

# Act on Special Provisions for the Civil Code Concerning the Perfection Requirements for the Assignment of Movables and Claims

(Act No. 104 of June 12, 1998)

Chapter I General Provisions (Articles 1 to 4)

Chapter II Registration of Assignment of Movables and Registration of  
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Supplementary Provisions

## Chapter I General Provisions

(Purpose)

Article 1 This Act provides for special provisions for the Civil Code (Act No. 89 of 1896) and other matters concerning the perfection requirements for the assignment of movables and claims conducted by corporations.

(Definitions)

Article 2 (1) The term "information to be registered" as used in this Act means the information to be registered pursuant to the provisions of this Act.

(2) The term "registration of extension" as used in this Act means a registration made to extend the duration of a registration of assignment of movables prescribed in paragraph (2) of the following Article, a registration of assignment of claims prescribed in Article 4, paragraph (2) or a registration of creation of pledge prescribed in Article 14, paragraph (1).

(3) The term "registration of cancellation" as used in this Act means a registration made to cancel a registration of assignment of movables prescribed in paragraph (2) of the following Article, a registration of assignment of claims prescribed in Article 4, paragraph (2) or a registration of creation of pledge prescribed in Article 14, paragraph (1)

(Special Provisions for the Perfection Requirements for Assignment of  
Movables)

Article 3 (1) If a corporation assigns movables (excluding movables for which a warehouse receipt, a bill of lading or a multimodal bill of lading is issued; the same applies hereinafter), and a registration of assignment is made in a registration file of movables assignment with regard to the assignment of the movables, it is deemed that the movables have been delivered as set forth in

Article 178 of the Civil Code.

- (2) Where a registration prescribed in the preceding paragraph (hereinafter referred to as a "registration of assignment of movables") is made with regard to the assignment of movables in the possession of an agent, and the person who is registered as the assignee requests the agent to deliver the movables, if the agent notifies the principal, without delay, that the principal is required to make an objection to that request for delivery within a reasonable period of time, but the principal has made no objection within that period, the agent is not liable to compensate for any damage that may be caused to the principal due to the delivery of the movables to the person registered as the assignee.
- (3) The provisions of the preceding two paragraphs apply mutatis mutandis to a registration of cancellation of a registration of assignment of movables made with regard to the assignment of the movables on the grounds listed in Article 10, paragraph (1), item (ii). In this case, the term "assignee" in the preceding paragraph is deemed to be replaced with "assignor".

(Special Provisions for the Perfection Requirements for Assignment of Claims)

- Article 4 (1) If a corporation assigns a claim (limited to a claim for payment of money, which is assigned pursuant to the provisions of Part III, Chapter I, Section 4 of the Civil Code; the same applies hereinafter), and a registration of assignment is made in a registration file of claim assignment with regard to the assignment of the claim, it is deemed that notice has been given to all third parties other than the obligor of the claim by an instrument bearing a certified date under the provisions of Article 467 of the same Code. In this case, the date of the registration is the certified date.
- (2) If a registration prescribed in the preceding paragraph (hereinafter referred to as a "registration of assignment of claims") is made, and the assignor or the assignee gives notice of the assignment of the claim and of the completion of a registration of assignment of claims with regard to that assignment by delivering a certificate of registered information prescribed in Article 11, paragraph (2) to the obligor of the claim, or the obligor acknowledges the assignment and the completion of the registration, the preceding paragraph also applies to the obligor.
  - (3) If a registration of assignment of claims is made, the provisions of Article 466-6, paragraph (3), Article 468, paragraph (1) and Article 469, paragraph (1) and paragraph (2) of the Civil Code apply only to the case prescribed in the preceding paragraph. In this case, the phrase "the assignor gives a notice pursuant to the provisions of the following Article" and the phrase "the same Article" in Article 466-6, paragraph (3) of the same Code is deemed to be replaced with "the assignor or the assignee gives a notice pursuant to the provisions of Article 4, paragraph (2) of the Act on Special Provisions for the

Civil Code Concerning the Perfection Requirements for the Assignment of Movables and Claims (Act No. 104 of 1998)" and "the same paragraph", respectively.

- (4) The provisions of paragraph (1) and paragraph (2) apply mutatis mutandis to a registration of cancellation of a registration of assignment of claims made with regard to the assignment of the claim on the grounds listed in Article 10, paragraph (1), item (ii) and the provisions of Article 468, paragraph (1) and Article 469, paragraph (1) and paragraph (2) of the Civil Code apply mutatis mutandis to the case prescribed in paragraph (2) as applied mutatis mutandis pursuant to this paragraph, respectively. In this case, the phrase "the time when the requirements for perfection are satisfied" in Article 468, paragraph (1) of the same Code is deemed to be replaced with "the time when the notice or acknowledgment prescribed in Article 4, paragraph (2) of the Act on Special Provisions for the Civil Code Concerning the Perfection Requirements for the Assignment of Movables and Claims as applied mutatis mutandis pursuant to paragraph (4) of the same Article is given (hereinafter referred to as "the time when the requirements for perfection are satisfied")", and the term "assignor" and the term "assignee" in Article 468, paragraph (1) and Article 469, paragraph (1) and paragraph (2) of the same Code is deemed to be replaced with "assignee" and "assignor", respectively.

## **Chapter II Registration of Assignment of Movables and Registration of Assignment of Claims**

(Registry Office)

- Article 5 (1) Among the affairs concerning a registration of assignment of movables and a registration of assignment of claims, those prescribed in Article 7 to Article 11, and Article 12, paragraph (2) are administered by a legal affairs bureau or district legal affairs bureau or a branch bureau thereof or a branch office of any of those bureaus, which is designated by the Minister of Justice (hereinafter referred to as a "designated legal affairs bureau"), as a registry office.
- (2) Among the affairs concerning a registration of assignment of movables and a registration of assignment of claims, those prescribed in Article 12, paragraph (1) and paragraph (3), and Article 13, paragraph (1) are administered by the legal affairs bureau or district legal affairs bureau or the branch bureau thereof or the branch office of any of those bureaus that has jurisdiction over the location of the head office or principal office of the assignor (if the assignor's head office or principal office is located in a foreign country, its business office located in Japan (in the case of a foreign company that is registered as a foreign company and has no business office in Japan, the

address of its representative in Japan; the same applies in Article 7, paragraph (2), item (iii)) or its other office located in Japan) (hereinafter referred to as the "legal affairs bureau with jurisdiction over the location of the head office"), as a registry office.

(3) The designation under the provisions of paragraph (1) must be made by public notice.

(Registrar)

Article 6 Among the affairs concerning a registration of assignment of movables and a registration of assignment of claims to be administered at a registry office, those listed in the following items are handled by the official of the Ministry of Justice specified in the respective items and designated by the director of the legal affairs bureau or district legal affairs bureau, as a registrar:

- (i) the affairs prescribed in the following Article to Article 11, and Article 12, paragraph (2): an official of the Ministry of Justice who works at the designated legal affairs bureau; and
- (ii) the affairs prescribed in Article 12, paragraph (1) and paragraph (3), and Article 13, paragraph (1): an official of the Ministry of Justice who works at the legal affairs bureau with jurisdiction over the location of the head office.

(Registration of Assignment of Movables)

Article 7 (1) A designated legal affairs bureau keeps registration files of movables assignment, which are prepared by means of a magnetic disk (including an object that can record certain information securely by equivalent means; the same applies in paragraph (1) of the following Article and Article 12, paragraph (1)).

(2) A registration of assignment of movables is made by recording the following information in a registration file of movables assignment upon an application of the assignor and the assignee:

- (i) the trade name or other name of the assignor and its head office or principal office;
- (ii) the name and address of the assignee (in the case of a corporation, its trade name or other name and its head office or principal office);
- (iii) if the head office or principal office of the assignor or the assignee is located in a foreign country, its business office or other office located in Japan;
- (iv) the cause of registration regarding the registration of assignment of movables and the date thereof;
- (v) the information necessary for identifying the assigned movables pursuant to Ministry of Justice Order;

- (vi) the duration of the registration of assignment of movables;
  - (vii) the registration number; and
  - (viii) the date of registration.
- (3) The duration set forth in item (vi) of the preceding paragraph may not exceed 10 years; provided, however, that this does not apply if there are special grounds for setting the duration exceeding 10 years.
- (4) If the assignee of the assigned movables for which a registration of assignment of movables is made (hereinafter referred to as the "former registration" in this paragraph), further assigns those movables, a registration of assignment of movables is made with regard to them (hereinafter referred to as the "new registration" in this paragraph) prior to the expiration of the duration of the former registration, and the date of expiration of the duration of the new registration comes after the date of expiration of the duration of the former registration, the duration of the former registration with regard to those movables is deemed to be extended until the date of expiration of the duration of the new registration.
- (5) If the assignee further assigns the assigned movables, for which a registration of assignment of movables has been made, and those movables are delivered as set forth in Article 178 of the Civil Code (excluding cases where the movables are deemed, pursuant to the provisions of Article 3, paragraph (1), be delivered as set forth in Article 178 of same Code) prior to the expiration of the duration of the registration of assignment of movables, the duration of the registration of assignment of movables with regard to those movables is deemed to be indefinite.

(Registration of Assignment of Claims)

Article 8 (1) A designated legal affairs bureau keeps registration files of claim assignment, which are prepared by means of a magnetic disk.

- (2) A registration of assignment of claims is made by recording the following information in a registration file of claim assignment upon an application of the assignor and the assignee:
- (i) the information set forth in paragraph (2), item (i) to item (iii), item (vii) and item (viii) of the preceding Article;
  - (ii) the cause of registration regarding the registration of assignment of claims and the date thereof;
  - (iii) the total amount of the assigned claims (limited to the case of assigning claims already arisen; the same applies in Article 10, paragraph (3), item (iii));
  - (iv) information necessary for identifying the assigned claims pursuant to Ministry of Justice Order; and
  - (v) the duration of the registration of assignment of claims.

- (3) The duration set forth in item (v) of the preceding paragraph may not exceed the period of time specified in each of the following items according to the categories listed in the respective items; provided, however, that this does not apply if there are special grounds for setting the duration exceeding that period:
- (i) if all obligors of the assigned claims are identified: 50 years; or
  - (ii) cases other than the one referred to in the preceding item: 10 years.
- (4) If the assignee of the assigned claims, for which a registration of assignment of claims has been made (hereinafter referred to as the "former registration" in this paragraph), further assigns those claims, and a registration of assignment of claims is further made with regard to them (hereinafter referred to as the "new registration" in this paragraph) prior to the expiration of the duration of the former registration, and the date of expiration of the duration of the new registration comes after the date of expiration of the duration of the former registration, the duration of the former registration with regard to those claims is deemed to be extended until the date of expiration of the duration of the new registration.
- (5) If the assignee further assigns the assigned claims, for which a registration of assignment of claims has been made, and notice or acknowledgment is given as set forth in Article 467 of the Civil Code (excluding cases where it is deemed, pursuant to Article 4, paragraph (1), that notice is given under the provisions of Article 467 of the same Code) prior to the expiration of the duration of the registration of assignment of claims, the duration of the registration of assignment of claims with regard to those claims is deemed indefinite.

(Registration of Extension)

- Article 9 (1) The assignor and the assignee may file an application for a registration of extension of a registration of assignment of movables or registration of assignment of claims; provided, however, that this does not apply if an extension of the duration of the registration of assignment of movables or registration of assignment of claims is in violation of the provisions of Article 7, paragraph (3) or of paragraph (3) of the preceding Article.
- (2) A registration of extension under the provisions of the preceding paragraph is made by recording the following information in the records of the registration file of movables assignment pertaining to the registration of assignment of movables or the registration file of claim assignment pertaining to the registration of assignment of claims:
- (i) a statement to the effect that the duration of the registration of assignment of movables or the registration of assignment of claims is extended;
  - (ii) the length of the extended duration;

- (iii) the registration number; and
- (iv) the date of registration.

(Registration of Cancellation)

Article 10 (1) If any of the following grounds exist, the assignor and the assignee may file an application for a registration of cancellation of a registration of assignment of movables or registration of assignment of claims:

- (i) the assignment of the movables or the assignment of the claims never becomes effective;
- (ii) the assignment of the movables or the assignment of the claims has ceased to be effective due to rescission, cancellation or any other reason; or
- (iii) the assigned movables or the assigned claim has ceased to exist.

(2) A registration of cancellation under the provisions of the preceding paragraph is made by recording the following information in the records of the registration file of the movables assignment pertaining to the registration of assignment of movables or the registration file of the claim assignment pertaining to the registration of assignment of claims:

- (i) a statement to the effect that the registration of assignment of movables or the registration of assignment of claims is cancelled;
- (ii) the cause of registration regarding the registration of cancellation and the date thereof;
- (iii) the registration number; and
- (iv) the date of registration.

(3) In the case of a registration of assignment of movables or registration of assignment of claims in which two or more movables or two or more claims are recorded, when making a registration of cancellation with regard to a part of those movables or claims, the following information must also be recorded in addition to the matters listed in item (ii) to item (iv) of the preceding paragraph:

- (i) a statement to the effect that the registration of assignment of movables or of the registration of assignment of claims is partially cancelled;
- (ii) the information necessary for identifying the movables or claims pertaining to the registration of cancellation pursuant to Ministry of Justice Order; and
- (iii) the total amount of the assigned claims after cancellation.

(Issuance of Certificate of Summary of Registered Information)

Article 11 (1) Any person may make a request to a registrar of a designated legal affairs bureau for the issuance of a document certifying the summary of the registered information recorded in a registration file of movables assignment or registration file of claim assignment (meaning the information recorded in a registration file of movables assignment or a registration file of claim

assignment, except for those listed in Article 7, paragraph (2), item (v), Article 8, paragraph (2), item (iv), and paragraph (3), item (ii) of the preceding Article; the same applies in paragraph (2) and paragraph (3) of the following Article) (that document is hereinafter referred to as a "certificate of summary of registered information" in Article 21, paragraph (1)).

- (2) The following persons may make a request to a registrar of a designated legal affairs bureau for the issuance of a document certifying the information recorded in a registration file of movables assignment or a registration file of claim assignment (referred to as a "certificate of registered information" in Article 21, paragraph (1)) with regard to the assignment of movables or the assignment of claims:
- (i) the assignor or the assignee of the assigned movables or the assigned claims;
  - (ii) the obligee who has attached the assigned movables or any other person specified by Cabinet Order as having interest in the assignment of the movables;
  - (iii) the obligor of the assigned claim or any other person specified by Cabinet Order as having interest in the assignment of the claims; and
  - (iv) an employee of the obligor of the assigned movables or the assigned claims.

(Recording in Registered Information Summary File)

Article 12 (1) A legal affairs bureau with jurisdiction over the location of the head office keeps files of summary of registered information on assignment of movables and files of summary of registered information on assignment of claims, which are prepared by means of a magnetic disk.

- (2) A registrar who has made a registration of assignment of movables or registration of assignment of claims or a registration of cancellation must give notice to the legal affairs bureau with jurisdiction over the location of the head office of the fact that the registration has been made and the information specified by Ministry of Justice Order contained in the summary of registered information pertaining to that registration.
- (3) A registrar of the legal affairs bureau with jurisdiction over the location of the head office who has received the notice under the provisions of the preceding paragraph must, without delay, record the information specified by Ministry of Justice Order contained in the summary of the registered information, of which the notice has been given, in the assignor's file of summary of registered information on assignment of movables or file of summary of registered information on assignment of claims (collectively referred to as "registered information summary file" in paragraph (1) of the following Article, and Article 18).

(Issuance of Certificate of Information Recorded in Summary)

Article 13 (1) Any person may make a request to a registrar of a legal affairs bureau with jurisdiction over the head office for the issuance of a document certifying the information recorded in a registered information summary file (referred to as a "certificate of information recorded in summary" in Article 21, paragraph (1)).

(2) A request for issuance set forth in the preceding paragraph may be made, except in cases specified by Ministry of Justice Order, to a registrar of a legal affairs bureau or district legal affairs bureau or a branch bureau thereof or a branch office of any of those bureaus, other than a legal affairs bureau with jurisdiction over the head office.

(Application Mutatis Mutandis to Pledge on Claim)

Article 14 (1) The provisions of Article 4 (excluding paragraph (3)) and Article 8, and the parts of the provisions of Article 5, Article 6, and Article 9 through the preceding Article that pertain to the assignment of claims, apply to the registration of creation of pledge recorded in the registration file of claim assignment (hereinafter referred to as "registration of creation of pledge") where a corporation creates a pledge on the claims, and the provisions of Article 468, paragraph (1) of the Civil Code apply mutatis mutandis to the case prescribed in Article 4, paragraph (2) as applied mutatis mutandis pursuant to this paragraph, respectively. In this case: in the title of Article 4 and in paragraph (1), paragraph (2) and paragraph (4) of the same Article, and Article 10, paragraph (1), item (i) and item (ii), the phrase "assignment of (a/the) claim" is deemed to be replaced with "creation of (a/the) pledge"; in Article 4, paragraph (1), the phrase "registration of assignment" is deemed to be replaced with "registration of creation of pledge"; in the provisions of Article 4, paragraph (1) and paragraph (2), the phrase "obligor of the claim" is deemed to be replaced with "obligor of the claim on which the pledge is created"; in Article 4, paragraph (1) and Article 8, paragraph (5), the term "Article 467 of the Civil Code" is deemed to be replaced with "Article 467 of the Civil Code, which applies pursuant to the provisions of Article 364 of the same Code"; in Article 4, paragraph (2) and paragraph (4), Article 5, paragraph (1) and paragraph (2), Article 6, the title of Article 8 and paragraph (4) and paragraph (5) of the same Article, Article 9, paragraph (1), Article 10, paragraph (1) and paragraph (3), and Article 12, paragraph (2), the phrase "registration of assignment of claims" is deemed to be replaced with "registration of creation of pledge"; in Article 4, paragraph (2), the phrase "that assignment" is deemed to be replaced with "that creation of pledge"; in Article 4, paragraph (2) and paragraph (4), Article 5, paragraph (2), Article 8, paragraph (2), Article 9, paragraph (1), Article 10, paragraph (1), Article 11, paragraph (2), item (i) and item (iv), and Article 12,

paragraph (3) of this Act and Article 468, paragraph (1) of the Civil Code, the term "assignor" is deemed to be replaced with "pledgor"; in Article 4, paragraph (2) and paragraph (4), Article 8, paragraph (2), paragraph (4) and paragraph (5), Article 9, paragraph (1), Article 10, paragraph (1) and Article 11, paragraph (2), item (i) of this Act and Article 468, paragraph (1) of the Civil Code, the term "assignee" is deemed to be replaced with "pledgee"; in Article 4, paragraph (4), the phrase "Article 468, paragraph (1) and Article 469, paragraph (1) and paragraph (2) of the Civil Code" is deemed to be replaced with "Article 468, paragraph (1) of the Civil Code"; the phrase "Article 7 to Article 11, and Article 12, paragraph (2)" in Article 5, paragraph (1), and the phrase "the following Article to Article 11, and Article 12, paragraph (2)" in Article 6, item (i) are deemed to be replaced with "the provisions in Article 8 through Article 11, and Article 12, paragraph (2) as applied mutatis mutandis pursuant to Article 14"; in Article 5, paragraph (2) and Article 6, item (ii), the phrase "Article 12, paragraph (1) and paragraph (3), and Article 13, paragraph (1)" is deemed to be replaced with "Article 12, paragraph (1) and paragraph (3), and Article 13, paragraph (1) as applied mutatis mutandis pursuant to Article 14, paragraph (1)"; in Article 8, paragraph (2), the phrase "registration of assignment of claims" is deemed to be replaced with "registration of creation of pledge"; in Article 8, paragraph (2), item (ii) and item (v) and Article 9, paragraph (2), item (i), the phrase "registration regarding the registration of assignment of claims" is deemed to be replaced with "registration regarding the registration of creation of pledge"; in Article 8, paragraph (2), item (ii), the phrase "the cause of registration regarding the registration of assignment of claims and the date thereof" is deemed to be replaced with "the cause of registration regarding the registration of creation of pledge and the date thereof, and the amount or value of the claim secured"; in Article 8, paragraph (2), item (iii) and item (iv), Article 8, paragraph (3), item (i), paragraph (4) and paragraph (5), Article 10, paragraph (1), item (iii) and paragraph (3), and Article 11, paragraph (2), item (i), item (iii) and item (iv), the term "assigned claim" is deemed to be replaced with "claim on which the pledge is created"; in Article 8, paragraph (2), item (iii), the phrase "assigning claims" is deemed to be replaced with "creating a pledge on a claim"; in Article 8, paragraph (4) and paragraph (5), the phrase "further assigns" is deemed to be replaced with "further creates a pledge on"; in Article 8, paragraph (5), the phrase "Article 467 of the Civil Code" is deemed to be replaced with "Article 467 of the Civil Code, which applies pursuant to the provisions of Article 364 of the same Code"; in Article 9, paragraph (2) and Article 10, paragraph (2), the phrase "pertaining to the registration of assignment of claims" is deemed to be replaced with "pertaining to the registration of creation of pledge"; in Article 10, paragraph (2), item (i), the phrase "registration of assignment of claims" is

deemed to be replaced with "registration of creation of pledge"; in Article 11, paragraph (2), the phrase "assignment of claims" is deemed to be replaced with "creation of a pledge"; and in Article 468, paragraph (1) of the Civil Code, the phrase "the time when the requirements for perfection are satisfied" is deemed to be replaced with "the time when the notice or approval prescribed in Article 4, paragraph (2) of the Act on Special Provisions for the Civil Code Concerning the Perfection Requirements for the Assignment of Movables and Claims as applied mutatis mutandis pursuant to Article 14, paragraph (1) of the same Article is given".

- (2) The provisions of Article 8, paragraph (4) apply mutatis mutandis to the duration of a registration of assignment of claims where the assignee creates a pledge on the assigned claims for which the registration of assignment of claims is made, and a registration of creation of pledge is made with regard to that pledge prior to the expiration of the duration of the registration of assignment of claims; the provisions of Article 8, paragraph (5) apply mutatis mutandis to the duration of a registration of assignment of claims where the assignee creates a pledge on the assigned claims for which a registration of assignment of claims is made, and notice or approval is given as set forth in Article 467 of the Civil Code, which applies pursuant to the provisions of Article 364 of the same Code (excluding cases where it is deemed, pursuant to Article 4, paragraph (1), that notice has been given under the provisions of Article 467 of the same Code) prior to the expiration of the duration of the registration of assignment of claims, respectively.

### **Chapter III Auxiliary Provisions**

(Exclusion from Application of the Bankruptcy Act)

- Article 15 (1) The provisions of Article 258, paragraph (1), item (ii), and paragraph (2) of the Bankruptcy Act (Act No. 75 of 2004) as applied directly or applied mutatis mutandis pursuant to paragraph (2) of the same Article (including cases where these provisions are applied mutatis mutandis pursuant to paragraph (4) of the same Article), and the provisions of Article 10, paragraph (1) of the Act on Recognition and Assistance of Foreign Insolvency Proceedings (Act No. 129 of 2000) (including cases where applied mutatis mutandis pursuant to paragraph (2) of the same Article) apply neither to assigned movables for which a registration of assignment of movables has been made, an assigned claim for which a registration of assignment of claims has been made, nor to a pledge for which a registration of creation of pledge has been made.
- (2) The provisions of Article 164, paragraph (1) of the Civil Execution Act (Act No. 4 of 1979) do not apply to a claim secured by a pledge prescribed in the

preceding paragraph.

(Exclusion from Application of the Administrative Procedure Act)

Article 16 The provisions of Chapter II and Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a disposition made by a registrar.

(Exclusion from Application of the Act on Access to Information Held by Administrative Organs)

Article 17 The provisions of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999) apply neither to registration file of movables assignment, a registration file of claim assignment, a file of summary of registered information on assignment of movables nor to a file of summary of registered information of assignment of claims.

(Exclusion from Application of the Act on the Protection of Personal Information Held by Administrative Organs)

Article 18 The provisions of Chapter IV of the Act on the Protection of Personal Information Held by Administrative Organs (Act No. 58 of 2003) do not apply to the retained personal information (meaning retained personal information prescribed in Article 2, paragraph (5) of the same Act) that is recorded in a registration file of movables assignment, a registration file of claim assignment or registered information summary file.

(Request for Review)

- Article 19 (1) A person who is dissatisfied with a disposition made by a registrar or who files a request for a disposition related to an inaction of a registrar may make a request for review to the director of the legal affairs bureau or district legal affairs bureau who supervises that registrar.
- (2) A request for review must be made via the registrar.
- (3) If a registrar finds a request for review with regard to a disposition to be well-grounded, or finds it necessary to make a disposition regarding an inaction subject to a request for review, the registrar must make a reasonable disposition.
- (4) Except in the case prescribed in the preceding paragraph, a registrar must refer the case to the director of the legal affairs bureau or district legal affairs bureau set forth in paragraph (1) within three days from the date of the request, with the registrar's opinions attached thereto. In this case, the director of the legal affairs bureau or district legal affairs bureau is to convey the registrar's opinions to the review officer prescribed in Article 11, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014).

- (5) If the director of the legal affairs bureau or district legal affairs bureau set forth in paragraph (1) finds a request for review with regard to a disposition to be well-grounded, or finds it necessary to make a disposition regarding an inaction subject to a request for review, the director must order the registrar to make a reasonable disposition, and must give notice to the person who made the request for the review and any other person who has an interest in the registration to that effect.
- (6) If the director of the legal affairs bureau or district legal affairs bureau set forth in paragraph (1) finds it necessary to dismiss an application for a disposition regarding an inaction subject to a request for review, the director must order the registrar to make a disposition to dismiss the application.
- (7) With regard to the application of the provisions of the Administrative Complaint Review Act in relation to a request for review set forth in paragraph (1), the phrase "administrative agency, etc. reaching the disposition" and the phrase "a written explanation has been submitted" in Article 29, paragraph (5) of same Act is deemed to be replaced with "reviewing agency" and "opinions have been conveyed as prescribed in Article 19, paragraph (4) of the Act on Special Provisions for the Civil Code Concerning the Perfection Requirements for the Assignment of Movable and Claims (Act No. 104 of 1998)", respectively, and the term "written explanation" in Article 30, paragraph (1) of the Administrative Complaint Review Act is deemed to be replaced with "opinions set forth in Article 19, paragraph (4) of the Act on Special Provisions for the Civil Code Concerning the Perfection Requirements for the Assignment of Movable and Claims".

(Exclusion from Application of the Administrative Appeal Act)

Article 20 The provisions of Article 13, Article 15, paragraph (6), Article 18, Article 21, Article 25, paragraph (2) to paragraph (7), Article 29, paragraph (1) to paragraph (4), Article 31, Article 37, Article 45, paragraph (3), Article 46, Article 47, Article 49, paragraph (3) (excluding the part related to a declaration to the effect that the inaction subject to a request for review is illegal or unjust), Article 49, paragraph (4) and paragraph (5) and Article 52 of the Administrative Appeal Act (Act No. 160 of 1962) do not apply to the request for review set forth in paragraph (1) of the preceding Article.

(Payment of Fees)

Article 21 (1) A person who makes a request for the issuance of a certificate of summary of registered information, certificate of registered information or certificate of information recorded in summary must pay a fee in the amount specified by Cabinet Order in consideration of the price of commodities, the actual cost required for the issuance of a certificate of registered information

and any other relevant circumstances.

(2) The payment of the fees set forth in the preceding paragraph must be made with fiscal stamps.

(Delegation to Cabinet Order)

Article 22 Beyond what is provided for in this Act, the necessary matters concerning the registrations provided for in this Act are provided for by Cabinet Order.

### **Supplementary Provisions [Extract]**

(Effective Date)

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