

# Act on Special Measures Concerning the Handling of Legal Services by Foreign Lawyers (reflecting amendments in effect as of August 29, 2020)

(Act No. 66 of May 23, 1986)

## Chapter I General Provisions

(Purpose)

Article 1 The purposes of this Act are to ensure the stability of international legal relations and to contribute to the improvement of the handling of legal services concerning Japanese laws in foreign jurisdictions by establishing special measures allowing a person who is qualified to be a foreign lawyer to handle legal services concerning foreign laws in Japan, and regulating the handling of legal services in the same manner as that of attorneys at law.

(Definitions)

Article 2 In this Act, the meaning of the terms listed in the following items is as prescribed respectively in those items:

- (i) attorney at law: an attorney at law under the provisions of the Attorney Act (Act No. 205 of 1949);
- (i)-2 legal professional corporation: a legal professional corporation under the provisions of the Attorney Act;
- (ii) foreign lawyer: a person whose professional duties are to provide legal services as a practice in a foreign jurisdiction (in the case of federal states specified by Ministry of Justice Order, the term "foreign jurisdiction" means its constituent unit such as a state, territory and others specified by Ministry of Justice Order; the same applies hereinafter) and who is equivalent to an attorney at law;
- (iii) registered foreign lawyer: a person who has obtained approval under the provisions of Article 7 and has obtained registration in the roster of registered foreign lawyers under the provisions of Article 24;
- (iii)-2 registered foreign lawyer corporation: a corporation established by a registered foreign lawyer for the purpose of handling legal services concerning foreign laws (meaning legal services regarding a legal case in which all or a major part of the laws that are or were in effect in a foreign jurisdiction apply or should apply; the same applies in Article 50-5, paragraph (1)) pursuant to the provisions of this Act;
- (iv) jurisdiction of primary qualification: the foreign jurisdiction where a person who has obtained approval under the provisions of Article 7 acquired

- the qualification to become a foreign lawyer, which served as the basis for approval;
- (v) laws of the jurisdiction of primary qualification: the laws which are or were in effect in the jurisdiction of primary qualification;
  - (vi) legal services concerning the laws of the jurisdiction of primary qualification: legal services for a legal case in which all or a major part of the laws of the jurisdiction of primary qualification apply or should apply;
  - (vii) specified foreign jurisdiction: a specified foreign jurisdiction other than a jurisdiction of primary qualification;
  - (viii) laws of a specified foreign jurisdiction: the laws which are or were in effect in a specified foreign jurisdiction;
  - (ix) designated laws: the laws of a specified foreign jurisdiction as to which a person who has obtained approval under the provisions of Article 7 is designated under the provisions of Article 16, paragraph (1);
  - (x) legal services concerning designated laws: legal services regarding a legal case in which all or a major part of the designated laws apply or should apply;
  - (xi) international arbitration case: a civil arbitration case which falls under any of the following cases:
    - (a) some or all of the parties are persons who have an address, or a main or head office in a foreign jurisdiction (including cases in which persons who hold more than fifty percent of the number of issued shares (limited to voting shares) in some or all of the parties, or more than fifty percent of the equity in some or all of the parties, or persons specified by Ministry of Justice Order as equivalent to those persons, are the persons who have an address, or a main or head office in a foreign jurisdiction);
    - (b) the law which the arbitral tribunal should comply with in making an arbitral award (limited to the law as provided by the agreement of relevant parties) is not Japanese law; or
    - (c) the place of arbitration is in a country other than Japan.
  - (xi)-2 international mediation case: a civil mediation case (including civil conciliation cases; and limited to cases on disputes relating to civil contracts or transactions in which all of the parties are corporations, other associations or foundations, or individuals who have become parties to those civil contracts or transactions as a business or for a business) which falls under any of the following cases:
    - (a) some or all of the parties are persons who have an address, or a main or head office in a foreign jurisdiction (including cases in which persons who hold more than fifty percent of the number of issued shares (limited to voting shares) in some or all of the parties, or more than fifty percent of the equity in some or all of the parties, or persons specified by Ministry of

- Justice Order as equivalent to those persons, are the persons who have an address, or a main or head office in a foreign jurisdiction); or
- (b) the law which is to apply to the formation and effect of a claim arising from a dispute relating to a civil contract or transaction (limited to the applicable law specified by agreement of the parties) is not Japanese law.
- (xii) Japan Federation of Bar Associations: the Japan Federation of Bar Associations under the provisions of the Attorney Act;
- (xiii) bar association: a bar association under the provisions of the Attorney Act;
- (xiv) Japan: the place where this Act is in force; and
- (xv) foreign law joint enterprise: an enterprise jointly operated by a registered foreign lawyer or a registered foreign lawyer corporation and an attorney at law or a legal professional corporation under a partnership contract or other continuous contracts for the purpose of providing legal services.

## **Chapter II Professional Duties of a Registered Foreign Lawyer**

(Professional Duties)

Article 3 (1) The professional duties of registered foreign lawyers are to provide legal services concerning the laws of the jurisdiction of primary qualification at the request of a party or other persons concerned, or commissioned by a public agency; provided, however, that this does not apply to providing the following legal services:

- (i) representation in proceedings before a court, public prosecutor's office or other public agencies in Japan, or the preparation of documents to be submitted to any of those organizations regarding those proceedings;
- (ii) activities as a defense counsel in a criminal case, or activities as an attendant in a juvenile protection case or legal assistance in a case in connection with a request for the examination of the possibility of extradition of a fugitive criminal;
- (iii) giving an expert opinion or other legal opinions regarding the interpretation or the application of laws other than those of the jurisdiction of primary qualification;
- (iv) serving procedural documents for a court or administrative agency of a foreign jurisdiction;
- (v) representation in commissioning a notary public to prepare a notarized deed under Article 22, item (v) of the Civil Execution Act (Act No. 4 of 1979); and
- (vi) representation in, or the preparation of documents (excluding written expert opinions; hereinafter the same applies in this Article) for a legal case whose primary purpose is the acquisition, relinquishment or amendment of

rights concerning real property located in Japan or of industrial property rights, mining rights or other rights established by registration thereof with an administrative agency in Japan or rights related to those rights (hereinafter referred to as "industrial property rights, etc.").

- (2) Even when legal services are those which a registered foreign lawyer may provide within the scope of professional duties under the provisions of the preceding paragraph, if those services fall under any of the following items, they are required to provide those services jointly with an attorney at law, or after receiving written advice from an attorney at law:
- (i) representation in, or the preparation of documents for, a legal case other than a legal case mentioned in item (vi) of the preceding paragraph, the purpose of which is the acquisition, relinquishment or amendment of rights concerning real property located in Japan or industrial property rights, etc.;
  - (ii) representation in, or the preparation of documents for, a legal case concerning family relations in which a Japanese national is involved as a party; and
  - (iii) representation in, or the preparation of documents for, a legal case concerning a will or a gift on a donor's death regarding an asset located in Japan and owned by a person who resides in Japan, or a legal case concerning the division of the estate, or administration of the estate, or other matters of inheritance regarding an asset located in Japan and owned by a person who resided in Japan at the time of death, and in which a Japanese national is involved as a party.

(Prohibition against Handling Legal Services Outside the Scope of Professional Duties)

Article 4 A registered foreign lawyer must not provide any legal services beyond the scope of the professional duties under the provisions of paragraph (1) of the preceding Article.

(Legal Services Concerning Designated Laws)

- Article 5 (1) A registered foreign lawyer may, notwithstanding the provisions of the preceding Article, provide legal services concerning designated laws if they have been granted the designation under the provisions of Article 16, paragraph (1) and have been granted the supplementary note registration of designated laws to their registration under the provisions of Article 34, paragraph (1); provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1) items (i), (ii) and (iv) to (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than the designated laws.
- (2) The provisions of Article 3, paragraph (2) apply mutatis mutandis regarding

cases where a registered foreign lawyer provides legal services concerning the designated laws under the provisions of the preceding paragraph.

(Legal Services Concerning Laws of a Specified Foreign Jurisdiction other than Designated Laws)

Article 5-2 (1) A registered foreign lawyer may, notwithstanding the provisions of Article 4, provide legal services concerning the laws of a specified foreign jurisdiction other than designated laws (meaning legal services for a legal case in which all or a major part of the laws of the specified foreign jurisdiction apply or should apply; hereinafter referred to as "legal services concerning the laws of the specified foreign jurisdiction"), if they do so according to written advice from any of the persons listed as follows; provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than the laws of the specified foreign jurisdiction:

- (i) a foreign lawyer in the specified foreign jurisdiction to which the laws of the specified foreign jurisdiction pertain (excluding a person who is a registered foreign lawyer) who is engaged in practice providing legal services concerning the laws of the specified foreign jurisdiction on the basis of the qualification to become a foreign lawyer (excluding a person who is employed and is providing services in Japan based on their knowledge concerning foreign laws);
  - (ii) a registered foreign lawyer for whom the laws of the jurisdiction of primary qualification or designated laws are the laws of the specified foreign jurisdiction; or
  - (iii) a registered foreign lawyer corporation (limited to when its member for whom the laws of the jurisdiction of primary qualification or designated laws are the laws of the specified foreign jurisdiction performs the practice).
- (2) The provisions of Article 3, paragraph (2) apply mutatis mutandis regarding cases where a registered foreign lawyer provides legal services concerning the laws of the specified foreign jurisdiction under the provisions of the preceding paragraph.

(Representation in International Arbitration Case Proceedings and International Mediation Case Proceedings)

Article 5-3 A registered foreign lawyer may, notwithstanding the provisions from Article 3 to the preceding Article, act as a legal representative in the following proceedings:

- (i) international arbitration case proceedings (including settlements attempted by arbitrators during proceedings, or implemented between the parties

during proceedings) and mediation proceedings for civil disputes which are the subject of an arbitration agreement (including conciliation proceedings; limited to those implemented by private businesses) (hereinafter referred to as "international arbitration case proceedings"); and  
(ii) international mediation case proceedings (limited to those implemented by private businesses; the same applies hereinafter).

(Application Mutatis Mutandis of the Attorney Act)

Article 6 (1) The provisions of Articles 1 and 2 of the Attorney Act apply mutatis mutandis to a registered foreign lawyer.

(2) The provisions of Article 72 of the Attorney Act do not apply to a registered foreign lawyer.

### **Chapter III Qualification to Become a Registered Foreign Lawyer**

#### **Section 1 Approval by the Minister of Justice**

(Qualification to Become a Registered Foreign Lawyer)

Article 7 A person who has a qualification to become a foreign lawyer may be qualified to be a registered foreign lawyer only when they obtain approval from the Minister of Justice.

(Grounds for Disqualification)

Article 8 The provisions of Article 7 of the Attorney Act apply mutatis mutandis with respect to the qualification of a registered foreign lawyer.

(Application for Approval)

Article 9 (1) A person who intends to obtain approval under the provisions of Article 7 (hereinafter referred to as the "approval") must submit a written application for the approval to the Minister of Justice, which contains the person's name, date of birth, nationality, address, date of acquiring a qualification to become a foreign lawyer, name of the foreign jurisdiction in which the person acquired the qualification (in the next Article referred to as the "jurisdiction of acquisition of the qualification"), their title as a foreign lawyer and other particulars, specified by Ministry of Justice Order.

(2) The written application for the approval set forth in the preceding paragraph must be accompanied by documents proving that qualification to become a foreign lawyer has been obtained, documents verifying that all the standards set forth in each item of paragraph (1) of the next Article are met, and other documents specified by Ministry of Justice Order.

(3) A person who intends to obtain the approval must pay a fee in an amount specified by Cabinet Order in consideration of actual expenses.

(Standards for Approval)

Article 10 (1) The Minister of Justice may not grant approval to a person who makes an application under the provisions of paragraph (1) of the preceding Article (hereinafter referred to as an "applicant for approval") unless the person satisfies the standards listed below:

- (i) they have the qualification to become a foreign lawyer and have the experience of having performed professional duties as a foreign lawyer in the jurisdiction where they acquired the qualification for three years or more after acquiring it (including the experience of a foreign lawyer in the jurisdiction of acquisition of qualification, of having engaged in the practice of providing legal services, in a foreign jurisdiction other than the jurisdiction of acquisition of qualification, concerning the laws of the jurisdiction of qualification on the basis of the qualification to become a foreign lawyer);
  - (ii) they do not fall under any of the following subitems:
    - (a) a person who has been sentenced to a punishment under foreign laws and regulations which is equivalent to imprisonment or heavier punishment.
    - (b) a person who has been given a court ruling under foreign laws and regulations which is equivalent to a dismissal by the Court of Impeachment.
    - (c) a person who has been punished under foreign laws and regulations which is equivalent to a disciplinary action provided in Article 7, item (iii) of the Attorney Act, and for whom three years have not passed from the date the punishment was imposed.
    - (d) a person who is treated under foreign laws and regulations, in a manner equivalent to a person who received an order for the commencement of bankruptcy proceedings and who has not had their rights restored; and
  - (iii) they intend to perform their professional duties faithfully and have a plan, residence and financial basis to perform their professional duties in a proper and secure manner, and also have the ability to compensate for any damage which they may cause to clients.
- (2) In the case a person who is qualified to be a foreign lawyer was in the employment of an attorney at law, a legal professional corporation, a registered foreign lawyer or a registered foreign lawyer corporation in Japan after they acquired the qualification, the provision of their services to the attorney at law, the legal professional corporation, the registered foreign lawyer or the registered foreign lawyer corporation, based on their knowledge concerning the laws of the jurisdiction where they acquired the qualification, may be considered as experience of having performed professional duties as a foreign lawyer in the jurisdiction where they acquired the qualification, for a

maximum of two years in total, with regard to application of the provisions of item (i) of the preceding paragraph.

- (3) In the case an applicant for approval satisfies the standards set forth in all the items of paragraph (1), the Minister of Justice may not grant approval unless one of the following circumstances exists:
- (i) circumstances where a person who is qualified to be an attorney at law receives substantially the same treatment as accorded by this Act in the foreign jurisdiction mentioned in paragraph (1), item (i); or
  - (ii) circumstances where, if a person who is qualified to be an attorney at law does not receive substantially the same treatment as accorded by this Act in the foreign jurisdiction mentioned in paragraph (1), item (i), the non-approval on those grounds violates the sincere implementation of treaties or other international agreements.
- (4) The Minister of Justice must, in cases of granting approval, inquire the opinion of the Japan Federation of Bar Associations, in advance.

(Public Notice of Approval)

- Article 11 (1) When the Minister of Justice has granted approval, the Minister must without delay notify in writing the applicant for approval and the Japan Federation of Bar Associations and give public notice in the Official Gazette to that effect.
- (2) The approval comes into effect as from the date of the public notice provided by the preceding paragraph.

(Expiration of Approval)

- Article 12 If a person who has obtained the approval does not make the request under the provisions of Article 25, paragraph (1) within six months from the day following the date of the public notice under the provisions of paragraph (1) of the preceding Article, or within six months from the day following the date of rescission of the registration upon their request under the provisions of Article 29, the approval ceases to be effective.

(Reports)

- Article 13 (1) The Minister of Justice may, when found necessary, demand the submission of reports or relevant materials from a person who has obtained the approval, regarding the matters pertaining to the standards set forth in any of the items of Article 10, paragraph (1) or the matters concerning the treatment in the jurisdiction of primary qualification of a person who has the qualification to become an attorney at law.
- (2) The Minister of Justice may, when found necessary for the handling of affairs concerning the approval, make inquiries to any public office or public or private



organization and request information on necessary matters.

(Rescission of Approval)

Article 14 (1) The Minister of Justice must rescind the approval, if a person who has obtained approval falls under any of the following items:

- (i) if they have lost the qualification to become a foreign lawyer in the jurisdiction of primary qualification;
- (ii) if they fall under any of the items of Article 7 of the Attorney Act (except item (ii)) applied mutatis mutandis to Article 8 of the Act;
- (iii) if their registration has been refused pursuant to the provision of Article 26; or
- (iv) if their registration has been rescinded pursuant to the provision of Article 30, paragraph (2).

(2) The Minister of Justice may rescind the approval, if a person who has obtained the approval falls under any of the following items:

- (i) if it is found that the person has made a false statement regarding an important matter or failed to state an important fact in the written application for the approval under Article 9, paragraph (1), or in a document attached thereto under paragraph (2) of the same Article;
- (ii) if the person no longer satisfies the standards set forth in Article 10, paragraph (1), item (ii);
- (iii) if the rescission is unavoidable in order to prevent losses which there is a possibility clients of that person may suffer, due to the marked deterioration of the practice or financial condition; or
- (iv) if the person fails to submit reports or materials or submits a false report or materials under paragraph (1) of the preceding Article, with respect to the matters pertaining to the standards set forth in each item of Article 10, paragraph(1).

(3) In cases where circumstances as listed in any of the following items arise after granting approval, the Minister of Justice may rescind the approval of those persons who have obtained it with regard to the jurisdiction set forth in any of the items as the jurisdiction of primary qualification:

- (i) circumstances where a person who has the qualification to be an attorney at law has become no longer eligible to receive substantially equivalent treatment as accorded by this Act in a foreign jurisdiction, and rescinding the approval on those grounds does not violate the sincere implementation of treaties or other international agreements; or
- (ii) circumstances where a person who has the qualification to be an attorney at law has not been granted substantially equivalent treatment as accorded by this Act in a foreign jurisdiction, and rescinding the approval on those grounds would no longer violate the sincere implementation of treaties or

other international agreements.

- (4) The provisions of Article 10, paragraph (4) and Article 11 apply mutatis mutandis to the rescission of approval under the provisions of the preceding three paragraphs.

Article 15 Deleted

## **Section 2 Designation of Laws of a Specified Foreign Jurisdiction**

(Designation)

Article 16 (1) If a person who has obtained approval falls under any of the following items, the Minister of Justice may designate the laws of a specified foreign jurisdiction for that person:

- (i) that person has the qualification to become a foreign lawyer of the specified foreign jurisdiction; or
- (ii) that person has the same level of knowledge regarding the laws of a specified foreign jurisdiction as a person who has the qualification to become a foreign lawyer of that jurisdiction and has five or more years of practical experience of handling legal services concerning those laws.

(2) The provisions of Article 10, paragraph (4) and Article 11 apply mutatis mutandis to the designation under the provisions of the preceding paragraph.

(Application for Designation)

Article 17 (1) When a person who has obtained approval intends to receive the designation under the provisions of paragraph (1) of the preceding Article (hereinafter referred to as the "designation"), the person must submit a written application for designation to the Minister of Justice.

(2) The written application for designation prescribed in the preceding paragraph must be accompanied by documents verifying that the person falls under one of the conditions set forth in each item of paragraph (1) of the preceding Article, and other documents specified by Ministry of Justice Order.

(3) A person who intends to obtain the designation must pay a fee in an amount specified by Cabinet Order in consideration of actual expenses.

(Expiration of Designation)

Article 18 If the approval ceases to be effective or is rescinded, the designation also ceases to be effective. It also ceases to be effective if a person who has obtained the designation does not make the request under the provisions of Article 33, paragraph (1) within six months from the day following the date of public notice under the provisions of Article 11, paragraph (1) applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (2).

(Reports)

Article 19 (1) The Minister of Justice may, when found necessary, demand the submission of reports or relevant materials on the matters pertaining to the conditions set forth in each item of Article 16, paragraph (1) from a person who has received a designation.

(2) The provisions of Article 13, paragraph (2) apply mutatis mutandis to the handling of affairs concerning the designation.

(Rescission of Designation)

Article 20 (1) The Minister of Justice must rescind the designation, if a person who received the designation has lost the qualification provided for in Article 16, paragraph (1), item (i).

(2) The Minister of Justice may rescind the designation, if a person who received the designation falls under any of the following items:

(i) it is found that the person has made a false statement regarding an important matter or failed to state an important fact in the written application for designation under Article 17, paragraph (1), or in a document attached thereto under paragraph (2) of the same Article; or

(ii) the person fails to submit reports or relevant materials required under paragraph (1) of the preceding Article, or submits a false report or materials.

(3) The provisions of Article 10, paragraph (4) and Article 11 apply mutatis mutandis to the rescission of the designation under the provisions of the preceding two paragraphs.

## **Chapter IV Registration and Practice of a Registered Foreign Lawyer**

### **Section 1 General Provisions**

(Purpose of Bar Associations and the Japan Federation of Bar Associations)

Article 21 A registered foreign lawyer and a registered foreign lawyer corporation is deemed to be an attorney at law and a legal professional corporation, respectively, for the purposes of the application of the provisions of Article 31, paragraph (1), Article 41 and Article 42, paragraph (2) of the Attorney Act (including as applied mutatis mutandis pursuant to the provisions of Article 50 of the Act) and also Article 45, paragraph (2), Article 48 and Article 49 of the Act.

(Special Provisions of Particulars stated in the Articles of Association of the Bar Associations)

Article 22 The articles of association of the bar associations set forth the following matters listed in accordance with the Articles of Association of the

Japan Federation of Bar Associations, beyond what is set forth in each item of Article 33, paragraph (2) of the Attorney Act:

- (i) matters listed in Article 33, paragraph (2), items (iii), (iv), (xv) and (xvi) of the Attorney Act concerning registered foreign lawyers and registered foreign lawyer corporations;
- (ii) provisions concerning the maintenance of discipline for registered foreign lawyers and registered foreign lawyer corporations;
- (iii) provisions concerning the recommendation of a registered foreign lawyer to a public agency or other entities;
- (iv) provisions concerning the mediation of disputes concerning the performance of professional duties of registered foreign lawyers and registered foreign lawyer corporations;
- (v) provisions concerning a request for disciplinary action against registered foreign lawyers and registered foreign lawyer corporations;
- (vi) provisions concerning notification to engage in for-profit business by a registered foreign lawyer and provisions concerning the roster of registered foreign lawyers engaged in for-profit business; and
- (vii) other necessary provisions concerning registered foreign lawyers and registered foreign lawyer corporations.

(Special Provisions to be Included in the Articles of Association of the Japan Federation of Bar Associations)

Article 23 The Articles of Association of the Japan Federation of Bar

Associations must set forth the following matters beyond what is set forth in each item of Article 46, paragraph (2) of the Attorney Act:

- (i) matters listed in items (i) to (iii) of the preceding Article;
- (ii) provisions concerning registration, change of registration and rescission of registration in the roster of registered foreign lawyers;
- (iii) provisions concerning the Registered Foreign Lawyers Registration Screening Board;
- (iv) provisions concerning disciplinary action for registered foreign lawyers and registered foreign lawyer corporations, and those concerning the Registered Foreign Lawyers Disciplinary Actions Committee and the Registered Foreign Lawyers Discipline Committee; and
- (v) other necessary provisions concerning registered foreign lawyers and registered foreign lawyer corporations.

## **Section 2 Registration of Registered Foreign Lawyers**

### **Subsection 1 Roster of Registered Foreign Lawyers**

(Registration)

- Article 24 (1) In order to become a registered foreign lawyer, a person who is qualified to be a registered foreign lawyer is required to obtain registration of their name, date of birth, nationality, name of the jurisdiction of primary qualification, address in Japan, office, name of the bar association to which they belong, and other particulars stipulated by the Articles of Association of the Japan Federation of Bar Associations, in the roster of registered foreign lawyers kept by the Japan Federation of Bar Associations.
- (2) Registration in the roster of registered foreign lawyers is made by the Japan Federation of Bar Associations.

(Requests for Registration)

- Article 25 (1) A person who intends to obtain registration under the provisions of the preceding Article (hereinafter referred to as the "registration") must submit a written request for registration to the Japan Federation of Bar Associations through the bar association which they intend to join.
- (2) The written request for registration mentioned in the preceding paragraph must include information on the following matters as listed below, and must be accompanied by documents verifying that they are qualified to be a registered foreign lawyer and other documents stipulated by the Articles of Association of the Japan Federation of Bar Associations:
- (i) the particulars to be registered;
  - (ii) the date on which approval was obtained;
  - (iii) honors and sanctions which they have received as a foreign lawyer, if any, and an evaluation of their career and professional duties as a foreign lawyer by the regulatory authority for their professional duties; and
  - (iv) other particulars stipulated by the Articles of Association of the Japan Federation of Bar Associations.
- (3) The bar association which has received the submission of a written request for registration mentioned in paragraph (1) must promptly send it to the Japan Federation of Bar Associations.
- (4) The bar association mentioned in the preceding paragraph may express its opinion to the Japan Federation of Bar Associations regarding the request for the registration under the provisions of paragraph (1) (hereinafter referred to as the "request for registration").

(Refusal of Registration)

- Article 26 When it is likely that a person requesting the registration would upset the order or damage the reputation of a bar association or the Japan Federation of Bar Associations, or if the person falls under any of the following items and is likely that it would be inappropriate to have them perform professional duties as a registered foreign lawyer, the Japan Federation of Bar

Associations may refuse their registration, based on the resolution of the Registered Foreign Lawyers Registration Screening Board:

- (i) the person has a mental or physical disorder; or
- (ii) the person who was subject to the disciplinary action prescribed in Article 7, item (iii) of the Attorney Act which applies mutatis mutandis to Article 8, has made the request after three years have passed since the date of the disciplinary action.

(Notices on Registration)

Article 27 When the Japan Federation of Bar Associations has received a request for registration, it must notify in writing the person who requested the registration, the bar association which has sent the request, and the Minister of Justice that the registration has been made, or that the registration has been refused, stating the reason for the refusal.

(Requests for Registration of Transfer)

Article 28 (1) If a registered foreign lawyer intends to change the bar association to which they belong, they must submit a written request for change of the registration to the Japan Federation of Bar Associations through the bar association they intend to join.

(2) When a registered foreign lawyer makes a request for a change of registration under the provisions of the preceding paragraph (hereinafter referred to as a "request for change of registration"), they must report that to the bar association to which they belong.

(3) The provisions of Article 25, paragraphs (3) and (4) and the preceding two Articles apply mutatis mutandis to a request for change of registration.

(Request for Rescission of Registration)

Article 29 When a registered foreign lawyer intends to terminate their practice, they must make a request for the rescission of their registration to the Japan Federation of Bar Associations through the bar association to which they belong.

(Rescission of Registration)

Article 30 (1) The Japan Federation of Bar Associations must rescind the registration of a registered foreign lawyer when they fall under any of the following items;

- (i) if they fall under any of the items (except item (ii)) of Article 7 of the Attorney Act which applies mutatis mutandis to Article 8 of this Act;
- (ii) if they request rescission of the registration pursuant to the provisions of the preceding Article;

- (iii) if they have received an order to withdraw from the bar association;
  - (iv) if the approval has been rescinded due to Article 14, paragraph (1), item (i) or any of the items of paragraph (2) or pursuant to the provisions of paragraph (3) of the same Article; or
  - (v) if they have died.
- (2) The Japan Federation of Bar Associations may rescind the registration of a registered foreign lawyer, based on the resolution of the Registered Foreign Lawyers Registration Screening Board, when they have made a false statement regarding any of the matters mentioned in each item of Article 26, when it is likely that they are unfit to perform professional duties as a registered foreign lawyer due to a mental or physical disorder, or when they have violated the provisions of Article 48.
- (3) When the Japan Federation of Bar Associations has rescinded the registration pursuant to the provisions of paragraph (1), items (i) to (iv), or of the preceding paragraph, it must notify in writing the registered foreign lawyer concerned, the bar association to which they belonged, and the Minister of Justice, to that effect, stating the reasons for the rescission.

(Reporting the Grounds for Rescission of Registration)

Article 31 If a bar association finds that there are grounds for rescinding the registration of a registered foreign lawyer who belongs to it, it must report the fact promptly to the Japan Federation of Bar Associations.

(Public Notice of Registration)

Article 32 If the Japan Federation of Bar Associations has effected a registration, change of a registration or rescission of a registration, it must promptly make public notice of the fact in the Official Gazette.

(Request for Adding a Supplementary Note Registration of Designated Laws)

Article 33 (1) If a registered foreign lawyer intends to have a supplementary note registration of a designated law added to their registration, they must submit a written request for the addition of a supplementary note registration of the designated law to the Japan Federation of Bar Associations through the bar association to which they belong.

(2) The written request for the addition of a supplementary note registration of a designated law mentioned in the preceding paragraph must state the matters stipulated by the Articles of Association of the Japan Federation of Bar Associations and must be attached by a document verifying that the designation has been made.

(3) The provisions of Article 25, paragraph (3) apply mutatis mutandis to the sending of the written request for the addition of a supplementary note

registration of a designated law mentioned in paragraph (1).

(Adding Supplementary Note Registration of Designated Laws)

Article 34 (1) Upon receipt of a request under the provisions of the preceding Article, the Japan Federation of Bar Associations must promptly add the registration of relevant designated laws to the registration of the registered foreign lawyer concerned.

(2) The provisions of Article 27 apply mutatis mutandis in the case of addition of supplementary note registration under the provisions of the preceding paragraph.

(Deletion of the Addition of Supplementary Note Registration of Designated Laws)

Article 35 The Japan Federation of Bar Associations must delete the addition of supplementary note registration of the designated law concerned when the registration has been rescinded.

(Public Notice of the Addition of Supplementary Note Registration of Designated Laws)

Article 36 The provisions of Article 32 apply mutatis mutandis to the addition of supplementary note registration of designated laws and the deletion of the addition of supplementary note registration.

## **Subsection 2 Registered Foreign Lawyers Registration Screening Board**

(Establishment)

Article 37 (1) A Registered Foreign Lawyers Registration Screening Board is to be established within the Japan Federation of Bar Associations.

(2) Upon request of the Japan Federation of Bar Associations, the Registered Foreign Lawyers Registration Screening Board is to conduct necessary examination concerning requests for the registration of registered foreign lawyers, requests for change of registration, requests for rescission of registration under the provisions of Article 29, and requests for rescission of registration under the provisions of Article 30, paragraph (2), with respect to registered foreign lawyers.

(Organization)

Article 38 (1) The Registered Foreign Lawyers Registration Screening Board is composed of a chairperson and thirteen board members.

(2) The chairperson is nominated by the president of the Japan Federation of Bar



Associations from the vice-presidents of the Japan Federation of Bar Associations.

- (3) The president of the Japan Federation of Bar Associations must appoint eight board members among attorneys at law, one member among judges, public prosecutors, and persons with relevant expertise respectively (a total of three), and two board members among government officials; provided, however, that the board members who are judges, public prosecutors or government officials are appointed based on the recommendation of the Supreme Court, the Public Prosecutor General or the Minister of Justice respectively, and the other board members are appointed on the resolution of the organ of the Japan Federation of Bar Associations as stipulated by the Articles of Association of the Japan Federation of Bar Associations.
- (4) The term of office of a board member is two years; provided, however, that the term of office of a board member appointed to fill a vacancy is the remaining period of office of their predecessor.
- (5) The Registered Foreign Lawyers Registration Screening Board is to have thirteen reserve board members.
- (6) The provisions of paragraphs (3) and (4) and Article 53, paragraph (3) of the Attorney Act apply mutatis mutandis to the reserve board members mentioned in the preceding paragraph.
- (7) The provisions of Article 54 of the Attorney Act apply mutatis mutandis to the chairperson of the Registered Foreign Lawyers Registration Screening Board and the provisions of paragraph (2) of the same Article apply mutatis mutandis to the board members and reserve board members of the Registered Foreign Lawyers Registration Screening Board.

(Examination Procedures)

- Article 39 (1) The provisions of Article 55, paragraph (1) of the Attorney Act apply mutatis mutandis to the examination procedures conducted by the Registered Foreign Lawyers Registration Screening Board.
- (2) If the Registered Foreign Lawyers Registration Screening Board resolves the refusal of a request for registration or a request for change of registration or the approval of cancellation of registration under the provisions of Article 30, paragraph (2), the Board must notify the party concerned of that fact in advance and give them an opportunity to make a statement and submit relevant materials on the matter.

### **Subsection 3 Admission to and Withdrawal from a Bar Association and the Japan Federation of Bar Associations**

(Admission to and Withdrawal from a Bar Association and the Japan

Federation of Bar Associations)

Article 40 (1) A person who has obtained registration is to join the relevant bar association and the Japan Federation of Bar Associations at the time of their registration.

(2) A person who has a change made to their registration is to join the relevant bar association at the time of the change of their registration and withdraw from the bar association to which they belonged until then.

(3) A person whose registration was rescinded at their request under the provisions of Article 29 is to withdraw from the bar association to which they belong and the Japan Federation of Bar Associations at the time of rescission.

Article 41 (1) If bar associations are merged, a registered foreign lawyer who belongs to the bar association which is dissolved in the merger must be admitted to the bar association which continues to exist after the merger, or is established by the merger.

(2) The provisions of Article 28, paragraph (1) apply *mutatis mutandis* in the case referred to in the preceding paragraph.

(Obligation to Observe Articles of Association)

Article 42 A registered foreign lawyer is required to observe the provisions concerning registered foreign lawyers set forth in the articles of association of the bar association to which they belong and those of the Japan Federation of Bar Associations.

(Voting Right of Registered Foreign Lawyers)

Article 43 If the bar association to which a registered foreign lawyer belongs or the Japan Federation of Bar Associations convenes a general meeting to deliberate on the establishment, revision or abolition of the articles of association, regarding the matters listed in any item of Article 22 or Article 23, the registered foreign lawyer may attend the meeting, express their opinions and participate in voting.

### **Section 3 Rights and Obligations of Registered Foreign Lawyers**

(Representation of Qualification as a Registered Foreign Lawyer)

Article 44 A registered foreign lawyer must use the title of "外国法事務弁護士" (romanized as "Gaikokuho-Jimu-Bengoshi", literally meaning "registered foreign lawyer") and attach the name of the jurisdiction of primary qualification to this title when conducting legal practice.

(Office of Registered Foreign Lawyers)

Article 45 (1) The office of a registered foreign lawyer must use the name "外国法  
事務弁護士事務所" (romanized as "Gaikokuho-Jimu-Bengoshi-Jimusho" ,  
literally meaning "registered foreign lawyer's office").

(2) The name of the office of a registered foreign lawyer must not include the  
name of any other individual or organization; provided, however, a registered  
foreign lawyer may use the name of a corporation, partnership or other  
business entities of their jurisdiction of primary qualification to which they  
belong, whose objective is to provide legal services (hereinafter referred to as  
the "business entity to which they belong"), limited to the following cases:

(i) there is no other registered foreign lawyer or registered foreign lawyer  
corporation that uses the name of the business entity to which they belong;  
or

(ii) they share the office with the other registered foreign lawyer or the  
registered foreign lawyer corporation that has already been using the name  
of the business entity to which they belong.

(3) Notwithstanding the provisions of the preceding two paragraphs, a registered  
foreign lawyer may use the name of the office of a registered foreign lawyer,  
registered foreign lawyer corporation, attorney at law or legal professional  
corporation, when they are employed by the registered foreign lawyer,  
registered foreign lawyer corporation, attorney at law or legal professional  
corporation.

(4) The office of a registered foreign lawyer must be established within the  
district where the bar association to which they belong is located.

(5) A registered foreign lawyer may not establish more than one office in Japan,  
under any name.

(Indication of the Laws of the Jurisdiction of Primary Qualification and of  
Designated Laws)

Article 46 (1) A registered foreign lawyer is required to display a sign indicating  
the laws of the jurisdiction of primary qualification and designated laws in a  
place easily visible to the public inside their the office, pursuant to the  
provisions of the Articles of Association of the Japan Federation of Bar  
Associations.

(2) Beyond displaying a sign under the provisions of the preceding paragraph,  
necessary matters concerning the indication of the laws of the jurisdiction of  
primary qualification and the designated laws are to be stipulated by the  
Articles of Association of the Japan Federation of Bar Associations.

(Use of the Title of Foreign Lawyer)

Article 47 (1) In conducting legal practice, a registered foreign lawyer may use  
the title of a foreign lawyer in their jurisdiction of primary qualification, only

when they add that to their title of "外国法事務弁護士" (romanized as "Gaikokuho-Jimu-Bengoshi", literally meaning "registered foreign lawyer") and the name of their jurisdiction of primary qualification.

- (2) A registered foreign lawyer may use the name of the business entity to which they belong pursuant to the proviso to Article 45, paragraph (2), and in conducting legal practice, they may also use the name of that business entity limited to the case when they append it to their name or the name of their office in cases listed in the items of the same paragraph.

(Obligation of Residence)

Article 48 (1) A registered foreign lawyer is required to stay in Japan for not less than a hundred and eighty days per year.

- (2) If a registered foreign lawyer left Japan and was outside Japan due to their own or a relative's injury, illness or other unavoidable circumstances, the period for which they were outside of Japan is included as the period of their stay in Japan for the purpose of applying the provisions of the preceding paragraph.

(Prohibition of Instruction based on Employment Relationships on the Handling of Legal Services beyond the Scope of Authority)

Article 49 (1) A registered foreign lawyer who employs an attorney at law or a registered foreign lawyer must not order an attorney at law or a registered foreign lawyer who they employ, based on the employment relationship, to handle legal services beyond the scope of authority permitted in Articles 3 and Article 5 to Article 5-3 (hereinafter referred to as "legal services beyond the scope of authority").

- (2) An attorney at law or registered foreign lawyer that was given an order in violation of the provisions set forth in the preceding paragraph to be involved in providing legal services beyond the scope of authority of the registered foreign lawyer who is their employer, are not exempt from disciplinary action or other responsibilities on the grounds that they followed orders based on the employment relationship.
- (3) A registered foreign lawyer who employs an attorney at law or a registered foreign lawyer must not become improperly involved in the handling of legal services the attorney at law or the registered foreign lawyer employed practices themselves, which is beyond the scope of authority of the registered foreign lawyer, beyond the prohibition provided in paragraph (1).

(Prohibition of Improper Involvement in a Foreign Law Joint Enterprise)

Article 49-2 A registered foreign lawyer managing a foreign law joint enterprise must not become improperly involved in legal services which the attorney at

law or the legal professional corporation participating in the foreign law joint enterprise practices themselves, and which is beyond the scope of authority of the registered foreign lawyer.

(Notification of Employment of Attorneys at Law and of the Particulars  
Pertaining to Foreign Law Joint Enterprises)

Article 49-3 (1) When a registered foreign lawyer intends to employ an attorney at law or manage a foreign law joint enterprise, they must give notification in advance to the Japan Federation of Bar Associations of the particulars listed below and the particulars stipulated by the Articles of Association of the Japan Federation of Bar Associations. In this case, the documents stipulated by the Articles of Association of the Japan Federation of Bar Associations must be attached to the notification:

- (i) name and office of the attorney at law to be employed; and
  - (ii) name or title and office of the attorney at law or legal professional corporation participating in the foreign law joint enterprise and the scope of the legal services to be provided by that foreign law joint enterprise.
- (2) Upon receipt of notification under the provisions of preceding paragraph, the Japan Federation of Bar Associations must attach a supplementary note to the registration of the registered foreign lawyer concerned the particulars pertaining to the notification that are set forth by the Articles of Association of the Japan Federation of Bar Associations.
- (3) If the registered foreign lawyer who has made a notification under the provisions of paragraph (1) intends to change the scope of legal services to be provided by the foreign law joint enterprise or other important matters stipulated by the Articles of Association of the Japan Federation of Bar Associations pertaining to the notification, they must notify the Japan Federation of Bar Associations of the change in advance. In this case, the provisions of the second sentence of the same paragraph apply *mutatis mutandis*.
- (4) When a notification is made under the provisions of the preceding paragraph, the Japan Federation of Bar Associations must modify, on the basis of the notification, the content of supplementary notes attached to the registration of the registered foreign lawyer concerned, pursuant to the provisions of paragraph (2).
- (5) If a registered foreign lawyer who had made the notification under the provisions of paragraph (1) has ceased to employ an attorney at law or to run a foreign law joint enterprise, they must notify the Japan Federation of Bar Associations of that fact without delay.
- (6) When a notification is made under the provisions of the preceding paragraph, the Japan Federation of Bar Associations must delete the content of the

supplementary notes attached to the registration of the registered foreign lawyer concerned, pursuant to the provisions of paragraph (2).

(7) When a notification is made under the provisions of paragraphs (1), (3) or (5), the Japan Federation of Bar Associations must notify in writing the particulars pertaining to the notification to the bar association to which the registered foreign lawyer concerned belongs and the bar association to which the attorney at law employed by or participating in the foreign law joint enterprise or the legal professional corporation participating in the foreign law joint enterprise belongs.

(Indication as a Foreign Law Joint Enterprise)

Article 49-4 A registered foreign lawyer who has made a notification pertaining to a foreign law joint enterprise pursuant to the provisions of paragraph (1) of the preceding Article must add a statement indicating that they manage a foreign law joint enterprise and the title of the office of the attorney at law or legal professional corporation that runs the relevant foreign law joint enterprise, to the name of their office, except when the characters "外国法共同事業" (romanized as "Gaikokuho-Kyodo-Jigyo", literally meaning "foreign law joint enterprise") are used in the title of the office pursuant to the provisions of the following Article.

(Special Provisions for the Title of an Office pertaining to Foreign Law Joint Enterprise)

Article 49-5 Regarding the office of a registered foreign lawyer managing a foreign law joint enterprise, when the registered foreign lawyer shares the office with an attorney at law or legal professional corporation participating in that foreign law joint enterprise (limited only to the main office, in the case of legal professional corporation; hereinafter the same applies in this Article) and the scope of the legal services to be provided by the foreign law joint enterprise is not limited and the title of the office of the attorney at law or legal professional corporation contains the characters "外国法共同事業" (romanized as "Gaikokuho-Kyodo-Jigyo", literally meaning "foreign law joint enterprise"), their office may use the same name as the title of the office, notwithstanding the provisions of Article 45, paragraphs (1) and (2).

(Application Mutatis Mutandis of the Attorney Act)

Article 50 (1) The provisions of Articles 23 to 30 of the Attorney Act apply mutatis mutandis to a registered foreign lawyer. In this case, the term "legal professional corporation (legal professional corporation as prescribed in Article 30-2, paragraph (1)) in Article 25, item (vi) of the same Act is replaced with "registered foreign lawyer corporation (registered foreign lawyer corporation as

prescribed in Article 2, item (iii)-2 of the Special Measures Concerning the Handling of Legal Services by Registered Foreign Lawyers (Act No. 66 of 1986)"; the phrase "registered foreign lawyer corporation (registered foreign lawyer corporation as prescribed in Article 2, item (iii)-2 of the Special Measures Concerning the Handling of Legal Services by Registered Foreign Lawyers (Act No. 66 of 1986)" is replaced with "legal professional corporation (legal professional corporation as prescribed in Article 30-2, paragraph (1))"; the term "member of a legal professional corporation" in item (vii) through item (ix) of the same Article is replaced with "member of a registered foreign lawyer corporation"; the term "employee of a registered foreign lawyer corporation" is replaced with "employee of a Legal Professional Corporation"; and the term "roster of attorneys at law engaged in profit-making businesses" in Article 30, paragraphs (2) and (4) of the same Act are replaced with "roster of registered foreign lawyers engaged in For-Profit Business."

(2) The provisions of Article 74, paragraph (2) of the Attorney Act do not apply to a registered foreign lawyer.

## **Chapter V Registered Foreign Lawyer Corporation**

(Establishment)

Article 50-2 A registered foreign lawyer may establish a registered foreign lawyer corporation pursuant to the provisions of this chapter.

(Name)

Article 50-3 A registered foreign lawyer corporation must include the characters "外国法事務弁護士法人" (romanized as "Gaikokuho-Jimu-Bengoshi-Hojin", literally meaning "Registered Foreign Lawyer Corporation") in their name.

(Eligibility of Members)

Article 50-4 (1) The members of a registered foreign lawyer corporation must be registered foreign lawyers.

(2) The persons specified below are not eligible to be members of a registered foreign lawyer corporation:

(i) any person who has been disciplined with suspension pursuant to Article 51, and the applicable suspension period has not yet elapsed; or

(ii) when a registered foreign lawyer corporation was disbarred or disciplined with suspension pursuant to Article 51, any person who was a member of the corporation within 30 days prior to the date the disciplinary action was taken and three years (or when the registered foreign lawyer corporation has been suspended from the practice of law, the applicable suspension period) have not elapsed from that date .

(Scope of Practice)

Article 50-5 (1) Beyond providing legal services concerning foreign laws at the request of a party or other relevant persons, or commissioned by a public agency, by making provisions in its articles of incorporation, a registered foreign lawyer corporation may engage in all or part of businesses that a registered foreign lawyer are allowed to practice in accordance with laws and regulations, as specified by Ministry of Justice Order; provided, however, that this does not apply when engaging in the following practices:

(i) legal services set forth in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi); and

(ii) giving an expert opinion or other legal opinions regarding the interpretation or the application of laws that are or were in effect in Japan (excluding treaties or other international laws which are included in laws that are or were in effect in foreign jurisdiction).

(2) Beyond what is provided for in the preceding paragraph, a registered foreign lawyer corporation may act as a legal representative in international arbitration case proceedings and international mediation case proceedings.

(Procedures for Establishment)

Article 50-6 (1) In order to establish a registered foreign lawyer corporation, registered foreign lawyers who are to become members thereof must adopt articles of incorporation.

(2) The provisions of Article 30-8, paragraphs (2) and (3) of the Attorney Act apply mutatis mutandis to the articles of incorporation of a registered foreign lawyer corporation. In this case, the term "law office/offices" in item (iii) of the paragraphs is replaced with "office/offices," and the term "addresses" in item (v) of the paragraphs is replaced with "addresses, the laws of the jurisdiction of primary qualification as provided for in Article 2, item (v) of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers, designated laws as provided for in item (ix) of the same Article."

(Admission to and Withdrawal from a Bar Association and the Japan Federation of Bar Associations)

Article 50-7 (1) Upon its establishment, a registered foreign lawyer corporation is to join the bar association of the district in which its main office is located (if there are two or more bar associations in that district, the one specified in the registered foreign lawyer corporation's articles of incorporation) and the Japan Federation of Bar Associations.

(2) The provisions of Article 41, paragraph (1) of this Act and Article 36-2, paragraphs (2) to (7) of the Attorney Act apply mutatis mutandis to a



registered foreign lawyer corporation. In this case, the term "law office" in paragraphs (2) to (4) of the Article is replaced with "office," and the words "are to become a member of "in paragraph (2) of the Article are replaced with "are to join."

(Execution of Practice)

Article 50-8 (1) A member of a registered foreign lawyer corporation is to engage in the following practice activities unless the registered foreign lawyer corporation's articles of incorporation stipulate otherwise:

- (i) legal services concerning the laws of the jurisdiction of primary qualification of the member (excluding the legal services prescribed in the items of Article 3, paragraph (1)); and
- (ii) acting as a legal representative in international arbitration case proceedings and international mediation case proceedings.

(2) Beyond what is provided for in the preceding paragraph, a member who executes practice may do so regarding legal services concerning the designated law if the member has been granted the designation and has had the supplementary note registration of the designated law added under the provisions of Article 34, paragraph (1); provided, however, that this does not apply to the legal services set forth in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than the designated law.

(3) Beyond what are provided for in the preceding two paragraphs, a member who executes practice may do so regarding the laws of specified foreign jurisdiction if the member does so in accordance with written advice received from a person listed in the items of Article 5-2, paragraph (1); provided, however, that this does not apply to the legal services set forth in Article 3, paragraph (1), items (i), (ii) and (iv) to (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of laws other than the laws of specified foreign jurisdiction.

(4) Regarding the matters set forth in the items of Article 3, paragraph (2), a member who executes practice must do so in coordination with an attorney at law, or after receiving written advice from an attorney at law even when the member is entitled to execute practice pursuant to the provisions of the preceding three paragraphs.

(Indication of Qualification as a Member)

Article 50-9 A registered foreign lawyer corporation must, when a member executes practice as part of the corporation, have the member use the title of "外国法事務弁護士" (romanized as "Gaikokuho-Jimu-Bengoshi", literally

meaning "registered foreign lawyer") and append the title to the name of the jurisdiction of primary qualification.

(Offices)

- Article 50-10 (1) A registered foreign lawyer corporation must include the name of the relevant registered foreign lawyer corporation in the name of its office.
- (2) The provisions of Article 45, paragraphs (2) and (4) apply mutatis mutandis to the office of a registered foreign lawyer corporation, the provisions of Article 49-4 apply mutatis mutandis to a registered foreign lawyer corporation and its office, and the provisions of Article 49-5 apply mutatis mutandis to a registered foreign lawyer corporation. In these cases, the term "jurisdiction of primary qualification" in the proviso to Article 45, paragraph (2) is replaced with "member's jurisdiction of primary qualification" and "they" with "the member," the term the "office of a registered foreign lawyer" in Article 49-5 is replaced with "main office of a registered foreign lawyer corporation," the phrase "in the case of the legal professional corporation" is replaced with "in the case of the legal professional corporation or registered foreign lawyer corporation," the phrase "limited; hereinafter the same applies in this Article" is replaced with "limited " and the phrase "of the office" is replaced with "of the office (in the case of a legal professional corporation, limited only to its main office)."

(Prohibition of Instruction Based on Employment Relationships on the Handling of Legal Services beyond the Scope of Authority)

- Article 50-11 (1) A registered foreign lawyer corporation must not order an attorney at law or registered foreign lawyer it employs to handle legal services beyond the scope of authority of the registered foreign lawyer corporation, based on the employment relationship.
- (2) If an attorney at law or a registered foreign lawyer, given an order in violation of the provisions set forth in the preceding paragraph, participates in providing legal services beyond the scope of the authority of the registered foreign lawyer corporation who is their employer, they are not exempt from disciplinary action or other responsibilities on the grounds that they followed orders based on the employment relationship.
- (3) Beyond what is provided for in paragraph (1), a registered foreign lawyer corporation must not become improperly involved in the handling of legal services which the attorney at law or registered foreign lawyer employed by the corporation practices themselves, and which is beyond the scope of the authority of the registered foreign lawyer corporation who is their employer,
- (4) A member of a registered foreign lawyer corporation must not become improperly involved in the handling of legal services which the attorney at law or registered foreign lawyer employed by the corporation practices themselves

and which is beyond the scope of authority of the member.

(Prohibition of Improper Involvement in a Foreign Law Joint Enterprise)

Article 50-12 (1) A registered foreign lawyer corporation which manages a foreign law joint enterprise must not become improperly involved in the handling of legal services which the attorney at law or legal professional corporation that participates in the foreign law joint enterprise conduct themselves and which is beyond the scope of authority of the registered foreign lawyer corporation.

(2) A member of a registered foreign lawyer corporation which manages a foreign law joint enterprise must not become improperly involved in the handling of legal services which the attorney at law or legal professional corporation that participates in the foreign law joint enterprise conduct themselves and which is beyond the scope of authority of the member.

(Application Mutatis Mutandis of Provisions on Obligations of a Registered Foreign Lawyer and of Attorney Act)

Article 50-13 (1) The provisions of Article 42 and Article 49-3, paragraphs (1), (3), (5) and (7) apply mutatis mutandis to a registered foreign lawyer corporation.

(2) The provisions of Articles 1, 21, 23-2, 24, 27 to 29, 30-7, 30-9 to 30-11, 30-13 to 30-16, the main clause of Article 30-17, Articles 30-18 to 30-20, and 30-22 to 30-30 of the Attorney Act apply mutatis mutandis to a registered foreign lawyer corporation. In this case, the term "law office" in Articles 21 and 30-9, the main clause of Article 30-17, Article 30-26-3, and Article 30-27, paragraph (2) of the Act is replaced with "office"; both the phrase "attorney at law who is a member or employee, or a registered foreign lawyer who is an employee (hereinafter referred to as a "member, etc.)", in Article 30-18, item (iv) of the Act, and the term "member, etc." in Article 30-20 of the Act are replaced with "registered foreign lawyer who is a member or employee, or attorney at law who is an employee"; the term "Article 11" in Article 30-22, item (v) of the Act is replaced with "Article 29 of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers"; the words "Article 57, paragraph (1), item (ii)" in item (vi) of the Article are replaced with "Article 52, paragraph (1), item (ii) of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers"; the term "Article 13, paragraph (1)" is replaced with "Article 30, paragraph (2) of the Act"; the term "Article 56 or 60" in Article 30-23, paragraph (1), item (vi) of the Act is replaced with "Article 51 of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers"; the term "attorney" in Article 30-26, paragraph (1) of the Act is replaced with "attorney at law or registered foreign lawyer"; the term "Attorney Act" in Article 30-30, paragraph (1) is replaced with "Attorney Act

applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of the Act on Special Measures Concerning the Handling of Legal Services by Registered Foreign Lawyers (Act No. 66 of 1986)"; and the term "attorney at law" in paragraph (2) of the Act is replaced with "Attorney Act applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of the Act on Special Measures Concerning the Handling of Legal Services by Registered Foreign Lawyers".

- (3) The provisions of Article 72 and Article 74, paragraph (2) of the Attorney Act do not apply to a registered foreign lawyer corporation.

## **Chapter VI Disciplinary Punishment**

### **Section 1 Disciplinary Action**

(Grounds for Disciplinary Action and the Organ Empowered to take Disciplinary Action)

Article 51 (1) A registered foreign lawyer and a registered foreign lawyer corporation is subject to disciplinary punishment if they have violated this Act (in the case of a registered foreign lawyer who is an employee of a legal professional corporation, this Act or the Attorney Act) or any of the provisions of the articles of association of the bar association to which they belong or of the Japan Federation of Bar Associations pertaining to a registered foreign lawyer or registered foreign lawyer corporation, or has caused damage to the good order or reputation of the bar association to which they belong or of the Japan Federation of Bar Associations, or has misconducted themselves in a manner which undermines the dignity of a registered foreign lawyer, either performing their professional duties or outside the professional context.

- (2) Disciplinary punishment is taken by the Japan Federation of Bar Associations, based on the resolution of the Registered Foreign Lawyers Disciplinary Actions Committee.

(Types of Disciplinary Punishment)

Article 52 (1) Disciplinary punishment against a registered foreign lawyer is to consist of the following four types:

- (i) admonition;
- (ii) suspension of practice for not more than two years;
- (iii) order to withdraw from the bar association; and
- (iv) disbarment.

(2) Disciplinary punishment against a registered foreign lawyer corporation is to consist of the following three types;

- (i) admonition;
- (ii) suspension of practice of a registered foreign lawyer corporation or its office

for not more than two years; and  
(iii) disbarment.

(Disciplinary Procedures)

Article 53 (1) Any person who believes that there are grounds for disciplining a registered foreign lawyer or registered foreign lawyer corporation may request the Japan Federation of Bar Associations to take disciplinary punishment, through the bar association to which the registered foreign lawyer or registered foreign lawyer corporation concerned belongs, with a statement of those grounds.

(2) If a bar association believes that there are grounds for disciplining a registered foreign lawyer or registered foreign lawyer corporation that belongs to it or when there has been a request set forth in the preceding paragraph, it must initiate disciplinary procedures against the registered foreign lawyer or the registered foreign lawyer corporation and have its discipline committee investigate the case pursuant to the provisions of Article 70, paragraph (1) of the Attorney Act. If the discipline committee finds it appropriate in order to discipline the registered foreign lawyer or registered foreign lawyer corporation, the bar association must request a disciplinary action to the Japan Federation of Bar Associations, with a statement of the results of the investigation by the discipline committee and its opinion.

(3) If the Japan Federation of Bar Associations believes that there are grounds for disciplining a registered foreign lawyer or registered foreign lawyer corporation or if it has received a request set forth in paragraph (1), it must initiate disciplinary procedures against the registered foreign lawyer or the registered foreign lawyer corporation and have the Registered Foreign Lawyers Discipline Committee investigate the case; provided, however, that this does not apply if the investigation set forth in the preceding paragraph has already been made on the same grounds.

(4) The Japan Federation of Bar Associations must refer the matter to the Registered Foreign Lawyers Disciplinary Actions Committee for its examination, if the Registered Foreign Lawyers Discipline Committee has found, after the investigation set forth in the preceding paragraph, that it would be appropriate to discipline a registered foreign lawyer or registered foreign lawyer corporation, or if the request under paragraph (2) has been made.

(5) If necessary for the investigation, the discipline committee of a bar association and the Registered Foreign Lawyers Disciplinary Committee may request the registered foreign lawyer or registered foreign lawyer corporation for whom disciplinary procedures were initiated, the person who filed the request under paragraph (1), or other relevant persons, government or public

offices concerned, etc. to make a statement, explanation or submit relevant materials.

- (6) When the Japan Federation of Bar Associations disciplines a registered foreign lawyer or registered foreign lawyer corporation, it must notify them in writing the details of and reason for the disciplinary action.
- (7) When the Japan Federation of Bar Associations has taken disciplinary action against a registered foreign lawyer or registered foreign lawyer corporation, it must promptly make public notice of the details of the disciplinary action in the Official Gazette.
- (8) If the Japan Federation of Bar Associations has disciplined a registered foreign lawyer or registered foreign lawyer corporation against whom the request pertaining to paragraph (1) or (2) is made or when it has decided not to discipline the registered foreign lawyer or registered foreign lawyer corporation, it must notify the person who has filed the request under paragraph (1) or the bar association which has filed the request under paragraph (2) to that effect.

(Application Mutatis Mutandis of the Attorney Act)

Article 54 The provisions of Article 57-2, paragraph (1) of the Attorney Act apply mutatis mutandis to a registered foreign lawyer corporation that has received disciplinary action; the provisions of Article 62 of the same Act apply mutatis mutandis to a registered foreign lawyer or registered foreign lawyer corporation against which disciplinary procedure has been initiated; and the provisions of Article 63 of the same Act apply mutatis mutandis to the disciplinary procedure for a registered foreign lawyer or registered foreign lawyer corporation. In these cases, the term "law office" in Article 57-2, paragraph (1) and Article 62, paragraphs (2) and (4) of the Act is replaced with "office"; and the phrase "For the purposes of this Chapter" in the same paragraph and paragraph (5) of the same Article is replaced with "in relation to the disciplinary procedure."

## **Section 2 Registered Foreign Lawyers Disciplinary Actions Committee and Registered Foreign Lawyers Discipline Committee**

(Establishment of a Registered Foreign Lawyers Disciplinary Actions Committee)

- Article 55 (1) A Registered Foreign Lawyers Disciplinary Actions Committee is to be established within the Japan Federation of Bar Associations.
- (2) Upon request of the Japan Federation of Bar Associations, the Registered Foreign Lawyers Disciplinary Actions Committee is to conduct necessary examination concerning disciplinary action to be taken against a registered

foreign lawyer or registered foreign lawyer corporation.

(Organization)

Article 56 (1) The Registered Foreign Lawyers Disciplinary Actions Committee is to be composed of fifteen committee members.

(2) The president of the Japan Federation of Bar Associations must appoint eight committee members from attorneys at law, six from judges, public prosecutors and government officials, two from each profession, and one from persons with relevant expertise; provided, however, that the committee members who are judges, public prosecutors or government officials must be appointed based on the recommendation of the Supreme Court, the Prosecutor General or the Minister of Justice, respectively, and the other committee members, on the resolution of the organ of the Japan Federation of Bar Associations as stipulated by the Articles of Association of the Japan Federation of Bar Associations.

(3) The Registered Foreign Lawyers Disciplinary Actions Committee is to have a chairperson elected by vote of its committee members.

(4) The provisions of Article 38, paragraph (4) apply mutatis mutandis to the term of office of the committee members of the Registered Foreign Lawyers Disciplinary Actions Committee.

(5) The Registered Foreign Lawyers Disciplinary Actions Committee is to have fifteen reserve committee members.

(6) The provisions of paragraph (2) and Article 38, paragraph (4) of this Act and Article 66-4, paragraph (2) of the Attorney Act apply mutatis mutandis to the reserve committee members mentioned in the preceding paragraph. In this case, the term "the president of the bar association or the president of the Japan Federation of Bar Associations" in paragraph (2) of the same Article is replaced with "the chairperson."

(7) The provisions of Article 66-2, paragraph (4) of the Attorney Act apply mutatis mutandis to the chairperson, and committee members and reserve committee members of the Registered Foreign Lawyers Disciplinary Actions Committee, and the provisions of Article 66-3, paragraphs (2) and (3) of the same Act apply mutatis mutandis to the chairperson of the Registered Foreign Lawyers Disciplinary Actions Committee.

(Examination Procedures)

Article 57 (1) If the Registered Foreign Lawyers Disciplinary Actions Committee is requested to conduct an examination, it must promptly designate the date of examination and notify the registered foreign lawyer or registered foreign lawyer corporation against which disciplinary procedures were initiated to that effect.

- (2) The registered foreign lawyer or member of a registered foreign lawyer corporation who is to be examined may appear and make a statement on the date of the examination. In this case, the registered foreign lawyer or member of a registered foreign lawyer corporation is required to follow the directions of the chairperson.
- (3) The Registered Foreign Lawyers Disciplinary Action Committee may request that the registered foreign lawyer or registered foreign lawyer corporation against which disciplinary procedures were initiated, the person who has made the request under Article 53, paragraph (1), the bar association that has made the request under paragraph (2) of the same Article, other relevant persons or government, public, or other agencies make a statement, give an explanation or submit data, if this is necessary for the Committee's examination.
- (4) The provisions of Articles 67-2 and 68 of the Attorney Act apply mutatis mutandis to the examination procedures of the Registered Foreign Lawyers Disciplinary Actions Committee.

(Establishment of a Registered Foreign Lawyers Discipline Committee)

Article 58 (1) A Registered Foreign Lawyers Discipline Committee is to be established within the Japan Federation of Bar Associations.

- (2) The Registered Foreign Lawyers Discipline Committee is to conduct the investigations mentioned in Article 53, paragraph (3).
- (3) The Registered Foreign Lawyers Discipline Committee is to be composed of several committee members.
- (4) The committee members are to be appointed by the president of the Japan Federation of Bar Associations from attorneys at law, judges, public prosecutors, government officials and persons with relevant expertise; provided, however, that the committee members who are judges, public prosecutors or government officials are appointed based on the recommendation of the Supreme Court, the Prosecutor General or the Minister of Justice, respectively, and the other committee members on the decision of the relevant organ of the Japan Federation of Bar Associations as stipulated by the Articles of Association of the Japan Federation of Bar Associations.
- (5) The Registered Foreign Lawyers Discipline Committee is to have a chairperson, elected by vote of its committee members.
- (6) The provisions of Article 38, paragraph (4) apply mutatis mutandis to the term of office of the committee members of the Registered Foreign Lawyers Discipline Committee.
- (7) The Registered Foreign Lawyers Discipline Committee is to have several reserve committee members.
- (8) The provisions of paragraph (4) and Article 38, paragraph (4) of this Act and Article 70-5, paragraph (2) of the Attorney Act apply mutatis mutandis to the



reserve committee members mentioned in the preceding paragraph. In this case, the term "the president of bar association or the president of the Japan Federation of Bar Associations" in paragraph (2) of the same Article is replaced with "the chairperson."

- (9) The provisions of Article 70-3, paragraph (4) of the Attorney Act apply mutatis mutandis to the chairperson, committee members and reserve committee members of the Registered Foreign Lawyers Discipline Committee, and the provisions of Article 70-4, paragraphs (2) and (3) of the same Act apply mutatis mutandis to the chairperson of the Registered Foreign Lawyers Discipline Committee.

## **Chapter VII Miscellaneous Provisions**

(Representation by Foreign Lawyers in International Arbitration Case Proceedings and International Mediation Case Proceedings)

Article 58-2 A person who is a foreign lawyer (excluding a person who is a registered foreign lawyer) and is engaged in legal services on the basis of being qualified to become a foreign lawyer in a foreign jurisdiction (excluding a person who is employed in and is providing services in Japan, based on their knowledge concerning foreign laws) may, notwithstanding the provisions of Article 72 of the Attorney Act, act as a legal representative in international arbitration case proceedings and international mediation case proceedings which they have been requested to undertake or undertook in the foreign jurisdiction; provided, however, that this does not apply if they are suspended from practicing by a disciplinary action under any laws and regulation of a foreign jurisdiction that corresponds to a disciplinary action prescribed in Article 52, paragraph (1), item (ii) of this Act or Article 57, paragraph (1), item (ii) of the Attorney Act.

(Exclusion from Application of the Administrative Complaint Review Act)

Article 58-3 The provisions of Chapter II, Section 4 of the Administrative Complaint Review Act (Act No. 68 of 2014) do not apply to dispositions concerning the approval which the Minister of Justice has granted after asking for the opinion of the Japan Federation of Bar Associations pursuant to the provisions of Article 10, paragraph (4) (including as applied mutatis mutandis pursuant to Article 14, paragraph (4), Article 16, paragraph (2), and Article 20, paragraph (3)), dispositions of rescission of the approval pursuant to Article 14, paragraphs (1) to (3), or dispositions concerning the designation, and requests for review of a disposition of rescission of designation pursuant to the provisions of Article 20, paragraph (1) or (2).

(Exemption from Application of the Administrative Procedure Act)

Article 58-4 The provisions of Chapters II, III and IV-2 of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to dispositions made by the Japan Federation of Bar Associations and bar associations in accordance with this Act.

(Restriction on Requests for an Administrative Review)

Article 59 No administrative review may be requested regarding a disposition made by the Japan Federation of Bar Associations or failure to make the disposition pursuant to this Act.

(Filing of Lawsuit)

Article 60 (1) A person whose registration has been refused under the provisions of Article 26, a person whose request for change of their registration has been refused pursuant to the provisions of Article 26 applied mutatis mutandis pursuant to Article 28, paragraph (3), a person whose registration has been rescinded pursuant to the provisions of Article 30, paragraph (2), or a person who has received disciplinary action pursuant to the provisions of Article 51, may file a lawsuit with the Tokyo High Court for the rescission of the disposition.

(2) A person who has made a request for registration or for change of registration may file a lawsuit set forth in the preceding paragraph by deeming that their registration or change of registration has been refused, if the Japan Federation of Bar Associations does not make any disposition regarding their request within five months from the day following the date of their request.

(Prohibition of False Representation by a Person who is not a Registered Foreign Lawyer)

Article 61 (1) A person or entity which is not a registered foreign lawyer or registered foreign lawyer corporation must not indicate that they are "外国法事務弁護士" (romanized as "Gaikokuho-Jimu-Bengoshi", literally meaning "registered foreign lawyer") or that their office is "外国法事務弁護士事務所" (romanized as "Gaikokuho-Jimu-Bengoshi-Jimusho", literally meaning "office of registered foreign lawyer").

(2) An entity which is not a registered foreign lawyer corporation must not include "外国法事務弁護士法人" (romanized as "Gaikokuho-Jimu-Bengoshi-Hojin", literally meaning "registered foreign lawyer corporation") in its name, or must not use a name similar thereto.

(Delegation to Ministry of Justice Order)

Article 62 Beyond what is provided for in this Act, the procedures concerning

approval and rescission thereof, and designation and rescission thereof, as well as other matters necessary for the enforcement of the provisions of Chapter III are specified by Ministry of Justice Order.

### **Chapter VIII Penal Provisions**

Article 63 If a registered foreign lawyer provides legal services listed in the following items in connection with their practice, they are subject to punishment by imprisonment with forced labor for not more than two years or a fine of not more than 3,000,000 yen:

- (i) representation in a legal case (excluding criminal cases), a non-litigation case, a family court case, a civil execution case, a case involving civil preservation or other civil cases, in a court in Japan;
- (ii) representation in proceedings in a criminal case, activities as defense counsel in a criminal case, activities as an attendant in a juvenile protection case, or legal assistance in a case in connection with an examination of extradition request of a fugitive criminal;
- (iii) representation in complaint proceedings against an administrative agency in Japan, such as request for administrative review or request for re-investigation;
- (iv) giving an expert opinion in writing regarding the interpretation or application of laws which are or were in effect in Japan (excluding treaties or other international laws which are the laws of the jurisdiction of primary qualification or designated laws, or treaties or other international laws which are included in the laws of the specified foreign jurisdiction if they provide legal services concerning the laws of a specified foreign jurisdiction pursuant to the provisions of Article 5-2, paragraph (1)).

Article 64 (1) A person who, by fraudulent or other unjust means, has had themselves registered in the roster of registered foreign lawyers or had the supplementary note registration of designated laws added to their registration, is subject to punishment by imprisonment with forced labor for not more than two years or a fine of not more than 1,000,000 yen.

(2) Any attempts at the offenses mentioned in the preceding paragraph are subject to punishment.

Article 65 A person who violates the provisions of Article 26 of the Attorney Act applied mutatis mutandis pursuant to Article 50, paragraph (1) of this Act or the provisions of Article 30-20 of the Attorney Act applied mutatis mutandis pursuant to Article 50-13, paragraph (2) of this Act is subject to punishment by imprisonment with forced labor for not more than three years.

Article 66 A person who violates the provisions of Article 27 or 28 of the Attorney Act applied mutatis mutandis to Article 50, paragraph (1) or Article 50-13, paragraph (2) of this Act is subject to punishment by imprisonment with forced labor for not more than two years or a fine of not more than 3,000,000 yen.

Article 67 (1) If a person who is or was a registered foreign lawyer divulges confidential information which has come to their knowledge in the course of their practice, that person is subject to punishment by imprisonment with forced labor for not more than six months or a fine of not more than 100,000 yen.

(2) The offense mentioned in the preceding paragraph is prosecuted only upon the filing of a criminal complaint.

Article 68 A person who violates the provisions of Article 61 is subject to punishment by a fine of not more than 1,000,000 yen.

Article 69 A person, in violation of the provisions of Article 955, paragraph (1) of the Companies Act (Act No. 86 of 2005) applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act, who does not make an entry of or record particulars specified by Ministry of Justice Order regarding electric public notice investigations prescribed in paragraph (1) in the investigation record book, etc., or who makes a false entry or recording, or who does not retain investigation record books, etc., is subject to punishment by a fine of not more than 300,000 yen.

Article 70 (1) If a registered foreign lawyer who is an employee of a legal professional corporation or a registered foreign lawyer who is a member or employee of, or an attorney at law who is an employee of a registered foreign lawyer corporation, violates the following provisions in connection with the legal practice of that legal professional corporation or registered foreign lawyer corporation, the person who performed the act is subject to punishment and in addition, the relevant legal professional corporation or registered foreign lawyer corporation is subject to punishment by the imposition of a fine as follows:

- (i) a fine prescribed in Article 63 for a violation of the Article;
- (ii) a fine of not more than 3,000,000 yen for a violation of Article 65 (limited to the part pertaining to Article 30-20 of the Attorney Act that is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act); or

- (iii) a fine as provided in Article 66 for a violation of the Article (limited to the part pertaining to Article 27 or 28 of the Attorney Act that is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act.)
- (2) If a representative of a corporation or the agent, employee, or other workers of a corporation or natural person commits a violation prescribed in the preceding two Articles in connection with the business of the corporation or the natural person, the person who commits the violation is subject to punishment, and in addition the corporation or the natural person is subject to punishment by the imposition of a fine as prescribed in this Article.

Article 71 A person who falls under any of the following items is subject to punishment by a civil fine of not more than 1,000,000 yen:

- (i) a person who fails to make a report, or who falsifies the report, in violation of the provisions of Article 946, paragraph (3) of the Companies Act applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act;
- (ii) a person who, without legitimate grounds, rejects the requests made pursuant to the provisions of any item of Article 951, paragraph (2) or Article 955, paragraph (2) of the Companies Act applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act,

Article 72 A member or a liquidator of a registered foreign lawyer corporation who falls under any of the following items is subject to punishment by a civil fine of not more than 300,000 yen:

- (i) failing to make a registration in violation of the provisions of Cabinet Order pursuant to Article 30-7, paragraph (1) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act;
- (ii) carrying out a merger in violation of the provisions of Article 30-28, paragraph (2) or (5) of the Attorney Act applied mutatis mutandis to Article 50-13, paragraph (2) of this Act;
- (iii) failing to request an investigation in violation of the provisions of Article 941 of the Companies Act applied mutatis mutandis to Article 30-28, paragraph (6) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act;
- (iv) failing to make entries or record necessary matters, or record matters, or enter or record false matters in the articles of incorporation, or the account books under Article 615, paragraph (1) of the Companies Act applied mutatis mutandis to Article 30-30, paragraph(1) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2), or balance sheets under Article 617, paragraph (1) or (2) of the Companies Act applied mutatis

- mutandis to Article 30-30, paragraph (1) of the Attorneys Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act;
- (v) failing to apply for the commencement of bankruptcy proceedings in violation of the provisions of Article 656, paragraph (1) of the Companies Act applied mutatis mutandis to Article 30-30, paragraph (2) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act;
  - (vi) distributing the corporation's assets in violation of the provisions of Article 664 of the Companies Act applied mutatis mutandis to Article 30-30, paragraph (2) of the Attorney Act, which is applied mutatis mutandis to Article 50-13 of this Act; or
  - (vii) disposing of the corporation's assets in violation of the provisions of Article 670, paragraph (2) or (5) of the Companies Act applied mutatis mutandis to Article 30-30, paragraph (2) of the Attorney Act, which is applied mutatis mutandis to Article 50-13, paragraph (2) of this Act.