

# 行政不服審査法 Administrative Complaint Review Act

(平成二十六年六月十三日法律第六十八号)  
(Act No. 68 of June 13, 2014)

行政不服審査法（昭和三十七年法律第百六十号）の全部を改正する。

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

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第一章 総則

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(Purpose)

第一条 この法律は、行政庁の違法又は不当な処分その他公権力の行使に当たる行為に関し、国民が簡易迅速かつ公正な手続の下で広く行政庁に対する不服申立てをすることができるための制度を定めることにより、国民の権利利益の救済を図るとともに、行政の適正な運営を確保することを目的とする。

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 行政庁の処分その他公権力の行使に当たる行為（以下単に「処分」という。）に関する不服申立てについては、他の法律に特別の定めがある場合を除くほか、この法律の定めるところによる。

(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.

(処分についての審査請求)

(Requests for Review of Dispositions)

第二条 行政庁の処分に不服がある者は、第四条及び第五条第二項の定めるところにより、審査請求をすることができる。

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).

(不作為についての審査請求)

**(Requests for Review of Inaction)**

第三条 法令に基づき行政庁に対して処分についての申請をした者は、当該申請から相当の期間が経過したにもかかわらず、行政庁の不作為（法令に基づく申請に対して何らの処分をもしないことをいう。以下同じ。）がある場合には、次条の定めるところにより、当該不作為についての審査請求をすることができる。

**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.

(審査請求をすべき行政庁)

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

第四条 審査請求は、法律（条例に基づく処分については、条例）に特別の定めがある場合を除くほか、次の各号に掲げる場合の区分に応じ、当該各号に定める行政庁に対してするものとする。

**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):

一 処分庁等（処分をした行政庁（以下「処分庁」という。）又は不作為に係る行政庁（以下「不作為庁」という。）をいう。以下同じ。）に上級行政庁がない場合又は処分庁等が主任の大臣若しくは宮内庁長官若しくは内閣府設置法（平成十一年法律第八十九号）第四十九条第一項若しくは第二項若しくは国家行政組織法（昭和二十三年法律第二百十号）第三条第二項に規定する庁の長である場合 当該処分庁等

(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;

二 宮内庁長官又は内閣府設置法第四十九条第一項若しくは第二項若しくは国家行政組織法第三条第二項に規定する庁の長が処分庁等の上級行政庁である場合 宮内庁

長官又は当該庁の長

(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;

三 主任の大臣が処分庁等の上級行政庁である場合（前二号に掲げる場合を除く。）  
当該主任の大臣

(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

四 前三号に掲げる場合以外の場合 当該処分庁等の最上級行政庁

(iv) cases other than those stated in the preceding three items: the highest administrative agency of the administrative agency, etc. reaching the disposition.

（再調査の請求）

(Requests for Re-Investigation)

第五条 行政庁の処分につき処分庁以外の行政庁に対して審査請求をすることができる場合において、法律に再調査の請求をすることができる旨の定めがあるときは、当該処分に不服がある者は、処分庁に対して再調査の請求をすることができる。ただし、当該処分について第二条の規定により審査請求をしたときは、この限りでない。

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 前項本文の規定により再調査の請求をしたときは、当該再調査の請求についての決定を経た後でなければ、審査請求をすることができない。ただし、次の各号のいずれかに該当する場合は、この限りでない。

(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:

一 当該処分につき再調査の請求をした日（第六十一条において読み替えて準用する第二十三条の規定により不備を補正すべきことを命じられた場合にあっては、当該不備を補正した日）の翌日から起算して三月を経過しても、処分庁が当該再調査の

請求につき決定をしない場合

(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);

二 その他再調査の請求についての決定を経ないことにつき正当な理由がある場合

(ii) when there are other legitimate grounds for not going through a decision on a request for a re-investigation.

(再審査請求)

(Requests for Re-Examination)

第六条 行政庁の処分につき法律に再審査請求をすることができる旨の定めがある場合には、当該処分についての審査請求の裁決に不服がある者は、再審査請求をすることができる。

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 再審査請求は、原裁決（再審査請求をすることができる処分についての審査請求の裁決をいう。以下同じ。）又は当該処分（以下「原裁決等」という。）を対象として、前項の法律に定める行政庁に対してするものとする。

(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.

(適用除外)

(Exclusion from Application)

第七条 次に掲げる処分及びその不作為については、第二条及び第三条の規定は、適用しない。

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

一 国会の両院若しくは一院又は議会の議決によってされる処分

(i) a disposition rendered through a resolution of both Houses or one House of the Diet, or resolution by a local council;

二 裁判所若しくは裁判官の裁判により、又は裁判の執行としてされる処分

- (ii) a disposition rendered by the judgment of a court or a judge, or rendered as enforcement of judicial decisions;
- 三 国会の両院若しくは一院若しくは議会の議決を経て、又はこれらの同意若しくは承認を得た上でされるべきものとされている処分
- (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;
- 四 検査官会議で決すべきものとされている処分
- (iv) a disposition that is required to be decided by the Audit Commission;
- 五 当事者間の法律関係を確認し、又は形成する処分で、法令の規定により当該処分に関する訴えにおいてその法律関係の当事者の一方を被告とすべきものと定められているもの
- (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;
- 六 刑事事件に関する法令に基づいて検察官、検察事務官又は司法警察職員がする処分
- (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;
- 七 国税又は地方税の犯則事件に関する法令（他の法令において準用する場合を含む。）に基づいて国税庁長官、国税局長、税務署長、国税庁、国税局若しくは税務署の当該職員、税関長、税関職員又は徴税吏員（他の法令の規定に基づいてこれらの職員の職務を行う者を含む。）がする処分及び金融商品取引の犯則事件に関する法令（他の法令において準用する場合を含む。）に基づいて証券取引等監視委員会、その職員（当該法令においてその職員とみなされる者を含む。）、財務局長又は財務支局長がする処分
- (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);

八 学校、講習所、訓練所又は研修所において、教育、講習、訓練又は研修の目的を達成するために、学生、生徒、児童若しくは幼児若しくはこれらの保護者、講習生、訓練生又は研修生に対してされる処分

(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;

九 刑務所、少年刑務所、拘置所、留置施設、海上保安留置施設、少年院又は少年鑑別所において、収容の目的を達成するためにされる処分

(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;

十 外国人の出入国又は帰化に関する処分

(x) a disposition concerning emigration and immigration or naturalization of foreign nationals;

十一 専ら人の学識技能に関する試験又は検定の結果についての処分

(xi) a disposition concerning results of examinations or certification examinations on a person's academic knowledge and skills; and

十二 この法律に基づく処分（第五章第一節第一款の規定に基づく処分を除く。）

(xii) a disposition based on this Act (excluding a disposition based on the provisions of Chapter V, Section 1, Subsection 1).

2 国の機関又は地方公共団体その他の公共団体若しくはその機関に対する処分で、これらの機関又は団体がその固有の資格において当該処分の相手方となるもの及びその不作為については、この法律の規定は、適用しない。

(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.

(特別の不服申立ての制度)

(Systems for Filing Special Complaints)

第八条 前条の規定は、同条の規定により審査請求をすることができない処分又は不作為につき、別に法令で当該処分又は不作為の性質に応じた不服申立ての制度を設けることを妨げない。

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.

## 第二章 審査請求

### Chapter II Requests for Review

#### 第一節 審査庁及び審理関係人

#### Section 1 Reviewing Agencies and Persons Concerned with Proceedings

(審理員)

(Review Officers)

第九条 第四条又は他の法律若しくは条例の規定により審査請求がされた行政庁（第十四条の規定により引継ぎを受けた行政庁を含む。以下「審査庁」という。）は、審査庁に所属する職員（第十七条に規定する名簿を作成した場合には、当該名簿に記載されている者）のうちから第三節に規定する審理手続（この節に規定する手続を含む。）を行う者を指名するとともに、その旨を審査請求人及び処分庁等（審査庁以外の処分庁等に限る。）に通知しなければならない。ただし、次の各号のいずれかに掲げる機関が審査庁である場合若しくは条例に基づく処分について条例に特別の定めがある場合又は第二十四条の規定により当該審査請求を却下する場合は、この限りでない。

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:

一 内閣府設置法第四十九条第一項若しくは第二項又は国家行政組織法第三条第二項に規定する委員会

(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;

二 内閣府設置法第三十七条若しくは第五十四条又は国家行政組織法第八条に規定する機関

(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;  
三 地方自治法（昭和二十二年法律第六十七号）第三百三十八条の四第一項に規定する委員会若しくは委員又は同条第三項に規定する機関

(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 審査庁が前項の規定により指名する者は、次に掲げる者以外の者でなければならない。

(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:

一 審査請求に係る処分若しくは当該処分に係る再調査の請求についての決定に関与した者又は審査請求に係る不作為に係る処分に関与し、若しくは関与することとなる者

(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;

二 審査請求人

(ii) a requestor for review;

三 審査請求人の配偶者、四親等内の親族又は同居の親族

(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;

四 審査請求人の代理人

(iv) the agent of a requestor for review;

五 前二号に掲げる者であった者

(v) a person who was a person stated in any of the preceding two items;

六 審査請求人の後見人、後見監督人、保佐人、保佐監督人、補助人又は補助監督人

(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

七 第十三条第一項に規定する利害関係人

(vii) an interested person prescribed in Article 13, paragraph (1).

3 審査庁が第一項各号に掲げる機関である場合又は同項ただし書の特別の定めがある場合においては、別表第一の上欄に掲げる規定の適用については、これらの規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとし、第十七条、第四十条、第四十二条及び第五十条第二項の規定は、適用しない。

(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 前項に規定する場合において、審査庁は、必要があると認めるときは、その職員（第二項各号（第一項各号に掲げる機関の構成員にあつては、第一号を除く。）に掲げる者以外の者に限る。）に、前項において読み替えて適用する第三十一条第一項の規定による審査請求人若しくは第十三条第四項に規定する参加人の意見の陳述を聴かせ、前項において読み替えて適用する第三十四条の規定による参考人の陳述を聴かせ、同項において読み替えて適用する第三十五条第一項の規定による検証をさせ、前項において読み替えて適用する第三十六条の規定による第二十八条に規定する審理関係人に対する質問をさせ、又は同項において読み替えて適用する第三十七条第一項若しくは第二項の規定による意見の聴取を行わせることができる。

(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.

(法人でない社団又は財団の審査請求)

(Requests for Review by Unincorporated Associations or Foundations)

第十条 法人でない社団又は財団で代表者又は管理人の定めがあるものは、その名で審査請求をすることができる。

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.

(総代)

(Representative Members)

第十一条 多数人が共同して審査請求をしようとするときは、三人を超えない総代を互選することができる。

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 共同審査請求人が総代を互選しない場合において、必要があると認めるときは、第九条第一項の規定により指名された者（以下「審理員」という。）は、総代の互選を命ずることができる。

(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 総代は、各自、他の共同審査請求人のために、審査請求の取下げを除き、当該審査請求に関する一切の行為をすることができる。

(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 総代が選任されたときは、共同審査請求人は、総代を通じてのみ、前項の行為をすることができる。

(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 共同審査請求人に対する行政庁の通知その他の行為は、二人以上の総代が選任されている場合においても、一人の総代に対してすれば足りる。

(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 共同審査請求人は、必要があると認める場合には、総代を解任することができる。

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

（代理人による審査請求）

(Requests for Review by Agents)

第十二条 審査請求は、代理人によってすることができる。

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

2 前項の代理人は、各自、審査請求人のために、当該審査請求に関する一切の行為をすることができる。ただし、審査請求の取下げは、特別の委任を受けた場合に限り、することができる。

(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.

(参加人)

(Intervenors)

第十三条 利害関係人（審査請求人以外の者であつて審査請求に係る処分又は不作為に係る処分の根拠となる法令に照らし当該処分につき利害関係を有するものと認められる者をいう。以下同じ。）は、審理員の許可を得て、当該審査請求に参加することができる。

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 審理員は、必要があると認める場合には、利害関係人に対し、当該審査請求に参加することを求めることができる。

(2) A review officer may request interested persons to participate in the request for review when it is found necessary.

3 審査請求への参加は、代理人によってすることができる。

(3) The participation in the request for review may be entrusted to an agent.

4 前項の代理人は、各自、第一項又は第二項の規定により当該審査請求に参加する者（以下「参加人」という。）のために、当該審査請求への参加に関する一切の行為をすることができる。ただし、審査請求への参加の取下げは、特別の委任を受けた場合に限り、することができる。

(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.

(行政庁が裁決をする権限を有しなくなった場合の措置)

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

第十四条 行政庁が審査請求がされた後法令の改廃により当該審査請求につき裁決をする権限を有しなくなったときは、当該行政庁は、第十九条に規定する審査請求書又は第二十一条第二項に規定する審査請求録取書及び関係書類その他の物件を新たに当該審査請求につき裁決をする権限を有することとなった行政庁に引き継がなければならない。この場合において、その引継ぎを受けた行政庁は、速やかに、その旨を審査請求人及び参加人に通知しなければならない。

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.

(審理手続の承継)

(Succession of Procedures for Proceedings)

第十五条 審査請求人が死亡したときは、相続人その他法令により審査請求の目的である処分に係る権利を承継した者は、審査請求人の地位を承継する。

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 審査請求人について合併又は分割（審査請求の目的である処分に係る権利を承継させるものに限る。）があったときは、合併後存続する法人その他の社団若しくは財団若しくは合併により設立された法人その他の社団若しくは財団又は分割により当該権利を承継した法人は、審査請求人の地位を承継する。

(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 前二項の場合には、審査請求人の地位を承継した相続人その他の者又は法人その他の社団若しくは財団は、書面でその旨を審査庁に届け出なければならない。この場合には、届出書には、死亡若しくは分割による権利の承継又は合併の事実を証する書面を添付しなければならない。

(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 第一項又は第二項の場合において、前項の規定による届出がされるまでの間において、死亡者又は合併前の法人その他の社団若しくは財団若しくは分割をした法人に宛

ててされた通知が審査請求人の地位を承継した相続人その他の者又は合併後の法人その他の社団若しくは財団若しくは分割により審査請求人の地位を承継した法人に到達したときは、当該通知は、これらの者に対する通知としての効力を有する。

(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 第一項の場合において、審査請求人の地位を承継した相続人その他の者が二人以上あるときは、その一人に対する通知その他の行為は、全員に対してされたものとみなす。

(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 審査請求の目的である処分に係る権利を譲り受けた者は、審査庁の許可を得て、審査請求人の地位を承継することができる。

(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.

(標準審理期間)

(Standard Period for Proceedings)

第十六条 第四条又は他の法律若しくは条例の規定により審査庁となるべき行政庁（以下「審査庁となるべき行政庁」という。）は、審査請求がその事務所に到達してから当該審査請求に対する裁決をするまでに通常要すべき標準的な期間を定めるよう努めるとともに、これを定めたときは、当該審査庁となるべき行政庁及び関係処分庁（当該審査請求の対象となるべき処分の権限を有する行政庁であって当該審査庁となるべき行政庁以外のものをいう。次条において同じ。）の事務所における備付けその他の適当な方法により公にしておかなければならない。

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.

(審理員となるべき者の名簿)

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

第十七条 審査庁となるべき行政庁は、審理員となるべき者の名簿を作成するよう努めるとともに、これを作成したときは、当該審査庁となるべき行政庁及び関係処分庁の事務所における備付けその他の適当な方法により公にしておかなければならない。

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.

## 第二節 審査請求の手續

### Section 2 Procedures for Filing Requests for Review

(審査請求期間)

(Period for Filing Requests for Review)

第十八条 処分についての審査請求は、処分があったことを知った日の翌日から起算して三月（当該処分について再調査の請求をしたときは、当該再調査の請求についての決定があったことを知った日の翌日から起算して一月）を経過したときは、することができない。ただし、正当な理由があるときは、この限りでない。

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 処分についての審査請求は、処分（当該処分について再調査の請求をしたときは、当該再調査の請求についての決定）があった日の翌日から起算して一年を経過したときは、することができない。ただし、正当な理由があるときは、この限りでない。

(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 次条に規定する審査請求書を郵便又は民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者による同条第二項に規定する信書便で提出した場合における前二項に規定する期間（以下「審査請求期間」という。）の計算については、送付に要した日数は、算入しない。

(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).

（審査請求書の提出）

(Submission of Written Requests for Review)

第十九条 審査請求は、他の法律（条例に基づく処分については、条例）に口頭であることができる旨の定めがある場合を除き、政令で定めるところにより、審査請求書を提出してしなければならない。

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 処分についての審査請求書には、次に掲げる事項を記載しなければならない。

(2) A written request for review of a disposition must state the following matters:

一 審査請求人の氏名又は名称及び住所又は居所

(i) the name and domicile or residence of the requestor for review;

二 審査請求に係る処分の内容

(ii) the content of the disposition related to the request for review;

三 審査請求に係る処分（当該処分について再調査の請求についての決定を経たときは、当該決定）があったことを知った年月日

(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);

四 審査請求の趣旨及び理由

(iv) the purpose and reasons for filing the request for review;

五 処分庁の教示の有無及びその内容

(v) whether any instruction has been given by the administrative agency

- reaching the disposition and the content of the instruction; and
- 六 審査請求の年月日
- (vi) the date of filing the request for review.
- 3 不作為についての審査請求書には、次に掲げる事項を記載しなければならない。
- (3) A written request for review of inaction must state the following matters:
- 一 審査請求人の氏名又は名称及び住所又は居所
- (i) the name and domicile or residence of the requestor for review;
- 二 当該不作為に係る処分についての申請の内容及び年月日
- (ii) the content of the application for the disposition of the inaction and the date of filing the application; and
- 三 審査請求の年月日
- (iii) the date of filing the request for review.
- 4 審査請求人が、法人その他の社団若しくは財団である場合、総代を互選した場合又は代理人によって審査請求をする場合には、審査請求書には、第二項各号又は前項各号に掲げる事項のほか、その代表者若しくは管理人、総代又は代理人の氏名及び住所又は居所を記載しなければならない。
- (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 処分についての審査請求書には、第二項及び前項に規定する事項のほか、次の各号に掲げる場合においては、当該各号に定める事項を記載しなければならない。
- (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:
- 一 第五条第二項第一号の規定により再調査の請求についての決定を経ないで審査請求をする場合 再調査の請求をした年月日
- (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;
- 二 第五条第二項第二号の規定により再調査の請求についての決定を経ないで審査請求をする場合 その決定を経ないことについての正当な理由
- (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
- 三 審査請求期間の経過後において審査請求をする場合 前条第一項ただし書又は第二項ただし書に規定する正当な理由
- (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.

(口頭による審査請求)

(Requests for Review Orally Filed)

第二十条 口頭で審査請求をする場合には、前条第二項から第五項までに規定する事項を陳述しなければならない。この場合において、陳述を受けた行政庁は、その陳述の内容を録取し、これを陳述人に読み聞かせて誤りのないことを確認しなければならない。

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.

(処分庁等を経由する審査請求)

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

第二十一条 審査請求をすべき行政庁が処分庁等と異なる場合における審査請求は、処分庁等を経由してすることができる。この場合において、審査請求人は、処分庁等に審査請求書を提出し、又は処分庁等に対し第十九条第二項から第五項までに規定する事項を陳述するものとする。

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 前項の場合には、処分庁等は、直ちに、審査請求書又は審査請求録取書（前条後段の規定により陳述の内容を録取した書面をいう。第二十九条第一項及び第五十五条において同じ。）を審査庁となるべき行政庁に送付しなければならない。

(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 第一項の場合における審査請求期間の計算については、処分庁に審査請求書を提出し、又は処分庁に対し当該事項を陳述した時に、処分についての審査請求があったも

のとみなす。

- (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.

(誤った教示をした場合の救済)

(Relief When an Erroneous Instruction Has Been Given)

第二十二条 審査請求をすることができる処分につき、処分庁が誤って審査請求をすべき行政庁でない行政庁を審査請求をすべき行政庁として教示した場合において、その教示された行政庁に書面で審査請求がされたときは、当該行政庁は、速やかに、審査請求書を処分庁又は審査庁となるべき行政庁に送付し、かつ、その旨を審査請求人に通知しなければならない。

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 前項の規定により処分庁に審査請求書が送付されたときは、処分庁は、速やかに、これを審査庁となるべき行政庁に送付し、かつ、その旨を審査請求人に通知しなければならない。

(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 第一項の処分のうち、再調査の請求をすることができない処分につき、処分庁が誤って再調査の請求をすることができる旨を教示した場合において、当該処分庁に再調査の請求がされたときは、処分庁は、速やかに、再調査の請求書（第六十一条において読み替えて準用する第十九条に規定する再調査の請求書をいう。以下この条において同じ。）又は再調査の請求録取書（第六十一条において準用する第二十条後段の規定により陳述の内容を録取した書面をいう。以下この条において同じ。）を審査庁となるべき行政庁に送付し、かつ、その旨を再調査の請求人に通知しなければならない。

(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 再調査の請求をすることができる処分につき、処分庁が誤って審査請求をすることができる旨を教示しなかった場合において、当該処分庁に再調査の請求がされた場合であって、再調査の請求人から申立てがあったときは、処分庁は、速やかに、再調査の請求書又は再調査の請求録取書及び関係書類その他の物件を審査庁となるべき行政庁に送付しなければならない。この場合において、その送付を受けた行政庁は、速やかに、その旨を再調査の請求人及び第六十一条において読み替えて準用する第十三条第一項又は第二項の規定により当該再調査の請求に参加する者に通知しなければならない。

(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 前各項の規定により審査請求書又は再調査の請求書若しくは再調査の請求録取書が審査庁となるべき行政庁に送付されたときは、初めから審査庁となるべき行政庁に審査請求がされたものとみなす。

(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.

(審査請求書の補正)

(Correction of Written Requests for Review)

第二十三条 審査請求書が第十九条の規定に違反する場合には、審査庁は、相当の期間を定め、その期間内に不備を補正すべきことを命じなければならない。

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.

(審理手続を経ないでする却下裁決)

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

第二十四条 前条の場合において、審査請求人が同条の期間内に不備を補正しないときは、審査庁は、次節に規定する審理手続を経ないで、第四十五条第一項又は第四十九条第一項の規定に基づき、裁決で、当該審査請求を却下することができる。

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 審査請求が不適法であって補正することができないことが明らかなきも、前項と同様とする。

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

(執行停止)

(Stay of Enforcement)

第二十五条 審査請求は、処分の効力、処分の執行又は手続の続行を妨げない。

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 処分庁の上級行政庁又は処分庁である審査庁は、必要があると認める場合には、審査請求人の申立てにより又は職権で、処分の効力、処分の執行又は手続の続行の全部又は一部の停止その他の措置（以下「執行停止」という。）をとることができる。

(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 処分庁の上級行政庁又は処分庁のいずれでもない審査庁は、必要があると認める場合には、審査請求人の申立てにより、処分庁の意見を聴取した上、執行停止をすることができる。ただし、処分の効力、処分の執行又は手続の続行の全部又は一部の停止以外の措置をとることはできない。

(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 前二項の規定による審査請求人の申立てがあった場合において、処分、処分の執行又は手続の続行により生ずる重大な損害を避けるために緊急の必要があると認めるときは、審査庁は、執行停止をしなければならない。ただし、公共の福祉に重大な影響を及ぼすおそれがあるとき、又は本案について理由がないとみえるときは、この限りでない。

(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 審査庁は、前項に規定する重大な損害を生ずるか否かを判断するに当たっては、損害の回復の困難の程度を考慮するものとし、損害の性質及び程度並びに処分内容及び性質をも勘案するものとする。

(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 第二項から第四項までの場合において、処分の効力の停止は、処分の効力の停止以外の措置によって目的を達することができるときは、することができない。

(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 執行停止の申立てがあったとき、又は審理員から第四十条に規定する執行停止をすべき旨の意見書が提出されたときは、審査庁は、速やかに、執行停止をするかどうかを決定しなければならない。

(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.

(執行停止の取消し)

**(Revocation of Stay of Enforcement)**

第二十六条 執行停止をした後において、執行停止が公共の福祉に重大な影響を及ぼすことが明らかとなったとき、その他事情が変更したときは、審査庁は、その執行停止を取り消すことができる。

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.

(審査請求の取下げ)

**(Withdrawal of Requests for Review)**

第二十七条 審査請求人は、裁決があるまでは、いつでも審査請求を取り下げることができる。

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

2 審査請求の取下げは、書面で行わなければならない。

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

**第三節 審理手続**

**Section 3 Procedures for Proceedings**

(審理手続の計画的進行)

**(Well-Planned Progress of Procedures for Proceedings)**

第二十八条 審査請求人、参加人及び処分庁等（以下「審理関係人」という。）並びに審理員は、簡易迅速かつ公正な審理の実現のため、審理において、相互に協力するとともに、審理手続の計画的な進行を図らなければならない。

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.

(弁明書の提出)

**(Submission of Written Explanations)**

第二十九条 審理員は、審査庁から指名されたときは、直ちに、審査請求書又は審査請

求録取書の写しを処分庁等に送付しなければならない。ただし、処分庁等が審査庁である場合には、この限りでない。

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 審理員は、相当の期間を定めて、処分庁等に対し、弁明書の提出を求めるものとする。

(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 処分庁等は、前項の弁明書に、次の各号の区分に応じ、当該各号に定める事項を記載しなければならない。

(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:

一 処分についての審査請求に対する弁明書 処分の内容及び理由

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

二 不作為についての審査請求に対する弁明書 処分をしていない理由並びに予定される処分の時期、内容及び理由

(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 処分庁が次に掲げる書面を保有する場合には、前項第一号に掲げる弁明書にこれを添付するものとする。

(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:

一 行政手続法（平成五年法律第八十八号）第二十四条第一項の調書及び同条第三項の報告書

(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

二 行政手続法第二十九条第一項に規定する弁明書

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

5 審理員は、処分庁等から弁明書の提出があったときは、これを審査請求人及び参加

人に送付しなければならない。

- (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.

(反論書等の提出)

(Submission of Written Counterarguments)

第三十条 審査請求人は、前条第五項の規定により送付された弁明書に記載された事項に対する反論を記載した書面（以下「反論書」という。）を提出することができる。この場合において、審理員が、反論書を提出すべき相当の期間を定めたときは、その期間内にこれを提出しなければならない。

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 参加人は、審査請求に係る事件に関する意見を記載した書面（第四十条及び第四十二条第一項を除き、以下「意見書」という。）を提出することができる。この場合において、審理員が、意見書を提出すべき相当の期間を定めたときは、その期間内にこれを提出しなければならない。

(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 審理員は、審査請求人から反論書の提出があったときはこれを参加人及び処分庁等に、参加人から意見書の提出があったときはこれを審査請求人及び処分庁等に、それぞれ送付しなければならない。

(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.

(口頭意見陳述)

(Oral Opinion Statements)

第三十一条 審査請求人又は参加人の申立てがあった場合には、審理員は、当該申立てをした者（以下この条及び第四十一条第二項第二号において「申立人」という。）に

口頭で審査請求に係る事件に関する意見を述べる機会を与えなければならない。ただし、当該申立人の所在その他の事情により当該意見を述べる機会を与えることが困難であると認められる場合には、この限りでない。

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 前項本文の規定による意見の陳述（以下「口頭意見陳述」という。）は、審理員が期日及び場所を指定し、全ての審理関係人を招集してさせるものとする。

(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 口頭意見陳述において、申立人は、審理員の許可を得て、補佐人とともに出頭することができる。

(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 口頭意見陳述において、審理員は、申立人のする陳述が事件に関係のない事項にわたる場合その他相当でない場合には、これを制限することができる。

(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 口頭意見陳述に際し、申立人は、審理員の許可を得て、審査請求に係る事件に関し、処分庁等に対して、質問を発することができる。

(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.

（証拠書類等の提出）

(Submission of Evidence Documents)

第三十二条 審査請求人又は参加人は、証拠書類又は証拠物を提出することができる。

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

2 処分庁等は、当該処分の理由となる事実を証する書類その他の物件を提出することができる。

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

disposition.

3 前二項の場合において、審理員が、証拠書類若しくは証拠物又は書類その他の物件を提出すべき相当の期間を定めたときは、その期間内にこれを提出しなければならない。

(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.

(物件の提出要求)

(Request for Submission of Objects)

第三十三条 審理員は、審査請求人若しくは参加人の申立てにより又は職権で、書類その他の物件の所持人に対し、相当の期間を定めて、その物件の提出を求めることができる。この場合において、審理員は、その提出された物件を留め置くことができる。

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.

(参考人の陳述及び鑑定の要求)

(Request for Statements by Witnesses and Expert Examinations)

第三十四条 審理員は、審査請求人若しくは参加人の申立てにより又は職権で、適当と認める者に、参考人としてその知っている事実の陳述を求め、又は鑑定を求めることができる。

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.

(検証)

(Verifications)

第三十五条 審理員は、審査請求人若しくは参加人の申立てにより又は職権で、必要な場所につき、検証をすることができる。

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 審理員は、審査請求人又は参加人の申立てにより前項の検証をしようとするときは、あらかじめ、その日時及び場所を当該申立てをした者に通知し、これに立ち会う機会を与えなければならない。

(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.

(審理関係人への質問)

(Questions to Persons Concerned with Proceedings)

第三十六条 審理員は、審査請求人若しくは参加人の申立てにより又は職権で、審査請求に係る事件に関し、審理関係人に質問することができる。

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.

(審理手続の計画的遂行)

(Planned Performance of Procedures for Proceedings)

第三十七条 審理員は、審査請求に係る事件について、審理すべき事項が多数であり又は錯綜しているなど事件が複雑であることその他の事情により、迅速かつ公正な審理を行うため、第三十一条から前条までに定める審理手続を計画的に遂行する必要があると認める場合には、期日及び場所を指定して、審理関係人を招集し、あらかじめ、これらの審理手続の申立てに関する意見の聴取を行うことができる。

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 審理員は、審理関係人が遠隔の地に居住している場合その他相当と認める場合には、政令で定めるところにより、審理員及び審理関係人が音声の送受信により通話を行うことができる方法によって、前項に規定する意見の聴取を行うことができる。

(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 審理員は、前二項の規定による意見の聴取を行ったときは、遅滞なく、第三十一条から前条までに定める審理手続の期日及び場所並びに第四十一条第一項の規定による審理手続の終結の予定時期を決定し、これらを審理関係人に通知するものとする。当該予定時期を変更したときも、同様とする。

(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.

(審査請求人等による提出書類等の閲覧等)

(Inspection of Submitted Documents by Requestors for Review)

第三十八条 審査請求人又は参加人は、第四十一条第一項又は第二項の規定により審理手続が終結するまでの間、審理員に対し、提出書類等（第二十九条第四項各号に掲げる書面又は第三十二条第一項若しくは第二項若しくは第三十三条の規定により提出された書類その他の物件をいう。次項において同じ。）の閲覧（電磁的記録（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。以下同じ。）にあつては、記録された事項を審査庁が定める方法により表示したものの閲覧）又は当該書面若しくは当該書類の写し若しくは当該電磁的記録に記録された事項を記載した書面の交付を求めることができる。この場合において、審理員は、第三者の利益を害するおそれがあると認めるとき、その他正当な理由があるときでなければ、その閲覧又は交付を拒むことができない。

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 審理員は、前項の規定による閲覧をさせ、又は同項の規定による交付をしようとするときは、当該閲覧又は交付に係る提出書類等の提出人の意見を聴かなければならない。ただし、審理員が、その必要がないと認めるときは、この限りでない。

(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 審理員は、第一項の規定による閲覧について、日時及び場所を指定することができる。

(3) The review officer may specify the date and the place for the inspection under the provisions of paragraph (1).

4 第一項の規定による交付を受ける審査請求人又は参加人は、政令で定めるところにより、実費の範囲内において政令で定める額の手数料を納めなければならない。

(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 審理員は、経済的困難その他特別の理由があると認めるときは、政令で定めるところにより、前項の手数料を減額し、又は免除することができる。

(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 地方公共団体（都道府県、市町村及び特別区並びに地方公共団体の組合に限る。以下同じ。）に所属する行政庁が審査庁である場合における前二項の規定の適用については、これらの規定中「政令」とあるのは、「条例」とし、国又は地方公共団体に所属しない行政庁が審査庁である場合におけるこれらの規定の適用については、これらの規定中「政令で」とあるのは、「審査庁が」とする。

(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".

（審理手続の併合又は分離）

(Consolidation or Separation of Procedures for Proceedings)

第三十九条 審理員は、必要があると認める場合には、数個の審査請求に係る審理手続を併合し、又は併合された数個の審査請求に係る審理手続を分離することができる。

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.

(審理員による執行停止の意見書の提出)

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

第四十条 審理員は、必要があると認める場合には、審査庁に対し、執行停止をすべき旨の意見書を提出することができる。

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.

(審理手続の終結)

(Conclusion of Procedures for Proceedings)

第四十一条 審理員は、必要な審理を終えたと認めるときは、審理手続を終結するものとする。

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 前項に定めるもののほか、審理員は、次の各号のいずれかに該当するときは、審理手続を終結することができる。

(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:

一 次のイからホまでに掲げる規定の相当の期間内に、当該イからホまでに定める物件が提出されない場合において、更に一定の期間を示して、当該物件の提出を求めたにもかかわらず、当該提出期間内に当該物件が提出されなかったとき。

(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:

イ 第二十九条第二項 弁明書

(a) the provisions of Article 29, paragraph (2): a written explanation;

ロ 第三十条第一項後段 反論書

(b) the provisions of the second sentence of Article 30, paragraph (1): a written counterargument;

ハ 第三十条第二項後段 意見書

(c) the provisions of the second sentence of Article 30, paragraph (2): a written opinion;

ニ 第三十二条第三項 証拠書類若しくは証拠物又は書類その他の物件

(d) the provisions of Article 32, paragraph (3): evidence documents or articles of evidence, or documents or other objects; or

ホ 第三十三条前段 書類その他の物件

(e) the provisions of the first sentence of Article 33: documents or other

objects;

二 申立人が、正当な理由なく、口頭意見陳述に出頭しないとき。

(ii) when a petitioner does not appear for an oral opinion statement without legitimate grounds.

3 審理員が前二項の規定により審理手続を終結したときは、速やかに、審理関係人に対し、審理手続を終結した旨並びに次条第一項に規定する審理員意見書及び事件記録（審査請求書、弁明書その他審査請求に係る事件に関する書類その他の物件のうち政令で定めるものをいう。同条第二項及び第四十三条第二項において同じ。）を審査庁に提出する予定時期を通知するものとする。当該予定時期を変更したときも、同様とする。

(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.

(審理員意見書)

(Review Officer's Written Opinions)

第四十二条 審理員は、審理手続を終結したときは、遅滞なく、審査庁がすべき裁決に関する意見書（以下「審理員意見書」という。）を作成しなければならない。

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 審理員は、審理員意見書を作成したときは、速やかに、これを事件記録とともに、審査庁に提出しなければならない。

(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.

#### 第四節 行政不服審査会等への諮問

#### Section 4 Consultation with Administrative Complaint Review Board, etc.

第四十三条 審査庁は、審理員意見書の提出を受けたときは、次の各号のいずれかに該当する場合を除き、審査庁が主任の大臣又は宮内庁長官若しくは内閣府設置法第四十

九条第一項若しくは第二項若しくは国家行政組織法第三条第二項に規定する庁の長である場合にあつては行政不服審査会に、審査庁が地方公共団体の長（地方公共団体の組合にあつては、長、管理者又は理事会）である場合にあつては第八十一条第一項又は第二項の機関に、それぞれ諮問しなければならない。

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:

一 審査請求に係る処分をしようとするときに他の法律又は政令（条例に基づく処分については、条例）に第九条第一項各号に掲げる機関若しくは地方公共団体の議会又はこれらの機関に類するものとして政令で定めるもの（以下「審議会等」という。）の議を経るべき旨又は経ることができる旨の定めがあり、かつ、当該議を経て当該処分がされた場合

(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;

二 裁決をしようとするときに他の法律又は政令（条例に基づく処分については、条例）に第九条第一項各号に掲げる機関若しくは地方公共団体の議会又はこれらの機関に類するものとして政令で定めるものの議を経るべき旨又は経ることができる旨の定めがあり、かつ、当該議を経て裁決をしようとする場合

(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;

三 第四十六条第三項又は第四十九条第四項の規定により審議会等の議を経て裁決をしようとする場合

(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);

四 審査請求人から、行政不服審査会又は第八十一条第一項若しくは第二項の機関（以下「行政不服審査会等」という。）への諮問を希望しない旨の申出がされている場合（参加人から、行政不服審査会等に諮問しないことについて反対する旨の申出がされている場合を除く。）

(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.);

五 審査請求が、行政不服審査会等によって、国民の権利利益及び行政の運営に対する影響の程度その他当該事件の性質を勘案して、諮問を要しないものと認められたものである場合

(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;

六 審査請求が不適法であり、却下する場合

(vi) when the request for review is unlawful and the reviewing agency intends to dismiss the request;

七 第四十六条第一項の規定により審査請求に係る処分（法令に基づく申請を却下し、又は棄却する処分及び事実上の行為を除く。）の全部を取り消し、又は第四十七条第一号若しくは第二号の規定により審査請求に係る事実上の行為の全部を撤廃すべき旨を命じ、若しくは撤廃することとする場合（当該処分の全部を取り消すこと又は当該事実上の行為の全部を撤廃すべき旨を命じ、若しくは撤廃することについて反対する旨の意見書が提出されている場合及び口頭意見陳述においてその旨の意見が述べられている場合を除く。）

(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

八 第四十六条第二項各号又は第四十九条第三項各号に定める措置（法令に基づく申

請の全部を認容すべき旨を命じ、又は認容するものに限る。) をとることとする場合 (当該申請の全部を認容することについて反対する旨の意見書が提出されている場合及び口頭意見陳述においてその旨の意見が述べられている場合を除く。)

(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 前項の規定による諮問は、審理員意見書及び事件記録の写しを添えてしなければならない。

(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 第一項の規定により諮問をした審査庁は、審理関係人 (処分庁等が審査庁である場合にあっては、審査請求人及び参加人) に対し、当該諮問をした旨を通知するとともに、審理員意見書の写し送付しなければならない。

(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.

## 第五節 裁決

### Section 5 Administrative Determinations

(裁決の時期)

(Timing of Administrative Determinations)

第四十四条 審査庁は、行政不服審査会等から諮問に対する答申を受けたとき (前条第一項の規定による諮問を要しない場合 (同項第二号又は第三号に該当する場合を除く。)) にあっては審理員意見書が提出されたとき、同項第二号又は第三号に該当する場合にあっては同項第二号又は第三号に規定する議を経たとき) は、遅滞なく、裁決をしなければならない。

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.

(処分についての審査請求の却下又は棄却)

(Dismissal or Rejection of Requests for Review of Dispositions)

第四十五条 処分についての審査請求が法定の期間経過後にされたものである場合その他不適法である場合には、審査庁は、裁決で、当該審査請求を却下する。

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 処分についての審査請求が理由がない場合には、審査庁は、裁決で、当該審査請求を棄却する。

(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 審査請求に係る処分が違法又は不当ではあるが、これを取り消し、又は撤廃することにより公の利益に著しい障害を生ずる場合において、審査請求人の受ける損害の程度、その損害の賠償又は防止の程度及び方法その他一切の事情を考慮した上、処分を取り消し、又は撤廃することが公共の福祉に適合しないと認めるときは、審査庁は、裁決で、当該審査請求を棄却することができる。この場合には、審査庁は、裁決の本文で、当該処分が違法又は不当であることを宣言しなければならない。

(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.

(処分についての審査請求の認容)

(Approval of Requests for Review of Dispositions)

第四十六条 処分（事実上の行為を除く。以下この条及び第四十八条において同じ。）についての審査請求が理由がある場合（前条第三項の規定の適用がある場合を除く。）には、審査庁は、裁決で、当該処分の全部若しくは一部を取り消し、又はこれを変更する。ただし、審査庁が処分庁の上級行政庁又は処分庁のいずれでもない場合には、当該処分を変更することはできない。

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 前項の規定により法令に基づく申請を却下し、又は棄却する処分全部又は一部を取り消す場合において、次の各号に掲げる審査庁は、当該申請に対して一定の処分をすべきものと認めるときは、当該各号に定める措置をとる。

(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:

一 処分庁の上級行政庁である審査庁 当該処分庁に対し、当該処分をすべき旨を命ずること。

(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

二 処分庁である審査庁 当該処分をすること。

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

3 前項に規定する一定の処分に関し、第四十三条第一項第一号に規定する議を経るべき旨の定めがある場合において、審査庁が前項各号に定める措置をとるために必要があると認めるときは、審査庁は、当該定めに係る審議会等の議を経ることができる。

(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 前項に規定する定めがある場合のほか、第二項に規定する一定の処分に関し、他の法令に係る行政機関との協議の実施その他の手続をとるべき旨の定めがある場合において、審査庁が同項各号に定める措置をとるために必要があると認めるときは、審査庁は、当該手続をとることができる。

(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.

第四十七条 事実上の行為についての審査請求が理由がある場合（第四十五条第三項の規定の適用がある場合を除く。）には、審査庁は、裁決で、当該事実上の行為が違法又は不当である旨を宣言するとともに、次の各号に掲げる審査庁の区分に応じ、当該各号に定める措置をとる。ただし、審査庁が処分庁の上級行政庁以外の審査庁である場合には、当該事実上の行為を変更すべき旨を命ずることはできない。

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:

一 処分庁以外の審査庁 当該処分庁に対し、当該事実上の行為の全部若しくは一部を撤廃し、又はこれを変更すべき旨を命ずること。

(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

二 処分庁である審査庁 当該事実上の行為の全部若しくは一部を撤廃し、又はこれを変更すること。

(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.

(不利益変更の禁止)

(Prohibition of Adverse Changes)

第四十八条 第四十六条第一項本文又は前条の場合において、審査庁は、審査請求人の不利益に当該処分を変更し、又は当該事実上の行為を変更すべき旨を命じ、若しくはこれを変更することはできない。

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.

(不作為についての審査請求の裁決)

(Administrative Determinations for Requests for Review Regarding Inaction)

第四十九条 不作為についての審査請求が当該不作為に係る処分についての申請から相当の期間が経過しないでされたものである場合その他不適法である場合には、審査庁は、裁決で、当該審査請求を却下する。

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 不作為についての審査請求が理由がない場合には、審査庁は、裁決で、当該審査請求を棄却する。

(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 不作為についての審査請求が理由がある場合には、審査庁は、裁決で、当該不作為が違法又は不当である旨を宣言する。この場合において、次の各号に掲げる審査庁は、当該申請に対して一定の処分をすべきものと認めるときは、当該各号に定める措置をとる。

(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:

一 不作為庁の上級行政庁である審査庁 当該不作為庁に対し、当該処分をすべき旨を命ずること。

(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

二 不作為庁である審査庁 当該処分をすること。

(ii) the reviewing agency that is the administrative agency not having taken any action: to render the disposition.

4 審査請求に係る不作為に係る処分に関し、第四十三条第一項第一号に規定する議を経るべき旨の定めがある場合において、審査庁が前項各号に定める措置をとるために必要があると認めるときは、審査庁は、当該定めに係る審議会等の議を経ることができる。

(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 前項に規定する定めがある場合のほか、審査請求に係る不作為に係る処分に関し、他の法令に係る行政機関との協議の実施その他の手続をとるべき旨の定めがある場合において、審査庁が第三項各号に定める措置をとるために必要があると認めるときは、審査庁は、当該手続をとることができる。

(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.

(裁決の方式)

(Method of Making Administrative Determinations)

第五十条 裁決は、次に掲げる事項を記載し、審査庁が記名押印した裁決書によりしなければならない。

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:

一 主文

(i) the text;

二 事案の概要

(ii) the outline of the case;

三 審理関係人の主張の要旨

(iii) the summary of the allegations by the persons concerned with proceedings;  
and

四 理由（第一号の主文が審理員意見書又は行政不服審査会等若しくは審議会等の答申書と異なる内容である場合には、異なることとなった理由を含む。）

(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 第四十三条第一項の規定による行政不服審査会等への諮問を要しない場合には、前項の裁決書には、審理員意見書を添付しなければならない。

(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 審査庁は、再審査請求をすることができる裁決をする場合には、裁決書に再審査請求をすることができる旨並びに再審査請求をすべき行政庁及び再審査請求期間（第六十二条に規定する期間をいう。）を記載して、これらを教示しなければならない。

- (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.

(裁決の効力発生)

(Occurrence of Effects of Administrative Determinations)

第五十一条 裁決は、審査請求人（当該審査請求が処分の相手方以外の者のしたものである場合における第四十六条第一項及び第四十七条の規定による裁決にあつては、審査請求人及び処分の相手方）に送達された時に、その効力を生ずる。

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 裁決の送達は、送達を受けるべき者に裁決書の謄本を送付することによってする。ただし、送達を受けるべき者の所在が知れない場合その他裁決書の謄本を送付することができない場合には、公示の方法によってすることができる。

(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 公示の方法による送達は、審査庁が裁決書の謄本を保管し、いつでもその送達を受けるべき者に交付する旨を総務省令で定める方法により不特定多数の者が閲覧することができる状態に置くとともに、その旨が記載された書面を当該審査庁の事務所の掲示場に掲示し、又はその旨を当該事務所に設置した電子計算機の映像面に表示したものの閲覧をすることができる状態に置く措置をとることにより行うものとする。この場合において、当該措置を開始した日の翌日から起算して二週間を経過した時に裁決書の謄本の送付があったものとみなす。

(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 審査庁は、裁決書の謄本を参加人及び処分庁等（審査庁以外の処分庁等に限る。）に送付しなければならない。

(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).

（裁決の拘束力）

(Binding Effect of Administrative Determinations)

第五十二条 裁決は、関係行政庁を拘束する。

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

2 申請に基づいてした処分が手続の違法若しくは不当を理由として裁決で取り消され、又は申請を却下し、若しくは棄却した処分が裁決で取り消された場合には、処分庁は、裁決の趣旨に従い、改めて申請に対する処分をしなければならない。

(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 法令の規定により公示された処分が裁決で取り消され、又は変更された場合には、処分庁は、当該処分が取り消され、又は変更された旨を公示しなければならない。

(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 法令の規定により処分の相手方以外の利害関係人に通知された処分が裁決で取り消され、又は変更された場合には、処分庁は、その通知を受けた者（審査請求人及び参加人を除く。）に、当該処分が取り消され、又は変更された旨を通知しなければならない。

(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.

(証拠書類等の返還)

(Return of Evidence Documents)

第五十三条 審査庁は、裁決をしたときは、速やかに、第三十二条第一項又は第二項の規定により提出された証拠書類若しくは証拠物又は書類その他の物件及び第三十三条の規定による提出要求に応じて提出された書類その他の物件をその提出人に返還しなければならない。

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.

### 第三章 再調査の請求

#### Chapter III Requests for Re-Investigation

(再調査の請求期間)

(Period for Filing Requests for Re-Investigation)

第五十四条 再調査の請求は、処分があったことを知った日の翌日から起算して三月を経過したときは、することができない。ただし、正当な理由があるときは、この限りでない。

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 再調査の請求は、処分があった日の翌日から起算して一年を経過したときは、することができない。ただし、正当な理由があるときは、この限りでない。

(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.

(誤った教示をした場合の救済)

(Relief When an Erroneous Instruction Is Given)

第五十五条 再調査の請求をすることができる処分につき、処分庁が誤って再調査の請求をすることができる旨を教示しなかった場合において、審査請求がされた場合であって、審査請求人から申立てがあったときは、審査庁は、速やかに、審査請求書又は

審査請求録取書を処分庁に送付しなければならない。ただし、審査請求人に対し弁明書が送付された後においては、この限りでない。

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 前項本文の規定により審査請求書又は審査請求録取書の送付を受けた処分庁は、速やかに、その旨を審査請求人及び参加人に通知しなければならない。

(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 第一項本文の規定により審査請求書又は審査請求録取書が処分庁に送付されたときは、初めから処分庁に再調査の請求がされたものとみなす。

(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.

(再調査の請求についての決定を経ずに審査請求がされた場合)

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

第五十六条 第五条第二項ただし書の規定により審査請求がされたときは、同項の再調査の請求は、取り下げられたものとみなす。ただし、処分庁において当該審査請求がされた日以前に再調査の請求に係る処分（事実上の行為を除く。）を取り消す旨の第六十条第一項の決定書の謄本を発している場合又は再調査の請求に係る事実上の行為を撤廃している場合は、当該審査請求（処分（事実上の行為を除く。）の一部を取り消す旨の第五十九条第一項の決定がされている場合又は事実上の行為の一部が撤廃されている場合）は、その部分に限る。）が取り下げられたものとみなす。

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.

(三月後の教示)

**(Instructions After Three Months Have Passed)**

第五十七条 処分庁は、再調査の請求がされた日（第六十一条において読み替えて準用する第二十三条の規定により不備を補正すべきことを命じた場合にあっては、当該不備が補正された日）の翌日から起算して三月を経過しても当該再調査の請求が係属しているときは、遅滞なく、当該処分について直ちに審査請求をすることができる旨を書面でその再調査の請求人に教示しなければならない。

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.

(再調査の請求の却下又は棄却の決定)

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

第五十八条 再調査の請求が法定の期間経過後にされたものである場合その他不適法である場合には、処分庁は、決定で、当該再調査の請求を却下する。

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 再調査の請求が理由がない場合には、処分庁は、決定で、当該再調査の請求を棄却する。

(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.

(再調査の請求の認容の決定)

(Decision on Approval of Requests for Re-Investigation)

第五十九条 処分（事実上の行為を除く。）についての再調査の請求が理由がある場合には、処分庁は、決定で、当該処分の全部若しくは一部を取り消し、又はこれを変更する。

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 事実上の行為についての再調査の請求が理由がある場合には、処分庁は、決定で、当該事実上の行為が違法又は不当である旨を宣言するとともに、当該事実上の行為の全部若しくは一部を撤廃し、又はこれを変更する。

(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 処分庁は、前二項の場合において、再調査の請求人の不利益に当該処分又は当該事実上の行為を変更することはできない。

(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.

(決定の方式)

(Method of Making Decisions)

第六十条 前二条の決定は、主文及び理由を記載し、処分庁が記名押印した決定書によりしなければならない。

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 処分庁は、前項の決定書（再調査の請求に係る処分の全部を取り消し、又は撤廃する決定に係るものを除く。）に、再調査の請求に係る処分につき審査請求をすることができる旨（却下の決定である場合にあっては、当該却下の決定が違法な場合に限り審査請求をすることができる旨）並びに審査請求をすべき行政庁及び審査請求期間を記載して、これらを教示しなければならない。

(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.

(審査請求に関する規定の準用)

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

第六十一条 第九条第四項、第十条から第十六条まで、第十八条第三項、第十九条（第三項並びに第五項第一号及び第二号を除く。）、第二十条、第二十三条、第二十四条、第二十五条（第三項を除く。）、第二十六条、第二十七条、第三十一条（第五項を除く。）、第三十二条（第二項を除く。）、第三十九条、第五十一条及び第五十三条の規定は、再調査の請求について準用する。この場合において、別表第二の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

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.

#### 第四章 再審査請求

#### Chapter IV Requests for Re-Examination

(再審査請求期間)

(Period for Filing Requests for Re-Examination)

第六十二条 再審査請求は、原裁決があったことを知った日の翌日から起算して一月を経過したときは、することができない。ただし、正当な理由があるときは、この限りでない。

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 再審査請求は、原裁決があった日の翌日から起算して一年を経過したときは、することができない。ただし、正当な理由があるときは、この限りでない。

(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.

(裁決書の送付)

(Sending of Written Administrative Determination)

第六十三条 第六十六条第一項において読み替えて準用する第十一条第二項に規定する審理員又は第六十六条第一項において準用する第九条第一項各号に掲げる機関である再審査庁（他の法律の規定により再審査請求がされた行政庁（第六十六条第一項において読み替えて準用する第十四条の規定により引継ぎを受けた行政庁を含む。）をいう。以下同じ。）は、原裁決をした行政庁に対し、原裁決に係る裁決書の送付を求めるものとする。

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.

(再審査請求の却下又は棄却の裁決)

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

第六十四条 再審査請求が法定の期間経過後にされたものである場合その他不適法である場合には、再審査庁は、裁決で、当該再審査請求を却下する。

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 再審査請求が理由がない場合には、再審査庁は、裁決で、当該再審査請求を棄却する。

(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 再審査請求に係る原裁決（審査請求を却下し、又は棄却したものに限る。）が違法又は不当である場合において、当該審査請求に係る処分が違法又は不当のいずれでもないときは、再審査庁は、裁決で、当該再審査請求を棄却する。

(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 前項に規定する場合のほか、再審査請求に係る原裁決等が違法又は不当ではあるが、これを取り消し、又は撤廃することにより公の利益に著しい障害を生ずる場合において、再審査請求人の受ける損害の程度、その損害の賠償又は防止の程度及び方法その他一切の事情を考慮した上、原裁決等を取り消し、又は撤廃することが公共の福祉に適合しないと認めるときは、再審査庁は、裁決で、当該再審査請求を棄却することができる。この場合には、再審査庁は、裁決の主文で、当該原裁決等が違法又は不当であることを宣言しなければならない。

- (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.

(再審査請求の認容の裁決)

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

第六十五条 原裁決等（事実上の行為を除く。）についての再審査請求が理由がある場合（前条第三項に規定する場合及び同条第四項の規定の適用がある場合を除く。）には、再審査庁は、裁決で、当該原裁決等の全部又は一部を取り消す。

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 事実上の行為についての再審査請求が理由がある場合（前条第四項の規定の適用がある場合を除く。）には、裁決で、当該事実上の行為が違法又は不当である旨を宣言するとともに、処分庁に対し、当該事実上の行為の全部又は一部を撤廃すべき旨を命ずる。

- (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.

(審査請求に関する規定の準用)

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

第六十六条 第二章（第九条第三項、第十八条（第三項を除く。）、第十九条第三項並びに第五項第一号及び第二号、第二十二条、第二十五条第二項、第二十九条（第一項を除く。）、第三十条第一項、第四十一条第二項第一号イ及びロ、第四節、第四十五条から第四十九条まで並びに第五十条第三項を除く。）の規定は、再審査請求について準用する。この場合において、別表第三の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

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 再審査庁が前項において準用する第九条第一項各号に掲げる機関である場合には、前項において準用する第十七条、第四十条、第四十二条及び第五十条第二項の規定は、適用しない。

(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.

## 第五章 行政不服審査会等

### Chapter V Administrative Complaint Review Board, etc.

#### 第一節 行政不服審査会

#### Section 1 Administrative Complaint Review Board

##### 第一款 設置及び組織

##### Subsection 1 Establishment and Organization

(設置)

(Establishment)

第六十七条 総務省に、行政不服審査会（以下「審査会」という。）を置く。

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 審査会は、この法律の規定によりその権限に属させられた事項を処理する。

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

(組織)

(Organization)

第六十八条 審査会は、委員九人をもって組織する。

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

2 委員は、非常勤とする。ただし、そのうち三人以内は、常勤とすることができる。

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

(委員)

(Board Members)

第六十九条 委員は、審査会の権限に属する事項に関し公正な判断をすることができ、かつ、法律又は行政に関して優れた識見を有する者のうちから、両議院の同意を得て、総務大臣が任命する。

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 委員の任期が満了し、又は欠員を生じた場合において、国会の閉会又は衆議院の解散のために両議院の同意を得ることができないときは、総務大臣は、前項の規定にかかわらず、同項に定める資格を有する者のうちから、委員を任命することができる。

(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 前項の場合においては、任命後最初の国会で両議院の事後の承認を得なければならない。この場合において、両議院の事後の承認が得られないときは、総務大臣は、直ちにその委員を罷免しなければならない。

(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 委員の任期は、三年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

- (4) The term of office of a 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 委員は、再任されることができる。
- (5) A Board member may be reappointed.
- 6 委員の任期が満了したときは、当該委員は、後任者が任命されるまで引き続きその職務を行うものとする。
- (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 総務大臣は、委員が心身の故障のために職務の執行ができないと認める場合又は委員に職務上の義務違反その他委員たるに適しない非行があると認める場合には、両議院の同意を得て、その委員を罷免することができる。
- (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 委員は、職務上知ることができた秘密を漏らしてはならない。その職を退いた後も同様とする。
- (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 委員は、在任中、政党その他の政治的団体の役員となり、又は積極的に政治運動をしてはならない。
- (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 常勤の委員は、在任中、総務大臣の許可がある場合を除き、報酬を得て他の職務に従事し、又は営利事業を営み、その他金銭上の利益を目的とする業務を行ってはならない。
- (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 委員の給与は、別に法律で定める。
- (11) The remuneration of the board members is specified separately by law.

(会長)

(Chairperson)

第七十条 審査会に、会長を置き、委員の互選により選任する。

Article 70 (1) The Board is to have a chairperson, who is to be elected from among the Board members.

2 会長は、会務を総理し、審査会を代表する。

(2) The chairperson presides over the affairs of the Board and represents the Board.

3 会長に事故があるときは、あらかじめその指名する委員が、その職務を代理する。

(3) If the chairperson is unavailable, a Board member appointed in advance performs the chairperson's duties.

(専門委員)

(Expert Advisors)

第七十一条 審査会に、専門の事項を調査させるため、専門委員を置くことができる。

Article 71 (1) The Board may have expert advisors to have them investigate technical matters.

2 専門委員は、学識経験のある者のうちから、総務大臣が任命する。

(2) Expert advisors are to be appointed by the Minister of Internal Affairs and Communications from among persons with relevant expertise.

3 専門委員は、その者の任命に係る当該専門の事項に関する調査が終了したときは、解任されるものとする。

(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 専門委員は、非常勤とする。

(4) An expert advisor serves on a part-time basis.

(合議体)

(Panel)

第七十二条 審査会は、委員のうちから、審査会が指名する者三人をもって構成する合議体で、審査請求に係る事件について調査審議する。

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 前項の規定にかかわらず、審査会が定める場合においては、委員の全員をもって構成する合議体で、審査請求に係る事件について調査審議する。

(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.

(事務局)

(Secretariat)

第七十三条 審査会の事務を処理させるため、審査会に事務局を置く。

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 事務局に、事務局長のほか、所要の職員を置く。

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

3 事務局長は、会長の命を受けて、局務を掌理する。

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

## 第二款 審査会の調査審議の手続

### Subsection 2 Procedures for Investigation and Deliberation by the Board

(審査会の調査権限)

(Investigative Authority of the Board)

第七十四条 審査会は、必要があると認める場合には、審査請求に係る事件に関し、審査請求人、参加人又は第四十三条第一項の規定により審査会に諮問をした審査庁（以下この款において「審査関係人」という。）にその主張を記載した書面（以下この款において「主張書面」という。）又は資料の提出を求めること、適当と認める者にその知っている事実の陳述又は鑑定を求めることその他必要な調査をすることができる。

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.

(意見の陳述)

(Statement of Opinions)

第七十五条 審査会は、審査関係人の申立てがあつた場合には、当該審査関係人に口頭で意見を述べる機会を与えなければならない。ただし、審査会が、その必要がないと認める場合には、この限りでない。

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 前項本文の場合において、審査請求人又は参加人は、審査会の許可を得て、補佐人とともに出頭することができる。

(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.

(主張書面等の提出)

(Submission of Written Statements of Allegations)

第七十六条 審査関係人は、審査会に対し、主張書面又は資料を提出することができる。この場合において、審査会が、主張書面又は資料を提出すべき相当の期間を定めるときは、その期間内にこれを提出しなければならない。

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.

(委員による調査手続)

(Investigation Procedures by Board Members)

第七十七条 審査会は、必要があると認める場合には、その指名する委員に、第七十四条の規定による調査をさせ、又は第七十五条第一項本文の規定による審査関係人の意見の陳述を聴かせることができる。

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).

(提出資料の閲覧等)

(Inspection of Submitted Materials)

第七十八条 審査関係人は、審査会に対し、審査会に提出された主張書面若しくは資料の閲覧（電磁的記録にあっては、記録された事項を審査会が定める方法により表示したものの閲覧）又は当該主張書面若しくは当該資料の写し若しくは当該電磁的記録に記録された事項を記載した書面の交付を求めることができる。この場合において、審査会は、第三者の利益を害するおそれがあると認めるとき、その他正当な理由があるときでなければ、その閲覧又は交付を拒むことができない。

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 審査会は、前項の規定による閲覧をさせ、又は同項の規定による交付をしようとするときは、当該閲覧又は交付に係る主張書面又は資料の提出人の意見を聴かなければならない。ただし、審査会が、その必要がないと認めるときは、この限りでない。

(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 審査会は、第一項の規定による閲覧について、日時及び場所を指定することができる。

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

4 第一項の規定による交付を受ける審査請求人又は参加人は、政令で定めるところにより、実費の範囲内において政令で定める額の手数料を納めなければならない。

(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 審査会は、経済的困難その他特別の理由があると認めるときは、政令で定めるところにより、前項の手数料を減額し、又は免除することができる。

(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.

(答申書の送付等)

(Sending of Written Responses)

第七十九条 審査会は、諮問に対する答申をしたときは、答申書の写しを審査請求人及び参加人に送付するとともに、答申の内容を公表するものとする。

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.

### 第三款 雑則

#### Subsection 3 Miscellaneous Provisions

(政令への委任)

(Delegation to Cabinet Order)

第八十条 この法律に定めるもののほか、審査会に関し必要な事項は、政令で定める。

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

### 第二節 地方公共団体に置かれる機関

#### Section 2 Organs Established in Local Governments

第八十一条 地方公共団体に、執行機関の附属機関として、この法律の規定によりその権限に属させられた事項を処理するための機関を置く。

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 前項の規定にかかわらず、地方公共団体は、当該地方公共団体における不服申立ての状況等に鑑み同項の機関を置くことが不適當又は困難であるときは、条例で定めるところにより、事件ごとに、執行機関の附属機関として、この法律の規定によりその権限に属させられた事項を処理するための機関を置くこととすることができる。

(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 前節第二款の規定は、前二項の機関について準用する。この場合において、第七十八条第四項及び第五項中「政令」とあるのは、「条例」と読み替えるものとする。

(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 前三項に定めるもののほか、第一項又は第二項の機関の組織及び運営に関し必要な事項は、当該機関を置く地方公共団体の条例（地方自治法第二百五十二条の七第一項の規定により共同設置する機関にあっては、同項の規約）で定める。

(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).

## 第六章 補則

### Chapter VI Auxiliary Provisions

(不服申立てをすべき行政庁等の教示)

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

第八十二条 行政庁は、審査請求若しくは再調査の請求又は他の法令に基づく不服申立て（以下この条において「不服申立て」と総称する。）をすることができる処分をする場合には、処分の相手方に対し、当該処分につき不服申立てをすることができる旨

並びに不服申立てをすべき行政庁及び不服申立てをすることができる期間を書面で教示しなければならない。ただし、当該処分を口頭でする場合は、この限りでない。

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 行政庁は、利害関係人から、当該処分が不服申立てをすることができる処分であるかどうか並びに当該処分が不服申立てをすることができるものである場合における不服申立てをすべき行政庁及び不服申立てをすることができる期間につき教示を求められたときは、当該事項を教示しなければならない。

(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 前項の場合において、教示を求めた者が書面による教示を求めたときは、当該教示は、書面でしなければならない。

(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.

(教示をしなかった場合の不服申立て)

(Filing of Complaints When Instructions Have Not Been Given)

第八十三条 行政庁が前条の規定による教示をしなかった場合には、当該処分について不服がある者は、当該処分庁に不服申立書を提出することができる。

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 第十九条（第五項第一号及び第二号を除く。）の規定は、前項の不服申立書について準用する。

(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 第一項の規定により不服申立書の提出があった場合において、当該処分が処分庁以外の行政庁に対し審査請求をすることができる処分であるときは、処分庁は、速やかに、当該不服申立書を当該行政庁に送付しなければならない。当該処分が他の法令に基づき、処分庁以外の行政庁に不服申立てをすることができる処分であるときも、同

様とする。

(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 前項の規定により不服申立書が送付されたときは、初めから当該行政庁に審査請求又は当該法令に基づく不服申立てがされたものとみなす。

(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 第三項の場合を除くほか、第一項の規定により不服申立書が提出されたときは、初めから当該処分庁に審査請求又は当該法令に基づく不服申立てがされたものとみなす。

(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.

(情報の提供)

(Provision of Information)

第八十四条 審査請求、再調査の請求若しくは再審査請求又は他の法令に基づく不服申立て（以下この条及び次条において「不服申立て」と総称する。）につき裁決、決定その他の処分（同条において「裁決等」という。）をする権限を有する行政庁は、不服申立てをしようとする者又は不服申立てをした者の求めに応じ、不服申立書の記載に関する事項その他の不服申立てに必要な情報の提供に努めなければならない。

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.

(公表)

(Publication)

第八十五条 不服申立てにつき裁決等をする権限を有する行政庁は、当該行政庁がした裁決等の内容その他当該行政庁における不服申立ての処理状況について公表するよう努めなければならない。

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.

(政令への委任)

(Delegation to Cabinet Order)

第八十六条 この法律に定めるもののほか、この法律の実施のために必要な事項は、政令で定める。

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

(罰則)

(Penal Provisions)

第八十七条 第六十九条第八項の規定に違反して秘密を漏らした者は、一年以下の拘禁刑又は五十万円以下の罰金に処する。

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.

**附 則**

**Supplementary Provisions**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次条の規定は、公布の日から施行する。

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

(準備行為)

(Preparatory Actions)

第二条 第六十九条第一項の規定による審査会の委員の任命に関し必要な行為は、この法律の施行の日前においても、同項の規定の例によりすることができる。

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.

(経過措置)

(Transitional Measures)

第三条 行政庁の処分又は不作為についての不服申立てであって、この法律の施行前にされた行政庁の処分又はこの法律の施行前にされた申請に係る行政庁の不作為に係るものについては、なお従前の例による。

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.

第四条 この法律の施行後最初に任命される審査会の委員の任期は、第六十九条第四項本文の規定にかかわらず、九人のうち、三人は二年、六人は三年とする。

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 前項に規定する各委員の任期は、総務大臣が定める。

(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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 前二条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

(検討)

(Review)

第六条 政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

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.

別表第一（第九条関係）

Appended Table 1 (Re.: Article 9)

<p>第十一条第二項 Article 11, paragraph (2)</p>	<p>第九条第一項の規定により指名された者（以下「審理員」という。） a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below)</p>	<p>審査庁 the reviewing agency</p>
<p>第十三条第一項及び第二項 Article 13, paragraphs (1) and (2)</p>	<p>審理員 a review officer</p>	<p>審査庁 the reviewing agency</p>
<p>第二十五条第七項 Article 25, paragraph (7)</p>	<p>執行停止の申立てがあつたとき、又は審理員から第四十条に規定する執行停止をすべき旨の意見書が提出されたとき 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,</p>	<p>執行停止の申立てがあつたとき When a petition for a stay of enforcement has been filed,</p>
<p>第二十八条 Article 28</p>	<p>審理員 a review officer</p>	<p>審査庁 the reviewing agency</p>
<p>第二十九条第一項 Article 29, paragraph (1)</p>	<p>審理員は、審査庁から指名されたときは、直ちに When having been nominated by the reviewing agency, a review officer must immediately</p>	<p>審査庁は、審査請求がされたときは、第二十四条の規定により当該審査請求を却下する場合を除き、速やかに 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</p>

第二十九条第二項 Article 29, paragraph (2)	審理員は A review officer	審査庁は、審査庁が処分庁等以外である場合にあっては If a reviewing agency is an agency other than the administrative agency, etc. reaching the disposition, the reviewing agency
	提出を求める request the administrative agency, etc. reaching the disposition to submit a written explanation	提出を求め、審査庁が処分庁等である場合にあっては、相当の期間内に、弁明書を作成する 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
第二十九条第五項 Article 29, paragraph (5)	審理員は a review officer	審査庁は、第二項の規定により the reviewing agency
	提出があったとき has been submitted by the administrative agency, etc. reaching the disposition	提出があったとき、又は弁明書を作成したとき 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),
第三十条第一項及び第二項 Article 30, paragraphs (1) and (2)	審理員 a review officer	審査庁 the reviewing agency
第三十条第三項 Article 30, paragraph (3)	審理員 a review officer	審査庁 the reviewing agency
	参加人及び処分庁等 the intervenors and the administrative agency, etc. reaching the disposition	参加人及び処分庁等（処分庁等が審査庁である場合にあっては、参加人） the intervenors and the administrative agency, etc. reaching the disposition (when the administrative agency, etc. reaching the disposition is the reviewing agency, the intervenors)

	<p>審査請求人及び処分庁等 the requestor for review and the administrative agency, etc. reaching the disposition</p>	<p>審査請求人及び処分庁等（処分庁等が審査庁である場合にあっては、審査請求人） 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)</p>
<p>第三十一条第一項 Article 31, paragraph (1)</p>	<p>審理員 a review officer</p>	<p>審査庁 the reviewing agency</p>
<p>第三十一条第二項 Article 31, paragraph (2)</p>	<p>審理員 a review officer</p>	<p>審査庁 the reviewing agency</p>
	<p>審理関係人 the persons concerned with proceedings</p>	<p>審理関係人（処分庁等が審査庁である場合にあっては、審査請求人及び参加人。以下この節及び第五十条第一項第三号において同じ。） 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))</p>

<p>第三十一条第三項から第五項まで、第三十二条第三項、第三十三条から第三十七条まで、第三十八条第一項から第三項まで及び第五項、第三十九条並びに第四十一条第一項及び第二項</p> <p>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)</p>	<p>審理員 the review officer</p>	<p>審査庁 the reviewing agency</p>
<p>第四十一条第三項</p> <p>Article 41, paragraph (3)</p>	<p>審理員が a review officer</p>	<p>審査庁が the reviewing agency</p>

<p>         終結した旨並びに次条第一項に規定する審理員意見書及び事件記録（審査請求書、弁明書その他審査請求に係る事件に関する書類その他の物件のうち政令で定めるものをいう。同条第二項及び第四十三条第二項において同じ。）を審査庁に提出する予定時期を通知するものとする。当該予定時期を変更したときも、同様とする       </p> <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>         終結した旨を通知するものとする       </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>
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<p>第四十四条 Article 44</p>	<p>行政不服審査会等から諮問に対する答申を受けたとき（前条第一項の規定による諮問を要しない場合（同項第二号又は第三号に該当する場合を除く。）にあっては審理員意見書が提出されたとき、同項第二号又は第三号に該当する場合にあっては同項第二号又は第三号に規定する議を経たとき）</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 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)</p>	<p>審理手続を終結したとき</p> <p>When the reviewing agency has concluded the procedures for proceedings</p>
<p>第五十条第一項 第四号 Article 50, paragraph (1), item (iv)</p>	<p>理由（第一号の主文が審理員意見書又は行政不服審査会等若しくは審議会等の答申書と異なる内容である場合には、異なることとなった理由を含む。）</p> <p>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)</p>	<p>理由</p> <p>the reasons</p>

別表第二（第六十一条関係）

Appended Table 2 (Re.: Article 61)

<p>第九条第四項 Article 9, paragraph (4)</p>	<p>前項に規定する場合において、審査庁 In the case prescribed in the preceding paragraph, if it is found necessary, the reviewing agency may</p>	<p>処分庁 if it is found necessary, the administrative agency reaching the disposition may</p>
	<p>(第二項各号(第一項各号に掲げる機関の構成員にあつては、第一号を除く。)に掲げる者以外の者に限る。)に、前項において読み替えて適用する (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</p>	<p>に、第六十一条において読み替えて準用する 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</p>
	<p>若しくは第十三条第四項 or the intervenor prescribed in Article 13, paragraph (4)</p>	<p>又は第六十一条において準用する第十三条第四項 or the intervenor prescribed in Article 13, paragraph (4) as applied mutatis mutandis pursuant to Article 61</p>

<p>聴かせ、前項において読み替えて適用する第三十四条の規定による参考人の陳述を聴かせ、同項において読み替えて適用する第三十五条第一項の規定による検証をさせ、前項において読み替えて適用する第三十六条の規定による第二十八条に規定する審理関係人に対する質問をさせ、又は同項において読み替えて適用する第三十七条第一項若しくは第二項の規定による意見の聴取を行わせる</p> <p>, 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</p>	<p>聴かせる or the intervenor prescribed in Article 13, paragraph (4)</p>
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<p>第十一条第二項 Article 11, paragraph (2)</p>	<p>第九条第一項の規定により指名された者（以下「審理員」という。） a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below)</p>	<p>処分庁 the administrative agency reaching the disposition</p>
<p>第十三条第一項 Article 13, paragraph (1)</p>	<p>処分又は不作為に係る処分 the disposition related to the request for review or the disposition related to the inaction</p>	<p>処分 the disposition related to the request for review</p>
	<p>審理員 a review officer</p>	<p>処分庁 the administrative agency reaching the disposition</p>
<p>第十三条第二項 Article 13, paragraph (2)</p>	<p>審理員 A review officer</p>	<p>処分庁 The administrative agency reaching the disposition</p>
<p>第十四条 Article 14</p>	<p>第十九条に規定する審査請求書 the written request for review prescribed in Article 19</p>	<p>第六十一条において読み替えて準用する第十九条に規定する再調査の請求書 the written request for re-investigation prescribed in Article 19 as applied mutatis mutandis pursuant to Article 61 following the deemed replacement of terms</p>
	<p>第二十一条第二項に規定する審査請求録取書 the written statement concerning the request for review prescribed in Article 21, paragraph (2)</p>	<p>第二十二条第三項に規定する再調査の請求録取書 the written statement concerning the request for re-investigation prescribed in Article 22, paragraph (3)</p>

<p>第十六条 Article 16</p>	<p>第四条又は他の法律若しくは条例の規定により審査庁となるべき行政庁（以下「審査庁となるべき行政庁」という。） 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)</p> <p>当該審査庁となるべき行政庁及び関係処分庁（当該審査請求の対象となるべき処分の権限を有する行政庁であって当該審査庁となるべき行政庁以外のものをいう。次条において同じ。） 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)</p>	<p>再調査の請求の対象となるべき処分の権限を有する行政庁 The administrative agency vested with the authority to render a disposition subject to a request for re-investigation</p> <p>当該行政庁 the offices of the administrative agency</p>
<p>第十八条第三項 Article 18, paragraph (3)</p>	<p>次条に規定する審査請求書 a written request for review prescribed in the following Article</p>	<p>第六十一条において読み替えて準用する次条に規定する再調査の請求書 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</p>

	前二項に規定する期間（以下「審査請求期間」という。） the period prescribed in the preceding two paragraphs (referred to as "period for filing a request for review" below)	第五十四条に規定する期間 the period prescribed in Article 54
第十九条の見出し及び同条第一項 The heading of Article 19, and paragraph (1) of that Article	審査請求書 Written Requests for Review, and a written request for review	再調査の請求書 Written Requests for Re-Investigation, and a written request for re-investigation
第十九条第二項 Article 19, paragraph (2)	処分についての審査請求書 A written request for review of a disposition	再調査の請求書 A written request for re-investigation
	処分（当該処分について再調査の請求についての決定を経たときは、当該決定） Deleted	処分 Deleted
第十九条第四項 Article 19, paragraph (4)	審査請求書 the written request for review	再調査の請求書 the written request for re-investigation
	第二項各号又は前項各号 the items of paragraph (2) or the items of the preceding paragraph	第二項各号 the items of paragraph (2)
第十九条第五項 Article 19, paragraph (5)	処分についての審査請求書 a written request for review of a disposition	再調査の請求書 a written request for re-investigation
	審査請求期間 Deleted	第五十四条に規定する期間 Deleted
	前条第一項ただし書又は第二項ただし書 Deleted	同条第一項ただし書又は第二項ただし書 Deleted
第二十条 Article 20	前条第二項から第五項まで paragraphs (2) through (5) of the preceding Article	第六十一条において読み替えて準用する前条第二項、第四項及び第五項 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

第二十三条（見出しを含む。） Article 23 (including the heading)	審査請求書 a written request for review and Written Requests for Review	再調査の請求書 a written request for re-investigation and Written Requests for Re-Investigation
第二十四条第一項 Article 24, paragraph (1)	次節に規定する審理手続を経ないで、第四十五条第一項又は第四十九条第一項 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.	審理手続を経ないで、第五十八条第一項 based on the provisions of Article 58, paragraph (1) without going through the procedures for proceedings
第二十五条第二項 Article 25, paragraph (2)	処分庁の上級行政庁又は処分庁である審査庁 the higher administrative agency of the administrative agency reaching the disposition or the reviewing agency that is the administrative agency reaching the disposition	処分庁 the administrative agency reaching the disposition
第二十五条第四項 Article 25, paragraph (4)	前二項 the preceding two paragraphs	第二項 paragraph (2)
第二十五条第六項 Article 25, paragraph (6)	第二項から第四項まで paragraphs (2) through (4)	第二項及び第四項 paragraphs (2) and (4)
第二十五条第七項 Article 25, paragraph (7)	執行停止の申立てがあったとき、又は審理員から第四十条に規定する執行停止をすべき旨の意見書が提出されたとき 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	執行停止の申立てがあったとき When a petition for a stay of enforcement has been filed
第三十一条第一項 Article 31, paragraph (1)	審理員 a review officer	処分庁 the administrative agency reaching the disposition

	この条及び第四十一条第二項 第二号 this Article and Article 41, paragraph (2), item (ii)	この条 this Article
第三十一条第二項 Article 31, paragraph (2)	審理員 a review officer	処分庁 the administrative agency reaching the disposition
	全ての審理関係人 all of the persons concerned with proceedings	再調査の請求人及び参加人 the requestor for re- investigation and intervenor
第三十一条第三項及 び第四項 Article 31, paragraphs (3) and (4)	審理員 a review officer	処分庁 the administrative agency reaching the disposition
第三十二条第三項 Article 32, paragraph (3)	前二項 the preceding two paragraphs	第一項 paragraph (1)
	審理員 a review officer	処分庁 the administrative agency reaching the disposition
第三十九条 Article 39	審理員 a review officer	処分庁 the administrative agency reaching the disposition
第五十一条第一項 Article 51, paragraph (1)	第四十六条第一項及び第四十七 条 Article 46, paragraph (1) and Article 47	第五十九条第一項及び第二項 Article 59, paragraphs (1) and (2)
第五十一条第四項 Article 51, paragraph (4)	参加人及び処分庁等（審査庁 以外の処分庁等に限る。） the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency)	参加人 the intervenors

<p>第五十三条 Article 53</p>	<p>第三十二条第一項又は第二項の規定により提出された証拠書類若しくは証拠物又は書類その他の物件及び第三十三条の規定による提出要求に応じて提出された書類その他の物件</p> <p>documentary evidence documents or articles of evidence, or documents or other articles submitted pursuant to the provisions of Article 32, paragraph (1) or (2), and the documents or other articles submitted in response to a demand request for submission under the provisions of Article 33</p>	<p>第六十一条において準用する第三十二条第一項の規定により提出された証拠書類又は証拠物</p> <p>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</p>
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別表第三（第六十六条関係）

Appended Table 3 (Re.: Article 66)

<p>第九条第一項 Article 9, paragraph (1)</p>	<p>第四条又は他の法律若しくは条例の規定により審査請求がされた行政庁（第十四条の規定により引継ぎを受けた行政庁を含む。以下「審査庁」という。）</p> <p>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)</p>	<p>第六十三条に規定する再審査庁（以下この章において「再審査庁」という。）</p> <p>The re-examining agency prescribed in Article 63 (referred to as the "re-examining agency" below in this Chapter)</p>
<p>この節 this Section</p>		<p>この節及び第六十三条 this Section and Article 63</p>

	<p>処分庁等（審査庁以外の処分庁等に限る。）  the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency)</p>	<p>裁決庁等（原裁決をした行政庁（以下この章において「裁決庁」という。）又は処分庁をいう。以下この章において同じ。）  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)</p>
	<p>若しくは条例に基づく処分について条例に特別の定めがある場合又は第二十四条  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</p>	<p>又は第六十六条第一項において読み替えて準用する第二十四条  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</p>
<p>第九条第二項第一号  Article 9, paragraph (2), item (i)</p>	<p>審査請求に係る処分若しくは  the disposition related to a request for review, or in</p>	<p>原裁決に係る審査請求に係る処分、  the disposition related to a request for review concerning the original administrative determination,</p>

	<p>に關与した者又は審査請求に係る不作為に係る処分に關与し、若しくは關与することとなる者</p> <p>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</p>	<p>又は原裁決に關与した者</p> <p>or a person involved in the original administrative determination</p>
<p>第九条第四項</p> <p>Article 9, paragraph (4)</p>	<p>前項に規定する場合において、審査庁</p> <p>In the case prescribed in the preceding paragraph, if it is found necessary, the reviewing agency</p>	<p>第一項各号に掲げる機関である再審査庁（以下「委員会等である再審査庁」という。）</p> <p>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.")</p>
	<p>前項において</p> <p>pursuant to the preceding paragraph</p>	<p>第六十六条第一項において</p> <p>pursuant to Article 66, paragraph (1)</p>
	<p>適用する</p> <p>as applied</p>	<p>準用する</p> <p>as applied mutatis mutandis</p>
	<p>第十三条第四項</p> <p>Article 13, paragraph (4)</p>	<p>第六十六条第一項において準用する第十三条第四項</p> <p>Article 13, paragraph (4) as applied mutatis mutandis pursuant to Article 66, paragraph (1)</p>
	<p>第二十八条</p> <p>Article 28</p>	<p>同項において読み替えて準用する第二十八条</p> <p>Article 28 as applied mutatis mutandis pursuant to that paragraph following the deemed replacement of terms</p>

<p>第十一条第二項 Article 11, paragraph (2)</p>	<p>第九条第一項の規定により指名された者（以下「審理員」という。） a person who has been nominated pursuant to the provisions of Article 9, paragraph (1) (referred to as "review officer" below)</p>	<p>第六十六条第一項において読み替えて準用する第九条第一項の規定により指名された者（以下「審理員」という。）又は委員会等である再審査庁 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.</p>
<p>第十三条第一項 Article 13, paragraph (1)</p>	<p>処分又は不作為に係る処分の根拠となる法令に照らし当該処分 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</p>	<p>原裁決等の根拠となる法令に照らし当該原裁決等 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.</p>
<p>第十三条第二項 Article 13, paragraph (2)</p>	<p>審理員 a review officer</p>	<p>審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.</p>
<p>第十四条 Article 14</p>	<p>第十九条に規定する審査請求書 the written request for review prescribed in Article 19</p>	<p>第六十六条第一項において読み替えて準用する第十九条に規定する再審査請求書 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</p>

	<p>第二十一条第二項に規定する 審査請求録取書 the written statement concerning the request for review prescribed in Article 21, paragraph (2)</p>	<p>同項において読み替えて準用 する第二十一条第二項に規定 する再審査請求録取書 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</p>
<p>第十五条第一項、第 二項及び第六項 Article 15, paragraph (1), paragraph (2), and paragraph (6)</p>	<p>審査請求の the request for review</p>	<p>原裁決に係る審査請求の the request for review related to the original administrative determination</p>
<p>第十六条 Article 16</p>	<p>第四条又は他の法律若しくは 条例 the provisions of Article 4 or the provisions of other laws or Prefectural or Municipal Ordinance</p>	<p>他の法律 the provisions of other laws</p>
	<p>関係処分庁（当該審査請求の 対象となるべき処分の権限を 有する行政庁であって当該審 査庁となるべき行政庁以外の ものをいう。次条において同 じ。） 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)</p>	<p>当該再審査請求の対象となる べき裁決又は処分の権限を有 する行政庁 the administrative agency vested with the authority to make an administrative determination or render a disposition subject to the request for re-examination</p>

<p>第十七条 Article 17</p>	<p>関係処分庁 the related administrative agency reaching the disposition</p>	<p>当該再審査請求の対象となるべき裁決又は処分の権限を有する行政庁 the administrative agency vested with the authority to make an administrative determination or render a disposition subject to the request for re-examination</p>
<p>第十八条第三項 Article 18, paragraph (3)</p>	<p>次条に規定する審査請求書 a written request for review prescribed in the following Article</p>	<p>第六十六条第一項において読み替えて準用する次条に規定する再審査請求書 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</p>
	<p>前二項に規定する期間（以下「審査請求期間」という。） the period prescribed in the preceding two paragraphs (referred to as "period for filing a request for review" below)</p>	<p>第五十条第三項に規定する再審査請求期間（以下この章において「再審査請求期間」という。） 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)</p>
<p>第十九条の見出し及び同条第一項 The heading of Article 19, and paragraph (1) of that Article</p>	<p>審査請求書 Written Requests for Review and written request for review</p>	<p>再審査請求書 Written Requests for Re-Examination and written request for re-examination</p>
<p>第十九条第二項 Article 19, paragraph (2)</p>	<p>処分についての審査請求書 A written request for review of a disposition</p>	<p>再審査請求書 A written request for re-examination</p>
	<p>処分の内容 the content of the disposition</p>	<p>原裁決等の内容 the content of the original administrative determination, etc.</p>

	<p>審査請求に係る処分（当該処分について再調査の請求についての決定を経たときは、当該決定）</p> <p>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)</p>	<p>原裁決</p> <p>the original administrative determination has been made</p>
	<p>処分庁</p> <p>the administrative agency reaching the disposition</p>	<p>裁決庁</p> <p>the administrative agency making the original administrative determination</p>
<p>第十九条第四項</p> <p>Article 19, paragraph (4)</p>	<p>審査請求書</p> <p>the written request for review</p>	<p>再審査請求書</p> <p>the written request for re-examination</p>
	<p>第二項各号又は前項各号</p> <p>in the items of paragraph (2) or the items of the preceding paragraph</p>	<p>第二項各号</p> <p>in the items of paragraph (2)</p>
<p>第十九条第五項</p> <p>Article 19, paragraph (5)</p>	<p>処分についての審査請求書</p> <p>a written request for review of a disposition</p>	<p>再審査請求書</p> <p>a written request for re-examination</p>
	<p>審査請求期間</p> <p>the period for filing a request for review</p>	<p>再審査請求期間</p> <p>the period for filing request for re-examination</p>
	<p>前条第一項ただし書又は第二項ただし書</p> <p>the proviso to paragraph (1) or (2) of the preceding Article</p>	<p>第六十二条第一項ただし書又は第二項ただし書</p> <p>the proviso to paragraph (1) or (2) of Article 62</p>
<p>第二十条</p> <p>Article 20</p>	<p>前条第二項から第五項まで</p> <p>paragraphs (2) through (5) of the preceding Article</p>	<p>第六十六条第一項において読み替えて準用する前条第二項、第四項及び第五項</p> <p>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</p>

<p>第二十一条の見出し The heading of Article 21</p>	<p>処分庁等 the Administrative Agency Reaching the Disposition</p>	<p>処分庁又は裁決庁 the Administrative Agency Reaching the Disposition or the Administrative Agency Making the Original Administrative Determination</p>
<p>第二十一条第一項 Article 21, paragraph (1)</p>	<p>審査請求をすべき行政庁が処分庁等と異なる場合における審査請求は、処分庁等 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</p>	<p>再審査請求は、処分庁又は裁決庁 A request for re-examination may be filed via the administrative agency reaching the disposition or the administrative agency making the original administrative determination</p>
<p>第二十一条第二項 Article 21, paragraph (2)</p>	<p>処分庁等 the administrative agency, etc. reaching the disposition</p> <p>審査請求書又は審査請求録取書（前条後段 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;</p>	<p>処分庁又は裁決庁 the administrative agency reaching the disposition or the administrative agency making the original administrative determination</p> <p>再審査請求書又は再審査請求録取書（第六十六条第一項において準用する前条後段 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)</p>

	第二十九条第一項及び第五十五条 Article 29, paragraph (1) and Article 55	第六十六条第一項において読み替えて準用する第二十九条第一項 Article 29, paragraph (1) as applied mutatis mutandis pursuant to Article 66, paragraph (1) following the deemed replacement of terms
第二十一条第三項 Article 21, paragraph (3)	審査請求期間 the period for filing a request for review	再審査請求期間 the period for filing a request for re-examination
	処分庁に to the administrative agency reaching the disposition	処分庁若しくは裁決庁に to the administrative agency reaching the disposition or the administrative agency making the original administrative determination
	審査請求書 the written request for review	再審査請求書 the written request for re-examination
	処分についての審査請求 the request for review of the disposition	再審査請求 the request for re-examination
第二十三条（見出しを含む。） Article 23 (including the heading)	審査請求書 a written request for review and Written Requests for Review	再審査請求書 a written request for re-examination and Written Requests for Re-Examination
第二十四条第一項 Article 24, paragraph (1)	審理手続を経ないで、第四十五条第一項又は第四十九条第一項 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	審理手続（第六十三条に規定する手続を含む。）を経ないで、第六十四条第一項 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)
第二十五条第一項 Article 25, paragraph (1)	処分 disposition	原裁決等 original administrative determination, etc.

第二十五条第三項 Article 25, paragraph (3)	処分庁の上級行政庁又は処分 庁のいずれでもない審査庁 the reviewing agency that is neither the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition	再審査庁 the re-examining agency
	処分庁の意見 opinions of the administrative agency reaching the drisposition;	裁決庁等の意見 opinions of the administrative agency, etc. making the original administrative determination
	執行停止をすることができる。 ただし、処分の効力、処 分の執行又は手続の続行の全 部又は一部の停止以外の措置 をとることはできない 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 enforcementof the disposition, or continuation of procedures, in full or in part.	原裁決等の効力、原裁決等の 執行又は手続の続行の全部又 は一部の停止（以下「執行停 止」という。）をすることが できる 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)
第二十五条第四項 Article 25, paragraph (4)	前二項 the preceding two paragraphs	前項 the preceding paragraph
	処分 the disposition	原裁決等 the original administrative determination, etc.
第二十五条第六項 Article 25, paragraph (6)	第二項から第四項まで paragraphs (2) through (4)	第三項及び第四項 paragraphs (3) and (4)
	処分 the disposition	原裁決等 the original administrative determination, etc.

<p>第二十五条第七項 Article 25, paragraph (7)</p>	<p>第四十条に規定する執行停止をすべき旨の意見書が提出されたとき the stay of enforcement prescribed in Article 40 should be taken has been submitted by a review officer</p>	<p>第六十六条第一項において準用する第四十条に規定する執行停止をすべき旨の意見書が提出されたとき（再審査庁が委員会等である再審査庁である場合にあっては、執行停止の申立てがあつたとき） 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)</p>
<p>第二十八条 Article 28</p>	<p>処分庁等 the administrative agency, etc. reaching the disposition</p>	<p>裁決庁等 the administrative agency, etc. making the original administrative determination</p>
	<p>審理員 a review officer</p>	<p>審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.</p>
<p>第二十九条第一項 Article 29, paragraph (1)</p>	<p>審理員は When having been nominated by the reviewing agency, a review officer</p>	<p>審理員又は委員会等である再審査庁は、審理員にあっては When having been nominated by the reviewing agency, a review officer</p>

	<p>審査請求書又は審査請求録取書の写しを処分庁等に送付しなければならない。ただし、処分庁等が審査庁である場合には、この限りでない</p> <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>委員会等である再審査庁にあっては、再審査請求がされたときは第六十六条第一項において読み替えて準用する第二十四条の規定により当該再審査請求を却下する場合を除き、速やかに、それぞれ、再審査請求書又は再審査請求録取書の写しを裁決庁等に送付しなければならない</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>
<p>第三十条の見出し The heading of Article 30</p>	<p>反論書等 Written Counterarguments</p>	<p>意見書 Written Opinions</p>
<p>第三十条第二項 Article 30, paragraph (2)</p>	<p>審理員 a review officer</p>	<p>審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.</p>

第三十条第三項 Article 30, paragraph (3)	審理員は、審査請求人から反論書の提出があったときはこれを参加人及び処分庁等に 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,	審理員又は委員会等である再審査庁は When a written opinion has been submitted by an intervenor, a review officer or the re-examining agency that is a committee, etc.
	これを審査請求人及び処分庁等に、それぞれ and when a written opinion has been submitted by an intervenor, a review officer must sent it to the relevant requestor for review and the administrative agency, etc. reaching the disposition.	、これを再審査請求人及び裁決庁等に , must send it to the requestor for re-examination and the administrative agency, etc. making the original administrative determination.
第三十一条第一項から第四項まで Article 31, paragraphs (1) through (4)	審理員 a review officer	審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.
第三十一条第五項 Article 31, paragraph (5)	審理員 the review officer	審理員又は委員会等である再審査庁 the review officer or the re-examining agency that is a committee, etc.
	処分庁等 the administrative agency, etc. reaching the disposition	裁決庁等 the administrative agency, etc. making the original administrative determination
第三十二条第二項 Article 32, paragraph (2)	処分庁等は、当該処分 The administrative agency, etc. reaching the disposition may submit documents or other objects proving the facts constituting the grounds for the disposition.	裁決庁等は、当該原裁決等 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.

第三十二条第三項及び第三十三条から第三十七条まで Article 32, paragraph (3), and Article 33 through Article 37	審理員 a review officer	審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.
第三十八条第一項 Article 38, paragraph (1)	審理員 a review officer	審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.
	第二十九条第四項各号に掲げる書面又は第三十二条第一項若しくは第二項若しくは 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;	第六十六条第一項において準用する第三十二条第一項若しくは第二項又は 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;
第三十八条第二項、第三項及び第五項、第三十九条並びに第四十一条第一項 Article 38, paragraph (2), paragraph (3), and paragraph (5), Article 39, and Article 41, paragraph (1)	審理員 a review officer	審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.
第四十一条第二項 Article 41, paragraph (2)	審理員 a review officer	審理員又は委員会等である再審査庁 a review officer or the re-examining agency that is a committee, etc.
	イからホまで sub-items (a) through (e)	ハからホまで sub-items (c) through (e)
第四十一条第三項 Article 41, paragraph (3)	審理員が a review officer	審理員又は委員会等である再審査庁が a review officer or the re-examining agency that is a committee, etc.

<p>審理手続を終結した旨並びに 次条第一項 prescribed in paragraph (1) of the following Article</p>	<p>審理員にあつては審理手続を 終結した旨並びに第六十六条 第一項において準用する次条 第一項 .prescribed in paragraph (1) of the following Article as applied mutatis mutandis pursuant to Article 66, paragraph (1)</p>
<p>審査請求書、弁明書 the written request for review, written explanation</p>	<p>再審査請求書、原裁決に係る 裁決書 the written request for re- examination, written administrative determination for the original administrative determination</p>
<p>同条第二項及び第四十三条第 二項 paragraph (2) of the following Article and Article 43, paragraph (2)</p>	<p>第六十六条第一項において準 用する次条第二項 paragraph (2) of the following Article as applied mutatis mutandis pursuant to Article 66, paragraph (1)</p>
<p>を通知する to the reviewing agency</p>	<p>を、委員会等である再審査庁 にあつては審理手続を終結し た旨を、それぞれ通知する 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</p>
<p>当該予定時期 the scheduled time of submission</p>	<p>審理員が当該予定時期 the review officer has changed the scheduled time of submission</p>

<p>第四十四条 Article 44</p>	<p>行政不服審査会等から諮問に対する答申を受けたとき（前条第一項の規定による諮問を要しない場合（同項第二号又は第三号に該当する場合を除く。）にあっては審理員意見書が提出されたとき、同項第二号又は第三号に該当する場合にあっては同項第二号又は第三号に規定する議を経たとき）</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 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)</p>	<p>審理員意見書が提出されたとき（委員会等である再審査庁にあっては、審理手続を終結したとき）</p> <p>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)</p>
<p>第五十条第一項第四号 Article 50, paragraph (1), item (iv)</p>	<p>第一号の主文が審理員意見書又は行政不服審査会等若しくは審議会等の答申書と異なる内容である場合には</p> <p>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.,</p>	<p>再審査庁が委員会等である再審査庁以外の行政庁である場合において、第一号の主文が審理員意見書と異なる内容であるときは</p> <p>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</p>

第五十条第二項 Article 50, paragraph (2)	第四十三条第一項の規定による行政不服審査会等への諮問を要しない場合 When consultation with the Administrative Complaint Review Board, etc. pursuant to the provisions of Article 43, paragraph (1) is not necessary,	再審査庁が委員会等である再審査庁以外の行政庁である場合 When the re-examining agency is an administrative agency other than the re-examining agency that is a committee, etc.
第五十一条第一項 Article 51, paragraph (1)	処分 the disposition	原裁決等 the original administrative determination, etc.
	第四十六条第一項及び第四十七条 Article 46, paragraph (1) and Article 47	第六十五条 Article 65
第五十一条第四項 Article 51, paragraph (4)	及び処分庁等（審査庁以外の処分庁等に限る。） the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency).	並びに処分庁及び裁決庁（処分庁以外の裁決庁に限る。） 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)
第五十二条第二項 Article 52, paragraph (2)	申請を an application	申請若しくは審査請求を an application or a request for review
	棄却した処分 a disposition to dismiss or reject	棄却した原裁決等 the original administrative determination, etc. to reject
	処分庁 the administrative agency reaching the disposition	裁決庁等 the administrative agency, etc. making the original administrative determination

	申請に対する処分 a disposition for the application	申請に対する処分又は審査請求に対する裁決 a disposition for the application or an administrative determination for the request for review
第五十二条第三項 Article 52, paragraph (3)	処分が a/the disposition	原裁決等が the original administrative determination, etc.
	処分庁 the administrative agency reaching the disposition	裁決庁等 the administrative agency making the original administrative determination, etc.
第五十二条第四項 Article 52, paragraph (4)	処分の the subject parties of subject to the disposition	原裁決等の the subject parties of subject to the original administrative determination, etc.
	処分が a/the relevant disposition, the disposition	原裁決等が the original administrative determination, etc.
	処分庁 the administrative agency reaching the disposition	裁決庁等 the administrative agency, etc. making the original administrative determination