stated in the statutory inheritance information chart referred to in item (i) of the preceding paragraph, a document certifying



such address must be attached to the written application referred to in paragraph (2).

- (5) If a registrar confirms the content of a statutory inheritance information chart by any of the documents set forth in paragraph (3), item (ii) through item (iv) and confirms that such content is consistent with the content of the statutory inheritance information stated in the statutory inheritance information chart, the registrar is to issue a copy of the statutory inheritance information chart. In this case, the registrar is to attach a certification statement to the effect that it is a copy of the statutory inheritance information chart retained at the registry office to which the application was filed, state the date of preparation and their title and name and affix their official seal to the copy.
- (6) When a registrar issues a copy of a statutory inheritance information chart, the registrar is to return the documents prescribed in paragraph (3), items (ii) to (v) and paragraph (4).
- (7) The provisions of the preceding paragraphs (excluding paragraph (3), items (1) through (v), and paragraph (4) apply mutatis mutandis to the case where the person who has filed the application referred to in paragraph (1) files an application for reissuance of a copy of a statutory inheritance information chart to the registrar of the registry office to which the application was filed.

(Method of Sending Copy of Statutory Inheritance Information Chart)

- Article 248 (1) Issuance of a copy of a statutory inheritance information chart and return of the documents pursuant to the provisions of paragraph (6) of the preceding Article may be made by the method of sending, upon the application of the applicant.
- (2) The costs required for the sending referred to in the preceding paragraph must be paid by the method of submitting postage stamps or an identification card which can be used as payment of the fee for the service of correspondence delivery as designated by the Minister of Justice.
  - (3) The designation referred to in the preceding paragraph must be made by public notice.

### **Supplementary Provisions**

(Effective Date)

- Article 1 This Ministry Ministerial Order comes into effect as of the date on which the Act comes into effect (March 7, 2005).

(Principles of Transitional Measures)

- Article 2 (1) The provisions of the Regulations on Real Property Registration

amended by this Ministerial Order (hereinafter referred to as the "New Regulations") apply to the matters that arose prior to the enforcement of this Ministerial Order unless otherwise there are special provisions in these Supplementary Provisions; provided, however that it does not preclude the effect that has arisen pursuant to the provisions of the Detailed Enforcement Regulations of the Real Property Registration Act prior to amendment (hereinafter referred to as the "Former Detailed Regulations").

- (2) Any dispositions, procedures or other acts under the provisions of the Former Detailed Regulations conducted prior to enforcement of this Ministerial Order are deemed to have been conducted under the relevant provisions of the New Regulations with regard to the application of the New Regulations, unless otherwise there are special provisions in these Supplementary Provisions.

(Register Reform)

Article 3 (1) When a registry office is designated pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the Act (excluding what is deemed to have been designated pursuant to the provisions of paragraph (3) of the same Article) with respect to its affairs, the registry office must reform the former register (meaning a register as prescribed in Article 14 of the Real Property Act prior to amendment (Act No.24 of 1899; hereinafter referred to as the "Former Act") that is to remain in force pursuant to the provisions of Article 3, paragraph (4) of the Supplementary Provisions of the Act; the same applies hereinafter) related to the affairs into the register prescribed in Article 2, item (ix) of the Act; provided, however, that this does not apply to a register that does not conform to the handling by an electronic data processing system prescribed in Article 3, paragraph (1) of the Supplementary Provisions of the Act.

- (2) The register reform under the provisions of the preceding paragraph is to be made by transferring the registration made in a registration form to the registration record. In this case, it does not require the transfer of registrations that currently have no effect, excluding registrations related to the parcel number, land category and parcel area that are made on the registration form of the heading section of the land register.
- (3) If a registrar transfers a registration pursuant to the provisions of the preceding paragraph, they must record the fact that it has been transferred pursuant to the provisions of the same paragraph at the end of the registration transferred in the corresponding section of the heading section or rights section of the registration record.
- (4) If a registrar transfers a registration pursuant to the provisions of paragraph (2), they must state to that effect and the date in the heading section of the registration form and close the registration form. In this case, they must state

in the inventory of the former register the fact that all of the registration forms filed in the former register are closed and the date of closure, and affix a registrar's seal thereto.

(Former Register Related to Undesignated Affairs)

Article 4 (1) The provisions of Article 4, Article 8, Article 9, Article 90, Article 92, paragraph (2), Article 116, Article 117, Article 122, Article 194, paragraph (2) and Articles 195 through 198 of the New Regulations apply to the affairs designated pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the Act (including those that are deemed to have been designated pursuant to the provisions of paragraph (3) of the same Article; hereinafter referred to as "Article 3 designation") from the date when Article 3 designation is given.

(2) With regard to a former register (including a closed register as prescribed in Article 24-2 , paragraph (1) of the Former Act that is to remain in force pursuant to the provisions of Article 3, paragraph (4) of the Supplementary Provisions of the Act) related to affairs to which Article 3 designation is not provided, the provisions of Articles 1 through 10, Article 11, Article 13, Articles 35 through 35-3, Articles 48-2 through 54-2, Article 57-9, Article 63-2, Article 64, Article 64-2 and Article 71 of the Former Detailed Regulations remain in force until Article 3 designation is given. In this case, the terms set forth in the middle column of the following table in the provisions of the Former Detailed Regulations set forth in the left column of the following table are to be replaced with the terms set forth in the right column of the table respectively.

Provision for which a term is deemed to be replaced	Term deemed to be replaced	Term used for replacement
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Article 2 (2)	Proviso to Article 15 of the Real Property Registration Act	Proviso to Article 15 of the Real Property Registration Act (Act No.24 of 1900; hereinafter referred to as the "Former Act") that remains in force pursuant to the provisions of Article 3 (4) of the Supplementary Provisions of the Real Property Registration Act (Act No.123 of 2004; hereinafter referred to as the "Act")
Article 2 (3)	Article 48-3 (1)	Article 48-3 (a) that shall remain in force pursuant to the provisions of Article 4 (2) of the Supplementary Provisions of the Ordinance of Real Property Registration (Act No.18 of 2005; hereinafter referred to as "New Ordinance")
Article 2 (4)	Article 52	Article 52 that remains in force pursuant to the provisions of Article 4 (2) of the Supplementary Provisions of the New Ordinance
Article 4	Proviso to Article 15 of the Real Property Registration Act	Proviso to Article 15 of the Former Act that remains in force pursuant to the provisions of Article 3 (4) of the Supplementary Provisions of the Act

Article 5 (1)	Article 10 of the Real Property Registration Act	Article 32 of the New Ordinance that remains in force pursuant to the provisions of Article 4 (3) of the Supplementary Provisions of the New Ordinance
Article 6 (2) and (4)	Proviso to Article 15 of the Real Property Registration Act	Proviso to Article 15 of the Former Act that remains in force pursuant to the provisions of Article 3 (4) of the Supplementary Provisions of the Act
Article 6 (6)	Article 5 (2)	Article 5 (2) that remains in force pursuant to the provisions of Article 4 (3) of the Supplementary Provisions of the New Ordinance
Article 7 (3)	Paragraph (1) of the preceding Article	Article 6 (1) that remains in force pursuant to the provisions of Article 4 (2) of the Supplementary Provisions of the New Ordinance
Article 10 (2)	Article 7	Article 7 that remains in force pursuant to the provisions of Article 4 (2) of the Supplementary Provisions of the New Ordinance
Article 48-2 (1)	Proviso to Article 15 of the Real Property Registration Act	Proviso to Article 15 of the Former Act that remains in force pursuant to the provisions of Article 3 (4) of the Supplementary Provisions of the Act

Article 48-2 (2)	Article 76 (1) or (4), Article 93-12-2 (4), Article 93-16 (4), Article 93-17 (3), Article 98 (5) or Article 99-2 of the Real Property Registration Act	Article 6 and Article 124 (4) of the New Ordinance as applied by replacing the terms and phrases pursuant to the provisions of Article 4 (3) of the Supplementary Provisions of the New Ordinance (including cases where it is applied mutatis mutandis pursuant to Article 120 (7), Article 126 (3), Article 134 (3) and Article 145 (1))
Article 49 (3)	Article 37-9 (2)	Article 44 (v) of the Act in cases where an annex building of a condominium unit is not a condominium unit
Article 49 (5)	Article 49-4 (1)	Article 49-4 (1) that remains in force pursuant to the provisions of Article 4 (2) of the Supplementary Provisions of the New Ordinance
Article 49-2 (1)	The number stated in Article 91 (1) (iv) of the Real Property Registration Act	The name of the building stated in Article 44 (1) (iv) of the Act
Article 49-2 (2)	The number stated in Article 91 (2) (iii) of the Real Property Registration Act	The name of the single building referred to in Article 44 (1) (viii) of the Act
Article 49-5	Proviso to Article 15 of the Real Property Registration Act	Proviso to Article 15 of the Former Act that remains in force pursuant to the provisions of Article 3 (4) of the Supplementary Provisions of the Act
	Article 91 (2) (i) through (iii) of said Act	Article 44 (1) (i), (vii) and (viii) of the Act

Article 49-6	Article 99-4 (2) of the Real Property Registration Act	Article 44 (1) (vi) of the Act
	The second sentence of said paragraph	Article 58 (1) of the Act
Article 49-7	Article 99-4 (2) of the Real Property Registration Act	Article 44 (1) (vi) of the Act
	The paragraph	The item
Article 49-8	Article 90 (2) of the Real Property Registration Act	Article 43 (1) of the Act
Article 57-9	Article 110-2, Article 135 and Article 143-2 (1) and (2) of the Real Property Registration Act	Article 98 and Article 104 of the Act (including cases where these provisions are applied mutatis mutandis pursuant to Article 16 (2) of the Act)
Article 63-2	Article 137 or Article 138 of the Real Property Registration Act	Article 86 (2) (i) of the Act (including cases where it is applied mutatis mutandis pursuant to paragraph (3) of said Article)
Article 64-2 (1)	Article 76 (4) of the Real Property Registration Act	Article 6 of the New Ordinance as applied by replacing the terms and phrases pursuant to the provisions of Article 4 (3) of the Supplementary Provisions of the New Ordinance
Article 64-2 (2)	Article 93-12-2 (4), Article 93-16 (4), Article 93-17 (3), Article 98 (5) or Article 99-2 of the Real Property Registration Act	Article 124 (4) of the New Ordinance as applied by replacing the terms and phrases pursuant to the provisions of Article 4 (3) of the Supplementary Provisions of the New Ordinance (including cases where it is applied mutatis mutandis pursuant to Article 120 (7), Article 126 (3), Article 134 (3) and Article 145 (1))

Article 71	Article 59 of the Real Property Registration Act	Article 92 (1) of the New Ordinance
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(3) With regard to the application until Article 3 designation is given of the New Regulations to affairs referred to in the preceding paragraph, the term "registration record" in this main provisions of the New Regulations (excluding Article 6, Article 27-3, item (i) and Article 28, items (i), (iv) and (v)) are deemed to be replaced with "registration form," the terms "rights section" and "corresponding section of the rights section" are deemed to be replaced with "section of matters in the corresponding section of the registration form," the term "registration record" in Article 6 of the New Regulations are deemed to be replaced with "registration form or a form for the heading section or each section," the term "registration record" in Article 27-3, item (i) of the New Regulations is deemed to be replaced with "former register," the term "registration record" in Article 28, item (i) of the New Regulations is deemed to be replaced with "information stated in the registration form," the phrase "closed registration record (meaning the registration record that has been closed; hereinafter the same applies)" is deemed to be replaced with "information stated in the closed registration form," the phrase "closed registration record" in items (iv) and (v) of the same Article is deemed to be replaced with "the information stated in the closed registration form," the term "registry" in Article 31, paragraph (1) of the New Regulations is deemed to be replaced with "former register (including the closed register)," the phrase "the purpose of registration, date of acceptance of the application and the acceptance number and the matters related to the real property location" in Article 56, paragraph (1) of the New Regulations is deemed to be replaced with "the purpose of registration, name of applicant, the date of acceptance of application and the acceptance number," the term "Certificate of Registered Matters" in the title of Article 193 of the New Regulations is deemed to be replaced with "Transcript of Registry," the phrase "an issuance of a certificate of registered matters, a written outline of registered matters, copy of all or part of a map and related documents (when the map and related documents are recorded in an electronic or magnetic record, a document certifying the content of the recorded information) or copy of all or part of a land location picture and other pictures (when the land location picture and other pictures are recorded in an electronic or magnetic record, a document certifying the content of the recorded information)" in paragraph (1) of the same Article is deemed to be replaced with "an issuance of a transcript or extract of a register or inspection of a register pursuant to the provisions of Article 21, paragraph (1) of the Former Act that are to remain in force pursuant to the provisions of Article 3, paragraph (4) of the Supplementary Provisions of the Act (including as applied



mutatis mutandis pursuant to Article 24-2, paragraph (3) of the Former Act that are to remain in force pursuant to the provisions of Article 3, paragraph (4) of the Supplementary Provisions of the Act)," the phrase "in case of requesting an issuance of a certificate of registered matters, categories of the certificate of registered matters set forth in the items of Article 196, paragraph (1) (including the cases where items (i), (iii) and (iv) of the same paragraph are applied mutatis mutandis pursuant to paragraph (2) of the same Article)" in Article 193, paragraph (1), item (iv) of the New Regulations are deemed to be replaced with "in case of requesting an issuance of an extract of a register, the requesting part for an issuance of the extract," the term "certificate of registered matters " in Article 193, paragraph (1), item (v) of the New Regulations is deemed to be replaced with "transcript or extract of a register," and the term "a map and related documents" in Article 202, paragraph (1) of the New Regulations is deemed to be replaced with "a register, a map and related documents"

- (4) In order to record the cancellation code of the matters that are recorded in a registration form for the affairs that have not obtained Article 3 designation, the matters are to be crossed out in red ink.
- (5) In order to record the registrar identification code on the registration form for affairs that have not obtained Article 3 designation, a registrar is to affix their registrar seal on the registration form.

#### (Closed Registers)

- Article 5 (1) The provisions of Article 193, paragraph (1), Article 194, paragraph (1), Article 202, paragraph (1), Article 203, paragraph (1) and Article 204 of the New Regulations apply mutatis mutandis to an issuance or inspection of transcript or extract of the closed register as prescribed in Article 4, paragraph (1) of the Supplementary Provisions of the Act.
- (2) With regard to a transcript or extract of the closed register referred to in the preceding paragraph, the provisions of Articles 35 through Article 35-3 of the Former Detailed Regulations remain in force.
  - (3) The provisions of Articles 30 and 32 of the New Regulations apply mutatis mutandis to the affairs concerning the closed register referred to in paragraph (1).

#### (Restoration Procedure in Cases where a Former Register has been Lost)

Article 6 (1) If a former register (including an inventory of trust) related to affairs that have not obtained Article 3 designation has been lost, it is to be restored by the procedures prescribed in Article 19, Article 23 and Articles 69 through 75 of the Former Act. In this case, a definitive registration certificate delivery book is to be kept with regard to the affairs.

- (2) A registration certificate that has been issued based on the procedure as prescribed in the preceding paragraph is deemed to be the registration certificate that was returned pursuant to the provisions of Article 60 of the Former Act.
- (3) The provisions of Article 22 and Articles 60 through 60-3 of the Former Detailed Regulations are to remain in force with regard to the former register referred to in paragraph (1). In this case, the phrase "public notice referred to in Article 23 of the Real Property Registration Act" in Article 22, paragraph (1) of the Former Detailed Regulations is deemed to be replaced with "public notice for procedures as prescribed in Article 6, paragraph (1) of the Supplementary Provisions of the New Regulations," the phrase "procedure referred to in Article 60, paragraph (1) of the Real Property Registration Act" in Article 60 of the Former Detailed Regulations is deemed to be replaced with "procedure as prescribed in Article 60, paragraph (1) of the Former Act," the phrase "Article 72, paragraph (1) of the Real Property Registration Act" in Article 60-2 of the Former Detailed Regulations is deemed to be replaced with "Article 6, paragraph (1) of the Supplementary Provisions of the New Regulations," the phrase "Article 74, paragraph (1) of the Real Property Registration Act" in Article 60-3 of the Former Detailed Regulation is deemed to be replaced with "Article 6, paragraph (1) of the Supplementary Provisions of the New Regulations," and the phrase "Article 72, paragraph (1) of the same Act" is deemed to be replaced with "Article 72, paragraph (1) of the Former Act", respectively.
- (4) At the enforcement of the Act, with regard to the procedure as prescribed in paragraph (1) that is currently implemented pursuant to the provisions of the Former Act, the provisions then in force are to remain applicable. When affairs that have not obtained Article 3 designation obtain Article 3 designation, the same applies to the procedure that is currently implemented pursuant to the provisions of paragraph (1) with respect to the affairs.

(Transfer from the Registry Office that Obtained Article 3 Designation)

Article 7 (1) In cases where the location of a real property has been moved from under the jurisdiction of registry office A that has obtained Article 3 designation with respect to the affairs related to the real property to registry office B that has not obtained Article 3 designation with regard to the affairs, if registry office A transfers the registration record, inventory of joint securities or inventory of trust of the real property to registry office B, registry office A must send documents stating the matters recorded in the registration record, inventory of joint securities or inventory of trust of the real property of registry office A.

- (2) If registry office B receives the document that was sent stating the matters

recorded in the registration record pursuant to the provisions of the preceding paragraph, a registrar of registry office B must state the matters recorded in the documents in the registration form. In this case, they must state the fact that the registration is made by reason of jurisdiction transfer and the date and affix the registrar's seal at the end of the registration that is stated in the heading section and rights section.

- (3) If registry office B receives the document that was sent stating the matters recorded in an inventory of joint securities or inventory of trust pursuant to the provisions of paragraph (1), a registrar of registry office B must prepare an inventory of joint securities and inventory of trust based on the document. In this case, they must provide a new code or inventory number to the inventory of joint securities or inventory of trust that they prepared where necessary.
- (4) In the cases referred to in paragraph (2), if the matters recorded pursuant to the provisions of Article 125 or Article 127, paragraph (1) of the Former Act or Article 166, paragraph (1) or Article 168, paragraph (2) or (4) of the New Regulations are stated in the documents referred to in the same paragraph on , a registrar of registry office B must state in a registration form the matters using the code or inventory number that is provided pursuant to the provisions of the preceding paragraph.

(Transfer from a Registry Office that has not Obtained Article 3 Designation)

Article 8 (1) In cases where the location of a real property has been transferred from the jurisdiction of registry office A that has not obtained Article 3 designation with respect to the affairs related to the real property to the jurisdiction of registry office B that has obtained Article 3 designation with respect to the affairs, a registrar of registry office B must record the matters stated in the transferred registration form in the registration record; provided, however, that this does not apply to those that do not conform to handling by an electronic data processing system as prescribed in Article 3, paragraph (1) of the Supplementary Provisions of the Act.

- (2) When a registrar of registry office B has recorded pursuant to the provisions of the preceding paragraph, they must close the transferred registration form.
- (3) In the cases prescribed in paragraph (1), when there is a transferred inventory of joint securities or inventory of trust, a registrar of registry office B must prepare an inventory of joint securities or inventory of trust based thereon.
- (4) The provisions of the second sentence of paragraph (2) of the preceding Article and paragraph (4) of the same Article apply mutatis mutandis to the cases referred to in the main clause of paragraph (1); the provisions of the second sentence of paragraph (3) of the preceding Article apply mutatis mutandis to the case referred to in the preceding paragraph, respectively. In

this case, the term "state" in the second sentence of paragraph (2) of the preceding Article is deemed to be replaced with "record"; the phrase "affix the registrar's seal" in the sentence is deemed to be replaced with "record the registrar identification code"; the phrase "the document referred to in the same paragraph" in paragraph (4) of the same Article is deemed to be replaced with "the transferred registration form"; and the term "registration form" in the same paragraph is deemed to be replaced with "registration record"; and the term "state" in the same paragraph is deemed to be replaced with "record", respectively.

(Inventory of Joint Securities)

Article 9 (1) With regard to the method of providing the information to be recorded in an inventory of joint securities in cases where an application is filed for a registration of preservation, establishment or disposition of security interests which have been established over the right related to two or more real properties (limited to cases where a written application is filed; the same applies in this Article) at the registry office that has not obtained Article 3 designation with regard to affairs concerning the inventory of joint securities (hereinafter referred to as an "undesignated registry office for inventory of joint securities"), the provisions then in force are to remain applicable; provided, however, that after the registration of preservation or establishment of security interests which have been established over the right concerning one or two or more real properties is made, in cases where an application is filed for a registration of preservation, establishment or disposition of security interests which have been established over the right concerning the other two or more of real properties, in order to secure the same claim, even if the previous registration includes those concerning real property that is in the jurisdictional district of another registry office, it is sufficient to attach one inventory of joint securities.

(2) With regard to the method of providing the information to be recorded in an inventory of joint securities in the case where an application is filed for a registration of preservation, establishment or disposition of security interests which have been established for the right concerning one of the other real properties, in order to secure the same claim at an undesignated registry office of inventory of joint securities after having made a registration of preservation or establishment of security interests which have been established over the right concerning one or two or more real properties, the provisions then in force are to remain applicable; provided, however, that after having made the registration of preservation or establishment of security interests which have been established over the right concerning one real property, in the case where in order to secure the same claim an application is filed for a registration of

preservation, establishment or disposition of security interests which have been established over the right concerning one of the other properties, even if the previous registration concerns a real property that is in the jurisdictional district of another registry office, it is sufficient to attach one inventory of joint securities.

- (3) With regard to the inventory of joint securities in cases where an application is filed at the undesignated registry office of inventory of joint securities for a registration of separation of parcel subdivision of the land with a registration of security interests, a registration of separation of building, a registration of division into units, or a registration to cancel the right of site with respect to a condominium unit with the right of site, the provisions then in force are to remain applicable; provided, however, that even if the right concerning the real property before making these registrations is the subject of security interests together with the right concerning the real property that is in the jurisdictional district of another registry office, it is sufficient to attach one inventory of joint securities.
- (4) In the case where an inventory of joint securities has been submitted pursuant to the provisions of the preceding three paragraphs, if there is an inventory of joint securities concerning the previous registration, an inventory of joint securities that is newly submitted is deemed to be part of the inventory of joint securities concerning the previous registration.
- (5) The provisions of Articles 43-2 through 43-4 of the Former Detailed Regulations are to remain in force with regard to the inventory of joint securities to be submitted to an undesignated registry office of inventory of joint securities pursuant to the provisions of paragraphs (1) through (3).

Article 10 (1) A file of inventories of joint securities is kept at an undesignated registry office of inventory of joint securities.

- (2) When the information to be recorded in an inventory of joint securities has been provided in the form of an electronic application at an undesignated registry office of inventory of joint securities, a registrar must prepare an inventory of joint securities in writing.
- (3) The inventory of joint securities pursuant to the provisions of the preceding paragraph are to be filed in a file of inventories of joint securities referred to in paragraph (1). The same applies to the inventory of joint securities prepared by a registrar pursuant to the provisions of this Ministerial Order or other laws and regulations.
- (4) When a document stating the information to be recorded in an inventory of joint securities has been submitted in the form of a written application at an undesignated registry office of inventory of joint securities pursuant to the provisions of paragraphs (1) through (3) of the preceding Article, the document

is deemed to be an inventory of joint securities referred to in Article 83, paragraph (2) of the Act. In this case, notwithstanding the provisions of Article 19 of the New Regulations, the document is to be filed in the file of inventories of joint securities referred to in paragraph (1).

- (5) The inventory of joint securities that is deemed to be part of an inventory of joint securities concerning the previous registration pursuant to the provisions of paragraph (4) of the preceding Article is to be provided with the same code and inventory number as the inventory of joint securities concerning the previous registration.
- (6) An inventory of joint securities is to be filed in the file of inventories of joint securities referred to in paragraph (1) in accordance with the order of the inventory number.
- (7) The file of inventories of joint securities are to be designated by a code; provided, however, that it does not preclude the division of a file.
- (8) In the case where all or part of the location of the real property listed in an inventory of joint securities that is in the jurisdictional district of a undesignated registry office of inventory of joint securities has been transferred to another registry office, if an inventory of joint securities is transferred, an inventory of joint securities or an inventory of joint securities that is prepared by copying the matters to be stated in the inventory of joint securities is to be transferred.
- (9) The provisions of Articles 57-4 through 57-6 (excluding Article 57-4, paragraph (3)) of the Former Detailed Regulations are to remain in force with regard to the inventory of joint securities prepared by a registrar at a undesignated registry office of inventory of joint securities. In this case, the phrase "when the right concerning real property is described pursuant to the provisions of Article 127, paragraph (2) of the Real Property Registration Act" in Article 57-4, paragraph (1) of the Former Detailed Regulation is to be deemed to be replaced with "when recording pursuant to the provisions of Article 168, paragraph (3) of the New Regulations," the term "application form" in the same paragraph is deemed to be replaced with "for application," the phrase "to attach a statement pursuant to the provisions of Article 128, paragraph (1) of the Real Property Registration Act" in paragraph (2) of the same Article is deemed to be replaced with "to record pursuant to the provisions of Article 170, paragraphs (1) (including as applied mutatis mutandis pursuant to paragraph (5) of the same Article) and (2) of the New Regulations," the term "application form" in the same paragraph is deemed to be replaced with "for application," the phrase "the preceding two paragraphs" in paragraph (4) of the same Article is deemed to be replaced with "Article 57-4, paragraph (2) that is to remain in force pursuant to the provisions of Article 10, paragraph (9) of the New Regulations," the phrase "Article 43-4 or Article 57-5"

in the same paragraph is deemed to be replaced with "Article 43-4 that is to remain in force pursuant to the provisions of Article 9, paragraph (5) of the Supplementary Provisions of the New Regulations or Article 57-5 that is to remain in force pursuant to the provisions of Article 10, paragraph (9) of the Supplementary Provisions of the New Regulations," the phrase "Article 43-2, Article 43-3, paragraph (1) and Article 43-4" in Article 57-5, paragraph (1) of the Former Detailed Regulations is deemed to be replaced with "Article 43-2, Article 43-3, paragraph (1) and Article 43-4 that are to remain in force pursuant to the provisions of Article 9, paragraph (5) of the Supplementary Provisions of the New Regulations," respectively.

Article 11 At the enforcement of this Ministerial Order, the inventory of joint securities that is currently kept at the registry office is deemed to be the inventory of joint securities referred to in Article 83, paragraph (2) of the Act.

(Inventory of Trust)

Article 12 (1) A registry that has not obtained Article 3 designation with respect to the affairs concerning an inventory of trust (hereinafter referred to as an "undesignated registry office of inventory of trust") keeps a file of inventories of trust.

(2) If the information to be recorded in an inventory of trust is provided in the form of an electronic application at an undesignated registry office of inventory of trust, a registrar must prepare an inventory of trust in writing in accordance with Appended Form (v).

(3) The inventory of trust under the provisions of the preceding paragraph is to be filed in a file of inventories of trust referred to in paragraph (1).

(4) If an application is filed for a registration of trust in the form of a written application at an undesignated registry office of inventory of trust, an applicant must submit the information to be recorded in an inventory of trust by stating it in a form in accordance with the Appended Form (v). The same applies when an application is filed for a registration of trust in the form of a written application with respect to a real property for which the register has not completed the reform under the provisions of Article 3, paragraph (1) of the Supplementary Provisions (including a register that does not conform to handling using an electronic data processing system) at a registry that has obtained Article 3 designation with respect to the affairs concerning an inventory of trust .

(5) When a document stating the information to be recorded in an inventory of trust pursuant to the provisions of the preceding paragraph is submitted, the document is deemed to be an inventory of trust referred to in Article 97, paragraph (3) of the Act. In this case, notwithstanding the provisions of Article

19 of the New Regulations, the document is to be filed in the file of inventories of trust referred to in paragraph (1).

(6) The provisions of Article 16-4, paragraph (1), Articles 43-6 through Article 43-9, Article 57-10 and Article 57-11 of the Former Detailed Regulations are to remain in force with respect to the inventory of trust of a undesignated registry office of inventory of trust. In this case, the term "registry of trust" in Article 16-4, paragraph (1) of the Former Detailed Regulations is deemed to be replaced with "inventory of trust," the term "application form" in the same paragraph is deemed to be replaced with "for application," the term "registry of trust" in Article 43-6 of the Former Detailed Regulations is deemed to be replaced with "a document stating the information to be recorded in the inventory of trust" the term "Appendix Form (x)" in the same Article is deemed to be replaced with "Appended Form (v) of the Regulations on Real Property Registration (Ministry of Justice Order No.18 of 2005) "the phrase "registry form of trust" in Article 43-7 and Article 43-8 of the Former Detailed Regulations is deemed to be replaced with "a written form stating the information to be recorded in an inventory of trust," the term "Article 43-3" in Article 43-9 of the Former Detailed Regulations is deemed to be replaced with "Article 43-3 that is to remain in force pursuant to the provisions of Article 9, paragraph (5) of the Supplementary Provisions of the New Regulations," the term "registry of trust" in the same Article is deemed to be replaced with "a document stating the information to be recorded in an inventory of trust," and the term "registry of trust" in Article 57-10 and Article 57-11 of the Former Detailed Regulations is deemed to be replaced with "inventory of trust."

Article 13 At the enforcement of this Ministerial Order, the registry of trust that is currently kept at the registry office is deemed to be an inventory of trust referred to in Article 97, paragraph (3) of the Act.

(Reform of Inventory of Security Interests)

Article 14 The provisions of Article 3 of the Supplementary Provisions apply mutatis mutandis to an inventory of joint securities and inventory of trust.

(Transitional Measures Concerning Article 3 Designation)

Article 14-2 Affairs concerning a register that has not completed the reform under the provisions of Article 3, paragraph (1) of the Supplementary Provisions (including as applied mutatis mutandis to Article 14 of the Supplementary Provisions) (including a register that does not conform to handling using an electronic data processing system; the same applies hereinafter) among affairs that have obtained Article 3 designation are deemed to be affairs that have not obtained Article 3 designation with regard to the



application of Article 3, paragraphs (1), (4) and (7) of the Supplementary Provisions of the Act, Article 4, paragraphs (1), (2), (4) and (5), Article 6, paragraphs (1) and (4), Article 7, paragraph (1), Article 8, paragraph (1), Article 10, paragraphs (1), (8) and (9) and Article 12, paragraphs (1) and (6) of the Supplementary Provisions.

(Registration Procedures Before Designation Under Article 6 of the Supplementary Provisions of the Act)

Article 15 (1) The provisions concerning electronic application in the New Regulations apply to the registration procedures related to the designation referred to in Article 6 of the Supplementary Provisions of the Act (hereinafter referred to as "Article 6 designation") from the date when Article 6 designation is given.

(2) When filing an application for registration related to the registration procedures of a registry office that has not obtained Article 6 designation, a document stating the information certifying the cause of registration, the matters related to real property location, the purpose of registration, cause of registration and other matters that can specify the registration related to the application or the document stating the same content as the application form is to be submitted.

(3) With regard to the preparation and issuance of a registration certificate referred to in the main clause of Article 21 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act or in Article 117 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act or other registration certificate related to the person entitled to register, the provisions are to remain in force. In this case, the document submitted pursuant to the provisions of the preceding paragraph is deemed to be the document certifying the cause of registration as prescribed in Article 60, paragraph (1) of the Former Act or a duplicate of an application form.

(4) The cases specified by Ministerial Order of the Minister of Justice referred to in the proviso to Article 21 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act are the following cases:

(i) in the case where a person who is to receive the issuance of a registration certificate pursuant to the provisions of the main clause of Article 21 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act has made notification of the fact that they do not wish to be issued the registration certificate in advance (in cases where a government agency or public office

- has commissioned a registration for a person entitled to register, including when the government agency or public office has made a notification that they do not wish to be issued a registration certificate based on the notification of the person entitled to register);
- (ii) in cases where a person who is to receive the issuance of a registration certificate pursuant to the provisions of the main clause of Article 21 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act does not receive the registration certificate within three months from the completion of registration;
  - (iii) in cases where a person who is to receive the issuance of a registration certificate pursuant to the provisions of the main clause of Article 21 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act is a government agency or a public agent (excluding cases where the government agency or public office has made a notification of the fact that it wishes it to be issued a registration certificate in advance ); and
  - (iv) in cases where an applicant has not submitted the document prescribed in paragraph (2).
- (5) The provisions of Article 64, paragraph (2) of the New Regulations apply mutatis mutandis when a notification referred to in items (i) and (iii) of the preceding paragraph is made.
- (6) With regard to the preparation and issuance of the registration certificate (excluding the registration certificate referred to in paragraph (3)) in cases where the registration is completed in a registration procedures that has not obtained Article 6 designation, the provisions are to remain in force. In this case, a document submitted pursuant to the provisions of paragraph (2) or a registration certificate submitted pursuant to the provisions of Article 22 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph (3) of the Supplementary Provisions of the Act is deemed to be the document certifying the cause of registration as prescribed in Article 60, paragraph (1) of the Former Act or a duplicate of an application form, or a registration certificate or the document as prescribed in paragraph (2) of the same Article.
- (7) The provisions of paragraphs (4) and (5) apply mutatis mutandis to cases referred to in the preceding paragraph.
- (8) With regard to the application of Article 70 of the New Regulations to the registration procedures that have not obtained Article 6 designation until Article 6 designation is given, the term "Article 22 of the Act" in the same Article is deemed to be replaced with "Article 22 of the Act as applied by replacing terms and phrases pursuant to the provisions of Article 6, paragraph

(3) of the Supplementary Provisions of the Act."

(9) The provisions of Article 44-17 of the Former Detailed Regulations are to remain in force with regard to registration procedures that have not obtained Article 6 designation until Article 6 designation is given.

(Registration Procedures Referred to in Article 7 of the Supplementary Provisions of the Act)

Article 16 In registration procedures that have obtained Article 6 designation, when an applicant has filed an application for registration by submitting a registration certificate pursuant to the provisions of Article 7 of the Supplementary Provisions of the Act, the registration certificate prepared by the method under the provisions of Article 60, paragraph (2) of the Former Act is to be issued to a person obliged to register who is the applicant (in cases where there is no person entitled to register or person obliged to register, a registered right holder who is an applicant) in lieu of a certificate of completion of registration.

(Transitional Measures Concerning Article 6 Designation)

Article 16-2 The registration procedures concerning a register that has not completed the reform under the provisions of Article 3, paragraph (1) of the Supplementary Provisions among registration procedures that have obtained Article 6 designation are deemed to be a registration procedures that have not obtained Article 6 designation with regard to the application of Article 6, paragraph (1) of the Supplementary Provisions of the Act and Article 15, paragraphs (1), (2), (6), (8) and (9) and Article 16 of the Supplementary Provisions.

(Request for Issuance of a Certificate of Registered Matters by a Method Using an Electronic Data Processing System)

Article 17 (1) With regard to the request for issuance of a certificate of registered matters at the registry office designated by the Minister of Justice, the provisions of Article 194, paragraph (3) of the New Regulations apply to each registry office related to the designation from the date of the designation.  
(2) The designation referred to in the preceding paragraph must be made by public notice.

(Transitional Measures on the Designation Pursuant to the Provisions of Paragraph (1) of the Preceding Article)

Article 17-2 Among requests for issuance of a certificate of registered matters at a registry office that has been designated pursuant to the provisions of paragraph (1) of the preceding Article, a request for the issuance of a

certificate of registered matters concerning a register that has not completed the reform under the provisions of Article 3, paragraph (1) of the Supplementary Provisions is deemed to be a request for the issuance of a certificate of registered matters at a registry office that has not obtained the designation under the provisions of paragraph (1) of the preceding Article with regard to the application of the same paragraph.

(Cancellation of Advance Registration)

Article 18 (1) A registrar may cancel the advance registration as prescribed in Article 3 of the Former Act by their own authority.

(2) In cases where a registrar makes a registration after enforcement of this Ministerial Order, if there is an advance registration referred to in the preceding paragraph in the registration record or registration form of a real property related to the registration, they must cancel the advance registration by their own authority.

(Registration of Change of Right by Reason of Former Division of a Revolving Mortgage)

Article 19 (1) A registration of change of right by reason of division under the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Civil Code (Act No. 99 of 1971) is to be made by a supplemental registration that is made with respect to the registration of an increased amount. In this case, a registrar must record the fact that the establishment of the revolving mortgage is registered by reason of the division and must record the maximum amount after the division by a supplemental registration that is made for a registration of a former revolving mortgage (meaning a former revolving mortgage as prescribed in Article 2 of the Supplementary Provisions of the same Article; the same applies hereinafter) before the division.

(2) The provisions of Article 152, paragraph (2) of the New Regulations apply mutatis mutandis to the cases referred to in the preceding paragraph when the registration of an increased amount has a registration pertaining to a third party's right which has been established for the part pertaining to the increase.

(3) When a registrar makes a registration of change of right by reason of division under the provisions of Article 9, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Civil Code, they must record by a supplemental registration that is made for the registration of establishment of a former revolving mortgage over the one real property and must record the cancellation code of the record of the fact that the real property is subject to the security with other real properties.

(4) The provisions of Article 170, paragraphs (1), (3) and (4) of the New

Regulations apply mutatis mutandis to cases of having made a registration of a change of right referred to in the preceding paragraph.

(Transitional Measures Along with Partial Amendments to the Civil Code)

Article 20 With regard to the application of the provisions of Article 3 and Article 165 of the New Regulations until the day preceding the date of enforcement of the Act Partially Amending the Civil Code (Act No.147 of 2004), the phrase "Article 398-8, paragraph (1) or (2)" in Article 3, item (ii) (b) of the New Regulations is deemed to be replaced with "Article 398-9, paragraph (1) or (2)," the phrase "Article 398-12, paragraph (2)" in (c) of the same item is deemed to be replaced with "Article 398-12, paragraph (2)," the phrase "proviso to Article 398-14, paragraph (1)" in (d) of the same item is deemed to be replaced with "proviso to Article 398-14, paragraph (1)," the phrase "Article 398-12, paragraph (2)" in Article 165, paragraphs (1) and (2) of the New Regulations is deemed to be replaced with "Article 398-12, paragraph (2)."

(Special Provisions for Cases of Submitting Attachments in an Electronic Application)

Article 21 (1) In cases where an electronic application is made, when the attached information is provided by a method of submitting a document pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order, the whether or not a document is submitted for each case of attached information is to be also included in the content of the application information.

- (2) In the cases prescribed in the preceding paragraph, the document is to be submitted within two days of the date of acceptance of the application.
- (3) In the cases prescribed in paragraph (1), when an applicant submits the document, they must attach a statement of the following matters in a sheet that is prepared in accordance with Appended Form (xiii):
  - (i) the acceptance number and other matters necessary for specifying an application which includes the document as its attached information; and
  - (ii) a description of attached information to be provided pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order.
- (4) In the cases prescribed in paragraph (1), when the document is submitted by the method of sending, it is to be sent by registered mail or a service of correspondence delivery where the correspondence delivery service operator records the acceptance and delivery.
- (5) In the cases prescribed in the preceding paragraph, the fact that the document is to be submitted pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order is to be stated on the front

side of envelope in which the document is placed.

- Article 22 (1) The electronic or magnetic record referred to in Article 5, paragraph (4) of the Supplementary Provisions of the Order must be provided by transmission as provided for by the Minister of Justice.
- (2) With regard to the provision of electronic or magnetic records referred to in Article 5, paragraph (4) of the Supplementary Provisions of the Order, it is sufficient for it to be made for the part that clarifies the content of the cause of registration among the information stated in the document referred to in the same paragraph for a registration other than the registration referred to in Article 64 of the Act.
- (3) In the case where the information stated in the document referred to in Article 5, paragraph (4) of the Supplementary Provisions of the Order pursuant to the provisions of the same paragraph is recorded, it must be done by the method of reading the matters recorded in the document as provided for by the Minister of Justice using a scanner (including an image reading system equivalent thereto).

Article 23 Notwithstanding the provisions of Article 17, paragraph (1), in the case where the attached information is provided by a method submitting a document pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order, the document is to be filed in the files set forth in Article 18, items (ii) through (v) and preserved in accordance with the provisions of Articles 19 through 22.

- Article 24 (1) The provisions of Article 38, paragraph (3) and Article 39, paragraph (3) apply mutatis mutandis when the attached information is provided by a method submitting the document pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order.
- (2) The provisions of Article 45, Article 49, Article 50 and Article 55 apply mutatis mutandis pursuant to the submission of the document under the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order. In this case, the phrase "attachment to the application form" in Article 55, paragraph (1) is deemed to be replaced with "the document."
- (3) With regard to the application of the provisions of Article 60, paragraph (2) in cases where the attached information is provided by a method submitting the documents pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order, the term "method" in item (i) of the same paragraph is deemed to be replaced with "method, or by the method of correcting the document that has been submitted to the registry office or of submitting the document related to the correction to the registry office."

(4) With regard to the application of the provisions of Article 63, paragraph (7) in cases where the attached information is provided by a method submitting a document pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Order, the term "application form" in the same paragraph is deemed to be replaced with "the form referred to in Article 21, paragraph (3) of the Supplementary Provisions."

Article 25 The notification as prescribed in Article 23, paragraph (1) of the Act in the case of an electronic application may be made by the method where a person obliged to register as prescribed in Article 22 of the Act states the fact that the content of the application pertaining to the notification is true in the document referred to in Article 70, paragraph (1), signs their name, affixes a seal on the document using the same seal as the one that was affixed on the letter of attorney and submits it to the registry office for the time being.

Appended Table 1 (Related to Article 4, paragraph (1)) Land Registration Record

Appended Table 1 (Related to Article 4, paragraph (1))

Appended Table 1 (Related to Article 4, paragraph (1)) Land Registration Record

Section I		Section II	
Map number section		The number of the map or the number of the map border, date of parcel boundary demarcation and procedure number	
Description of land section	Real property number section	Real property number	
	Location section	Location	
	Parcel number section	Parcel number	
	Land category section	Land category	
	Parcel area section	Parcel area	
	Cause and date section		Cause of registration and date
			The fact that the land is a river area, special area of a high-grade bank, greenbelt area, specified greenbelt area, or three-dimensional river area
		Reason for closure	
Registration date section		Date of registration	
		Date of closure	
Owner section		Owner and their share	

Appended Table 2 (Related to Article 4, paragraph (2)) Building Registration  
Record: Non-Condominium Unit Appended Table 2 (Related to Article 4,  
paragraph (2))

Appended Table 2 (Related to Article 4, paragraph (2)) Building Registration  
Record: Non-Condominium Unit

Section I		Section II
Location picture number section		Number of the building location picture
Description of a principal building section	Real property number section	Real property number
	Location section	Location (including the location of annex buildings)
		If there is a name of the building, the name
	Building number section	Building number
	Type section	Type
	Structure section	Structure
	Floor area section	Floor area
	Cause and date section	Cause of registration and date
		In cases where a building is newly constructed, the fact that the type, structure and floor area of the building in the registration of preservation of a statutory lien on the real property construction are based on the specifications
Reason for closure		
Registration date section	Date of registration	
	Date of closure	
Description of an annex building section	Code section	Code of annex building
	Type section	Type of annex building
	Structure section	Structure of annex building



		In cases where the annex building is a condominium unit, the location, structure, floor area and name of the single building to which the annex building belongs
		In cases where the annex building is a condominium unit, the content of the right of site
	Floor area section	Floor area of the annex building
	Cause and date section	Cause of registration of the registration related to an annex building and date
		In cases where the annex building is newly constructed, the fact that the type, structure and floor area of the building in the registration of preservation of a statutory lien on the real property construction are based on the specifications
	Date of registration section	Date of registration pertaining to the annex building
Owner section		Owner and their share

Appended Table 3 (Related to Article 4, paragraph (2)) Building Registration  
Record: Condominium Unit Appended Table 3 (Related to Article 4, paragraph (2))

Appended Table 3 (Related to Article 4, paragraph (2)) Building Registration  
Record: Condominium Unit

Section I		Section II
Heading section of a single building		
Building number section of the proprietary part		Building number of a condominium unit that belongs to a single building
Description of a single building	Location section	Location of the single building
	Location drawing number section	Building location drawing number
	Building name section	Name of the single building
	Structure section	Structure of the single building

	Floor area section	Floor area of the single building
	Cause and date section	Cause of registration of the registration related to the single building and its date
		In cases where a condominium is newly constructed, the fact that the type, structure and floor area of the condominium in the registration of preservation of a statutory lien on the real property construction are based on the specifications
		Reason for closure
	Registration date section	Date of registration related to the single building
		Date of closure
Description of land that is subject to the right of site section	Land code section	The code of the land that is subject to the right of site
	Location and parcel number section	Location and parcel number of the land that is subject to the right of site
	Land category section	Land category of the land that is subject to the right of site
	Parcel area section	Parcel area of the land that is a subject of the right of site
	Registration date section	Date of registration pertaining to the right of site
Cause of registration for a registration of change or registration of correction in the heading section of a building due to the fact that there are changes, errors or omissions in the matters to be registered in the heading section of the land that is subject to the right of site, and the date		
Heading section of a condominium unit		
Description of a proprietary element of the building section	Real property number section	Real property number
	Building number section	Building number of the condominium unit
	Building name section	Name of the condominium unit
	Type section	Type of condominium unit

	Structure section	Structure of the condominium unit
	Floor area section	Floor area of the condominium unit
	Cause and date section	Cause of registration for the registration pertaining to the condominium unit, and date
		The fact that it is categorized as a common element
		The fact that it is categorized as a common element of a housing building
		In cases where a condominium is newly constructed, the fact that the type, structure and floor area of said condominium in the registration of preservation of a statutory lien on the real property construction are based on the specifications
	Registration date section	Date of registration pertaining to the condominium unit
Description of an annex building section	Code section	Code of the annex building
	Type section	Type of annex building
	Structure section	Structure of the annex building
		In cases where the annex building is a condominium unit, the location, structure, floor area and name of the single building
		In cases where the annex building is a condominium unit, the content of the right of site
	Floor area section	Floor area of an annex building
	Cause and date section	Cause of registration for the registration related to the annex building, and date
		In cases where the annex building is newly constructed, the fact that the type, structure and floor area of the condominium in the registration of preservation of a statutory lien on the real property construction are based on the specifications
Registration date section	Date of registration related to the annex building	
Description of the right of site section	Land code section	The code of the land that is subject to the right of site
	Type of right of site section	Type of the right of site

	Share of right of site section	Share of the right of site
	Cause and date section	Cause of registration for the registration related to the right of site, and date
		The fact that it is the right of site related to the annex building
	Registration date section	Date of registration related to the right of site
Owner section		Owner and their share

Appended Form (i) (Related to Article 74, paragraph (3))

Appended Form (ii) (Related to Article 74, paragraph (3))

Appended Form (iii) (Related to Article 80, paragraph (2))

Appended Form (iv) (Related to Article 94, paragraph (2))

Appended Form (v) (Related to Article 176, paragraph (2) and Article 197, paragraph (2))

Appended Form (vi) (Related to Article 181, paragraph (2))

Appended Form (vii) (Related to Article 197, paragraph (2), item (i))

Appended Form (viii) (Related to Article 197, paragraph (2), item (ii))

Appended Form (ix) (Related to Article 197, paragraph (2), item (iii))

Appended Form (x) (Related to Article 197, paragraph (2), item (iv))

Appended Form (xi) (Related to Article 198, paragraph (1))

Appended Form (xii) (Related to Article 198, paragraph (2))

Appended Form (xiii) (Related to Article 21, paragraph (3) of the Supplementary Provisions)