

Administrative Complaint Review Act

(Act No. 68 of June 13, 2014)

The Administrative Complaint Review Act (Act No. 160 of 1962) is amended in full.

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Chapter I General Provisions

(Purpose)

Article 1 (1) The purpose of this Act is to establish a system for allowing citizens to broadly file complaints against administrative agencies under simple, prompt, and fair procedures concerning illegal or unjust administrative dispositions of administrative agencies or other acts constituting the exercise of public authority, for the aim of relieving the rights and interests of the citizens, and to ensure proper administrative operation.

(2) A complaint regarding administrative dispositions or other acts constituting the exercise of public authority by administrative agencies (simply referred to

as "disposition" below) are to be filed as provided for in this Act, except as otherwise provided for in other laws.

(Requests for Review of Dispositions)

Article 2 A person who is dissatisfied with a disposition by an administrative agency may file a request for review pursuant to the provisions of Article 4 and Article 5, paragraph (2).

(Requests for Review of Inaction)

Article 3 When a person has filed an application for a disposition with an administrative agency based on laws and regulations but the administrative agency takes no action (meaning that the administrative agency does not take any action for the application based on laws and regulations; referred to as "inaction" below) although a certain period has elapsed after filing the application, the person may file a request for review regarding the inaction pursuant to the provisions of the following Article.

(Administrative Agencies with Which Requests for Review Should Be Filed)

Article 4 A request for review is to be filed with the administrative agency specified in the following items in accordance with the category of the cases set forth in each of those items, except as otherwise provided for in laws (for a disposition based on Prefectural or Municipal Ordinance, that Ordinance):

- (i) when the administrative agency, etc. reaching the disposition (meaning the administrative agency that has reached the disposition (referred to as the "administrative agency reaching the disposition" below) or the administrative agency that has taken no action (referred to as the "administrative agency having taken no action" below); the same applies below) does not have any higher administrative agency, or falls under a competent minister, the Grand Steward, or the head of an agency prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), or Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948): that administrative agency, etc. reaching the disposition;
- (ii) when the Grand Steward or the head of an agency prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office, or Article 3, paragraph (2) of the National Government Organization Act falls under the higher administrative agency of the administrative agency, etc. reaching the disposition.: the Grand Steward or the head of the relevant agency;
- (iii) when a competent minister falls under the higher administrative agency of the administrative agency, etc. reaching the disposition (excluding the cases

stated in the preceding two items): that competent minister; or
(iv) cases other than those stated in the preceding three items: the highest administrative agency of the administrative agency, etc. reaching the disposition.

(Requests for Re-Investigation)

- Article 5 (1) When it is possible to file a request for review for a disposition reached by an administrative agency with an administrative agency other than the administrative agency reaching the disposition, and a law provides that a request for re-investigation may be filed, a person who is dissatisfied with the disposition may file a request for re-investigation with the administrative agency reaching the disposition; provided, however, that this does not apply if the person has filed a request for review pursuant to the provisions of Article 2.
- (2) When a person has filed a request for re-investigation pursuant to the provisions of the main clause of the preceding paragraph, the person may not file a request for review until the decision has been made for the request for re-investigation; provided, however, that this does not apply if the case falls under either of the following items:
- (i) when the administrative agency reaching the disposition does not make a decision for the request for re-investigation even after three months have passed from the day following the day on which the person filed the request for re-investigation for the disposition (if the person has been ordered to correct a defect pursuant to the provisions of Article 23 as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms, the day on which the person corrected the defect);
 - (ii) when there are other legitimate grounds for not going through a decision on a request for a re-investigation.

(Requests for Re-Examination)

- Article 6 (1) If a law provides that a request for a re-examination may be filed for a disposition rendered by an administrative agency, a person who is dissatisfied with the administrative determination on a request for review of the disposition may file a request for re-examination.
- (2) A request for re-examination is to be filed for the original administrative determination (meaning an administrative determination on a request for review of a disposition for which a request for re-examination may be filed; the same applies below) or the disposition (referred to as the "original administrative determination, etc." below) with the administrative agency prescribed in the law referred to in the preceding paragraph.

(Exclusion from Application)

Article 7 (1) The provisions of Article 2 and Article 3 do not apply to the following dispositions and their inaction:

- (i) a disposition rendered through a resolution of both Houses or one House of the Diet, or resolution by a local council;
- (ii) a disposition rendered by the judgment of a court or a judge, or rendered as enforcement of judicial decisions;
- (iii) a disposition that is required to be rendered through a resolution of both Houses or one House of the Diet or through resolution by a local council, or through obtaining the consent or approval of the Houses or the council;
- (iv) a disposition that is required to be decided by the Audit Commission;
- (v) a disposition to confirm or create a legal relationship between the parties, and one of the party in the legal relationship is required to be the defendant in the action concerning the disposition pursuant to the provisions of laws and regulations;
- (vi) a disposition rendered by a public prosecutor, a public prosecutor's assistant officer, or a judicial police official based on laws and regulations related to criminal cases;
- (vii) a disposition rendered by the Commissioner of the National Tax Agency, a commissioner of a Regional Taxation Bureau, a director of a tax office, the relevant officials of the National Tax Agency, a Regional Taxation Bureau, or a tax office, Director-General of Japan Customs, customs officials, or tax collectors (including persons that perform the duties of those officials based on the provisions of other laws and regulations) based on laws and regulations related to criminal cases involving national or local tax offenses (including as applied *mutatis mutandis* pursuant to other laws and regulations), and a disposition rendered by the Securities and Exchange Surveillance Commission, its employees (including persons deemed to be its employee pursuant to the provisions of the laws and regulations), a director-general of a Local Finance Bureau, or a directors-general of a Local Finance Branch Bureau based on laws and regulations related to criminal cases involving financial instruments transactions (including as applied *mutatis mutandis* pursuant to other laws and regulations);
- (viii) a disposition rendered in schools, training schools, training centers, or training institutes to students, pupils, children or toddlers or their custodians, course participants, or trainees in order to achieve the purpose of education, schooling, or training;
- (ix) a disposition rendered in order to achieve the purpose of accommodation in prisons, juvenile prisons, jails, detention facilities, Coast Guard detention facilities, juvenile training schools, juvenile classification homes;
- (x) a disposition concerning emigration and immigration or naturalization of foreign nationals;

- (xi) a disposition concerning results of examinations or certification examinations on a person's academic knowledge and skills; and
 - (xii) a disposition based on this Act (excluding a disposition based on the provisions of Chapter V, Section 1, Subsection 1).
- (2) The provisions of this Act do not apply to a disposition rendered to national government organs, local governments, other public entities or their organs, for which those organs or entities are to be the party subject to the disposition in their distinct status as governmental entities, and their inaction.

(Systems for Filing Special Complaints)

Article 8 For dispositions or inaction for which requests for review may not be made pursuant to the provisions of the preceding Article, the provisions of that Article do not preclude the establishment of a system for filing administrative complaints in accordance with the nature of the dispositions or inaction as provided for separately by laws and regulations.

Chapter II Requests for Review

Section 1 Reviewing Agencies and Persons Concerned with Proceedings

(Review Officers)

- Article 9 (1) An administrative agency with which a request for review has been filed pursuant to the provisions of Article 4, or the provisions of other laws or Prefectural or Municipal Ordinance (including an administrative agency that has taken over the relevant documents and objects pursuant to the provisions of Article 14; referred to as a "reviewing agency" below) must nominate a person who conducts the procedures for proceedings prescribed in Section 3 (including procedures prescribed in this Section) from among the employees that belong to the reviewing agency (when a name list prescribed in Article 17 has been prepared, persons stated in that name list), and notify that fact to the requestor for review and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency); provided, however, that this does not apply when any of the agencies stated in the following items fall under the reviewing agency or there are specific provisions in the Prefectural or Municipal Ordinance for dispositions based on the Ordinance, or when the request for review is dismissed pursuant to the provisions of Article 24:
- (i) committees prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office or Article 3, paragraph (2) of the National Government Organization Act;
 - (ii) organs prescribed in Article 37 or Article 54 of the Act for Establishment of the Cabinet Office or Article 8 of the National Government Organization Act;

- (iii) committees or committee members prescribed in Article 138-4, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), or organs prescribed in paragraph (3) of that Article.
- (2) A person to be nominated by the reviewing agency pursuant to the provisions of the preceding paragraph must be a person other than those stated in the following items:
- (i) a person who has been involved in the disposition related to a request for review or in the decision for a request for re-investigation for the disposition, or a person who has been involved or is to be involved in the disposition for an inaction related to a request for review;
 - (ii) a requestor for review;
 - (iii) the spouse, a relative within the fourth degree of kinship of a requestor for review, or a relative living together with a requestor for review;
 - (iv) the agent of a requestor for review;
 - (v) a person who was a person stated in any of the preceding two items;
 - (vi) a guardian, a supervisor of guardians, a curator, a supervisor of curators, an assistant, or a supervisor of assistants of a requestor for review; and
 - (vii) an interested person prescribed in Article 13, paragraph (1).
- (3) When the reviewing agency is one of the agencies stated in the items of paragraph (1) or when there are specific provisions in the proviso to that paragraph, for applying the provisions stated in the left-hand column of the Appended Table 1, the terms in those provisions stated in the middle column of that Table are to be replaced with the terms stated in the right-hand column of that Table, and the provisions of Article 17, Article 40, Article 42, and Article 50, paragraph (2) do not apply.
- (4) In the case prescribed in the preceding paragraph, if it is found necessary, the reviewing agency may have its employees (limited to persons other than those stated in the items of paragraph (2) (for members of the organs stated in the items of paragraph (1), excluding item (i))) hear opinions of the requestor for review prescribed in Article 31, paragraph (1) as applied pursuant to the preceding paragraph following the deemed replacement of terms or the intervenor prescribed in Article 13, paragraph (4), hear opinions of the witness under the provisions of Article 34 as applied pursuant to the preceding paragraph following the deemed replacement of terms, conduct a verification under the provisions of Article 35, paragraph (1) as applied pursuant to the preceding paragraph following the deemed replacement of terms, ask questions to the persons concerned with proceedings prescribed in Article 28 under the provisions of Article 36 as applied pursuant to the preceding paragraph following the deemed replacement of terms, or hold a hearing of opinions under the provisions of Article 37, paragraph (1) or (2) as applied pursuant to the preceding paragraph following the deemed replacement of terms.

(Requests for Review by Unincorporated Associations or Foundations)

Article 10 An unincorporated association or foundation that has designated a representative or administrator may file a request for review in the name of the association or foundation.

(Representative Members)

Article 11 (1) When a large number of persons intend to jointly file a request for review, they may elect up to three representative members from among themselves.

(2) When the joint requestors for review do not elect representative members from among themselves and it is found necessary, a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below) may order the joint requestors for review to elect representative members from among themselves.

(3) Each of the representative members may conduct all acts related to the request for review, except for the withdrawal of the request on behalf of other joint requestors for review.

(4) When representative members have been appointed, joint requestors for review may conduct the acts referred to in the preceding paragraph only through the representative members.

(5) Even if two or more representative members have been appointed, it is sufficient for the notice to be given or other acts to be performed by an administrative agency to be given to one of the representative members.

(6) Joint requestors for review may dismiss a representative member if they find it necessary.

(Requests for Review by Agents)

Article 12 (1) The agent for a requestor for review may file a request for review.

(2) Each of the agent referred to in the preceding paragraph may perform all acts related to the request for review on behalf of the requestor for review; provided, however, that the agent may conduct procedures for the withdrawal of the request for review only when they have been specially entrusted by the requestor.

(Intervenors)

Article 13 (1) An interested person (meaning a person other than a requestor for review who is found to have an interest in the disposition related to the request for review or the disposition related to the inaction, in light of the provisions of laws and regulations that serve as the grounds for the disposition; the same applies below) may participate in the request for review by obtaining

permission from a review officer.

- (2) A review officer may request an interested persons to participate in the request for review when it is found necessary.
- (3) The participation in the request for review may be entrusted to an agent.
- (4) Each of the agent referred to in the preceding paragraph may perform all acts concerning participation in the request for review on behalf of the person who participates in the request for review pursuant to the provisions of paragraph (1) or (2) (referred to as an "intervenor" below); provided, however, that the agent may conduct procedures to withdraw the participation in the request for review only when they have been specially entrusted by the requestor.

(Measures When Administrative Agency Ceases to Have the Authority to Make Administrative Determinations)

Article 14 When an administrative agency ceases to have the authority to make an administrative determination on a request to review due to the amendment or repeal of laws and regulations after receiving the request to review, the administrative agency must hand over the written request for review prescribed in Article 19 or the written statement concerning the request for review prescribed in Article 21, paragraph (2), the related documents, and other objects to the administrative agency that is newly vested with the authority to make an administrative determination on the request for review. In such a case, the administrative agency that has been handed over those documents and objects must promptly give a notice of that fact to the requestor for review and the intervenors.

(Succession of Procedures for Proceedings)

- Article 15 (1) When a requestor for review dies, an heir or other persons who have succeeded to the right related to the disposition for which the request for review has been filed pursuant to laws and regulations are to succeed to the status of the requestor for review.
- (2) When a requestor for review has undergone a merger or split (limited to a merger or split for having the requestor succeed to the right related to the disposition for which the request for review has been filed), a corporation or other associations or foundations surviving the merger, a corporation or other associations or foundations established by the merger, or a corporation that has succeeded to the right through the split is to succeed to the status of the requestor for review.
 - (3) In the cases referred to in the preceding two paragraphs, the heir or other persons, or the corporation or other associations or foundations, which have succeeded to the status of the requestor for review must notify the reviewing agency of that fact in writing. In such a case, a document certifying the fact of

the succession of the right due to death or split, or the fact of the merger, must be attached to the written notification.

- (4) In the case referred to in paragraph (1) or (2), if, before the notification under the preceding paragraph is given, a notice addressed to the deceased, the corporation, or other associations or foundations before the merger or the corporation that has been split reaches the heir or other persons that have succeeded to the status of the requestor for review, or the corporation or other associations or foundations, after the merger or the corporation that has succeeded to the status of the requestor for review through the split, the notice is to have the effect as a notice addressed to those persons.
- (5) In the case referred to in paragraph (1), when there are two or more heirs or other persons that have succeeded to the status of the requestor for review, a notice or other acts given to or performed for one of them is deemed to have been given to or performed for all of them.
- (6) A person who has received the transfer of the right related to the disposition for which the request for review has been filed, may succeed to the status of the requestor for review by obtaining permission from the reviewing agency.

(Standard Period for Proceedings)

Article 16 The administrative agency that is to become the reviewing agency pursuant to the provisions of Article 4 or the provisions of other laws or Prefectural or Municipal Ordinance (referred to as "administrative agency that is to become the reviewing agency" below) must endeavor to decide a standard period normally necessary between the time when a request for review arrives at their offices and the time when an administrative determination is to be made, and when the standard period has been decided, publicize the standard period by keeping it at the offices of the administrative agency that is to become the reviewing agency and the related administrative agency reaching the disposition (meaning an administrative agency vested with the authority to render a disposition subject to the request for review other than the administrative agency that is to become the reviewing agency; the same applies in the following Article) or by other appropriate methods.

(Name List of Persons That Are to Become Review Officers)

Article 17 The administrative agency that is to become the reviewing agency must endeavor to prepare a name list of the persons that are to become review officers, and when the name list has been prepared, publicize the list by keeping it at the offices of the administrative agency that is to become the reviewing agency and the related administrative agency reaching the disposition or by other appropriate methods.

Section 2 Procedures for Filing Requests for Review

(Period for Filing Requests for Review)

- Article 18 (1) A request for review of a disposition may not be filed when three months have passed from the day following the day on which the relevant person has come to know that the disposition was rendered (if a request for re-investigation has been filed for the disposition, when one month has passed from the day following the day on which the relevant person has come to know that the decision was made for the request for re-investigation); provided, however, that this does not apply when there are legitimate grounds.
- (2) A request for review of a disposition may not be filed when one year has passed from the day following the day on which the disposition was rendered (if a request for re-investigation has been filed for the disposition, decision on the request for re-investigation); provided, however, that this does not apply when there are legitimate grounds.
- (3) When a written request for review prescribed in the following Article has been submitted by mail or corresponding delivery as defined in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) conducted by a general correspondence delivery operator as defined in paragraph (6) of that Article or a specified letter delivery operator as defined in paragraph (9) of that Article, the number of days required for the delivery is not to be included in the calculation of the period prescribed in the preceding two paragraphs (referred to as "period for filing a request for review" below).

(Submission of Written Requests for Review)

- Article 19 (1) Unless other laws (for a disposition based on Prefectural or Municipal Ordinance, that Ordinance) provide that a request may be filed orally, a request for review must be filed by submitting a written request for review, pursuant to the provisions of Cabinet Order.
- (2) A written request for review of a disposition must state the following matters:
- (i) the name and domicile or residence of the requestor for review;
 - (ii) the content of the disposition related to the request for review;
 - (iii) the date on which the requestor for review has come to know that the disposition related to the request for review has been rendered (when a decision was made for a request for re-investigation for the disposition, that decision);
 - (iv) the purpose and reasons for filing the request for review;
 - (v) whether any instruction has been given by the administrative agency reaching the disposition and the content of the instruction; and
 - (vi) the date of filing the request for review.

- (3) A written request for review of inaction must state the following matters:
 - (i) the name and domicile or residence of the requestor for review;
 - (ii) the content of the application for the disposition of the inaction and the date of filing the application; and
 - (iii) the date of filing the request for review.
- (4) If a requestor for review is a corporation or other associations or foundations, and representative members have been elected from among requestors for review, or a request for review is to be filed by an agent, the written request for review must state the name and domicile or residence of the representative or administrator, the representative members, or the agent, in addition to the matters stated in the items of paragraph (2) or the items of the preceding paragraph.
- (5) In the cases set forth in the following items, a written request for review of a disposition must state the matters specified in each of those items, in addition to the matters prescribed in paragraph (2) and the preceding paragraph:
 - (i) when filing a request for review without a decision for a request for re-investigation being made pursuant to the provisions of Article 5, paragraph (2), item (i): the date the request for re-investigation has been filed;
 - (ii) when filing a request for review without a decision for a request for re-investigation being made pursuant to the provisions of Article 5, paragraph (2), item (ii): legitimate grounds for not going through the decision; and
 - (iii) when filing a request for review after the period for filing a request for review has elapsed: legitimate grounds prescribed in the proviso to paragraph (1) or (2) of the preceding Article.

(Requests for Review Orally Filed)

Article 20 When orally filing a request for review, the person must orally state the matters prescribed in paragraphs (2) through (5) of the preceding Article. In such a case, the administrative agency that has received the oral statement must record its content, and read the recording aloud to the person that has made the oral statement to confirm that there are no errors.

(Requests for Review Filed via the Administrative Agency Reaching the Disposition)

Article 21 (1) A request for review in the case the administrative agency with which the request should be filed is different from the administrative agency, etc. reaching the disposition, may be filed via the administrative agency, etc. reaching the disposition. In such a case, the requestor for review is to submit a written request for review to the administrative agency, etc. reaching the disposition, or orally state the matters prescribed in Article 19, paragraphs (2) through (5) to the administrative agency, etc. reaching the disposition

- (2) In the case referred to in the preceding paragraph, the administrative agency, etc. reaching the disposition must immediately send the written request for review or the written statement concerning the request for review (meaning a document in which the content of the oral statement has been recorded pursuant to the provisions of the second sentence of the preceding Article; the same applies in Article 29, paragraph (1) and Article 55) to the administrative agency that is to become the reviewing agency.
- (3) In calculating the period for filing a request for review in the case referred to in paragraph (1), the request for review of the disposition is deemed to have been filed at the time when the written request for review has been submitted, or when the statement of the matters has been made to the administrative agency reaching the disposition.

(Relief When an Erroneous Instruction Has Been Given)

- Article 22 (1) Regarding a disposition for which a request for review may be filed, when the administrative agency reaching the disposition has erroneously informed a person that an administrative agency that should not be filed a request for review as the administrative agency with which a request for review should be filed, and the person files a request for review in writing with the administrative agency as informed, the administrative agency must promptly send the written request for review to the administrative agency reaching the disposition or the administrative agency that is to become the reviewing agency, and, notify that fact to the requestor for review.
- (2) When the written request for review has been sent to the administrative agency reaching the disposition pursuant to the provisions of the preceding paragraph, the administrative agency reaching the disposition must promptly send the written request to the administrative agency that is to become the reviewing agency, and, notify that fact to the requestor for review.
 - (3) Regarding a disposition for which a request for re-investigation may not be filed among the dispositions referred to in paragraph (1), when the administrative agency reaching the disposition has erroneously informed a person that a request for re-investigation may be filed and the person files a request for re-investigation with that administrative agency reaching the disposition, that administrative agency reaching the disposition must promptly send the written request for re-investigation (meaning the written request for re-investigation prescribed in Article 19 as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms; the same applies below in this Article) or the written statement concerning the request for re-investigation (meaning a document in which the content of the oral statement has been recorded pursuant to the provisions of the second sentence of Article 20 as applied mutatis mutandis in Article 61; the same applies below in this

Article) to the administrative agency to become the reviewing agency and notify that fact to the requestor for re-investigation.

(4) Regarding a disposition for which a request for re-investigation may be filed, when the administrative agency reaching the disposition has erroneously failed to inform a person that a request for review may be filed, and the person has filed a request for re-investigation with that administrative agency reaching the disposition and has filed a petition, that administrative agency reaching the disposition must promptly send the written request for re-investigation or written statement concerning the request for re-investigation and the related documents and other objects to the administrative agency that is to become the reviewing agency. In such a case, the administrative agency that has received those documents and objects must promptly notify that fact to the requestor for re-investigation and a person that participates in the request for re-investigation pursuant to the provisions of Article 13, paragraph (1) or (2) as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms.

(5) When the written request for review, or the written request for re-investigation or written statement concerning the request for re-investigation has been sent to the administrative agency that is to become the reviewing agency pursuant to the provisions of each of the preceding paragraphs, the request for review is deemed to have been filed with the administrative agency that is to become the reviewing agency in the first place.

(Correction of Written Requests for Review)

Article 23 When a written request for review violates the provisions of Article 19, the reviewing agency must specify a reasonable period of time and order the correction of the defects within that period.

(Administrative Determinations to Refuse a Request Without Going Through Procedures for Proceedings)

Article 24 (1) In the case referred to in the preceding Article, when a requestor for review does not correct the defects within the period referred to in that Article, the reviewing agency may dismiss the request for review by an administrative determination, based on the provisions of Article 45, paragraph (1) or Article 49, paragraph (1) without going through the procedures for proceedings prescribed in the following Section.

(2) The preceding paragraph also applies when it is obvious that a request for review is unlawful and may not be corrected.

(Stay of Enforcement)

Article 25 (1) A request for review does not preclude the effect of the disposition,

enforcement of the disposition, or continuation of the procedures.

- (2) When finding it necessary, the higher administrative agency of the administrative agency reaching the disposition or the reviewing agency that is the administrative agency reaching the disposition may suspend the effect of the disposition, enforcement of the disposition, or continuation of procedures, in full or in part, or take other measures (referred to as "stay of enforcement" below), upon a petition filed by the requestor for review or by its authority.
- (3) When finding it necessary, the reviewing agency that is neither the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition may order a stay of enforcement, by a petition filed by the requestor for review, after hearing opinions of the administrative agency reaching the disposition; provided, however, that the reviewing agency may not take any measures other than suspending the effect of the disposition, stay of enforcement of the disposition, or continuation of procedures, in full or in part.
- (4) When a petition has been filed by the requestor for review under the provisions of the preceding two paragraphs, and the reviewing agency finds it urgently necessary for avoiding causing serious damage by the disposition, the stay of enforcement of the disposition, or the continuation of procedures, the reviewing agency must order a stay of enforcement; provided, however, that this does not apply when the stay of enforcement is likely to have a material impact on public welfare or when the action on the merits seems groundless.
- (5) When determining whether the serious damage prescribed in the preceding paragraph is to be caused or not, the reviewing agency is to consider the level of difficulty in recovering the damage and also take into account the nature and extent of the damage and the content and nature of the disposition.
- (6) In the cases referred to in paragraphs (2) through (4), the suspension of the effect of the disposition may not be ordered when the intended purpose may be achieved through measures other than the suspension of the effect of the disposition.
- (7) When a petition for a stay of enforcement has been filed, or a written opinion stating that the stay of enforcement prescribed in Article 40 should be taken has been submitted by a review officer, the reviewing agency must promptly decide whether or not to order a stay of enforcement.

(Revocation of Stay of Enforcement)

Article 26 After the stay of enforcement has been granted, if it becomes clear that the stay of enforcement is to have a material impact on public welfare or when there are any changes to the circumstances, the reviewing agency may revoke the stay of enforcement.

(Withdrawal of Requests for Review)

Article 27 (1) A requestor for review may withdraw the request anytime until an administrative determination is made.

(2) The withdrawal of a request for review must be filed in writing.

Section 3 Procedures for Proceedings

(Well-Planned Progress of Procedures for Proceedings)

Article 28 A requestor for review, an intervenor, and the administrative agency, etc. reaching the disposition (referred to as "persons concerned with proceedings" below), and a review officer must mutually cooperate in the proceedings as well as advance the procedures for proceedings in a planned manner, for the purpose of achieving simple, prompt, and fair proceedings.

(Submission of Written Explanations)

Article 29 (1) When having been nominated by the reviewing agency, a review officer must immediately send a copy of the written request for review or written statement concerning the request for review to the administrative agency, etc. reaching the disposition; provided, however, that this does not apply if the administrative agency, etc. reaching the disposition is the reviewing agency.

(2) A review officer is to specify a reasonable period of time and request the administrative agency, etc. reaching the disposition to submit a written explanation.

(3) The administrative agency, etc. reaching the disposition must enter the matters specified in the following items in accordance with the category of the cases referred to in each of those items in the written explanation referred to in the preceding paragraph:

(i) a written explanation on a request for review of a disposition: the content of and the reasons for the disposition; and

(ii) a written explanation on a request for review of inaction: the reasons for not having reached a disposition, and the scheduled time and content of the disposition, and the reasons for the disposition.

(4) When the administrative agency reaching the disposition is to hold the following documents, the documents are to be attached to the written explanation stated in item (i) of the preceding paragraph:

(i) the record referred to in Article 24, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993) and the written report referred to in paragraph (3) of that Article; and

(ii) the written explanation prescribed in Article 29, paragraph (1) of the Administrative Procedure Act.

- (5) When a written explanation has been submitted by the administrative agency, etc. reaching the disposition, a review officer must send the written explanation to the requestor for review and the intervenors.

(Submission of Written Counterarguments)

Article 30 (1) A requestor for review may submit a document that states the counterarguments against the matters stated in the written explanation sent pursuant to the provisions of paragraph (5) of the preceding Article (referred to as "written counterargument" below). In such a case, when a review officer has specified a reasonable period of time during which a written counterargument should be submitted, the requestor for review must submit a written counterargument within that period of time.

- (2) An intervenor may submit a document that states the opinions on the case related to the request for review (referred to as a "written opinion" below, except in Article 40 and Article 42, paragraph (1)). In such a case, when a review officer has specified a reasonable period of time during which a written opinion should be submitted, the intervenor must submit a written opinion within that period of time.

- (3) When a written counterargument has been submitted by a requestor for review, a review officer must send it to the intervenors and the administrative agency, etc. reaching the disposition, and when a written opinion has been submitted by an intervenor, a review officer must send it to the requestor for review and the administrative agency, etc. reaching the disposition.

(Oral Opinion Statements)

Article 31 (1) When a petition has been filed by a requestor for review or an intervenor, a review officer must provide the person who has filed the petition (referred to as a "petitioner" below in this Article and Article 41, paragraph (2), item (ii)) with an opportunity to orally state opinions on the case related to the request for review; provided, however, that this does not apply if it is found difficult to provide the petitioner with an opportunity to orally state opinions due to the whereabouts of the petitioner or other circumstances.

- (2) The oral statement of opinions under the provisions of the main clause of the preceding paragraph (referred to as "oral opinion statement" below) are to be conducted on the date and at the venue designated by a review officer, by having all of the persons concerned with proceedings participate in the procedure.
- (3) At the time when an oral opinion statement is made, the petitioner may appear together with the assistants, with the permission of the review officer.
- (4) At the time when an oral opinion statement is made, if the statement by a petitioner refers to matters irrelevant to the case or those inappropriate, a

review officer may limit the statement.

- (5) At the time when an oral opinion statement is made, the petitioner may ask questions on the case related to the request for review to the administrative agency, etc. reaching the disposition, with the permission of the review officer.

(Submission of Evidence Documents)

Article 32 (1) A requestor for review or an intervenor may submit evidence documents or articles of evidence.

- (2) The administrative agency, etc. reaching the disposition may submit documents or other objects proving the facts constituting the grounds for the disposition.

- (3) In the cases referred to in the preceding two paragraphs, when a review officer has specified a reasonable period of time during which evidence documents or articles of evidence, or documents or other objects should be submitted, they must be submitted within that period of time.

(Request for Submission of Objects)

Article 33 A review officer may, based on a petition by a requestor for review or an intervenor, or by their authority, specify a reasonable period of time and request the possessor of documents or other objects to submit those objects. In such a case, a review officer may keep the submitted objects.

(Request for Statements by Witnesses and Expert Examinations)

Article 34 A review officer may, based on a petition by a requestor for review or an intervenor, or by their authority, request persons they find to be appropriate to state the facts that they know as a witness, or request experts to conduct examinations.

(Verifications)

Article 35 (1) A review officer may, based on a petition by a requestor for review or an intervenor, or by their authority, conduct a verification at places verification is necessary.

- (2) When a review officer intends to conduct a verification referred to in the preceding paragraph based on a petition by a requestor for review or an intervenor, they must inform the date and the place of the verification in advance and provide that person with an opportunity to be present at the verification.

(Questions to Persons Concerned with Proceedings)

Article 36 A review officer may ask questions to persons concerned with proceedings about the case related to the request for review, based on a

petition by a requestor for review or an intervenor, or by their authority.

(Planned Performance of Procedures for Proceedings)

- Article 37 (1) Regarding the case related to the request for review, if a review officer finds it necessary to perform the procedures for proceedings prescribed in Article 31 through the preceding Article in a well-planned manner in order to conduct prompt and fair proceedings, due to the complexity of the case such as the fact that there are many matters to be examined or that they are entwined, or due to other circumstances, the review officer may designate the date and place to gather the persons concerned with proceedings and hear their opinions on the petition for the procedures for proceedings in advance.
- (2) When a person concerned with proceedings lives in a remote area or when found to be appropriate, a review officer may conduct hearing of opinions prescribed in the preceding paragraph by a means that enables the review officer and the person concerned with proceedings to communicate with each other by audio transmissions, pursuant to the provisions of Cabinet Order.
- (3) When a review officer has conducted the hearing of opinions under the provisions of the preceding two paragraphs, the review officer must decide the date and place of the procedures for proceedings specified in Article 31 through the preceding Article, and the scheduled time when the procedures for proceedings are to be concluded under the provisions of Article 41, paragraph (1), and notify the persons concerned with proceedings of these matters without delay. The same applies when the scheduled time has been changed.

(Inspection of Submitted Documents by Requestors for Review)

- Article 38 (1) Until the procedures for proceedings are concluded pursuant to the provisions of Article 41, paragraph (1) or (2), a requestor for review or an intervenor may request a review officer the inspection of the submitted documents, etc. (meaning the documents stated in the items of Article 29, paragraph (4), or the documents or other objects submitted pursuant to the provisions of Article 32, paragraph (1) or (2), or Article 33; the same applies in the following paragraph) (for an electronic or magnetic record (a record made by an electronic method, a magnetic method, or other methods that cannot be perceived by the human senses, which is used for information processing by computers; the same applies below), the inspection of a media that displays the matters recorded by the method specified by the reviewing agency), or the delivery of those documents or copies of those documents or a document stating the matters recorded in the electronic or magnetic record. In such a case, the review officer may not refuse the inspection or the delivery of the documents unless it is found that the inspection or the delivery is likely to harm the interest of a third party, or there are other legitimate grounds for refusal.

- (2) When a review officer intends to enable the inspection under the provisions of the preceding paragraph or the delivery under the provisions of that paragraph, they must hear the opinions of the persons that have submitted the documents, etc. to be inspected or delivered; provided, however, that this does not apply if the review officer finds it unnecessary.
- (3) The review officer may specify the date and the place for the inspection under the provisions of paragraph (1).
- (4) A requestor for review or an intervenor that receives the delivery under the provisions of paragraph (1) must pay the fees specified by Cabinet Order within an amount not exceeding the actual cost, pursuant to the provisions of Cabinet Order.
- (5) When a review officer finds that there are financial difficulties or other specific reasons, the review officer may reduce the amount of the fees stated in the preceding paragraph or exempt the relevant person from paying the fees, pursuant to the provisions of Cabinet Order.
- (6) When an administrative agency that belongs to a local government (limited to a prefecture, municipality, and special ward, and an association of local governments; the same applies below) is the reviewing agency, in applying the provisions of the preceding two paragraphs, the term "Cabinet Order" in those provisions are deemed to be replaced with "Prefectural or Municipal Ordinance" and when an administrative agency that does not belong to the national government or a local government is the reviewing agency, in applying those provisions, the term "by Cabinet Order" in those provisions are deemed to be replaced with "by the reviewing agency".

(Consolidation or Separation of Procedures for Proceedings)

Article 39 When finding it necessary, a review officer may consolidate procedures for proceedings for two or more requests for review, or separate procedures for proceedings for two or more requests for review that have been consolidated.

(Submission of Written Opinions on Grant of Stay of Enforcement by Review Officers)

Article 40 When finding it necessary, a review officer may submit a written opinion stating that a stay of enforcement should be granted to the reviewing agency.

(Conclusion of Procedures for Proceedings)

Article 41 (1) When a review officer finds that necessary proceedings have been completed, the review officer is to conclude the procedures for proceedings.
(2) Beyond what is provided for in the preceding paragraph, a review officer may

conclude the procedures for proceedings in any of the following cases:

- (i) when any of the objects prescribed in the following sub-items (a) through (e) has not been submitted within the reasonable period of time referred to in the provisions stated in the sub-items (a) through (e), and even after further specifying a reasonable period of time and requesting the submission of those objects, the objects have not been submitted within the submission period:
 - (a) the provisions of Article 29, paragraph (2): a written explanation;
 - (b) the provisions of the second sentence of Article 30, paragraph (1): a written counterargument;
 - (c) the provisions of the second sentence of Article 30, paragraph (2): a written opinion;
 - (d) the provisions of Article 32, paragraph (3): evidence documents or articles of evidence, or documents or other objects; or
 - (e) the provisions of the first sentence of Article 33: documents or other objects;
 - (ii) when a petitioner does not appear for an oral opinion statement without legitimate grounds.
- (3) When a review officer has concluded procedures for proceedings pursuant to the provisions of the preceding two paragraphs, the review officer is to promptly notify the persons concerned with proceedings the fact that the procedures for proceedings have been concluded, and the scheduled time when the review officer's written opinion prescribed in paragraph (1) of the following Article and the case record (meaning the written request for review, written explanation, and other documents and objects concerning the case related to the request for review, which are specified by Cabinet Order; the same applies in paragraph (2) of the following Article and Article 43, paragraph (2)) are to be submitted to the reviewing agency. The same applies when the scheduled time of submission has been changed.

(Review Officer's Written Opinions)

- Article 42 (1) When the procedures for proceedings have been concluded, a review officer must prepare a written opinion concerning the administrative determination to be made by the reviewing agency (referred to as a "review officer's written opinion" below) without delay.
- (2) When a review officer has prepared a review officer's written opinion, the review officer must promptly submit it to the reviewing agency together with the case record.

Section 4 Consultation with Administrative Complaint Review Board, etc.

Article 43 (1) When the review agency has received a review officer's written

opinion, the reviewing agency that falls under the competent minister, the Grand Steward, or the head of any of the agencies prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office or Article 3, paragraph (2) of the National Government Organization Act must consult with an Administrative Complaint Review Board, and the reviewing agency that falls under the head of a local government (for an association of a local government, the head, manager, or council) must consult with the organs referred to in Article 81, paragraph (1) or (2), in the cases other than those that fall under any of the following case:

- (i) when rendering a disposition of a request for review, other laws or Cabinet Order (for a disposition based on Prefectural or Municipal Ordinance, the Ordinance) provides that the disposition should be rendered by going through deliberations or that it may be rendered by going through deliberations at an organ stated in the items of Article 9, paragraph (1) or the assemblies of local governments, or entities specified by Cabinet Order as being similar to those organs (referred to as "Council, etc." below), and, the disposition has been rendered following the deliberations;
- (ii) when making a decision, other laws or Cabinet Order (for a disposition based on Prefectural or Municipal Ordinance, the Ordinance) provides that an administrative determination should be made by going through deliberations or may be made by going through deliberations at an organ stated in the items of Article 9, paragraph (1) or the assemblies of local governments, or entities specified by Cabinet Order as being similar to those organs, and, the reviewing agency intends to make an administrative determination by going through the deliberations;
- (iii) when the reviewing agency intends to make an administrative determination by going through deliberations at the Council, etc. pursuant to the provisions of Article 46, paragraph (3) or Article 49, paragraph (4);
- (iv) when the requestor for review has made a request that they do not wish to consult an Administrative Complaint Review Board or an organ referred to in Article 81, paragraph (1) or (2) (referred to as "Administrative Complaint Review Board, etc." below) (excluding the cases in which an intervenor has raised an objection on not consulting the Administrative Complaint Review Board, etc.);
- (v) when the Administrative Complaint Review Board, etc. finds that a consultation is not necessary taking into account of the extent of influence on the rights and interests of the people and the conduct of administrative affairs, and the nature of the case;
- (vi) when the request for review is unlawful and the reviewing agency intends to dismiss the request;
- (vii) when the reviewing agency intends to revoke the dispositions related to

- the request for review in full (excluding a disposition to dismiss or reject an application based on laws and regulations, and de facto acts) pursuant to the provisions of Article 46, paragraph (1), or order that the de facto acts related to the request for review should be eliminated in full or decide to eliminate the de facto acts in full pursuant to the provisions of Article 47, item (i) or (ii) (excluding the cases in which a written opinion to oppose the revocation of the disposition in full or the order or decision to eliminate the de facto acts in full has been submitted, and the case in which an opinion to that effect has been stated in the oral opinion statement); or
- (viii) when the reviewing agency decides to take the measures specified in the items of Article 46, paragraph (2) or the items of Article 49, paragraph (3) (limited to measures ordering that the application based on laws and regulations should be approved in full, or measures that approves the application in full) (excluding the cases in which a written opinion opposing the approval of the application in full has been submitted and cases in which an opinion to that effect has been stated in the oral opinion statement).
- (2) The consultation under the provisions of the preceding paragraph must be made by attaching copies of the review officer's written opinion and the case record.
- (3) The reviewing agency that has consulted with the Administrative Complaint Review Board, etc. pursuant to the provisions of paragraph (1) must notify the persons concerned with proceedings (when the administrative agency, etc. reaching the disposition is the reviewing agency, the requestor for review and the intervenor) the fact that it has consulted the Administrative Complaint Review Board, etc. and send those persons a copy of the review officer's written opinion.

Section 5 Administrative Determinations

(Timing of Administrative Determinations)

Article 44 When the reviewing agency has received a response to the consultation from the Administrative Complaint Review Board, etc. (if the consultation under the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of that paragraph), when the review officer's written opinion has been submitted, and if the case falls under item (ii) or (iii) of that paragraph, when the case has gone through the deliberations prescribed in item (ii) or (iii) of that paragraph), the reviewing agency must make an administrative determination without delay.

(Dismissal or Rejection of Requests for Review of Dispositions)

Article 45 (1) When a request for review of a disposition has been filed after the elapse of the statutory period, or is otherwise unlawful, the reviewing agency is to dismiss the request for review by an administrative determination.

(2) When there are no grounds for a request for review of a disposition, the reviewing agency is to reject the request for review by an administrative determination.

(3) When a disposition related to a request for review is illegal or unjust but its revocation or elimination significantly harms public interest, and the reviewing agency finds that the revocation or elimination of the disposition is not in accordance with public welfare upon considering the extent of damage suffered by the requestor for review, the extent and method of compensation for or prevention of the damage, and all other circumstances, it may dismiss the request for review by an administrative determination . In such a case, the reviewing agency must declare that the disposition is illegal or unjust in the text of the administrative determination.

(Approval of Requests for Review of Dispositions)

Article 46 (1) When there are grounds for a request for review of a disposition (excluding de facto acts; the same applies below in this Article and Article 48) (excluding the cases to which the provisions of paragraph (3) of the preceding Article apply), the reviewing agency is to revoke in full or in part the disposition, or change the disposition by an administrative determination; provided, however, that when the reviewing agency is neither the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition, the reviewing agency may not change the disposition.

(2) When revoking a disposition to dismiss or reject in full or in part an application based on laws and regulations pursuant to the provisions of the preceding paragraph, the reviewing agency stated in the following items is to take the measures specified in each of those items when it finds that a certain disposition should be rendered for the application:

(i) the reviewing agency that is the higher administrative agency of the administrative agency reaching the disposition: to order that administrative agency reaching the disposition to render the disposition; and

(ii) the reviewing agency that is the administrative agency reaching the disposition: to render the disposition.

(3) When there are provisions providing that a certain disposition prescribed in the preceding paragraph should go through deliberations prescribed in Article 43, paragraph (1), item (i), and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of the preceding paragraph, the reviewing agency may go through the deliberations at the

Council, etc. concerning the provisions.

- (4) In addition to the cases in which there are provisions prescribed in the preceding paragraph, when other laws and regulations provide that consultation with the relevant administrative agencies or other procedures should be taken for a certain disposition prescribed in paragraph (2), and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of that paragraph, the reviewing agency may conduct those procedures.

Article 47 When there are grounds for a request for review of a de facto act (excluding the cases to which the provisions of Article 45, paragraph (3) apply), the reviewing agency is to declare that the de facto act is illegal or unjust by an administrative determination, and take the measures specified in the following items in accordance with the category of the reviewing agencies stated in each of those items; provided, however, that when the reviewing agency is a reviewing agency other than the higher administrative agency of the administrative agency reaching the disposition, the reviewing agency may not order that the de facto act should be changed:

- (i) the reviewing agency other than the administrative agency reaching the disposition: to order the administrative agency reaching the disposition to eliminate in full or in part the de facto act, or to change the act; and
- (ii) the reviewing agency that is the administrative agency reaching the disposition: to eliminate in full or in part the de facto act, or to change the act.

(Prohibition of Adverse Changes)

Article 48 In the case referred to in the main clause of Article 46, paragraph (1) or the preceding Article, the reviewing agency may not make a change to the disposition, or order the de facto act to be changed or change the de facto act, in a manner that is disadvantageous to requestor for review.

(Administrative Determinations for Requests for Review Regarding Inaction)

Article 49 (1) When a request for review regarding inaction has been filed before the elapse of a reasonable period of time after an application for the disposition of inaction has been filed, or the request is otherwise unlawful, the reviewing agency is to dismiss the request for review by a decision.

(2) When there are no grounds for a request for review regarding to inaction, the reviewing agency is to reject the request for review by an administrative determination.

(3) When there are grounds for a request for review regarding inaction, the reviewing agency is to declare that the inaction is illegal or unjust by an

administrative determination. In such a case, when the reviewing agency stated in the following items finds that a certain disposition should be rendered for the application, the reviewing agency stated in the following items is to take the measures specified in each of those items:

- (i) the reviewing agency that is the higher administrative agency of the administrative agency not having taken any action: to order the administrative agency not having taken any action that it should render the disposition; and
 - (ii) the reviewing agency that is the administrative agency not having taken any action: to render the disposition.
- (4) When there are provisions providing that the disposition of inaction related to a request for review should go through deliberations prescribed in Article 43, paragraph (1), item (i), and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of the preceding paragraph, the reviewing agency may go through deliberations at the Council, etc. related to the provisions.
- (5) In addition to the cases in which there are provisions prescribed in the preceding paragraph, when other laws and regulations provide that consultation with the relevant administrative agencies should be conducted and other procedures should be conducted regarding the disposition of inaction related to the request for review, and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of paragraph (3), the reviewing agency may conduct those procedures.

(Method of Making Administrative Determinations)

Article 50 (1) A decision must be made using a written administrative determination stating the following matters and on which the reviewing agency has affixed its name and seal:

- (i) the text;
 - (ii) the outline of the case;
 - (iii) the summary of the allegations by the persons concerned with proceedings; and
 - (iv) the reasons (when the text of item (i) differs from the content of the review officer's written opinion or the written response from the Administrative Complaint Review Board, etc. or the Council, etc., including the reasons for the difference).
- (2) When consultation with the Administrative Complaint Review Board, etc. pursuant to the provisions of Article 43, paragraph (1) is not necessary, the review officer's written opinion must be attached to the written administrative determination referred to in the preceding paragraph.
- (3) When making an administrative determination for which a request for re-

examination may be filed, the reviewing agency must state the fact that a request for re-examination may be filed, and an administrative agency with which a request for re-examination should be filed and the period for filing a request for re-examination (meaning the period of time prescribed in Article 62) in a written administrative determination to inform the relevant person of these matters.

(Occurrence of Effects of Administrative Determinations)

Article 51 (1) An administrative determination comes into effect when it is served to the requestor for review (for an administrative determination made under the provisions of Article 46, paragraph (1) and Article 47 when the request for review has been filed by a person other than the party subject to the disposition, the requestor for review and the party subject to the disposition).

(2) The service of an administrative determination is to be made by sending a transcript of the written administrative determination to the person to who is to be served the administrative determination; provided, however, that if the whereabouts of the person who is to be served the administrative determination are unknown or if it is not possible to send a transcript of the written administrative determination, the service of the administrative determination may be made by means of public notice.

(3) The service of the administrative determination by means of public notice is to be made by the reviewing agency keeping the transcript of the written administrative determination and in a manner that enables an unspecified and large number of persons to inspect the fact that the transcript will be delivered to the person who is to receive the service at any time by the means specified by Order of the Ministry of Internal Affairs and Communication, and by taking the measures to post a document stating that fact on the notice board in the office of the reviewing agency or to enable the inspection of that fact displayed on a screen of a computer installed at the office. In such a case, the transcript of the written administrative determination is deemed to be served at the time when two weeks have passed from the day following the day on which the measures have been initiated.

(4) The reviewing agency must send a transcript of the written administrative determination to the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency).

(Binding Effect of Administrative Determinations)

Article 52 (1) An administrative determination binds the relevant administrative agencies.

- (2) When a disposition rendered based on an application has been revoked by an administrative determination on the grounds of procedural illegality or unfairness, or a disposition to dismiss or reject an application has been revoked by an administrative determination, the administrative agency reaching the disposition must once again render a disposition for the application in accordance with the purport of the administrative determination.
- (3) When a disposition that has been given a publicly notice pursuant to the provisions of laws and regulations has been revoked or changed by an administrative determination, the administrative agency reaching the disposition must give public notice of the fact that the disposition has been revoked or changed.
- (4) When a disposition which was notified to an interested person other than the party subject to the disposition pursuant to the provisions of laws and regulations has been revoked or changed by an administrative determination, the administrative agency reaching the disposition must notify the person who has received the notice (excluding the requestor for review and the intervenors) the fact that the disposition has been revoked or changed.

(Return of Evidence Documents)

Article 53 When the reviewing agency has made an administrative determination, it must promptly return the evidence documents or articles of evidence, or documents or other objects submitted pursuant to the provisions of Article 32, paragraph (1) or (2), and the documents or other objects submitted in response to a request for submission under the provisions of Article 33 to the person who submitted them.

Chapter III Requests for Re-Investigation

(Period for Filing Requests for Re-Investigation)

- Article 54 (1) A request for re-investigation may not be filed after three months have passed from the day following the day on which the person comes to know that the disposition has been rendered; provided, however, that this does not apply if there are legitimate grounds.
- (2) A request for re-investigation may not be filed after one year has passed from the day following the day on which the disposition has been rendered; provided, however, that this does not apply if there are legitimate grounds.

(Relief When an Erroneous Instruction Is Given)

Article 55 (1) Regarding a disposition for which a request for re-investigation may be filed, when the administrative agency reaching the disposition has erroneously failed to inform a person that a request for re-investigation may be

filed, and the person has filed a request for review and the requestor for review has filed a petition, the reviewing agency must promptly send the written request for review or written statement concerning the request for review to the administrative agency reaching the disposition; provided, however, that this does not apply after a written explanation has been sent to the requestor for review.

- (2) The administrative agency reaching the disposition that has received the written request for review or written statement concerning the request for review pursuant to the provisions of the main clause of the preceding paragraph must promptly notify that fact to the requestor for review and the intervenors.
- (3) When the written request for review or written statement concerning the request for review has been sent to the administrative agency reaching the disposition pursuant to the provisions of the main clause of paragraph (1), the request for re-investigation is deemed to have been filed with the administrative agency reaching the disposition in the first place.

(When Requests for Review is Filed Without Going Through a Decision on Requests for Re-Investigation)

Article 56 When a request for review has been filed pursuant to the provisions of the proviso to Article 5, paragraph (2), the request for re-investigation referred to in that paragraph is deemed to have been withdrawn; provided, however, that when the administrative agency reaching the disposition has sent a transcript of the written decision referred to in Article 60, paragraph (1) of the fact that the disposition (excluding de facto acts) related to the request for re-investigation is to be revoked, or when de facto acts related to the request for re-investigation have been repealed, before the day on which the request for review was filed with the administrative agency reaching the disposition, the request for review in question (when a decision referred to in Article 59, paragraph (1) to revoke in part the disposition (excluding de facto acts) has been made or de facto acts have been repealed in part, limited to that part) is deemed to have been withdrawn.

(Instructions After Three Months Have Passed)

Article 57 When a request for re-investigation is still pending even after three months have passed from the day following the day on which the request for re-investigation was filed (when the administrative agency reaching the disposition ordered the requestor to correct a defect pursuant to the provisions of Article 23 as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms, the day on which the defect was corrected), the administrative agency reaching the disposition must inform the requestor for

re-investigation in writing that a request for review may be immediately filed for the disposition.

(Decision on Dismissal or Rejection of Requests for Re-Investigation)

Article 58 (1) When a request for re-investigation has been filed after the statutory period has passed, or is otherwise unlawful, the administrative agency reaching the disposition is to dismiss the request for re-investigation by a decision.

(2) When there are no grounds for a request for re-investigation, the administrative agency reaching the disposition is to reject the request for re-investigation by a decision.

(Decision on Approval of Requests for Re-Investigation)

Article 59 (1) When there are grounds for a request for re-investigation concerning a disposition (excluding de facto acts), the administrative agency reaching the disposition is to revoke the disposition in full or in part or change the disposition by a decision.

(2) When there are grounds for a request for re-investigation concerning de facto acts, the administrative agency reaching the disposition is to declare the fact that the de facto acts are illegal or unjust and repeal the de facto acts in full or in part or change the de facto acts by a decision.

(3) In the cases referred to in the preceding two paragraphs, the administrative agency reaching the disposition may not change the disposition or de facto acts in a manner disadvantageous to the requestor for re-investigation.

(Method of Making Decisions)

Article 60 (1) A decision referred to in the preceding two Articles must be made using a written decision stating the text and the reasons and on which the administrative agency reaching the disposition has affixed its name and seal.

(2) The administrative agency reaching the disposition must state the fact that a request for review may be filed for a disposition of the request for re-investigation in the written decision referred to in the preceding paragraph (excluding a written decision on revoking or eliminating in full the disposition related to the request for re-investigation) (for a decision to dismiss the request, the fact that a request for review may be filed only when the decision of dismissal is illegal), an administrative agency with which a request for review should be filed, and the period for filing a request for review to inform the relevant person of these matters.

(Application, Mutatis Mutandis of the Provisions on Requests for Review)

Article 61 The provisions of Article 9, paragraph (4), Article 10 through Article

16, Article 18, paragraph (3), Article 19 (excluding paragraph (3) and paragraph (5), items (i) and (ii)), Article 20, Article 23, Article 24, Article 25 (excluding paragraph (3)), Article 26, Article 27, Article 31 (excluding paragraph (5)), Article 32 (excluding paragraph (2)), Article 39, Article 51, and Article 53 apply mutatis mutandis to requests for re-investigation. In such a case, in the provisions stated in the left-hand column of Appended Table 2, the terms stated in the middle column of that Table are deemed to be replaced with the terms stated in the right-hand column of that Table.

Chapter IV Requests for Re-Examination

(Period for Filing Requests for Re-Examination)

- Article 62 (1) A request for re-examination may not be filed after one month has passed from the day following the day on which the relevant person has come to know that the original administrative determination was made; provided, however, that this does not apply when there are legitimate grounds.
- (2) A request for re-examination may not be filed after one year has passed from the day following the day on which the original administrative determination was made; provided, however, that this does not apply when there are legitimate grounds.

(Sending of Written Administrative Determination)

Article 63 The review officer prescribed in Article 11, paragraph (2) as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms or the re-examining agency (meaning an administrative agency with which a request for re-examination has been filed pursuant to the provisions of other laws (including an administrative agency that has taken over the case pursuant to the provisions of Article 14 as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms); the same applies below) that is an organ stated in the items of Article 9, paragraph (1) as applied mutatis mutandis pursuant to Article 66, paragraph (1) is to request the administrative agency that has made the original administrative determination to send the written administrative determination for the original administrative determination.

(Administrative Determination on Dismissal or Rejection of Requests for Re-Examination)

Article 64 (1) When a request for re-examination has been filed after the statutory period has passed, or is otherwise unlawful, the re-examining agency is to dismiss the request for re-examination by an administrative determination.

- (2) When there are no grounds for a request for re-examination, the re-examining agency is to reject the request for re-examination by an administrative determination.
- (3) When the original administrative determination related to a request for re-examination (limited to an administrative determination that has dismissed or rejected a request for review) is illegal or unjust and the disposition of the request for review is neither illegal nor unjust, the re-examining agency is to reject the request for re-examination by an administrative determination.
- (4) Beyond what is prescribed in the preceding paragraph, when the original administrative determination, etc. related to a request for re-examination is illegal or unjust and revoking or eliminating will significantly harm public interest, and the re-examining agency finds that the revocation or elimination of the original administrative determination, etc. is not in accordance with public welfare upon considering the extent of damage to be sustained by the requestor for re-examination, the extent and method of compensation for or prevention of the damage, and all other circumstances, the re-examining agency may reject the request for re-examination by an administrative determination. In such a case, the re-examining agency must declare that the original administrative determination, etc. is illegal or unjust in the main text of the administrative determination.

(Administrative Determination on Approval of Requests for Re-Examination)

- Article 65 (1) When there are grounds for a request for re-examination related to the original administrative determination, etc. (excluding de facto acts) (excluding the cases prescribed in paragraph (3) of the preceding Article and the those to which the provisions of paragraph (4) of that Article apply), the re-examining agency is to revoke the original administrative determination, etc. in full or in part by an administrative determination.
- (2) When there are grounds for a request for re-examination related to de facto acts (excluding the cases to which the provisions of paragraph (4) of the preceding Article apply), the re-examining agency is to declare that the de facto acts are illegal or unjust in the administrative determination, and order the administrative agency reaching the disposition to eliminate the de facto acts in full or in part.

(Application, Mutatis Mutandis of the Provisions on Requests for Review)

- Article 66 (1) The provisions of Chapter II (excluding Article 9, paragraph (3), Article 18 (excluding paragraph (3)), Article 19, paragraph (3) and paragraph (5), items (i) and (ii), Article 22, Article 25, paragraph (2), Article 29 (excluding paragraph (1)), Article 30, paragraph (1), Article 41, paragraph (2), item (i), sub-items (a) and (b), Section 4, Article 45 through Article 49, and Article 50,

paragraph (3)) apply mutatis mutandis to requests for re-examination. In such a case, in the provisions stated in the left-hand column of Appended Table 3, the terms stated in the middle column of that Table are deemed to be replaced with the terms stated in the right-hand column of that Table.

- (2) When the re-examining agency is an organ stated in the items of Article 9, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph, the provisions of Article 17, Article 40, Article 42, and Article 50, paragraph (2) as applied mutatis mutandis pursuant to the preceding paragraph do not apply.

Chapter V Administrative Complaint Review Board, etc.

Section 1 Administrative Complaint Review Board

Subsection 1 Establishment and Organization

(Establishment)

Article 67 (1) The Administrative Complaint Review Board (referred to as "the Board" below) is established in the Ministry of Internal Affairs and Communications.

- (2) The Board is to administer matters that have been placed under its authorization pursuant to the provisions of this Act.

(Organization)

Article 68 (1) The Board consists of nine Board members.

- (2) The Board members serve on a part-time basis; provided, however, a maximum of three persons may serve on a full-time basis.

(Board Members)

Article 69 (1) The Board members are to be appointed by the Minister of Internal Affairs and Communications, with the consent of both Houses of the Diet, from among the persons who are capable of making a fair judgment on the matters under the authority of the Board and have excellent insight into law or administration.

- (2) When the term of office of a Board member expires or a vacancy occurs and the consent of both Houses of the Diet cannot be obtained because the Diet is out of session or the dissolution of the House of Representatives, the Minister of Internal Affairs and Communications may appoint a Board member from among the persons who have qualifications prescribed in the preceding paragraph, notwithstanding the provisions of that paragraph.
- (3) In the case referred to in the preceding paragraph, the subsequent approval of both Houses of the Diet must be obtained in the first session of the Diet after the appointment. In such a case, when the subsequent approval of both Houses

of the Diet may not be obtained, the Minister of Internal Affairs and Communications must dismiss that Board member.

- (4) The term of office of a Board member is to be three years; provided, however, that the term of office of a Board member appointed to fill a vacancy is to be the remaining term of office of the predecessor.
- (5) A Board member may be reappointed.
- (6) When the term of office of a Board member has expired, the Board member is to continue to perform their duties until the successor is appointed.
- (7) When the Minister of Internal Affairs and Communications finds that a Board member is incapable of performing their duties due to mental or physical disorder or has committed a violation of obligations in the course of duties or other malfeasance unsuitable for a Board member, the Minister may dismiss that Board member, with the consent of both Houses of the Diet.
- (8) A Board member must not disclose any confidential information that they have learned in the course of duties. The same applies even after leaving their post.
- (9) While in office, a Board member must not serve as an officer of a political party or other political bodies, or actively engage in political activities.
- (10) Full-time board members must not engage in other jobs with remuneration, perform commercial business, or operate other businesses for monetary profit while in office, unless permitted by the Minister of Internal Affairs and Communications.
- (11) The remuneration of the board members is specified separately by law.

(Chairperson)

- Article 70 (1) The Board is to have a chairperson, who is to be elected from among the Board members.
- (2) The chairperson presides over the affairs of the Board and represents the Board.
 - (3) If the chairperson is unavailable, a Board member appointed in advance performs the chairperson's duties.

(Expert Advisors)

- Article 71 (1) The Board may have expert advisors to have them investigate technical matters.
- (2) Expert advisors are to be appointed by the Minister of Internal Affairs and Communications from among persons with relevant expertise.
 - (3) When the investigation on the technical matters related to the appointment of an expert advisor has been completed, the expert advisor is to be dismissed.
 - (4) An expert advisor serves on a part-time basis.

(Panel)

Article 72 (1) A panel consisting of three persons nominated by the Board from among the Board members investigates and deliberates cases related to a request for review.

(2) Notwithstanding the provisions of the preceding paragraph, in the case specified by the Board, a panel consisting of all Board members investigates and deliberates cases related to a request for review.

(Secretariat)

Article 73 (1) The Board is to establish a secretariat for the purpose of having the secretariat deal with the affairs of the board.

(2) The secretariat has a secretary general and other necessary employees.

(3) The secretary general administers the affairs of the secretariat under the order of the chairperson.

Subsection 2 Procedures for Investigation and Deliberation by the Board

(Investigative Authority of the Board)

Article 74 When finding it necessary, the Board may request the requestor for review, the intervenors, or the reviewing agency that has consulted with the Board pursuant to the provisions of Article 43, paragraph (1) (referred to as the "persons concerned with the review" below in this Subsection) to submit a document stating their allegation (referred to as "written statement of allegations" below in this subsection) or other materials, request a person found appropriate to state the facts that they know, or seek expert opinions, or otherwise conduct necessary investigations.

(Statement of Opinions)

Article 75 (1) When a person concerned with the review has filed a petition, the Board must give the person concerned with the review an opportunity to orally state opinions; provided, however, that this does not apply if the Board finds it unnecessary.

(2) In the case referred to in the main clause of the preceding paragraph, a requestor for review or an intervenor may appear in court together with an assistant by obtaining permission from the Board.

(Submission of Written Statements of Allegations)

Article 76 A person concerned with the review may submit a written statement of allegations or materials to the Board. In such a case, when the Board has specified a reasonable period of time during which a written statement of

allegations or materials should be submitted, the person must submit them within that period of time.

(Investigation Procedures by Board Members)

Article 77 When finding it necessary, the Board may have a Board member it has nominated conduct an investigation under the provisions of Article 74 or hear the opinions of the persons concerned with the review under the provisions of the main clause of Article 75, paragraph (1).

(Inspection of Submitted Materials)

Article 78 (1) The persons concerned with the review may request the Board the inspection of a written statement of allegations or materials submitted to the Board (for an electronic or magnetic record, the inspection of a media that displays the matters recorded by the method specified by the Board), or the delivery of copies of the written statement of allegations or materials, or a document stating the matters recorded in the electronic or magnetic record. In such a case, the Board may not refuse the inspection or the delivery of the documents unless it is found that the inspection or the delivery is likely to harm the interest of a third party, or there are other legitimate grounds for refusal.

(2) When the Board intends to enable the inspection under the provisions of the preceding paragraph or the delivery under the provisions of that paragraph, the Board must hear the opinions of the persons that have submitted the written statements of allegations or materials to be inspected or delivered; provided, however, that this does not apply if the Board finds it unnecessary.

(3) The board may designate the date of and the place for the inspection under the provisions of paragraph (1).

(4) A requestor for review or an intervenor who receives the delivery under the provisions of paragraph (1) must pay the fees specified by Cabinet Order within an amount not exceeding the actual cost, pursuant to the provisions of Cabinet Order.

(5) When the Board finds that there are financial difficulties or other specific reasons, it may reduce the amount of the fees stated in the preceding paragraph or exempt the relevant person from paying the fees, pursuant to the provisions of Cabinet Order.

(Sending of Written Responses)

Article 79 When the board has responded to a consultation, the Board is to send a copy of the written response to the requestor for review and the intervenors, and publicize the content of the response.

Subsection 3 Miscellaneous Provisions

(Delegation to Cabinet Order)

Article 80 Beyond what is provided for in this Act, necessary matters concerning the Board are provided for by Cabinet Order.

Section 2 Organs Established in Local Governments

Article 81 (1) A local government establishes an organ for dealing with the matters that have been placed under its authority pursuant to the provisions of this Act as an organ affiliated to its executive agencies.

(2) Notwithstanding the provisions of the preceding paragraph, when it is inappropriate or difficult to establish an organ referred to in that paragraph in view of the situation of complaints filed in the local government, a local government may establish an organ for dealing with the matters that have been placed under its authority pursuant to the provisions of this Act as an organ affiliated to its executive agencies for each case, pursuant to the provisions of Prefectural or Municipal Ordinance.

(3) The provisions of Subsection 2 of the preceding Section apply mutatis mutandis to the organs referred to in the preceding two paragraphs. In such a case, the term "Cabinet Order" in Article 78, paragraphs (4) and (5) is deemed to be replaced with "Prefectural or Municipal Ordinance".

(4) Beyond what is provided for in the preceding three paragraphs, necessary matters concerning the organization and operation of the organs referred to in paragraphs (1) or (2) are provided for by Ordinance of the local government in which the organ is established (for an organ jointly established pursuant to the provisions of Article 252-7, paragraph (1) of the Local Autonomy Act, the rules referred to in that paragraph).

Chapter VI Auxiliary Provisions

(Instructions by Administrative Agencies with Which Appeals Should be Filed)

Article 82 (1) When an administrative agency renders a disposition for which a request for review or a request for re-investigation, or an appeal based on other laws and regulations (collectively referred to as "appeals" below in this Article) may be filed, the administrative agency must inform the party subject to the disposition in writing that an appeal may be filed for the disposition, and the administrative agency with which an appeal should be filed and the period of time during which an appeal may be filed; provided, however, that this does not apply if the disposition is to be rendered orally.

(2) When an interested person has sought an instruction on whether an appeal

may be filed for the disposition, and on the administrative agency with which an appeal should be filed and the period of time during which an appeal may be filed if an appeal may be filed for the disposition, an administrative agency must inform the interested person of the matters.

- (3) In the case referred to in the preceding paragraph, when a person has sought the instruction in writing, the administrative agency must inform the person of the matters in writing.

(Filing of Complaints When Instructions Have Not Been Given)

Article 83 (1) When an administrative agency has failed to give an instruction under the provisions of the preceding Article, a person who is dissatisfied with the disposition may submit a written complaint to the administrative agency.

- (2) The provisions of Article 19 (excluding paragraph (5), items (i) and (ii)) apply mutatis mutandis to a written complaint referred to in the preceding paragraph.

(3) When a written complaint has been submitted pursuant to the provisions of paragraph (1) and the disposition is a disposition for which a request for review may be filed with an administrative agency other than the administrative agency reaching the disposition, the administrative agency reaching the disposition must promptly send the written complaint to that administrative agency. The same applies when the disposition is a disposition for which a request for review may be filed with an administrative agency other than the administrative agency reaching the disposition based on other laws and regulations.

(4) When a written complaint has been sent pursuant to the provisions of the preceding paragraph, a request for review or the complaint based on the laws and regulations are deemed to have been filed with the administrative agency in the first place.

(5) Except for the case referred to in paragraph (3), when a written complaint has been submitted pursuant to the provisions of paragraph (1), a request for review or the complaint based on the laws and regulations are deemed to have been filed with the administrative agency in the first place.

(Provision of Information)

Article 84 An administrative agency vested with the authority to make an administrative determination or decision, or other dispositions (referred to as "administrative determination, etc." in the following Article) concerning a request for review, request for re-investigation or request for re-examination, or filing of administrative complaints based on other laws and regulations (collectively referred to as "administrative complaints" in this Article and the following Article) must endeavor to provide the matters to be entered in a

written complaint and other necessary information for filing a complaint, at the request of a person who intends to file a complaint or has filed a complaint.

(Publication)

Article 85 An administrative agency vested with the authority to make an administrative determination, etc. for an administrative complaint filed must endeavor to publicize the content of the administrative determination, etc. made by the administrative agency, and the status of processing the administrative complaints at the administrative agency.

(Delegation to Cabinet Order)

Article 86 Beyond what is provided for in this Act, necessary matters for the enforcement of this Act are provided for by Cabinet Order.

(Penal Provisions)

Article 87 A person who has divulged any secret in violation of the provisions of Article 69, paragraph (8) is to be punished by imprisonment of not more than one year or a fine of not more than 500,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions of the following Article come into effect on the date of promulgation.

(Preparatory Actions)

Article 2 The necessary actions for the appointment of members of the Board under the provisions of Article 69, paragraph (1) may be performed even before the effective date of this Act in accordance with the provisions of that paragraph.

(Transitional Measures)

Article 3 Prior laws continue to govern an administrative complaint filed for a disposition or inaction of an administrative agency, which is a disposition rendered before the enforcement of this Act or inaction by an administrative agency concerning an application filed before the enforcement of this Act.

Article 4 (1) The term of office of the members of the Board who are appointed for the first time after the enforcement of this Act is two years for three

members and three years for the remaining six members of the nine Board members, notwithstanding the provisions of the main clause of Article 69, paragraph (4).

(2) The term of office of each Board member specified in the preceding paragraph is to be provided for by the Minister of Internal Affairs and Communications.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 5 Beyond what is provided for in the preceding two Articles, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 6 Once five years have passed after this Act comes into effect, the government is to review the enforcement status of this Act, and take the required measures based on the results of the review if it finds this to be necessary.

Appended Table 1 (Re.: Article 9)

Article 11, paragraph (2)	a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below)	the reviewing agency
Article 13, paragraphs (1) and (2)	a review officer	the reviewing agency
Article 25, paragraph (7)	When a petition for a stay of enforcement has been filed, or a written opinion stating that the stay of enforcement prescribed in Article 40 should be taken has been submitted by a review officer,	When a petition for a stay of enforcement has been filed,
Article 28	a review officer	the reviewing agency
Article 29, paragraph (1)	When having been nominated by the reviewing agency, a review officer must immediately	When a request for review has been filed, except for the case of dismissing the request for review pursuant to the provisions of Article 24, the reviewing agency must promptly

Article 29, paragraph (2)	A review officer	If a reviewing agency is an agency other than the administrative agency, etc. reaching the disposition, the reviewing agency
	request the administrative agency, etc. reaching the disposition to submit a written explanation	request the submission of a written explanation, and if the reviewing agency is the administrative agency, etc. reaching the disposition, it is to prepare a written explanation within a reasonable period of time
Article 29, paragraph (5)	a review officer	the reviewing agency
	has been submitted by the administrative agency, etc. reaching the disposition	has been submitted by the administrative agency , etc.reaching the disposition, or when a written explanation has been prepared pursuant to the provisions of paragraph (2),
Article 30, paragraphs (1) and (2)	a review officer	the reviewing agency
Article 30, paragraph (3)	a review officer	the reviewing agency
	the intervenors and the administrative agency, etc. reaching the disposition	the intervenors and the administrative agency, etc. reaching the disposition (when the administrative agency, etc. reaching the disposition is the reviewing agency, the intervenors)
	the requestor for review and the administrative agency, etc. reaching the disposition	the requestor for review and the administrative agency, etc. reaching the disposition (when the administrative agency, etc. reaching the disposition is the reviewing agency, the requestor for review)
Article 31, paragraph (1)	a review officer	the reviewing agency
Article 31, paragraph (2)	a review officer	the reviewing agency

	the persons concerned with proceedings	the persons concerned with proceedings (when the administrative agency, etc. reaching the disposition is the reviewing agency, the requestor for review and the intervenors; the same applies below in this Section and Article 50, paragraph (1), item (iii))
Article 31, paragraphs (3) through (5), Article 32, paragraph (3), Article 33 through Article 37, Article 38, paragraphs (1) through (3) and paragraph (5), Article 39, and Article 41, paragraphs (1) and (2)	the review officer	the reviewing agency
Article 41, paragraph (3)	a review officer	the reviewing agency

	<p>the review officer is to promptly notify the persons concerned with proceedings the fact that the procedures for proceedings have been concluded and the scheduled time when the review officer's written opinion prescribed in paragraph (1) of the following Article and the case record (meaning the written request for review, written explanation, and other documents and objects concerning the case related to the request for review, which are specified by Cabinet Order; the same applies in paragraph (2) of the following Article and Article 43, paragraph (2)) are to be submitted to the reviewing gency. The same applies when the scheduled time of submission has been changed.</p>	<p>the reviewing agency is to promptly notify the persons concerned with proceedings the fact that the procedures for proceedings have been concluded</p>
<p>Article 44</p>	<p>When the reviewing agency has received a response to the consultation from the Administrative Complaint Review Board, etc. (if the consultation under the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of that paragraph), when the review officer's written opinion has been submitted, and if the cas falls under item (ii) or (iii) of that paragraph, when the case has gone through the deliberations prescribed in item (ii) or (iii) of that paragraph)</p>	<p>When the reviewing agency has concluded the procedures for proceedings</p>

Article 50, paragraph (1), item (iv)	the reasons (when the text of item (i) differs from the content of the review officer's written opinion or the written response from the Administrative Complaint Review Board, etc. or the Council, etc., including the reasons for the difference)	the reasons
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Appended Table 2 (Re.: Article 61)

Article 9, paragraph (4)	In the case prescribed in the preceding paragraph, if it is found necessary, the reviewing agency may	if it is found necessary, the administrative agency reaching the disposition may
	(limited to persons other than those stated in the items of paragraph (2) (for members of the organs stated in the items of paragraph (1), excluding item (i))) hear opinions of the requestor for review prescribed in Article 31, paragraph (1) as applied pursuant to the preceding paragraph following the deemed replacement of terms	hear opinions of the requestor for review prescribed in Article 31, paragraph (1) as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms
	or the intervenor prescribed in Article 13, paragraph (4)	or the intervenor prescribed in Article 13, paragraph (4) as applied mutatis mutandis pursuant to Article 61

	, hear opinions of the witness under the provisions of Article 34 as applied pursuant to the preceding paragraph following the deemed replacement of terms, conduct a verification under the provisions of Article 35, paragraph (1) as applied pursuant to the preceding paragraph following the deemed replacement of terms, ask questions to the persons concerned with proceedings prescribed in Article 28 under the provisions of Article 36 as applied pursuant to the preceding paragraph following the deemed replacement of terms, or hold a hearing of opinions under the provisions of Article 37, paragraph (1) or (2) as applied pursuant to the preceding paragraph following the deemed replacement of terms	or the intervenor prescribed in Article 13, paragraph (4)
Article 11, paragraph (2)	a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below)	the administrative agency reaching the disposition
Article 13, paragraph (1)	the disposition related to the request for review or the disposition related to the inaction	the disposition related to the request for review
	a review officer	the administrative agency reaching the disposition
Article 13, paragraph (2)	A review officer	The administrative agency reaching the disposition
Article 14	the written request for review prescribed in Article 19	the written request for re-investigation prescribed in Article 19 as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms

	the written statement concerning the request for review prescribed in Article 21, paragraph (2)	the written statement concerning the request for re-investigation prescribed in Article 22, paragraph (3)
Article 16	The administrative agency that is to become the reviewing agency pursuant to the provisions of Article 4 or the provisions of other laws or Prefectural or Municipal Ordinance (referred to as "administrative agency that is to become the reviewing agency" below)	The administrative agency vested with the authority to render a disposition subject to a request for re-investigation
	the offices of the administrative agency that is to become the reviewing agency and the related administrative agency reaching the disposition (meaning an administrative agency vested with the authority to render a disposition subject to the request for review other than the administrative agency that is to become the reviewing agency; the same applies in the following Article)	the offices of the administrative agency
Article 18, paragraph (3)	a written request for review prescribed in the following Article	a written request for re-investigation prescribed in the following Article as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms
	the period prescribed in the preceding two paragraphs (referred to as "period for filing a request for review" below)	the period prescribed in Article 54
The heading of Article 19, and paragraph (1) of that Article	Written Requests for Review, and a written request for review	Written Requests for Re-Investigation, and a written request for re-investigation
Article 19, paragraph (2)	A written request for review of a disposition	A written request for re-investigation

	Deleted	Deleted
Article 19, paragraph (4)	the written request for review	the written request for re-investigation
	the items of paragraph (2) or the items of the preceding paragraph	the items of paragraph (2)
Article 19, paragraph (5)	a written request for review of a disposition	a written request for re-investigation
	Deleted	Deleted
	Deleted	Deleted
Article 20	paragraphs (2) through (5) of the preceding Article	paragraph (2), paragraph (4), and paragraph (5) of the preceding Article as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms
Article 23 (including the heading)	a written request for review and Written Requests for Review	a written request for re-investigation and Written Requests for Re-Investigation
Article 24, paragraph (1)	based on the provisions of Article 45, paragraph (1) or Article 49, paragraph (1) without going through the procedures for proceedings prescribed in the following Section.	based on the provisions of Article 58, paragraph (1) without going through the procedures for proceedings
Article 25, paragraph (2)	the higher administrative agency of the administrative agency reaching the disposition or the reviewing agency that is the administrative agency reaching the disposition	the administrative agency reaching the disposition
Article 25, paragraph (4)	the preceding two paragraphs	paragraph (2)
Article 25, paragraph (6)	paragraphs (2) through (4)	paragraphs (2) and (4)
Article 25, paragraph (7)	When a petition for a stay of enforcement has been filed, or a written opinion stating that the stay of enforcement prescribed in Article 40 should be taken has been submitted by a review officer	When a petition for a stay of enforcement has been filed
Article 31, paragraph (1)	a review officer	the administrative agency reaching the disposition

	this Article and Article 41, paragraph (2), item (ii)	this Article
Article 31, paragraph (2)	a review officer	the administrative agency reaching the disposition
	all of the persons concerned with proceedings	the requestor for re-investigation and intervenors
Article 31, paragraphs (3) and (4)	a review officer	the administrative agency reaching the disposition
Article 32, paragraph (3)	the preceding two paragraphs	paragraph (1)
	a review officer	the administrative agency reaching the disposition
Article 39	a review officer	the administrative agency reaching the disposition
Article 51, paragraph (1)	Article 46, paragraph (1) and Article 47	Article 59, paragraphs (1) and (2)
Article 51, paragraph (4)	the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency)	the intervenors
Article 53	documentary evidence documents or articles of evidence, or documents or other articles objects submitted pursuant to the provisions of Article 32, paragraph (1) or (2), and the documents or other articles objects submitted in response to a demand request for submission under the provisions of Article 33	documentary evidence documents or articles of evidence submitted pursuant to the provisions of Article 32, paragraph (1) as applied mutatis mutandis in pursuant to Article 61

Appended Table 3 (Re.: Article 66)

Article 9, paragraph (1)	An administrative agency with which a request for review has been filed pursuant to the provisions of Article 4, or the provisions of other laws or Prefectural or Municipal Ordinance (including an administrative agency that has taken over the relevant documents and objects pursuant to the provisions of Article 14; referred to as a "reviewing agency" below)	The re-examining agency prescribed in Article 63 (referred to as the "re-examining agency" below in this Chapter)
	this Section	this Section and Article 63
	the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency)	the administrative agency, etc. making the original administrative determination (meaning the administrative agency that made the original administrative determination (referred to as the "administrative agency making the original administrative determination" below in this Chapter) or the administrative agency reaching the disposition; the same applies below in this Chapter)
	or there are specific provisions in the Prefectural or Municipal Ordinance for dispositions based on the Ordinance, or when the request for review is dismissed pursuant to the provisions of Article 24	or when the request for review is dismissed pursuant to the provisions of Article 24 as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms
Article 9, paragraph (2), item (i)	the disposition related to a request for review, or in	the disposition related to a request for review concerning the original administrative determination,

	a person who has been involved or is to be involved in the disposition for an inaction related to a request for review is filed	or a person involved in the original administrative determination
Article 9, paragraph (4)	In the case prescribed in the preceding paragraph, if it is found necessary, the reviewing agency	The re-examining agency that is any of the organs stated in the items of paragraph (1) (referred to as the "re-examining agency that is a committee, etc.")
	pursuant to the preceding paragraph	pursuant to Article 66, paragraph (1)
	as applied	as applied mutatis mutandis
	Article 13, paragraph (4)	Article 13, paragraph (4) as applied mutatis mutandis pursuant to Article 66, paragraph (1)
	Article 28	Article 28 as applied mutatis mutandis pursuant to that paragraph following the deemed replacement of terms
Article 11, paragraph (2)	a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below)	a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms (referred to as "review officer" below) or the re-examining agency that is a committee, etc.
Article 13, paragraph (1)	in the disposition related to the request for review, or the disposition related to the inaction, in light of the provisions of laws and regulations that serve as the grounds for the disposition	in the original administrative determination, etc. related to the request for review, in light of the provisions of laws and regulations that serve as the grounds for the original administrative determination, etc.
	a review officer	a review officer or the re-examining agency that is a committee, etc.

Article 13, paragraph (2)	A review officer	A review officer or the re-examining agency that is a committee, etc.
Article 14	the written request for review prescribed in Article 19	the written request for re-examination prescribed in Article 19 as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms
	the written statement concerning the request for review prescribed in Article 21, paragraph (2)	the written statement concerning the request for re-examination prescribed in Article 21, paragraph (2) as applied mutatis mutandis pursuant to that paragraph following the deemed replacement of terms
Article 15, paragraph (1), paragraph (2), and paragraph (6)	the request for review	the request for review related to the original administrative determination
Article 16	the provisions of Article 4 or the provisions of other laws or Prefectural or Municipal Ordinance	the provisions of other laws
	the related administrative agency reaching the disposition (meaning an administrative agency vested with the authority to render a disposition subject to the request for review other than the administrative agency that is to become the reviewing agency; the same applies in the following Article)	the administrative agency vested with the authority to make an administrative determination or render a disposition subject to the request for re-examination
Article 17	the related administrative agency reaching the disposition	the administrative agency vested with the authority to make an administrative determination or render a disposition subject to the request for re-examination

Article 18, paragraph (3)	a written request for review prescribed in the following Article	a written request for re-examination prescribed in the following Article as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms
	the period prescribed in the preceding two paragraphs (referred to as "period for filing a request for review" below)	the period for filing a request for re-examination prescribed in Article 50, paragraph (3) (referred to as "period for filing a request for re-examination" in this Chapter below)
The heading of Article 19, and paragraph (1) of that Article	Written Requests for Review and written request for review	Written Requests for Re-Examination and written request for re-examination
Article 19, paragraph (2)	A written request for review of a disposition	A written request for re-examination
	the content of the disposition	the content of the original administrative determination, etc.
	the disposition related to the request for review has been rendered (when a decision was made for a request for re-investigation for the disposition, that decision)	the original administrative determination has been made
	the administrative agency reaching the disposition	the administrative agency making the original administrative determination
Article 19, paragraph (4)	the written request for review	the written request for re-examination
	in the items of paragraph (2) or the items of the preceding paragraph	in the items of paragraph (2)
Article 19, paragraph (5)	a written request for review of a disposition	a written request for re-examination
	the period for filing a request for review	the period for filing request for re-examination
	the proviso to paragraph (1) or (2) of the preceding Article	the proviso to paragraph (1) or (2) of Article 62

Article 20	paragraphs (2) through (5) of the preceding Article	paragraph (2), paragraph (4), and paragraph (5) of the preceding Article as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms
The heading of Article 21	the Administrative Agency Reaching the Disposition	the Administrative Agency Reaching the Disposition or the Administrative Agency Making the Original Administrative Determination
Article 21, paragraph (1)	A request for review in the case the administrative agency with which the request should be filed is different from the administrative agency, etc. reaching the disposition, may be filed via the administrative agency, etc. reaching the disposition	A request for re-examination may be filed via the administrative agency reaching the disposition or the administrative agency making the original administrative determination
Article 21, paragraph (2)	the administrative agency, etc. reaching the disposition	the administrative agency reaching the disposition or the administrative agency making the original administrative determination
	the written request for review or the written statement concerning the request for review (meaning a document in which the content of the oral statement has been recorded pursuant to the provisions of the second sentence of the preceding Article;	the written request for re-examination or the written statement concerning the request for re-examination (meaning a document in which the content of the oral statement has been recorded pursuant to the provisions of the second sentence of the preceding Article as applied mutatis mutandis pursuant to Article 66, paragraph (1)
	Article 29, paragraph (1) and Article 55	Article 29, paragraph (1) as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms

Article 21, paragraph (3)	the period for filing a request for review	the period for filing a request for re-examination
	to the administrative agency reaching the disposition	to the administrative agency reaching the disposition or the administrative agency making the original administrative determination
	the written request for review	the written request for re-examination
	the request for review of the disposition	the request for re-examination
Article 23 (including the heading)	a written request for review and Written Requests for Review	a written request for re-examination and Written Requests for Re-Examination
Article 24, paragraph (1)	based on the provisions of Article 45, paragraph (1) or Article 49, paragraph (1) without going through the procedures for proceedings prescribed in the following Section	based on the provisions of Article 64, paragraph (1) without going through the procedures for proceedings prescribed in the following Section (including the procedures prescribed in Article 63)
Article 25, paragraph (1)	disposition	original administrative determination, etc.
Article 25, paragraph (3)	the reviewing agency that is neither the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition	the re-examining agency
	opinions of the administrative agency reaching the disposition;	opinions of the administrative agency, etc. making the original administrative determination

	may order a stay of enforcement, by a petition filed by the requestor for review, after hearing opinions of the administrative agency reaching the disposition; provided however, that the reviewing agency may not take any measures other than suspending the effect of the disposition, stay of enforcement of the disposition, or continuation of procedures, in full or in part.	may suspend the effect of the original administrative determination, etc., enforcement of the original determination, etc., or continuation of procedures, in full or in part (referred to as "stay of enforcement" below)
Article 25, paragraph (4)	the preceding two paragraphs	the preceding paragraph
	the disposition	the original administrative determination, etc.
Article 25, paragraph (6)	paragraphs (2) through (4)	paragraphs (3) and (4)
	the disposition	the original administrative determination, etc.
Article 25, paragraph (7)	the stay of enforcement prescribed in Article 40 should be taken has been submitted by a review officer	the stay of enforcement prescribed in Article 40 as applied mutatis mutandis pursuant to Article 66, paragraph (1) should be taken has been submitted by a review officer (if the re-examining agency is the re-examining agency that is a committee, etc., when a petition for a stay of enforcement has been filed)
Article 28	the administrative agency, etc. reaching the disposition	the administrative agency, etc. making the original administrative determination
	a review officer	a review officer or the re-examining agency that is a committee, etc.
Article 29, paragraph (1)	When having been nominated by the reviewing agency, a review officer	When having been nominated by the reviewing agency, a review officer

	<p>send a copy of the written request for review or written statement concerning the request for review to the administrative agency, etc. reaching the disposition; provided, however, that this does not apply if the administrative agency, etc. reaching the disposition is the reviewing agency.</p>	<p>send a copy of the written request for re-examination or written statement concerning the request for re-examination, or when a request for re-examination has been filed, the re-examining agency that is a committee, etc. must promptly send a copy of the written request for re-examination or written statement concerning the request for re-examination to the administrative agency, etc. making the original administrative determination, excluding the cases in which the request for re-examination is dismissed pursuant to the provisions of Article 24 as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms.</p>
The heading of Article 30	Written Counterarguments	Written Opinions
Article 30, paragraph (2)	a review officer	a review officer or the re-examining agency that is a committee, etc.
Article 30, paragraph (3)	When a written counterargument has been submitted by a requestor for review, a review officer must send it to the intervenors and the administrative agency, etc. reaching the disposition,	When a written opinion has been submitted by an intervenor, a review officer or the re-examining agency that is a committee, etc.
	and when a written opinion has been submitted by an intervenor, a review officer must send it to the relevant requestor for review and the administrative agency, etc. reaching the disposition.	, must send it to the requestor for re-examination and the administrative agency, etc. making the original administrative determination.

Article 31, paragraphs (1) through (4)	a review officer	a review officer or the re-examining agency that is a committee, etc.
Article 31, paragraph (5)	the review officer	the review officer or the re-examining agency that is a committee, etc.
	the administrative agency, etc. reaching the disposition	the administrative agency, etc. making the original administrative determination
Article 32, paragraph (2)	The administrative agency, etc. reaching the disposition may submit documents or other objects proving the facts constituting the grounds for the disposition.	The administrative agency, etc. making the original administrative determination may submit documents or other objects proving the facts constituting the grounds for the original administration determination, etc.
Article 32, paragraph (3), and Article 33 through Article 37	a review officer	a review officer or the re-examining agency that is a committee, etc.
Article 38, paragraph (1)	a review officer	a review officer or the re-examining agency that is a committee, etc.
	the documents stated in the items of Article 29, paragraph (4), or the documents or other objects submitted pursuant to the provisions of Article 32, paragraph (1) or (2), or Article 33;	the documents or other objects submitted pursuant to the provisions of Article 32, paragraph(1) or (2) as applied mutatis mutandis pursuant to Article 66, paragraph (1), or the provisions of Article 33;
Article 38, paragraph (2), paragraph (3), and paragraph (5), Article 39, and Article 41, paragraph (1)	a review officer	a review officer or the re-examining agency that is a committee, etc.
Article 41, paragraph (2)	a review officer	a review officer or the re-examining agency that is a committee, etc.
	sub-items (a) through (e)	sub-items (c) through (e)
Article 41, paragraph (3)	a review officer	a review officer or the re-examining agency that is a committee, etc.

	prescribed in paragraph (1) of the following Article	.prescribed in paragraph (1) of the following Article as applied mutatis mutandis pursuant to Article 66, paragraph (1)
	the written request for review, written explanation	the written request for re-examination, written administrative determination for the original administrative determination
	paragraph (2) of the following Article and Article 43, paragraph (2)	paragraph (2) of the following Article as applied mutatis mutandis pursuant to Article 66, paragraph (1)
	to the reviewing agency	to the reviewing agency, and the re-examining agency that is a committee is to promptly notify the persons concerned with proceedings of the fact that the procedures for proceedings have been concluded
	the scheduled time of submission	the review officer has changed the scheduled time of submission
Article 44	When the reviewing agency has received a response to the consultation from the Administrative Complaint Review Board, etc. (if the consultation under the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of that paragraph), when the review officer's written opinion has been submitted, and if the case falls under item (ii) or (iii) of that paragraph, when the case has gone through the deliberations prescribed in item (ii) or (iii) of that paragraph)	When the review officer's written opinion has been submitted (for the re-examining agency that is a committee, etc., when the procedures for proceedings have been concluded)

Article 50, paragraph (1), item (iv)	when the text of item (i) differs from the content of the review officer's written opinion or the written response from the Administrative Complaint Review Board, etc. or the council, etc.,	if the re-examining agency is an administrative agency other than the re-examining agency that is a committee, etc., and the text of item (i) differs from the content of the review officer's written opinion
Article 50, paragraph (2)	When consultation with the Administrative Complaint Review Board, etc. pursuant to the provisions of Article 43, paragraph (1) is not necessary,	When the re-examining agency is an administrative agency other than the re-examining agency that is a committee, etc.
Article 51, paragraph (1)	the disposition	the original administrative determination, etc.
	Article 46, paragraph (1) and Article 47	Article 65
Article 51, paragraph (4)	the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency).	the intervenors, the administrative agency reaching the disposition, and the administrative agency making the original administrative determination (limited to the administrative agency making the original administrative determination other than the administrative agency reaching the disposition)
Article 52, paragraph (2)	an application	an application or a request for review
	a disposition to dismiss or reject	the original administrative determination, etc. to reject
	the administrative agency reaching the disposition	the administrative agency, etc. making the original administrative determination
	a disposition for the application	a disposition for the application or an administrative determination for the request for review
Article 52, paragraph (3)	a/the disposition	the original administrative determination, etc.

	the administrative agency reaching the disposition	the administrative agency making the original administrative determination, etc.
Article 52, paragraph (4)	the subject parties of subject to the disposition	the subject parties of subject to the original administrative determination, etc.
	a/the relevant disposition, the disposition	the original administrative determination, etc.
	the administrative agency reaching the disposition	the administrative agency, etc. making the original administrative determination