

公証人法 Notary Act

(明治四十一年四月十四日法律第五十三号)
(Act No. 53 of April 14, 1908)

第一章 総則 Chapter I General Provisions

第一条 公証人ハ当事者其ノ他ノ関係人ノ囑託ニ因リ左ノ事務ヲ行フ権限ヲ有ス

Article 1 Notaries have the authority to carry out the following processes upon commission from a party or any other person concerned:

一 法律行為其ノ他私権ニ関スル事実ニ付公正証書ヲ作成スルコト

(i) creating a notarized instrument with regard to a juridical act or any other fact concerning a private right;

二 私署証書ニ認証ヲ与フルコト

(ii) certifying a private instrument;

三 会社法（平成十七年法律第八十六号）第三十条第一項及其ノ準用規定並一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第十三条及第百五十五条ノ規定ニ依リ定款ニ認証ヲ与フルコト

(iii) certifying articles of incorporation pursuant to Article 30, paragraph (1) of the Companies Act (Act No. 86 of 2005) and the provisions pursuant to which Article 30, paragraph (1) of the Companies Act applies mutatis mutandis, as well as Articles 13 and 155 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006); and

四 電磁的記録（電子的方式、磁気的方式其ノ他人ノ知覚ヲ以テ認識スルコト能ハザル方式（以下電磁的方式ト称ス）ニ依リ作ラルル記録ニシテ電子計算機ニ依ル情報処理ノ用ニ供セラルルモノヲ謂フ以下之ニ同ジ）ニ認証ヲ与フルコト但シ公務員ガ職務上作成シタル電磁的記録以外ノモノニ与フル場合ニ限ル

(iv) certifying electronic or magnetic records (records made in electronic form, magnetic form, or any other form that is impossible to perceive by the human senses (hereinafter referred to as an "Electronic or Magnetic Form"), which are used in information processing by computers; the same applies hereinafter); provided, however, that this applies only in cases of certifying electronic or magnetic records other than ones created by a government employee in performing said employee's duties.

第二条 公証人ノ作成シタル文書又ハ電磁的記録ハ本法及他ノ法律ノ定ムル要件ヲ具備スルニ非サレハ公正ノ効力ヲ有セス

Article 2 No document or electronic or magnetic record created by a notary shall

have effects as notarized documents unless it satisfies the requirements provided in this Act or any other laws.

第三条 公証人ハ正当ノ理由アルニ非サレハ囑託ヲ拒ムコトヲ得ス

Article 3 Notaries may not refuse a commission without justifiable grounds for the refusal.

第四条 公証人ハ法律ニ別段ノ定アル場合ヲ除クノ外其ノ取扱ヒタル事件ヲ漏泄スルコトヲ得ス但シ囑託人ノ同意ヲ得タルトキハ此ノ限ニ在ラス

Article 4 Unless otherwise provided for by law, notaries may not disclose details of any case that they handle; provided, however, that this does not apply if the notary has obtained the consent of the client.

第五条 公証人ハ他ノ公務ヲ兼ネ、商業ヲ営ミ又ハ商事会社若ハ營利ヲ目的トスル社団法人ノ代表者若ハ使用人ト為ルコトヲ得ス但シ法務大臣ノ許可ヲ得タルトキハ此ノ限ニ在ラス

Article 5 Notaries may not undertake any other public duty, conduct commercial business or serve as a representative or employee of any commercial company or incorporated association for profit concurrently; provided, however, that this does not apply if the notary has obtained the permission of the Minister of Justice.

第六条 削除

Article 6 Deleted

第七条 公証人ハ囑託人ヨリ手数料、送達ニ要スル料金、第五十七条ノ三ノ登記ノ手数料相当額（第三項ニ於テ登記手数料ト称ス）、日当及旅費ヲ受ク

Article 7 (1) Notaries shall receive fees, charges for serving documents, an amount equivalent to the fee for making the registration referred to in Article 57-3 (referred to as the "Registration Fee" in paragraph (3)), daily allowances, and travel expenses from clients.

2 公証人ハ前項ニ記載シタルモノヲ除クノ外何等ノ名義ヲ以テスルモ其ノ取扱ヒタル事件ニ関シテ報酬ヲ受クルコトヲ得ス

(2) Notaries may not receive remuneration regardless of what it is called for cases which they handle, except for the remuneration referred to in the preceding paragraph.

3 手数料、送達ニ要スル料金、登記手数料、日当及旅費ニ関スル規程ハ政令ヲ以テ之ヲ定ム

(3) Rules concerning fees, charges for serving documents, Registration Fees, daily allowances, and travel expenses shall be provided by Cabinet Order.

第七条ノ二 本法及他ノ法令ニ依リ公証人ガ行フコトセラレタル電磁的記録ニ関スル事務ハ法務大臣ノ指定シタル公証人（以下指定公証人ト称ス）之ヲ取扱フ

Article 7-2 (1) Processes relating to electronic or magnetic records which are specified as processes to be carried out by a notary pursuant to this Act and other laws and regulations, shall be handled by a notary designated by the Minister of Justice (hereinafter referred to as a "Designated Notary").

2 前項ノ指定ハ告示シテ之ヲ為ス

(2) The designation referred to in the preceding paragraph shall be made by means of public notice.

3 第六章ノ規定ハ本法及他ノ法令ノ定ムルトコロニ依リ指定公証人ガ行フ電磁的記録ニ関スル事務ニ付テハ之ヲ適用セズ

(3) The provisions of Chapter VI do not apply to any processes relating to electronic or magnetic records to be carried out by a Designated Notary as provided in this Act or other laws and regulations.

4 本法ニ規定スルモノノ外指定公証人ガ行フ電磁的記録ニ関スル事務ニ付テハ法務省令ヲ以テ之ヲ定ム

(4) Beyond what is provided for in this Act, the processes relating to electronic or magnetic records to be carried out by a Designated Notary shall be provided by Ordinance of the Ministry of Justice.

第八条 法務局若ハ地方法務局又ハ其ノ支局ノ管轄区域内ニ公証人ナキ場合又ハ公証人其ノ職務ヲ行フコト能ハサル場合ニ於テハ法務大臣ハ当該法務局若ハ地方法務局又ハ其ノ支局ニ勤務スル法務事務官ヲシテ管轄区域内ニ於テ公証人ノ職務ヲ行ハシムルコトヲ得

Article 8 Where there is no notary available or a notary is unable to perform the notary's duties within the jurisdictional district of any Legal Affairs Bureau or District Legal Affairs Bureau or of any branch bureau thereof, the Minister of Justice may have an official of the Ministry of Justice who works at said Legal Affairs Bureau or District Legal Affairs Bureau or at any branch bureau thereof perform the duties of a notary within its jurisdictional district.

第九条 本法及他ノ法令中公証人ノ職務ニ関スル規定ハ公証人ノ職務ヲ行フ法務事務官ニ之ヲ準用ス但シ第七条ニ依ル手数料、日当及旅費ハ国庫ノ収入トス

Article 9 The provisions of this Act and other laws and regulations concerning the duties of a notary apply mutatis mutandis to an official of the Ministry of Justice who performs the notary duties; provided, however, that the fees, daily allowances, and travel expenses under Article 7 shall be treated as part of the national revenue.

第二章 任免及所属

Chapter II Appointment, Dismissal, and Affiliation

第十条 公証人ハ法務局又ハ地方法務局ノ所属トス

Article 10 (1) Notaries shall be affiliated with a Legal Affairs Bureau or District Legal Affairs Bureau.

2 各法務局又ハ地方法務局ニ所属スル公証人ノ員数ハ法務局若ハ地方法務局又ハ其ノ支局ノ管轄区域毎ニ法務大臣之ヲ定ム

(2) The number of notaries affiliated with each Legal Affairs Bureau or District Legal Affairs Bureau shall be specified by the Minister of Justice for the jurisdictional district of each Legal Affairs Bureau or District Legal Affairs Bureau or of each branch bureau thereof.

第十一条 公証人ハ法務大臣之ヲ任シ及其ノ属スヘキ法務局又ハ地方法務局ヲ指定ス

Article 11 The Ministry of Justice shall appoint a notary and designate the Legal Affairs Bureau or District Legal Affairs Bureau with which the notary shall be affiliated.

第十二条 左ノ条件ヲ具備スル者ニ非サレハ公証人ニ任セラルルコトヲ得ス

Article 12 (1) No person may be appointed as a notary unless said person satisfies the following requirements:

一 日本国民ニシテ成年者タルコト

(i) being a Japanese national who has attained the age of majority; and

二 一定ノ試験ニ合格シタル後六月以上公証人見習トシテ実地修習ヲ為シタルコト

(ii) having completed practical training as an apprentice for at least six months after passing a specified examination.

2 試験及実地修習ニ関スル規程ハ法務大臣之ヲ定ム

(2) Rules concerning notary examinations and practical training shall be specified by the Minister of Justice.

第十三条 裁判官（簡易裁判所判事ヲ除ク）、檢察官（副検事ヲ除ク）又ハ弁護士タルノ資格ヲ有スル者ハ試験及実地修習ヲ經スシテ公証人ニ任セラルルコトヲ得

Article 13 A person qualified as a judge (excluding judges of summary courts), a public prosecutor (excluding assistant public prosecutors) or attorneys at law may be appointed as a notary without having passed a notary examination or completed the associated practical training.

第十三条ノ二 法務大臣ハ当分ノ間多年法務ニ携ハリ前条ノ者ニ準スル学識経験ヲ有スル者ニシテ政令ヲ以テ定ムル審議会等（国家行政組織法（昭和二十三年法律第二百十号）第八条ニ定ムル機関ヲ謂フ）ノ選考ヲ經タル者ヲ試験及実地修習ヲ經スシテ公証人ニ任スルコトヲ得但シ第八条ニ規定スル場合ニ限ル

Article 13-2 Until otherwise provided for by law, the Minister of Justice may appoint a notary from among persons who have been engaged in legal affairs

for many years and thereby acquired the relevant knowledge and experience equivalent to those held by the persons referred to in the preceding Article, and who have been selected by a council, etc. (meaning an organ as provided in Article 8 of the National Government Organization Act (Act No. 120 of 1948)) specified by Cabinet Order, without requiring them to pass a notary examination or complete the associated practical training; provided, however, that this applies only cases as provided in Article 8.

第十四条 左ニ掲クル者ハ公証人ニ任セラルルコトヲ得ス

Article 14 None of the following persons may be appointed as a notary:

一 禁錮以上ノ刑ニ処セラレタル者但シ二年以下ノ禁錮ニ処セラレタル者ニシテ刑ノ執行ヲ終リ又ハ其ノ執行ヲ受クルコトナキニ至リタルトキハ此ノ限ニ在ラス

(i) a person who has been sentenced to imprisonment or heavier punishment, except for a person who has been sentenced to imprisonment for not more than two years and who has served the sentence or is no longer subject to the execution of said sentence;

二 破産手続開始ノ決定ヲ受ケ復権セサル者

(ii) a person who has been subject to an order of commencement of bankruptcy proceedings and who has not yet had said person's rights restored; and

三 罷免ノ裁判ヲ受ケタル者、懲戒ノ処分ニ因リ免官若ハ免職セラレタル者又ハ弁護士法ニ依リ除名セラレタル者ニシテ罷免、免官、免職又ハ除名後二年ヲ経過セサル者

(iii) a judge who has been dismissed by judicial decision, a government employee dismissed from civil service following a disciplinary action or an attorney disbarred under the Attorney Act, where two years have not yet passed from such dismissal or disbarment.

第十五条 法務大臣ハ左ノ場合ニ於テ公証人ヲ免スルコトヲ得

Article 15 (1) The Minister of Justice may dismiss a notary if:

一 公証人免職ヲ願出テタルトキ

(i) the notary requests dismissal;

二 公証人期間内ニ身元保証金又ハ其ノ補充額ヲ納メサルトキ

(ii) the notary has not paid a fidelity guarantee deposit or any amount to make up therefor by the due date;

三 公証人年齢七十歳ニ達シタルトキ

(iii) the notary has reached the age of 70; and

四 公証人身体又ハ精神ノ衰弱ニ因リ其ノ職務ヲ執ルコト能ハサルニ至リタルトキ

(iv) the notary has become physically or mentally weak and unable to perform said notary's duties.

2 前項第四号ノ場合ニ於テハ第十三条ノ二ノ政令ヲ以テ定ムル審議会等ノ議決ヲ経ヘシ

(2) In the case referred to in item (iv) of the preceding paragraph, a resolution by a council, etc. specified by Cabinet Order as referred to in Article 13-2 shall be required.

第十六条 公証人第十四条第一号又ハ第二号ニ該当スルニ至リタルトキハ当然其ノ職ヲ失フ

Article 16 When a notary falls under Article 14, item (i) or item (ii), the notary shall automatically lose said notary's position.

第三章 職務執行ニ関スル通則

Chapter III General Rules for Performance of Duties

第十七条 公証人ノ職務執行ノ区域ハ其ノ所属スル法務局又ハ地方法務局ノ管轄区域ニ依ル

Article 17 The area where a notary performs said notary's duties shall be the jurisdictional district of the Legal Affairs Bureau or District Legal Affairs Bureau with which said notary is affiliated.

第十八条 公証人ハ法務大臣ノ指定シタル地ニ其ノ役場ヲ設クヘシ

Article 18 (1) Notaries must establish an office at a place designated by the Minister of Justice.

2 公証人ハ役場ニ於テ其ノ職務ヲ行フコトヲ要ス但シ事件ノ性質カ之ヲ許ササル場合又ハ法令ニ別段ノ定アル場合ハ此ノ限ニ在ラス

(2) A notary must perform said notary's duties at the office; provided, however, that this does not apply if the nature of a case does not permit this or if otherwise provided by laws and regulations.

第十九条 公証人ハ任命ノ辞令書ヲ受ケタル日ヨリ十五日以内ニ其ノ所属スル法務局又ハ地方法務局ニ身元保証金ヲ納ムヘシ

Article 19 (1) Notaries must pay a fidelity guarantee deposit to the Legal Affairs Bureau or District Legal Affairs Bureau with which they are affiliated, within 15 days from the day on which they have received a writ of appointment.

2 身元保証金ノ額ハ政令ヲ以テ之ヲ定ム

(2) The amount of a fidelity guarantee deposit shall be specified by Cabinet Order.

3 身元保証金ノ額ニ不足ヲ生シ補充ノ命令ヲ受ケタルトキハ其ノ命令ヲ受ケタル日ヨリ三十日以内ニ其ノ不足額ヲ補充スヘシ

(3) When a notary is ordered to make up for any shortfall in the amount of fidelity guarantee deposit, the notary must pay the amount of the shortfall within 30 days from the day on which said notary has been ordered to make said payment.

4 公証人身元保証金ヲ納メサル間ハ其ノ職務ヲ行フコトヲ得ス

(4) Notaries may not perform their duties until they pay a fidelity guarantee deposit.

第二十条 身元保証金ヲ還付スヘキ場合ニ於テハ其ノ身元保証金ノ上ニ権利ヲ有スル者ニ対シ六月ヲ下ラサル期間内ニ申出ツヘキ旨ヲ公告スヘシ

Article 20 (1) Where a fidelity guarantee deposit should be refunded, public notice must be given to the effect that persons who hold rights on the fidelity guarantee deposit should claim their rights within a period of not less than six months.

2 身元保証金ハ前項ノ期間ヲ経過スルニ非サレハ之ヲ還付セス

(2) A fidelity guarantee deposit shall not be refunded until the period referred to in the preceding paragraph expires.

3 身元保証金ハ他ノ公課及債権ニ先チテ之ヲ第一項ノ公告費用ニ充ツ

(3) A fidelity guarantee deposit shall be appropriated to the cost of the public notice referred to in paragraph (1) in preference to other public charges and claims.

第二十一条 公証人ハ其ノ職印ノ印鑑ニ氏名ヲ自署シ之ヲ其ノ所属スル法務局又ハ地方法務局ニ差出スヘシ

Article 21 (1) Notaries must present to the Legal Affairs Bureau or the District Legal Affairs Bureau to which they belong the seal impression of their official seal together with their own signature.

2 公証人前項ノ印鑑ヲ差出ササル間ハ其ノ職務ヲ行フコトヲ得ス

(2) Notaries may not perform their duties until they submit the seal impression referred to in the preceding paragraph.

第二十二条 公証人ハ左ノ場合ニ於テ其ノ職務ヲ行フコトヲ得ス

Article 22 A notary may not perform the notary's duties if:

一 囑託人、其ノ代理人又ハ囑託セラレタル事項ニ付利害ノ関係ヲ有スル者ノ配偶者、四親等内ノ親族又ハ同居ノ親族タルトキ親族関係カ止ミタル後亦同シ

(i) the notary is the spouse or a relative within the fourth degree of kinship of, or a relative living together with the client or said client's agent or any person who has an interest in any of the commissioned matters; the same applies after the termination of a kinship relationship;

二 囑託人又ハ其ノ代理人ノ法定代理人、保佐人又ハ補助人タルトキ

(ii) the notary is a statutory agent, curator or assistant of the client or said client's agent;

三 囑託セラレタル事項ニ付利害ノ関係ヲ有スルトキ

(iii) the notary has an interest in any of the commissioned matters; and

四 囑託セラレタル事項ニ付代理人若ハ輔佐人タルトキ又ハ代理人若ハ輔佐人タリシトキ

(iv) the notary is or was an agent or assistant in court with regard to any of the commissioned matters.

第二十三条 公証人職務上署名スルトキハ其ノ職名、所属及役場所在地ヲ記載スヘシ
Article 23 When a notary signs the name in performing the notary's duties, the notary must write the notary's official title and affiliation, and the location of the office.

第二十四条 公証人ハ其ノ所属スル法務局又ハ地方法務局ノ長ノ認可ヲ受ケテ書記ヲ置キ執務ノ補助ヲ為サシムルコトヲ得

Article 24 (1) Notaries may appoint a clerk to assist with their duties with the approval of the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which they are affiliated.

2 前項ノ認可ハ必要ナル場合ニ於テハ何時ニテモ之ヲ取消スコトヲ得

(2) The approval referred to in the preceding paragraph may be rescinded at any time when necessary.

第二十五条 公証人ノ作成シタル証書ノ原本及其ノ附属書類、第五十八条ノ二第四項ノ規定ニ依リ公証人ノ保存スル証書及其ノ附属書類、第六十二条ノ三第三項ノ規定ニ依リ公証人ノ保存スル定款及其ノ附属書類並法令ニ依リ公証人ノ調製シタル帳簿ハ事変ヲ避クル為ニスル場合ヲ除クノ外之ヲ役場外ニ持出スコトヲ得ス但シ裁判所ノ命令又ハ囑託アリタルトキハ此ノ限ニ在ラス

Article 25 (1) None of the originals of instruments created by a notary and documents annexed thereto, instruments kept on file by a notary pursuant to Article 58-2, paragraph (4) and documents annexed thereto, articles of incorporation kept on file by a notary pursuant to Article 62-3, paragraph (3) and documents annexed thereto, and books prepared by a notary pursuant to laws and regulations may be taken out of the notary's office, except where it is necessary to do so in order to avoid any dangerous circumstances; provided, however, that this does not apply if so ordered or commissioned by the court.

2 前項ノ書類ノ保存及廃毀ニ関スル規程ハ法務大臣之ヲ定ム

(2) Rules on keeping on file and destroying the documents referred to in the preceding paragraph shall be specified by the Minister of Justice.

第四章 証書ノ作成

Chapter IV Creation of Instruments

第二十六条 公証人ハ法令ニ違反シタル事項、無効ノ法律行為及行為能力ノ制限ニ因リテ取消スコトヲ得ヘキ法律行為ニ付証書ヲ作成スルコトヲ得ス

Article 26 A notary may not create any instrument with regard to matters that are in violation of laws and regulations, juridical acts that are void, or juridical

acts that may be rescinded on the grounds of limited capacity.

第二十七条 公証人ハ日本語ヲ用ウル証書ニ非サレハ之ヲ作成スルコトヲ得ス

Article 27 A notary may not create any instrument unless it is written in the Japanese language.

第二十八条 公証人証書ヲ作成スルニハ囑託人ノ氏名ヲ知り且之ト面識アルコトヲ要ス
Article 28 (1) In order to create an instrument, a notary must know the name of and be acquainted with the client.

2 公証人囑託人ノ氏名ヲ知ラス又ハ之ト面識ナキトキハ官公署ノ作成シタル印鑑証明書ノ提出其ノ他之ニ準スヘキ確実ナル方法ニ依リ其ノ人違ナキコトヲ証明セシムルコトヲ要ス

(2) If a notary does not know the name of or is not acquainted with the client, the notary must have the client prove the client's identity by submitting a registered seal certificate issued by a public agency, or any reliable method equivalent thereto.

3 急迫ナル場合ニ於テ公証人証書ヲ作成スルトキハ前項ノ手続ハ証書ヲ作成シタル後三日内ニ証書ノ作成ニ関スル規定ニ依リ之ヲ為スコトヲ得

(3) If a notary creates an instrument in the case of an emergency, the notary may perform the procedure referred to in the preceding paragraph pursuant to the provisions concerning the creation of an instrument within three days after the creation of said instrument.

4 前項ノ手続ヲ為シタルトキハ証書ハ急迫ナル場合ニ非サルカ為其ノ効力ヲ妨ケラルルコトナシ

(4) If the procedure referred to in the preceding paragraph has been performed, the validity of the instrument shall not be impaired due to the absence of an emergency.

第二十九条 囑託人日本語ヲ解セサル場合又ハ聾者若ハ啞者其ノ他言語ヲ発スルコト能ハサル者ニシテ文字ヲ解セサル場合ニ於テ公証人証書ヲ作成スルニハ通事ヲ立会ハシムルコトヲ要ス

Article 29 In order to create an instrument in cases where a client does not understand the Japanese language or a client is deaf or mute, or any other person who is incapable of speaking any language and who does not understand written words, notaries must have an interpreter attend the creation of said instrument.

第三十条 囑託人盲者ナル場合又ハ文字ヲ解セサル場合ニ於テ公証人証書ヲ作成スルニハ立会人ヲ立会ハシムルコトヲ要ス

Article 30 (1) In order to create an instrument in cases where a client is blind or does not understand written words, notaries must have an observer attend the

creation of said instrument.

- 2 前項ノ規定ハ囑託人立会人ヲ立会ハシムルコトヲ請求シタル場合ニ之ヲ準用ス
(2) The preceding paragraph applies mutatis mutandis to cases where a client requests the attendance of an observer.

第三十一条 代理人ニ依リ囑託セラレタル場合ニ於テハ前三条ノ規定ハ其ノ代理人ニ之ヲ適用ス

Article 31 When a notary is commissioned by an agent, the preceding three Articles apply to said agent.

第三十二条 代理人ニ依リ囑託セラレタル場合ニ於テ公証人証書ヲ作成スルニハ其ノ代理人ノ権限ヲ証スヘキ証書ヲ提出セシメ其ノ権限ヲ証明セシムルコトヲ要ス

Article 32 (1) In order to create an instrument upon commission from an agent, notaries must have the agent prove the agent's authority by submitting a certificate to prove the authority as an agent.

- 2 前項ノ証書カ認証ヲ受ケサル私署証書ナルトキハ其ノ証書ノ外官公署ノ作成シタル印鑑又ハ署名ニ関スル証明書ヲ提出セシメ証書ノ真正ナルコトヲ証明セシムルコトヲ要ス但シ当該公証人ノ保存スル書類ニ依リ証書ノ真正ナルコト明ナル場合ハ此ノ限ニ在ラス

(2) If the certificate referred to in the preceding paragraph is a private instrument which has not been certified, the notary must have the agent prove the authenticity of said private instrument by submitting a registered seal certificate or a certificate of signature issued by a public agency in addition to said private instrument; provided, however, that this does not apply where the authenticity of said private instrument is clear from any documents kept on file by the notary.

- 3 証書ノ作成ニ関スル規定ニ依リ代理又ハ其ノ方式ノ欠缺ヲ追完シタルトキハ証書ハ其ノ欠缺アリタルカ為効力ヲ妨ケラルルコトナシ

(3) When a defect in terms of the representation or form thereof is subsequently corrected pursuant to the provisions of the creation of an instrument, the validity of the instrument shall not be impaired due to the existence of said defect.

第三十三条 第三者ノ許可又ハ同意ヲ要スヘキ法律行為ニ付公証人証書ヲ作成スルニハ其ノ許可又ハ同意アリタルコトヲ証スヘキ証書ヲ提出セシメ其ノ許可又ハ同意ヲ証明セシムルコトヲ要ス

Article 33 (1) In order to create an instrument with regard to a juridical act which requires a third party's permission or consent, notaries must have the client prove the third party's permission or consent by submitting a certificate to prove said party's permission or consent.

- 2 前条第二項及第三項ノ規定ハ前項ノ場合ニ之ヲ準用ス

(2) Paragraphs (2) and (3) of the preceding Article apply mutatis mutandis to the case referred to in the preceding paragraph.

第三十四条 通事及立会人ハ囑託人又ハ其ノ代理人之ヲ選定スルコトヲ要ス

Article 34 (1) An interpreter and an observer must be selected by the client or said client's agent.

2 立会人ハ通事ヲ兼ヌルコトヲ得

(2) An observer may serve concurrently as an interpreter.

3 左ニ掲クル者ハ立会人タルコトヲ得ス但シ第三十条第二項ノ場合ハ此ノ限ニ在ラス

(3) None of the following persons may serve as an observer; provided, however, that this does not apply to the case referred to in Article 30, paragraph (2):

一 未成年者

(i) a minor;

二 第十四条ニ掲ケタル者

(ii) the persons set forth in Article 14;

三 自ラ署名スルコト能ハサル者

(iii) a person who is incapable of signing the person's own name;

四 囑託事項ニ付利害ノ関係ヲ有スル者

(iv) a person who has an interest in any of the commissioned matters;

五 囑託事項ニ付代理人若ハ輔佐人タル者又ハ代理人若ハ輔佐人タリシ者

(v) a person who is or was an agent or assistant in court with regard to any of the commissioned matters;

六 公証人又ハ囑託人若ハ其ノ代理人ノ配偶者、四親等内ノ親族、法定代理人、保佐人、補助人、雇人又ハ同居人

(vi) the spouse, a relative within the fourth degree of kinship, statutory agent, curator, assistant or employee of or a person living together with the notary or the client, or the client's agent; and

七 公証人ノ書記

(vii) a clerk of the notary.

第三十五条 公証人証書ヲ作成スルニハ其ノ聴取シタル陳述、其ノ目撃シタル状況其ノ他自ラ実験シタル事実ヲ録取シ且其ノ実験ノ方法ヲ記載シテ之ヲ為スコトヲ要ス

Article 35 In order to create an instrument, notaries must make a record of the statements they have heard, the circumstances they have witnessed, and the facts of which they have direct knowledge, and describe how they have come to know of those facts in said instrument.

第三十六条 公証人ノ作成スル証書ニハ其ノ本旨ノ外左ノ事項ヲ記載スルコトヲ要ス

Article 36 The following particulars must be stated in an instrument created by a notary, in addition to the main purpose of the instrument:

一 証書ノ番号

- (i) the instrument number;
二 囑託人ノ住所、職業、氏名及年齢若法人ナルトキハ其ノ名称及事務所
- (ii) the address, occupation, name and age of the client and, if the client is a corporation, its name and office;
三 代理人ニ依リ囑託セラレタルトキハ其ノ旨並其ノ代理人ノ住所、職業、氏名及年齢
- (iii) if the creation of the instrument is commissioned by an agent, the address, occupation, name and age of the agent;
四 囑託人又ハ其ノ代理人ノ氏名ヲ知り且之ト面識アルトキハ其ノ旨
- (iv) if the notary knows the name of and is acquainted with the client or said client's agent, a statement of this fact;
五 第三者ノ許可又ハ同意アリタルトキハ其ノ旨及其ノ事由並其ノ第三者ノ住所、職業、氏名及年齢若法人ナルトキハ其ノ名称及事務所
- (v) if a third party's permission or consent has been obtained, a statement of this fact and the reasons therefor, as well as the address, occupation, name and age of the third party and, if the third party is a corporation, its name and office;
六 印鑑証明書ノ提出其ノ他之ニ準スヘキ確實ナル方法ニ依リ人違ナキコトヲ証明セシメ又ハ印鑑若ハ署名ニ関スル証明書ヲ提出セシメテ証書ノ真正ナルコトヲ証明セシメタルトキハ其ノ旨及其ノ事由
- (vi) if the notary has had the client prove said client's identity by submitting a registered seal certificate or any reliable method equivalent thereto, or has had the agent prove the authenticity of the instrument by submitting a registered seal certificate or a certificate of signature, a statement of this fact and the reasons therefor;
七 第三十二条第二項但書ノ場合ハ其ノ旨及其ノ事由
- (vii) if the case falls under the proviso to Article 32, paragraph (2), a statement of this fact and the reasons therefor;
八 急迫ナル場合ニ於テ人違ナキコトヲ証明セシメサリシトキハ其ノ旨
- (viii) in the case of an emergency and if the notary has omitted having the client prove said client's identity, a statement of this fact;
九 通事又ハ立会人ヲ立会ハシメタルトキハ其ノ旨及其ノ事由並其ノ通事又ハ立会人ノ住所、職業、氏名及年齢
- (ix) if the notary has had an interpreter or observer attend the creation of an instrument, a statement of this fact and the reasons therefor, as well as the address, occupation, name and age of the interpreter or observer; and
十 作成ノ年月日及場所
- (x) the date and place of creation.

第三十七条 公証人証書ヲ作成スルニハ普通平易ノ語ヲ用キ字画ヲ明瞭ナラシムヘシ
Article 37 (1) In order to create an instrument, notaries must use plain and

ordinary terms and write characters clearly.

2 接続スヘキ字行ニ空白アルトキハ墨線ヲ以テ之ヲ接続セシムヘシ

(2) When there is a blank space between characters that should be linked, these characters or lines must be linked by drawing a black line between them.

3 数量、年月日及番号ヲ記載スルニハ壹貳参拾ノ字ヲ用ウヘシ

(3) The alternative numeral forms of "壹", "貳", "参", and "拾" (literally meaning "one" "two" "three" and "ten") must be used when writing quantities, dates and numbers.

第三十八条 証書ノ文字ハ之ヲ改竄スルコトヲ得ス

Article 38 (1) No character written in an instrument may be altered.

2 証書ニ文字ヲ挿入スルトキハ其ノ字数及其ノ箇所ヲ欄外又ハ末尾ノ余白ニ記載シ公証人及囑託人又ハ其ノ代理人之ニ捺印スルコトヲ要ス

(2) When adding characters to an instrument, the quantity and positioning of the characters added must be stated in the margin or at the end of the instrument, and the notary and the client or said client's agent must affix their seals to this statement.

3 証書ノ文字ヲ削除スルトキハ其ノ文字ハ尚明ニ読得ヘキ為字体ヲ存シ削除シタル字数及箇所ヲ欄外又ハ末尾ノ余白ニ記載シ公証人及囑託人又ハ其ノ代理人之ニ捺印スルコトヲ要ス

(3) When deleting characters from an instrument, these characters must be deleted in a manner whereby they can be read clearly, and the quantity and positioning of the characters deleted must be stated in the margin or at the end of the instrument, and the notary and the client or said client's agent must affix their seals to this statement.

4 前三項ノ規定ニ違反シテ為シタル訂正ハ其ノ効力ヲ有セス

(4) Any correction made in violation of the preceding three paragraphs will not be valid.

第三十九条 公証人ハ其ノ作成シタル証書ヲ列席者ニ読聞カセ又ハ閲覧セシメ囑託人又ハ其ノ代理人ノ承認ヲ得且其ノ旨ヲ証書ニ記載スルコトヲ要ス

Article 39 (1) Notaries must read aloud an instrument that they have created to those in attendance or have the instrument inspected by those in attendance, thereby having said instrument be acknowledged by the client or said client's agent, and must state this fact in the instrument.

2 通事ヲ立会ハシメタル場合ニ於テハ前項ノ外通事ヲシテ証書ノ趣旨ヲ通訳セシメ且其ノ旨ヲ証書ニ記載スルコトヲ要ス

(2) If a notary has an interpreter attend the creation of the instrument, the notary must have the interpreter interpret the outline of the instrument and must state this fact in said instrument, in addition to what is provided for in the preceding paragraph.

3 前二項ノ記載ヲ為シタルトキハ公証人及列席者各自証書ニ署名捺印スルコトヲ要ス
(3) If a notary has stated the matters referred to in the preceding two paragraphs in an instrument, the notary and those in attendance must sign and seal said instrument.

4 列席者ニシテ署名スルコト能ハサル者アルトキハ其ノ旨ヲ証書ニ記載シ公証人之ニ捺印スルコトヲ要ス

(4) If any of those in attendance is incapable of signing the name, this fact must be stated in the instrument and the notary must affix the notary's seal to this statement.

5 証書数葉ニ渉ルトキハ公証人ハ每葉ノ綴目ニ契印ヲ為スコトヲ要ス

(5) If an instrument extends to two or more pages, a notary must affix the notary's seal to confirm page continuation over the seam between each contiguous page.

第四十条 公証人ノ作成スル証書ニ他ノ書面ヲ引用シ且之ヲ其ノ証書ニ添付スルトキハ公証人其ノ証書ト添付書面トノ綴目ニ契印ヲ為スコトヲ要ス

Article 40 (1) When a notary creates an instrument by making reference to another document and attaching it to the instrument, the notary must affix the notary's seal to confirm page continuation over the seam between the instrument and the attached document.

2 前三条ノ規定ハ前項ノ添付書面ニ之ヲ準用ス

(2) The preceding three Articles apply mutatis mutandis to the attached document referred to in the preceding paragraph.

3 前二項ニ依ル添付書面ハ公証人ノ作成シタル証書ノ一部ト看做ス

(3) The attached document under the preceding two paragraphs shall be deemed to be a part of the instrument created by a notary.

第四十一条 代理人ノ権限ヲ証スヘキ証書、官公署ノ証明書、第三者ノ許可又ハ同意ヲ証スヘキ証書其ノ他ノ附属書類ハ公証人ノ作成シタル証書ニ之ヲ連綴スヘシ但シ囑託人ヨリ附属書類ノ原本ノ還付ヲ請求シタルトキハ其ノ謄本ヲ原本ニ代ヘテ連綴スルコトヲ得

Article 41 (1) A certificate to prove the authority of an agent, a certificate issued by a public agency, a certificate to prove a third party's permission or consent, and any other annexed documents must be bound with the instrument created by a notary; provided, however, that when the client requests the return of the original of an annexed document, the transcript instead of the original may be bound with said instrument.

2 公証人ハ証書ト其ノ附属書類トノ綴目及附属書類相互ノ綴目ニ契印ヲ為スヘシ

(2) A notary must affix the notary's seal to confirm page continuation over the seam between the instrument and the documents annexed thereto, and the seam between each of the annexed documents.

第四十二条 証書ノ原本滅失シタルトキハ公証人ハ既ニ交付シタル証書ノ正本又ハ謄本ヲ徴シ其ノ所属スル法務局又ハ地方法務局ノ長ノ認可ヲ受ケ滅失シタル証書ニ代ヘテ之ヲ保存スルコトヲ要ス

Article 42 (1) If the original of an instrument is lost, a notary must collect the authenticated copy or a transcript of the instrument that has already been issued and keep it on file in lieu of the lost instrument, with the approval of the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said notary is affiliated.

2 前項ノ証書ニハ其ノ所属スル法務局又ハ地方法務局ノ長ノ認可ヲ受ケ滅失シタル証書ニ代ヘテ之ヲ保存スル旨及其ノ認可ノ年月日ヲ記載シ公証人之ニ署名捺印スルコトヲ要ス

(2) The instrument referred to in the preceding paragraph must contain a statement to the effect that the notary shall keep it on file in lieu of the lost instrument with the approval of the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said notary is affiliated, as well as a statement of the date of approval, and it must be signed and sealed by the notary.

第四十三条 公証人ハ囑託人ヲシテ印紙税法ニ依リ証書ノ原本ニ印紙ヲ貼用セシムヘシ
Article 43 Notaries must have a client affix revenue stamps to the original copy of an instrument pursuant to the Stamp Tax Act.

第四十四条 囑託人、其ノ承継人又ハ証書ノ趣旨ニ付法律上利害ノ関係ヲ有スルコトヲ証明シタル者ハ証書ノ原本ノ閲覧ヲ請求スルコトヲ得

Article 44 (1) A client or the client's successor or a person who has proved that the person has a legal interest in the purport of an instrument may make a request for an inspection of the original of the instrument.

2 第二十八条第一項及第二項、第三十一条並第三十二条第一項ノ規定ハ前項ニ依リ公証人証書ノ原本ヲ閲覧セシムヘキ場合ニ之ヲ準用ス

(2) Article 28, paragraphs (1) and (2), Article 31, and Article 32, paragraph (1) apply mutatis mutandis to cases where a notary should make the original of an instrument available for inspection pursuant to the preceding paragraph.

3 公証人囑託人ノ承継人ニ証書ノ原本ヲ閲覧セシムヘキ場合ニ於テハ承継人タルコトヲ証スヘキ証書ヲ提出セシメ其ノ承継人タルコトヲ証明セシムヘシ

(3) When a notary is required to make the original of an instrument available for inspection by a client's successor, said notary must have the successor prove the status as the client's successor by submitting a certificate to prove the status as the client's successor.

4 検察官ハ何時ニテモ証書ノ原本ノ閲覧ヲ請求スルコトヲ得

(4) A public prosecutor may make a request for the inspection of the original of

an instrument at any time.

第四十五条 公証人ハ証書原簿ヲ調製スヘシ

Article 45 Notaries must prepare an instrument register.

第四十六条 証書原簿ニハ証書ノ作成毎ニ進行ノ順序ヲ逐ヒ左ノ事項ヲ記入スヘシ

Article 46 (1) The following particulars must be entered into an instrument register each time an instrument is created, in chronological order:

一 証書ノ番号及種類

(i) the instrument number and the type of instrument;

二 囑託人ノ氏名若法人ナルトキハ其ノ名称

(ii) the name of the client and, if the client is a corporation, its name; and

三 作成ノ年月日

(iii) the date of creation.

2 前項ノ規定ハ証書ノ作成ヲ記入スヘキ帳簿ニ関シ法令ニ別段ノ定アル場合ニ之ヲ適用セス

(2) The preceding paragraph does not apply where otherwise provided by laws and regulations concerning books in which the creation of an instrument should be entered.

第四十七条 囑託人又ハ其ノ承継人ハ証書ノ正本ノ交付ヲ請求スルコトヲ得

Article 47 (1) A client or the client's successor may make a request for the issuance of an authenticated copy of an instrument.

2 第二十八条第一項及第二項、第三十一条、第三十二条第一項及第二項並第四十四条第三項ノ規定ハ前項ニ依リ公証人証書ノ正本ヲ作成スヘキ場合ニ之ヲ準用ス

(2) Article 28, paragraphs (1) and (2), Article 31, Article 32, paragraphs (1) and (2), and Article 44, paragraph (3) apply mutatis mutandis to cases where a notary is to create an authenticated copy of an instrument pursuant to the preceding paragraph.

3 第三十二条第二項ノ規定ハ囑託人ノ承継人カ証書ノ正本ノ交付ヲ請求スル場合ニ提出スヘキ証書ニ之ヲ準用ス

(3) Article 32, paragraph (2) applies mutatis mutandis to an instrument to be submitted in cases where a client's successor makes a request for the issuance of an authenticated copy of an instrument.

第四十八条 証書ノ正本ニハ左ノ事項ヲ記載シ公証人之ニ署名捺印スルコトヲ要ス

Article 48 (1) An authenticated copy of an instrument must contain a statement of the following particulars, and must be signed and sealed by the notary:

一 証書ノ全文

(i) the whole text of the instrument;

二 正本タルコト

(ii) a statement to the effect that it is an authenticated copy;

三 交付ヲ請求シタル者ノ氏名

(iii) the name of the person requesting the issuance; and

四 作成ノ年月日及場所

(iv) the date and place of creation.

2 前項ノ規定ニ違反スルモノハ証書ノ正本タルノ効力ヲ有セス

(2) Any instrument created in violation of the preceding paragraph shall not have effect as an authenticated copy of an instrument.

第四十九条 数事件ヲ列記スル証書又ハ数人各自ニ関係ヲ異ニスル証書ニ付テハ有用ノ部分及証書ノ方式ニ関スル記載ヲ抄録シテ其ノ正本ヲ作成スルコトヲ得

Article 49 (1) With regard to an instrument indicating two or more cases or an instrument representing different relationships between two or more persons, an authenticated copy thereof may be created by making excerpts of the part relevant to each case or person and a statement concerning the form of the instrument.

2 前項ノ正本ニハ抄録正本タルコトヲ記載シ前条第一項第二号ノ記載ニ代フルコトヲ要ス

(2) The authenticated copy referred to in the preceding paragraph must contain a statement to the effect that it is an excerpt, and such statement must substitute for the statement referred to in paragraph (1), item (ii) of the preceding Article.

第五十条 公証人証書ノ正本ヲ交付シタルトキハ其ノ証書ノ末尾ニ囑託人又ハ其ノ承継人何某ノ為正本ヲ交付シタル旨及其ノ交付ノ年月日ヲ記載シ之ニ署名捺印スヘシ

Article 50 When a notary has issued an authenticated copy of an instrument, the notary must state at the end of the instrument that the notary has issued the authenticated copy for the client or said client's successor, with the client's or successor's name and the date of issuance also being stated therein, and shall sign and seal said authenticated copy.

第五十一条 囑託人、其ノ承継人又ハ証書ノ趣旨ニ付法律上利害ノ関係ヲ有スルコトヲ証明シタル者ハ証書又ハ其ノ附属書類ノ謄本ノ交付ヲ請求スルコトヲ得

Article 51 (1) A client or the client's successor, or a person who has proved that the person has a legal interest in the purport of an instrument may make a request for the issuance of a transcript of said instrument or any document annexed thereto.

2 第二十八条第一項及第二項、第三十一条、第三十二条第一項並第四十四条第三項ノ規定ハ前項ニ依リ公証人証書ノ謄本ヲ作成スヘキ場合ニ之ヲ準用ス

(2) Article 28, paragraphs (1) and (2), Article 31, Article 32, paragraph (1), and Article 44, paragraph (3) apply mutatis mutandis to cases where a notary

should create a transcript of an instrument.

第五十二条 証書ノ謄本ニハ左ノ事項ヲ記載シ公証人之ニ署名捺印スヘシ

Article 52 A transcript of an instrument must contain the following particulars, and must be signed and sealed by the notary:

一 証書ノ全文

(i) the whole text of the instrument;

二 謄本タルコト

(ii) a statement to the effect that it is a transcript; and

三 作成ノ年月日及場所

(iii) the date and place of creation.

第五十三条 証書ノ謄本ハ其ノ一部ニ付之ヲ作成スルコトヲ得

Article 53 (1) A transcript of an instrument may be created with regard to only a part of said instrument.

2 前項ノ謄本ニハ抄録謄本タルコトヲ記載スヘシ

(2) The transcript referred to in the preceding paragraph must contain a statement to the effect that it is an excerpt.

第五十四条 前二条ノ規定ハ証書ノ附属書類ノ謄本ノ作成ニ之ヲ準用ス

Article 54 The preceding two Articles apply mutatis mutandis to the creation of a transcript of any document annexed to an instrument.

第五十五条 証書ノ正本若ハ謄本又ハ其ノ附属書類ノ謄本ヲ請求スル者ハ之ニ記載スヘキ事項ヲ自ラ記載シ公証人ノ署名捺印ノミヲ請求スルコトヲ得

Article 55 (1) A person who requests an authenticated copy or transcript of an instrument or a transcript of any document annexed to an instrument may personally create an authenticated copy or transcript by stating therein the particulars that should be stated, and request a notary only to sign and seal that authenticated copy or transcript.

2 公証人前項ノ正本又ハ謄本ニ署名捺印シタルトキハ其ノ正本又ハ謄本ハ公証人自ラ之ヲ作成シタルト同一ノ効力ヲ有ス

(2) When a notary has signed and sealed an authenticated copy or transcript as referred to in the preceding paragraph, said authenticated copy or transcript shall have the same effect as one created by a notary.

第五十六条 証書ノ正本若ハ謄本又ハ其ノ附属書類ノ謄本数葉ニ渉ルトキハ公証人ハ毎葉ノ綴目ニ契印ヲ為スヘシ

Article 56 (1) If an authenticated copy or transcript of an instrument or a transcript of any document annexed to an instrument extends to two or more pages, a notary must affix the notary's seal to confirm page continuation over

the seam between each contiguous page.

2 第三十七条及第三十八条ノ規定ハ証書ノ正本及謄本並其ノ附属書類ノ謄本ノ作成ニ之ヲ準用ス

(2) Articles 37 and 38 apply mutatis mutandis to the creation of an authenticated copy and a transcript of an instrument, and of a transcript of any document annexed to an instrument.

第五十七条 第十八条第二項ノ規定ハ公証人遺言書ヲ作成スル場合ニ、第二十八条乃至第三十二条ノ規定ハ公証人拒絶証書ヲ作成スル場合ニ之ヲ適用セス

Article 57 Article 18, paragraph (2) does not apply to cases where a notary creates a notarial will, and Articles 28 through 32 do not apply to cases where a notary creates a noting protest.

第五十七条ノ二 民事執行法（昭和五十四年法律第四号）第二十二条第五号ニ掲グル債務名義ニ付テハ其ノ正本若ハ謄本又ハ同法第二十九条後段ノ執行文及文書ノ謄本ノ送達ハ郵便又ハ最高裁判所規則ノ定ムル方法ニ依ル

Article 57-2 (1) With regard to the title of obligation set forth in Article 22, item (v) of the Civil Execution Act (Act No. 4 of 1979), the service of an authenticated copy or transcript thereof or of the certificate of execution and the document referred to in the second sentence of Article 29 of said Act shall be made by mail or any other method specified by the Rules of the Supreme Court.

2 郵便ニ依ル送達ハ申立ニ因リ公証人之ヲ為ス

(2) A notary shall effect service by mail when requested to do so.

3 民事訴訟法（平成八年法律第九号）第九十九条第二項、第一百一条乃至第一百三、第五、第六、第七條第一項及第三項並第九條ノ規定ハ前項ノ場合ニ之ヲ準用ス

(3) Article 99, paragraph (2), Articles 101 through 103, Article 105, Article 106, Article 107, paragraphs (1) and (3), and Article 109 of the Code of Civil Procedure (Act No. 109 of 1996) apply mutatis mutandis to the case referred to in the preceding paragraph.

第五十七条ノ三 公証人任意後見契約に関する法律（平成十一年法律第五十号）第三条ニ規定スル証書ヲ作成シタルトキハ登記所ニ任意後見契約ノ登記ヲ嘱託スルコトヲ要ス

Article 57-3 (1) When a notary has created an instrument as provided in Article 3 of the Act on Voluntary Guardianship Contract (Act No. 50 of 1999), the notary must commission a registry office to register a voluntary guardianship contract.

2 前項ノ登記ノ嘱託書ニハ証書ノ謄本ヲ添付スルコトヲ要ス

(2) A written commission of the registration referred to in the preceding

paragraph must have attached thereto a transcript of the instrument.

第五章 認証

Chapter V Certification

第五十八条 公証人私署証書ニ認証ヲ与フルニハ当事者其ノ面前ニ於テ証書ニ署名若ハ捺印シタルトキ又ハ証書ノ署名若ハ捺印ヲ自認シタルトキ其ノ旨ヲ記載シテ之ヲ為スコトヲ要ス

Article 58 (1) A notary shall certify a private instrument when a party, in the presence of a notary, has signed and sealed the instrument or has acknowledged that the signature or seal affixed to the instrument is the party's own, and the notary must state this fact in said instrument.

2 私署証書ノ謄本ニ認証ヲ与フルニハ証書ト対照シ其ノ符合スルコトヲ認メタルトキ其ノ旨ヲ記載シテ之ヲ為スコトヲ要ス

(2) A notary shall certify a transcript of a private instrument when said notary has compared the transcript with the instrument and found that they are consistent with each other, and said notary must state this fact in the transcript.

3 私署証書ニ文字ノ挿入、削除、改竄、欄外ノ記載其ノ他ノ訂正アルトキ又ハ破損若ハ外見上著ク疑フヘキ点アルトキハ其ノ状況ヲ認証文ニ記載スルコトヲ要ス

(3) If a private instrument has been corrected by adding, deleting or altering characters, stating any particulars in its margin or in any other way, or said instrument is damaged or particularly dubious in appearance, such fact must be stated in the text of said certificate.

第五十八条ノ二 公証人私署証書ニ認証ヲ与フル場合ニ於テ当事者其ノ面前ニ於テ証書ノ記載ノ真実ナルコトヲ宣誓シタル上証書ニ署名若ハ捺印シ又ハ証書ノ署名若ハ捺印ヲ自認シタルトキハ其ノ旨ヲ記載シテ之ヲ為スコトヲ要ス

Article 58-2 (1) A notary shall certify a private instrument when a party, in the presence of the notary, has sworn an oath regarding the truth of what is stated in the instrument and has signed and sealed the instrument, or has acknowledged that the signature or seal affixed to the instrument is the party's own, and the notary must state this fact in said instrument.

2 前項ノ認証ノ囑託ハ証書二通ヲ提出シテ之ヲ為スコトヲ要ス

(2) The commission of certification referred to in the preceding paragraph must be made by submitting two copies of the instrument.

3 第一項ノ認証ノ囑託ハ代理人ニ依リテ之ヲ為スコトヲ得ズ

(3) The commission of certification referred to in paragraph (1) may not be made by an agent.

4 公証人ハ第一項ノ規定ニ依ル記載ヲ為シタル証書ノ中一通ヲ自ラ保存シ他ノ一通ヲ囑託人ニ還付スルコトヲ要ス

(4) A notary must keep on file one of the copies of an instrument in which the statement under paragraph (1) has been made, and return the other copy to the client.

第五十九条 認証ヲ与フヘキ証書ニハ登簿番号、認証ノ年月日及其ノ場所ヲ記載シ公証人及立会人之ニ署名捺印シ且公証人其ノ証書ト認証簿トニ契印ヲ為スコトヲ要ス此場合ニ於テ囑託人ノ申立アルトキハ第三十六条第四号及第六号乃至第八号ニ掲グル事項ヲ記載スルコトヲ要ス

Article 59 An instrument to be certified must contain a statement of the register number and the date and place of certification, and the notary and an observer must sign and seal the instrument, and the notary must affix the notary's seal to confirm page continuation to the instrument and the certificate register so that it overlaps them both. In this case, the particulars set forth in Article 36, item (iv) and items (vi) through (viii) must be stated in the instrument, upon a petition from the client.

第六十条 第二十六条乃至第三十四条、第三十七条、第三十八条及第三十九条第五項ノ規定ハ私署証書ニ認証ヲ与フル場合ニ之ヲ準用ス

Article 60 Articles 26 through 34, Article 37, Article 38, and Article 39, paragraph (5) apply mutatis mutandis to the case of certifying a private instrument.

第六十条ノ二 官公署ノ証明書、第三者ノ許可又ハ同意ヲ証スベキ証書其ノ他ノ附属書類ハ第五十八条ノ二第四項ノ規定ニ依リ公証人ノ保存スル証書ニ之ヲ連綴スベシ

Article 60-2 (1) A certificate issued by a public agency, a certificate to prove a third party's permission or consent, and any other annexed documents must be bound with the instrument kept on file by a notary pursuant to Article 58-2, paragraph (4).

2 第四十一条第一項但書及第二項ノ規定ハ前項ノ場合ニ之ヲ準用ス

(2) The proviso to Article 41, paragraph (1), and the provisions of paragraph (2) of said Article apply mutatis mutandis to the case referred to in the preceding paragraph.

第六十条ノ三 第五十八条ノ二第四項ノ規定ニ依リテ保存スル証書滅失シタルトキハ公証人ハ囑託人ニ還付シタル証書ニ依リテ謄本ヲ作成シ又ハ既ニ交付シタル証書ノ謄本ヲ徴シ其ノ所属スル法務局又ハ地方法務局ノ長ノ認可ヲ受ケ滅失シタル証書ニ代ヘテ之ヲ保存スルコトヲ要ス

Article 60-3 (1) When an instrument kept on file pursuant to Article 58-2, paragraph (4) is lost, a notary must create a transcript thereof based on the instrument that has been returned to the client or collect the transcript of the instrument that has already been issued, and must keep on file the transcript

thus created or collected in lieu of the lost instrument, with the approval of the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said notary is affiliated.

2 第四十二条第二項ノ規定ハ前項ノ場合ニ之ヲ準用ス

(2) Article 42, paragraph (2) apply mutatis mutandis to the case referred to in the preceding paragraph.

第六十条ノ四 第四十四条及第五十一条乃至第五十六条ノ規定ハ第五十八条ノ二第四項ノ規定ニ依リ公証人ノ保存スル証書及其ノ附属書類ニ之ヲ準用ス

Article 60-4 Article 44, and Articles 51 through 56 apply mutatis mutandis to the instrument kept on file by a notary pursuant to Article 58-2, paragraph (4) and documents annexed thereto.

第六十条ノ五 証書ノ記載ガ虚偽ナルコトヲ知リテ第五十八条ノ二第一項ニ規定スル宣誓ヲ為シタル者ハ十万円以下ノ過料ニ処ス

Article 60-5 A person who has sworn the oath provided in Article 58-2, paragraph (1), while knowing that what is stated in the instrument is false, shall be punished by a non-criminal fine of not more than 100,000 yen.

第六十一条 公証人ハ認証簿ヲ調製スヘシ

Article 61 Notaries must prepare a certificate register.

第六十二条 認証簿ニハ認証ヲ与フル毎ニ進行ノ順序ヲ逐ヒ左ノ事項ヲ記入スヘシ

Article 62 The following particulars must be entered in a certificate register at the time of each certification, in a chronological manner:

一 登簿番号

(i) the register number;

二 囑託人ノ住所及氏名若法人ナルトキハ其ノ名称及事務所

(ii) the address and name of the client and, if the client is a corporation, its name and office;

三 証書ノ種類及署名捺印者

(iii) the type of instrument and the person who signed and sealed the instrument;

四 認証ノ方法

(iv) the means of certification;

五 立会人ノ住所及氏名

(v) the address and name of the observer; and

六 認証ノ年月日

(vi) the date of certification.

第六十二条ノ二 会社法第三十条第一項及其ノ準用規定並一般社団法人及び一般財団法

人に関する法律第十三条及第一百五十五条ノ規定ニ依ル定款ノ認証ノ事務ハ法人ノ本店又ハ主タル事務所ノ所在地ヲ管轄スル法務局又ハ地方法務局ノ所属公証人之ヲ取扱フ

Article 62-2 Processes relating to the certification of articles of corporations under Article 30, paragraph (1) of the Companies Act and the provisions pursuant to which said paragraph applies mutatis mutandis, and under Articles 13 and 155 of the Act on General Incorporated Associations and General Incorporated Foundations, shall be carried out by a notary affiliated with the Legal Affairs Bureau or District Legal Affairs Bureau which has jurisdiction over the location of the head office or principal office of said corporation.

第六十二条ノ三 前条ノ定款（其ノ定款ガ電磁的記録ヲ以テ作ラレタル場合ニ於ケル其ノ電磁的記録ヲ除ク以下之ニ同ジ）ノ認証ノ囑託ハ定款二通ヲ提出シテ之ヲ為スコトヲ要ス

Article 62-3 (1) The commission of the certification of articles of incorporation (excluding electronic or magnetic records if the articles of incorporation are made by means of an electronic or magnetic record; the same applies hereinafter) referred to in the preceding Article must be made by submitting two copies of the articles of incorporation.

2 公証人前項ノ定款ノ認証ヲ与フルニハ囑託人ヲシテ其ノ面前ニ於テ定款各通ニ付其ノ署名又ハ記名捺印ヲ自認セシメ其ノ旨ヲ之ニ記載スルコトヲ要ス

(2) In order to certify articles of incorporation as referred to in the preceding paragraph, a notary must have the client, in the presence of the notary, acknowledge that the signature or the name and seal affixed to each copy of the articles of incorporation is said client's own, and must state this fact in said copy of the articles of incorporation.

3 公証人ハ前項ノ記載ヲ為シタル定款ノ中一通ヲ自ラ保存シ他ノ一通ヲ囑託人ニ還付スルコトヲ要ス

(3) A notary must keep on file one of the copies of the articles of incorporation in which the statement under paragraph (1) has been made, and return the other copy to the client.

4 第五十八条第三項、第五十九条、第六十条、第六十一条及第六十二条ノ規定ハ第二項ノ場合ニ之ヲ準用ス

(4) Article 58, paragraph (3), Article 59, Article 60, Article 61, and Article 62 apply mutatis mutandis to the case referred to in paragraph (2).

第六十二条ノ四 代理人ノ権限ヲ証スヘキ証書、官公署ノ証明書、第三者ノ許可又ハ同意ヲ証スヘキ証書其ノ他ノ附属書類ハ前条第三項ノ規定ニ依リ公証人ノ保存スル定款ニ之ヲ連綴スヘシ

Article 62-4 (1) A certificate to prove the authority of an agent, a certificate issued by a public agency, a certificate to prove a third party's permission or

consent, and any other annexed documents must be bound with the articles of incorporation kept on file by a notary pursuant to paragraph (3) of the preceding Article.

2 第四十一条第一項但書及第二項ノ規定ハ前項ノ場合ニ之ヲ準用ス

(2) The proviso to Article 41, paragraph (1), and the provisions of paragraph (2) of said Article apply mutatis mutandis to the case referred to in the preceding paragraph.

第六十二条ノ五 第六十条ノ三及第六十条ノ四ノ規定ハ第六十二条ノ三第三項ノ規定ニ依リ公証人ノ保存スル定款及其ノ附属書類ニ之ヲ準用ス

Article 62-5 Articles 60-3 and 60-4 apply mutatis mutandis to the articles of incorporation kept on file by a notary pursuant to Article 62-3, paragraph (3) and documents annexed thereto.

第六十二条ノ六 指定公証人電磁的記録ニ認証ヲ与フルニハ法務省令ノ定ムルトコロニ依リ当事者其ノ面前ニ於テ囑託ニ係ル電磁的記録ニ記録セラレタル情報ニ付左ノ行為（第六十二条ノ二ノ定款ガ電磁的記録ヲ以テ作ラレタル場合ニ於ケル其ノ電磁的記録ニ記録セラレタル情報ニ付テハ第二号ノ行為ニ限ル）ヲ為シタルトキ其ノ旨ヲ内容トスル情報ヲ電磁的記録ニ記録セラレタル情報ニ電磁的方式ニ依リ付シテ之ヲ為スコトヲ要ス

Article 62-6 (1) A Designated Notary shall certify an electronic or magnetic record when a party, in the presence of the notary, has performed any of the following acts with regard to the information recorded in said electronic or magnetic record subject to commission (limited to the act referred to in item (ii) with regard to the information recorded in an electronic or magnetic record if the articles of incorporation referred to in Article 62-2 are created by means of electronic or magnetic record), and the notary must add the information representing this fact to the information recorded in the electronic or magnetic record in Electronic or Magnetic Form:

一 囑託ニ係ル電磁的記録ニ記録セラレタル情報が其ノ者ノ作成ニ係ルモノナルコトヲ示ス措置ニシテ当該情報が他ノ情報ニ改変セラレタルヤ否ヤヲ確認シ得ル等作成者ヲ確実ニ示スコトヲ得ルモノトシテ法務省令ニ定ムルモノヲ為シタルトキ

(i) where the party has taken measures to show that the party has prepared the information recorded in the electronic or magnetic record subject to commission, which are specified by Ordinance of the Ministry of Justice as measures available for verifying whether or not said information has been altered or for otherwise unequivocally showing who created said information; and

二 前号ニ規定スル措置ヲ為シタルコトヲ自認シタルトキ

(ii) where the party has acknowledged that the party has taken the measures provided in the preceding item.

2 指定公証人電磁的記録ニ認証ヲ与フル場合ニ於テ当事者其ノ面前ニ於テ囑託ニ係ル電磁的記録ノ内容ノ真実ナルコトヲ宣誓シタル上前項各号ノ行為ヲ為シタルトキハ其ノ旨ヲ内容トスル情報ヲ電磁的記録ニ記録セラレタル情報ニ電磁的方式ニ依リ付シテ之ヲ為スコトヲ要ス此場合ニ於テハ第五十八条ノ二第三項ノ規定ヲ準用ス

(2) A Designated Notary shall certify an electronic or magnetic record when a party, in the presence of the Designated Notary, has sworn an oath as to the truth of what is contained in the electronic or magnetic record subject to commission and has performed any of the acts referred to in the items of the preceding paragraph, and the Designated Notary shall add the information representing this fact to the information recorded in the electronic or magnetic record in Electronic or Magnetic Form. In this case, Article 58-2, paragraph (3) applies mutatis mutandis.

3 前二項ノ認証ノ囑託ハ法務省令ノ定ムルトコロニ依リ之ヲ為スコトヲ要ス

(3) The commission of certification referred to in the preceding two paragraphs must be made as provided by Ordinance of the Ministry of Justice.

4 第二十六条及第二十九条乃至第三十一条ノ規定ハ第一項及第二項ノ規定ニ依リ電磁的記録ニ認証ヲ与フル場合ニ之ヲ準用ス

(4) Article 26 and Articles 29 through 31 apply mutatis mutandis to the case of certifying an electronic or magnetic record pursuant to paragraphs (1) and (2).

5 囑託ニ係ル電磁的記録ノ内容ガ虚偽ナルコトヲ知りテ第二項ノ宣誓ヲ為シタル者ハ十万円以下ノ過料ニ処ス

(5) A person who has sworn the oath referred to in paragraph (2) while knowing that what is contained in the electronic or magnetic record subject to commission is false shall be punished by a non-criminal fine of not more than 100,000 yen.

第六十二条ノ七 指定公証人ハ法務省令ノ定ムルトコロニ依リ前条第一項又ハ第二項ノ規定ニ依リ認証ヲ受ケタル電磁的記録ニ記録セラレタル情報ノ同一性ヲ確認スルニ足ル情報ヲ保存ス

Article 62-7 (1) A Designated Notary shall keep on file sufficient information to identify the information recorded in the electronic or magnetic record certified pursuant to paragraph (1) or paragraph (2) of the preceding Article, as provided by Ordinance of the Ministry of Justice.

2 囑託人ハ前条第一項又ハ第二項ノ規定ニ依リ認証ヲ受ケタル電磁的記録ニ記録セラレタル情報ト同一ノ情報ヲ記録シタル電磁的記録ノ保存ヲ請求スルコトヲ得

(2) A client may make a request for keeping on file an electronic or magnetic record in which information that is identical to the information recorded in the electronic or magnetic record certified pursuant to paragraph (1) or paragraph (2) of the preceding Article is recorded.

3 囑託人、其ノ承継人又ハ電磁的記録ノ趣旨ニ付法律上利害ノ関係ヲ有スルコトヲ証明シタル者ハ左ノ証明又ハ情報ノ提供ヲ請求スルコトヲ得

- (3) A client or said client's successor, or a person who has proved that the person has a legal interest in the purport of an electronic or magnetic record may make a request for either the following attestation or the provision of information:
- 一 自己ノ保有スル電磁的記録ニ記録セラレタル情報ト第一項ニ規定スル電磁的記録ニ記録セラレタル情報トガ同一ナルコトニ関スル証明
 - (i) an attestation of the fact that the information recorded in the electronic or magnetic record that said person possesses is identical to the information recorded in the electronic or magnetic record provided in paragraph (1); or
 - 二 第二項ノ規定ニ依リ保存セラレタル電磁的記録ニ記録セラレタル情報ト同一ノ情報ノ提供
 - (ii) provision of information that is identical to the information recorded in the electronic or magnetic record kept on file pursuant to paragraph (2).
- 4 前項第二号ノ情報ノ提供ハ法務省令ノ定ムルトコロニ依リ同号ノ電磁的記録ノ内容ヲ証スル書面ノ交付ヲ以テ之ヲ為スコトヲ得
- (4) The provision of information referred to in item (ii) of the preceding paragraph may be conducted by issuing a document certifying what is contained in the electronic or magnetic record referred to in said item, as provided by Ordinance of the Ministry of Justice.
- 5 前条第三項ノ規定ハ第二項及第三項ノ請求ニ之ヲ準用ス
- (5) Paragraph (3) of the preceding Article applies mutatis mutandis to the request referred to in paragraphs (2) and (3).

第六十二条ノ八 指定公証人前二条ノ規定ニ依リ認証ヲ与へ又ハ電磁的方式ニ依ル証明若ハ情報ノ提供ヲ行フ場合ニ於テハ認証ヲ与フル電磁的記録ニ記録セラレタル情報及第六十二条ノ六ノ規定ニ依リ之ニ付セラレタル情報又ハ当該証明ヲ内容トスル情報若ハ提供スル情報ニ左ノ措置ヲ為スコトヲ要ス

Article 62-8 (1) Where a Designated Notary certifies an electronic or magnetic record pursuant to the preceding two Articles or attests the relevant facts or provides the relevant information in Electronic or Magnetic Form pursuant to the preceding two Articles, the Designated Notary must take the following measures with regard to the information recorded in the electronic or magnetic record to be certified and the information added to such information pursuant to Article 62-6, or the information representing such attestation or the information provided:

- 一 電磁的記録ニ記録セラレタル情報が其ノ指定公証人ノ作成ニ係ルモノナルコトヲ示ス措置ニシテ当該情報が他ノ情報ニ改変セラレタルヤ否ヤヲ確認シ得ル等作成者ヲ确实ニ示スコトヲ得ルモノトシテ法務省令ニ定ムルモノヲ為スコト
- (i) taking measures to show that the Designated Notary has created the information recorded in the electronic or magnetic record, which are measures specified by Ordinance of the Ministry of Justice as those available

for verifying whether or not said information has been altered or for otherwise unequivocally showing who created said information; and
二 指定公証人ガ前号ニ規定スル措置ヲ為シタルモノナルコトヲ確認スル為必要ナル事項ヲ証明スル情報ヲ電磁的方式ニ依リ付スルコト

(ii) adding in Electronic or Magnetic Form information proving the matters necessary for verifying that the Designated Notary has taken the measures provided in the preceding item.

2 前項第二号ノ情報ハ法務大臣又ハ法務大臣ノ指定シタル法務局若ハ地方法務局ノ長之ヲ作ル

(2) The information referred to in item (ii) of the preceding paragraph shall be prepared by the Minister of Justice or the Director of the Legal Affairs Bureau or District Legal Affairs Bureau designated by the Minister of Justice.

3 前項ノ指定ハ告示シテ之ヲ為ス

(3) The designation referred to in the preceding paragraph shall be made by means of public notice.

第六章 代理兼務及受継

Chapter VI Agency, Concurrent Service, and Succession

第六十三条 公証人疾病其ノ他已ムコトヲ得サル事由ニ因リ職務ヲ行フコト能ハサルトキハ同一ノ法務局又ハ地方法務局ノ管轄区域内ノ公証人ニ代理ヲ囑託スルコトヲ得

Article 63 (1) When a notary is unable to perform said notary's duties due to illness or for any other compelling reason, the notary may commission another notary in the jurisdictional district of the same Legal Affairs Bureau or District Legal Affairs Bureau to act as the first notary's agent.

2 公証人前項ニ依リ代理ヲ囑託シタルトキハ遅滞ナク其ノ旨ヲ其ノ所属スル法務局又ハ地方法務局ノ長ニ届出ツヘシ其ノ代理ヲ解キタルトキ亦同シ

(2) When a notary has commissioned another notary to act as the first notary's agent pursuant to the preceding paragraph, said notary must notify the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said notary is affiliated without delay. The same applies when a notary has dismissed said agent.

第六十四条 公証人前条第一項ニ依リ代理ヲ囑託セス又ハ之ヲ囑託スルコト能ハサルトキハ其ノ所属スル法務局又ハ地方法務局ノ長ハ同一ノ法務局又ハ地方法務局ノ管轄区域内ノ公証人ニ代理ヲ命スルコトヲ得

Article 64 (1) If a notary does not commission or is unable to commission another notary to act as the first notary's agent pursuant to paragraph (1) of the preceding Article, the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said notary is affiliated may order another notary in the jurisdictional district of the same Legal Affairs Bureau or District Legal

Affairs Bureau to act as said notary's agent.

2 公証人其ノ職務ヲ行フコトヲ得ルニ至リタルトキハ其ノ所属スル法務局又ハ地方法務局ノ長ハ前項ノ代理ヲ解クヘシ

(2) When a notary is able to perform the notary's duties again, the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which the notary is affiliated must relieve the notary's agent referred to in the preceding paragraph from the post.

第六十五条 公証人ノ代理者前二条ニ依リ其ノ職務ヲ行フノ役場ハ代理セラルル公証人ノ役場トス

Article 65 (1) An agent of a notary shall perform the duties pursuant to the preceding two Articles at the office of the notary for whom the agent act.

2 公証人ノ代理者職務上署名スルトキハ代理セラルル公証人ノ職氏名、所属、役場所在地及其ノ代理者タルコトヲ記載スヘシ

(2) When an agent of a notary signs the name in performing the agent's duties, the agent must state the official title, name, affiliation, and location of the office of the notary for whom said agent acts and state that the agent is an agent of said notary.

3 第二十二条ノ規定ハ代理セラルル公証人ノ外其ノ代理者ニモ之ヲ適用ス

(3) Article 22 applies to an agent of a notary in addition to the notary for whom the agent acts.

第六十六条 公証人ノ死亡、免職、失職又ハ転属ノ場合ニ於テ其ノ所属スル法務局又ハ地方法務局ノ長必要ト認ムルトキハ其ノ指定シタル官吏ヲシテ遅滞ナク役場ノ書類ニ封印ヲ為サシムヘシ

Article 66 In the event of the death, dismissal, loss of employment or reassignment of a notary, the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which the notary is affiliated must designate a government official and have that official enclose the documents in an envelope retained at the notary's office and affix a seal over the closure of the envelope, without delay, when the Director finds it necessary to do so.

第六十七条 公証人ノ死亡、免職、失職又ハ転属ノ場合ニ於テ直ニ後任者ノ任命セラレサルトキハ其ノ所属スル法務局又ハ地方法務局ノ長ハ同一ノ法務局又ハ地方法務局ノ管轄区域内ノ公証人ニ兼務ヲ命スルコトヲ得

Article 67 (1) In the event of the death, dismissal, loss of employment or reassignment of a notary, if a person who is to succeed said notary is not appointed immediately, the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which the notary is affiliated may order another notary in the jurisdictional district of the same Legal Affairs Bureau or District Legal Affairs Bureau to hold said notary's post concurrently with said

notary's own.

2 後任者其ノ職務ヲ行フコトヲ得ルニ至リタルトキハ其ノ所属スル法務局又ハ地方法務局ノ長ハ前項ノ兼務ヲ解クヘシ

(2) When a person who is to succeed a notary becomes available to serve, the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said person is affiliated must relieve the other notary referred to in the preceding paragraph from the post the other notary is holding concurrently with the other notary's own.

第六十八条 公証人ノ免職、失職又ハ転属ノ場合ニ於テハ後任者又ハ兼務者ハ前任者ト立会ヒ遅滞ナク書類ノ授受ヲ為スヘシ

Article 68 (1) In the event of the dismissal, loss of employment or reassignment of a notary, the person who succeeds said notary or person who is holding said notary's post concurrently with said person's own must meet said persons predecessor and receive documents therefrom without delay.

2 死亡其ノ他ノ事由ニ因リ書類ノ授受ヲ為スコト能ハサル場合ニ於テハ後任者又ハ兼務者ハ其ノ所属スル法務局又ハ地方法務局ノ長ノ指定シタル官吏ノ立会ヲ以テ書類ヲ受取ルヘシ

(2) Where the person who succeeds a notary or person who is holding a notary's post concurrently with said person's own is unable to receive documents from said notary due to said notary's death or for any other reason, that person must receive the documents in the presence of a government official designated by the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said person is affiliated.

3 第六十六条ニ依ル書類ノ封印後ニ命セラレタル後任者又ハ兼務者ハ其ノ所属スル法務局又ハ地方法務局ノ長ノ指定シタル官吏ノ立会ヲ以テ封印ヲ解キ書類ヲ受取ルヘシ

(3) A person who is appointed to succeed a notary or to hold a notary's post concurrently with said person's own after the documents have been enclosed in an envelope and a seal has been affixed over the closure of the envelope pursuant to Article 66 must open and receive said documents enclosed in the envelope in the presence of a government official designated by the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which said person is affiliated.

第六十九条 前条ノ規定ハ兼務者カ書類ヲ更ニ他ノ公証人ニ引渡スヘキ場合ニ之ヲ準用ス

Article 69 The preceding Article applies mutatis mutandis to cases where a person who is holding a notary's post concurrently with the person's own should deliver the documents to another notary.

第七十条 兼務者職務上署名スルトキハ兼務者タルコトヲ記載スヘシ

Article 70 (1) When a person who is holding a notary's post concurrently with the person's own signs the name in performing the person's duties, that person must state that the person is a person who is holding said notary's post concurrently with the person's own.

2 前任者又ハ兼務者ノ作成シタル証書ニ依リ後任者カ其ノ正本又ハ謄本ヲ作成スル場合ニ於テ署名スルトキハ後任者タルコトヲ記載スヘシ

(2) When a person who succeeds a notary signs the name upon creating an authenticated copy or transcript of an instrument that was created by the predecessor or by the person who is holding said notary's post concurrently with the person's own, that person must state that said person is the person who is succeeding said notary.

第七十一条 公証人ノ死亡、免職、失職又ハ転属ノ場合ニ於テ定員ノ改正ニ因リ後任者ヲ要セサルトキハ法務大臣ハ同一ノ法務局若ハ地方法務局又ハ其ノ支局ノ管轄区域内ノ公証人ニ書類ノ引継ヲ命スヘシ

Article 71 (1) In the event of the death, dismissal, loss of employment or reassignment of a notary, if there is no requirement for a person to be appointed to succeed said notary as a result of the revision to the prescribed number of notaries, the Minister of Justice must order another notary in the jurisdictional district of the same Legal Affairs Bureau or District Legal Affairs Bureau or the branch bureau thereof to take over that notary's documents.

2 第六十八条及前条第二項ノ規定ハ前項ニ依リ書類ノ引継ヲ命セラレタル公証人ニ之ヲ準用ス

(2) Article 68 and paragraph (2) of the preceding Article apply mutatis mutandis to the notary who is ordered to take over documents pursuant to the preceding paragraph.

第七十二条 第六十六条、第六十七条、第六十八条第三項及第七十条第一項ノ規定ハ公証人ノ停職ノ場合ニ之ヲ準用ス

Article 72 (1) Article 66, Article 67, Article 68, paragraph (3), and Article 70, paragraph (1) apply mutatis mutandis to cases of the suspension of a notary from the duties.

2 兼務者前項ニ依リ其ノ職務ヲ行フノ役場ハ停職者ノ役場トス

(2) A person who is holding a notary's post concurrently with the person's own shall perform the duties pursuant to the preceding paragraph at the office of said notary who has been suspended from duty.

第七十三条 第六十八条及第六十九条ノ規定ハ法務事務官カ第八条ニ依リ公証人ノ職務ヲ行フ場合ニ之ヲ準用ス

Article 73 Articles 68 and 69 apply mutatis mutandis to cases where an official

of the Ministry of Justice performs the duties of a notary pursuant to Article 8.

第七章 監督及懲戒

Chapter VII Supervision and Disciplinary Action

第七十四条 公証人ハ法務大臣ノ監督ヲ受ク

Article 74 (1) Notaries shall be subject to the supervision of the Minister of Justice.

2 法務大臣ハ其ノ定ムルトコロニ依リ法務局又ハ地方法務局ノ長ヲシテ其ノ管轄区域内ノ公証人ニ対スル監督事務ヲ取扱ハシム

(2) The Minister of Justice shall have the Director of each Legal Affairs Bureau or District Legal Affairs Bureau carry out processes relating to the supervision of notaries within the jurisdictional district of the bureau, in a manner specified by said Minister.

第七十五条 削除

Article 75 Deleted

第七十六条 第七十四条ノ監督権ハ左ノ事項ヲ包含ス

Article 76 The authority of supervision referred to in Article 74 shall cover the following:

一 公証人ノ不適當ニ取扱ヒタル職務ニ付其ノ注意ヲ促シ及適當ニ其ノ職務ヲ取扱フヘキコトヲ之ニ訓令スルコト

(i) calling attention to a notary with regard to the improper performance of the duties and directing said notary as to how to perform the duties properly;
and

二 職務ノ内外ヲ問ハス公証人ノ地位ニ不相応ナル行状ニ付之ニ諭告スルコト但シ諭告ヲ為ス前其ノ公証人ヲシテ弁明ヲ為スコトヲ得セシムヘシ

(ii) issuing an admonition to a notary with regard to inappropriate conduct in light of the notary's position whether in the course of performing the duties or not, on condition of providing the notary with the opportunity to give an explanation before issuing said notary with an admonition.

第七十七条 監督官ハ公証人ノ保存スル書類ヲ検閲シ又ハ其ノ指定シタル官吏ヲシテ之ヲ検閲セシムルコトヲ得

Article 77 (1) A supervising officer may inspect the documents kept on file by a notary or designate a government official to inspect such documents.

2 前項ノ規定ハ指定公証人ノ保存スル電磁的記録ニ之ヲ準用ス

(2) The preceding paragraph applies mutatis mutandis to the electronic or magnetic records kept on file by a Designated Notary.

第七十八条 嘱託人又ハ利害關係人ハ公証人ノ事務取扱ニ対シ其ノ所属スル法務局又ハ地方法務局ノ長ニ異議ヲ申出ルコトヲ得

Article 78 (1) A client or any interested person may file an objection with the Director of the Legal Affairs Bureau or District Legal Affairs Bureau with which the notary is affiliated, with regard to the manner in which the notary carries out the notary's processes.

2 前項ノ異議ニ付為シタル処分ニ対シ不服アル者ハ更ニ法務大臣ニ異議ヲ申出ルコトヲ得

(2) A person who is dissatisfied with a disposition on the objection referred to in the preceding paragraph may file another objection with the Minister of Justice.

第七十九条 公証人職務上ノ義務ニ違反シタルトキ又ハ品位ヲ失墜スヘキ行為アリタルトキハ懲戒ニ付ス

Article 79 A notary shall be subject to a disciplinary action if the notary acts contrarily to the obligations in performing the notary's duties or conduct in a way which is unbecoming of a notary.

第八十条 懲戒ハ左ノ五種トス

Article 80 There shall be five types of disciplinary action as follows:

一 譴責

(i) reprimand;

二 十万円以下ノ過料

(ii) a non-criminal fine of not more than 100,000 yen;

三 一年以下ノ停職

(iii) suspension from duty for a period of not more than one year;

四 転属

(iv) reassignment; and

五 免職

(v) dismissal.

第八十一条 過料、停職、転属及免職ハ第十三条ノ二ノ政令ヲ以テ定ムル審議会等ノ議決ニ依リ法務大臣之ヲ行フ

Article 81 (1) A non-criminal fine, suspension from duty, reassignment, and dismissal shall be imposed by the Minister of Justice based on a resolution of a Council, etc. specified by Cabinet Order as referred to in Article 13-2.

2 譴責ハ法務大臣之ヲ行フ

(2) Reprimands shall be imposed by the Minister of Justice.

第八十二条 削除

Article 82 Deleted

第八十三条 公証人勾留セラレ又ハ拘留ノ刑ニ処セラレタルトキハ釈放ニ至ルマテ当然
其ノ職務ヲ停止セラル

Article 83 (1) If a notary is detained or sentenced to penal detention, such notary
shall automatically be suspended from duty until said notary is released.

2 法務大臣ハ懲戒事件停職、転属又ハ免職ニ該当スルモノト思料スルトキハ懲戒手続
終了ニ至ルマテ公証人ノ職務ヲ停止スルコトヲ得

(2) When the Minister of Justice considers that a disciplinary case is due to be
processed by imposing a suspension from duty, reassignment or dismissal on a
notary, said minister may suspend such notary from duty until the disciplinary
proceedings are concluded.

3 公証人ノ停職ニ関スル規定ハ其ノ職務停止ノ場合ニ之ヲ準用ス

(3) The provisions concerning the disciplinary suspension of a notary from duty
apply mutatis mutandis to the temporary suspension.

第八十四条 過料ヲ完納セサルトキハ検察官ノ命令ヲ以テ之ヲ執行ス

Article 84 (1) If a notary fails to pay a non-criminal fine in full, payment shall be
executed by order of a public prosecutor.

2 前項ノ執行ニ付テハ非訟事件手続法（平成二十三年法律第五十一号）第二百一十一
条ノ規定ヲ準用ス

(2) With regard to the execution referred to in the preceding paragraph, Article
121 of the Non-Contentious Cases Procedures Act (Act No. 51 of 2011) applies
mutatis mutandis.

3 公証人ノ納メタル身元保証金ハ第二十条第三項ノ場合ヲ除クノ外他ノ公課及債権ニ
先チテ之ヲ過料ニ充ツ

(3) A fidelity guarantee deposit paid by a notary shall be appropriated to a non-
criminal fine in preference to other public charges and claims, except the case
referred to in Article 20, paragraph (3).

附 則 〔昭和二十四年五月三十一日法律第四百一十一号〕

Supplementary Provisions [Act No. 141 of May 31, 1949]

1 この法律は、昭和二十四年六月一日から施行する。

(1) This Act comes into effect as of June 1, 1949.

2 この法律施行前にした行為に対する過料に関する規定の適用については、なお従前
の例による。

(2) With regard to the application of provisions concerning a non-criminal fine to
acts committed before this Act comes into effect, the provisions in force at the
time in question continue to apply.

附 則 〔昭和五十四年三月三十日法律第五号〕 〔抄〕

Supplementary Provisions [Act No. 5 of March 30, 1979 Extract] [Extract]

(施行期日)

(Effective Date)

- 1 この法律は、民事執行法（昭和五十四年法律第四号）の施行の日（昭和五十五年十月一日）から施行する。
- (1) This Act comes into effect as of the date on which the Civil Execution Act (Act No. 4 of 1979) comes into effect (October 1, 1980).

(経過措置)

(Transitional Measures)

- 2 この法律の施行前に申し立てられた民事執行、企業担保権の実行及び破産の事件については、なお従前の例による。
- (2) With regard to cases of civil execution, exercise of enterprise mortgages, and bankruptcy filed before this Act comes into effect, the provisions in force at the time in question continue to apply.
- 3 前項の事件に関し執行官が受ける手数料及び支払又は償還を受ける費用の額については、同項の規定にかかわらず、最高裁判所規則の定めるところによる。
- (3) Notwithstanding the provisions of the preceding paragraph, the amount of fees received by and expenses paid or reimbursed to court execution officers in connection with the cases referred to in the preceding paragraph is as specified by the Rules of the Supreme Court.

附 則 〔昭和五十八年十二月二日法律第七十八号〕

Supplementary Provisions [Act No. 78 of December 2, 1983]

- 1 この法律（第一条を除く。）は、昭和五十九年七月一日から施行する。
- (1) This Act (excluding Article 1) comes into effect as of July 1, 1984.
- 2 この法律の施行の日の前日において法律の規定により置かれている機関等で、この法律の施行の日以後は国家行政組織法又はこの法律による改正後の関係法律の規定に基づく政令（以下「関係政令」という。）の規定により置かれることとなるものに関し必要となる経過措置その他この法律の施行に伴う関係政令の制定又は改廃に関し必要となる経過措置は、政令で定めることができる。
- (2) Transitional measures necessary for organizations etc. which are in existence pursuant to the provisions of laws on the day preceding the date on which this Act comes into effect and which will be in existence after this Act comes into effect pursuant to the provisions of the National Government Organization Act or a Cabinet Order under the provisions of the related laws amended by this Act (hereinafter referred to as a "Related Cabinet Order"), and other transitional measures necessary for the enactment, revision or abolition of a Related Cabinet Order upon the coming into effect of this Act, may be provided by Cabinet Order.

附 則 〔平成十一年十二月八日法律第百五十一号〕 〔抄〕
Supplementary Provisions [Act No. 151 of December 8, 1999 Extract]
[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2000.

(経過措置)

(Transitional Measures)

第三条 民法の一部を改正する法律（平成十一年法律第百四十九号）附則第三条第三項の規定により従前の例によることとされる準禁治産者及びその保佐人に関するこの法律による改正規定の適用については、次に掲げる改正規定を除き、なお従前の例による。

Article 3 With regard to the application of provisions for revision under this Act concerning limited interdicts and the curators thereof for whom the provisions in force at the time in question are deemed to continue to apply pursuant to Article 3, paragraph (3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), the provisions in force at the time in question continue to apply, except for the following provisions for revision:

一 第四条の規定による非訟事件手続法第百三十八条の改正規定

(i) the provisions for revising Article 138 of the Non-Contentious Cases

Procedures Act pursuant to Article 4;

二 第七条中公証人法第十四条及び第十六条の改正規定

(ii) the provisions in Article 7 for revising Articles 14 and 16 of the Notary Act;

三 第十四条の規定による帝都高速度交通営団法第十四条ノ六の改正規定

(iii) the provisions for revising Article 14-6 of the Teito Rapid Transit

Authority Act pursuant to Article 14;

四 第十七条の規定による私的独占の禁止及び公正取引の確保に関する法律第三十一条の改正規定

(iv) the provisions for revising Article 31 of the Act on Prohibition of Private

Monopolization and Maintenance of Fair Trade pursuant to Article 17;

五 第二十条中国家公務員法第五条第三項の改正規定

(v) the provisions in Article 20 for revising Article 5, paragraph (3) of the

National Public Service Act;

六 第二十八条の規定による競馬法第二十三条の十三、日本中央競馬会法第十三条、原子力委員会及び原子力安全委員会設置法第五条第四項、科学技術会議設置法第七条第四項、宇宙開発委員会設置法第七条第四項、都市計画法第七十八条第四項、北

- 方領土問題対策協会法第十一条、地価公示法第十五条第四項、航空事故調査委員会設置法第六条第四項及び国土利用計画法第三十九条第五項の改正規定
- (vi) the provisions for revising Article 23-13 of the Horse Racing Act, Article 13 of the Japan Racing Association Act, Article 5, paragraph (4) of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission, Article 7, paragraph (4) of the Act for Establishment of the Council for Science and Technology Policy, Article 7, paragraph (4) of the Act for Establishment of the Space Activities Commission, Article 78, paragraph (4) of the City Planning Act, Article 11 of the Northern Territories Issue Association Act, Article 15, paragraph (4) of the Public Notice of Land Prices Act, Article 6, paragraph (4) of the Act for Establishment of the Aircraft Accidents Investigation Commission, and Article 39, paragraph (5) of the National Land Use Planning Act pursuant to Article 28;
- 七 第三十一条中建設業法第二十五条の四の改正規定
- (vii) the provisions in Article 31 for revising Article 25-4 of the Construction Business Act;
- 八 第三十二条の規定による人権擁護委員法第七条第一項の改正規定
- (viii) the provisions for revising Article 7, paragraph (1) of the Civil Rights Commissioner Act pursuant to Article 32;
- 九 第三十三条の規定による犯罪者予防更生法第八条第一項の改正規定
- (ix) the provisions for revising Article 8, paragraph (1) of the Offenders Prevention and Rehabilitation Act pursuant to Article 33;
- 十 第三十五条中労働組合法第十九条の四第一項及び第十九条の七第一項の改正規定
- (x) the provisions in Article 35 for revising Article 19-4, paragraph (1) and Article 19-7, paragraph (1) of the Labor Union Act;
- 十一 第四十四条中公職選挙法第五条の二第四項の改正規定
- (xi) the provisions in Article 44 for revising Article 5-2, paragraph (4) of the Public Offices Election Act;
- 十二 第五十条中建築基準法第八十条の二の改正規定
- (xii) the provisions in Article 50 for revising Article 80-2 of the Building Standards Act;
- 十三 第五十四条中地方税法第四百二十六条の改正規定
- (xiii) the provisions in Article 54 for revising Article 426 of the Local Tax Act;
- 十四 第五十五条中商品取引所法第一百四十一条第一項の改正規定
- (xiv) the provisions in Article 55 for revising Article 141, paragraph (1) of the Commodity Exchange Act;
- 十五 第五十六条中地方公務員法第九条第三項及び第八項の改正規定
- (xv) the provisions in Article 56 for revising Article 9, paragraphs (3) and (8) of the Local Public Service Act;
- 十六 第六十七条中土地収用法第五十四条の改正規定
- (xvi) the provisions in Article 67 for revising Article 54 of the Compulsory

- Purchase of Land Act;
- 十七 第七十条の規定によるユネスコ活動に関する法律第十一条第一項、公安審査委員会設置法第七条及び社会保険審査官及び社会保険審査会法第二十四条の改正規定
(xvii) the provisions for revising Article 11, paragraph (1) of the Act on UNESCO Activities, Article 7 of the Act for Establishment of the Public Security Examination Committee, and Article 24 of the Act on Social Insurance Examiners and the Examination Committee of Social Insurance pursuant to Article 70;
- 十八 第七十八条の規定による警察法第七条第四項及び第三十九条第二項の改正規定
(xviii) the provisions for revising Article 7, paragraph (4) and Article 39, paragraph (2) of the Police Act pursuant to Article 78;
- 十九 第八十条の規定による労働保険審査官及び労働保険審査会法第三十条、公害等調整委員会設置法第九条及び公害健康被害の補償等に関する法律第一百六条の改正規定
(xix) the provisions for revising Article 30 of the Act on Labor Insurance Examiners and the Labor Insurance Appeal Committee, Article 9 of the Act for Establishment of the Environmental Dispute Coordination Commission, and Article 116 of the Act on Compensation, etc. of Pollution-related Health Damage pursuant to Article 80;
- 二十 第八十一条の規定による地方教育行政の組織及び運営に関する法律第四条第二項の改正規定
(xx) the provisions for revising Article 4, paragraph (2) of the Act on the Organization and Operation of Local Educational Administration pursuant to Article 81;
- 二十一 第八十四条の規定による農林漁業団体職員共済組合法第七十五条第一項の改正規定
(xxi) the provisions for revising Article 75, paragraph (1) of the Mutual Aid Associations of Agriculture, Forestry and Fishery Corporation Personnel Act pursuant to Article 84;
- 二十二 第九十七条中公害紛争処理法第十六条第二項の改正規定
(xxii) the provisions in Article 97 for revising Article 16, paragraph (2) of the Act on the Settlement of Environmental Pollution Disputes;
- 二十三 第一百四条の規定による国会等の移転に関する法律第十五条第六項及び地方分権推進法第十三条第四項の改正規定
(xxiii) the provisions for revising Article 15, paragraph (6) of the Act on Transfer of the Diet and Other Central Government Offices, and Article 13, paragraph (4) of the Act on the Promotion of Decentralization pursuant to Article 104;
- 二十四 第一百八条の規定による日本銀行法第二十五条第一項の改正規定
(xxiv) the provisions for revising Article 25, paragraph (1) of the Bank of Japan Act pursuant to Article 108; and

二十五 第一百条の規定による金融再生委員会設置法第九条第一号の改正規定
(xxv) the provisions for revising Article 9, item (i) of the Act for Establishment
of the Financial Reconstruction Commission pursuant to Article 110.

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to acts committed before this Act comes into effect, the provisions in force at the time in question continue to apply.

附 則 〔平成十三年十一月二十八日法律第百二十九号〕 〔抄〕
Supplementary Provisions [Act No. 129 of November 28, 2001 Extract]
[Extract]

(施行期日)

(Effective Date)

1 この法律は、平成十四年四月一日から施行する。

(1) This Act comes into effect as of April 1, 2002.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

2 この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(2) The laws in force at the time in question continue to govern whether or not penal provisions apply to conduct that a person engages in before this Act comes into effect, and prior law continues to govern whether or not penal provisions apply to conduct that a person engages in after this Act comes into effect but which, pursuant to this Act, is to continue to be governed by the laws previously in force.

附 則 〔平成十四年七月三十一日法律第百号〕
Supplementary Provisions [Act No. 100 of July 31, 2002]

(施行期日)

(Effective Date)

第一条 この法律は、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）の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) comes into effect.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 2 With regard to the application of penal provisions to acts committed before this Act comes into effect, the provisions in force at the time in question continue to apply.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三条 前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 3 Beyond what is provided for in the preceding Article, transitional measures necessary for the implementation of this Act are provided by Cabinet Order.

附 則 [平成十六年六月二日法律第七十六号] [抄]

Supplementary Provisions [Act No. 76 of June 2, 2004 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Bankruptcy Act (Act No. 75 of 2004; referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article, and in Article 3, paragraph (8), Article 5, paragraphs (8), (16) and (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions) comes into effect.

(政令への委任)

(Delegation to Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 Beyond what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the implementation of this Act are provided by Cabinet Order.

附 則 [平成十六年十二月三日法律第百五十二号] [抄]

Supplementary Provisions [Act No. 152 of December 3, 2004 Extract]

[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第三十九条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 39 With regard to the application of penal provisions to acts committed before this Act comes into effect and acts committed after this Act comes into effect in cases where the provisions in force at the time in question continue to apply pursuant to the Supplementary Provisions, the provisions then in force remain applicable.

(政令への委任)

(Delegation to Cabinet Order)

第四十条 附則第三条から第十条まで、第二十九条及び前二条に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 40 Beyond what is provided for in Articles 3 through 10, Article 29, and the preceding two Articles of the Supplementary Provisions, transitional measures necessary for the implementation of this Act are provided by Cabinet Order.