

後見登記等に関する法律

Act on Guardianship Registration, etc.

(平成十一年十二月八日法律第百五十二号)
(Act No. 152 of December 8, 1999)

(趣旨)

(Purport)

第一条 民法（明治二十九年法律第八十九号）に規定する後見（後見開始の審判により開始するものに限る。以下同じ。）、保佐及び補助に関する登記並びに任意後見契約に関する法律（平成十一年法律第百五十号）に規定する任意後見契約の登記（以下「後見登記等」と総称する。）については、他の法令に定めるもののほか、この法律の定めるところによる。

Article 1 Registration of guardianship (limited to guardianship which commences pursuant to a ruling for the commencement of guardianship; the same applies hereinafter), curatorship, and assistance provided in the Civil Code (Act No. 89 of 1896), and registration of voluntary guardianship contracts provided in the Act on Voluntary Guardianship Contract (Act No. 150 of 1999) (hereinafter collectively referred to as "guardianship registration, etc."), are governed by the provisions of this Act in addition to the provisions of other laws and regulations.

(登記所)

(Registry Office)

第二条 後見登記等に関する事務は、法務大臣の指定する法務局若しくは地方法務局若しくはこれらの支局又はこれらの出張所（次条において「指定法務局等」という。）が、登記所としてつかさどる。

Article 2 (1) Affairs concerning guardianship registration, etc. are taken charge of by the legal affairs bureau or district legal affairs bureau, the branch bureau thereof, or the branch office of any of those bureaus, which is designated by the Minister of Justice (referred to as a "designated legal affairs bureau, etc." in the following Article) as a registry office.

2 前項の指定は、告示してしなければならない。

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

(登記官)

(Registrar)

第三条 登記所における事務は、指定法務局等に勤務する法務事務官で、法務局又は地方法務局の長が指定した者が、登記官として取り扱う。

Article 3 Affairs to be administered at a registry office are handled by a legal affairs officer who works at a designated legal affairs bureau, etc. and who is designated by the director of the relevant legal affairs bureau or the district legal affairs bureau, as a registrar.

(後見等の登記等)

(Registration of Guardianship)

第四条 後見、保佐又は補助（以下「後見等」と総称する。）の登記は、嘱託又は申請により、磁気ディスク（これに準ずる方法により一定の事項を確実に記録することができる物を含む。第九条において同じ。）をもって調製する後見登記等ファイルに、次に掲げる事項を記録することによって行う。

Article 4 (1) Registration of guardianship, curatorship or assistance (hereinafter collectively referred to as "guardianship, etc.") is made, upon commission or application, by recording the following particulars in a file of guardianship registration, etc. in the form of magnetic disk (including any item that can record certain particulars securely by equivalent means; the same applies in Article 9):

一 後見等の種別、開始の審判をした裁判所、その審判の事件の表示及び確定の年月日

(i) the type of guardianship, etc., the court that made a ruling for commencement, the indication of the case of such ruling, and the full date on which the ruling became final and binding;

二 成年被後見人、被保佐人又は被補助人（以下「成年被後見人等」と総称する。）の氏名、出生の年月日、住所及び本籍（外国人にあつては、国籍）

(ii) the name, date of birth, address, and registered domicile (in the case of a foreign national, nationality) of the adult ward, the person under curatorship or the person under assistance (hereinafter collectively referred to as the "adult ward, etc.");

三 成年後見人、保佐人又は補助人（以下「成年後見人等」と総称する。）の氏名又は名称及び住所

(iii) the name and address of the guardian of an adult, the curator or the assistant (hereinafter collectively referred to as the "guardian of an adult, etc.");

四 成年後見監督人、保佐監督人又は補助監督人（以下「成年後見監督人等」と総称する。）が選任されたときは、その氏名又は名称及び住所

(iv) if a supervisor of a guardian of an adult, a supervisor of a curator or a supervisor of an assistant (hereinafter collectively referred to as a "supervisor of a guardian of an adult, etc.") is appointed, the name and address thereof;

五 保佐人又は補助人の同意を得ることを要する行為が定められたときは、その行為

(v) if any acts are specified as acts which require the consent of the curator or

assistant, such acts;

六 保佐人又は補助人に代理権が付与されたときは、その代理権の範囲

(vi) if the curator or assistant is granted with the authority of representation, the scope of such authority;

七 数人の成年後見人等又は数人の成年後見監督人等が、共同して又は事務を分掌して、その権限を行使すべきことが定められたときは、その定め

(vii) if it is provided that several guardians of an adult, etc. or several supervisors of a guardian of an adult, etc. should exercise authority jointly or by assuming the affairs assigned to them separately, a statement of such provision;

八 後見等が終了したときは、その事由及び年月日

(viii) when guardianship, etc. has terminated, the grounds for and date of the termination;

九 家事事件手続法（平成二十三年法律第五十二号）第二百二十七条第一項（同条第五項並びに同法第三百三十五条及び第四百四十四条において準用する場合を含む。）の規定により成年後見人等又は成年後見監督人等の職務の執行を停止する審判前の保全処分がされたときは、その旨

(ix) if a provisional order prior to a ruling is issued to suspend the performance of duties by the guardian of an adult, etc. or by the supervisor of a guardian of an adult, etc. pursuant to Article 127, paragraph (1) of the Domestic Relations Case Procedure Act (Act No. 52 of 2011) (including as applied mutatis mutandis pursuant to paragraph (5) of said Article, and Articles 135 and 144 of said Act), a statement of such fact;

十 前号に規定する規定により成年後見人等又は成年後見監督人等の職務代行者を選任する審判前の保全処分がされたときは、その氏名又は名称及び住所

(x) if a provisional order prior to a ruling is issued to appoint an acting representative person of the guardian of an adult, etc. or of the supervisor of a guardian of an adult, etc. pursuant to the provisions provided in the preceding item, the name and address of such person; and

十一 登記番号

(xi) the registration number.

2 家事事件手続法第二百六条第二項、第三百四十四条第二項又は第四百三十三条第二項の規定による審判前の保全処分（以下「後見命令等」と総称する。）の登記は、嘱託又は申請により、後見登記等ファイルに、次に掲げる事項を記録することによって行う。

(2) Registration of a provisional order prior to a ruling under Article 126, paragraph (2), Article 134, paragraph (2) or Article 143, paragraph (2) of the Domestic Relations Case Procedure Act (hereinafter collectively referred to as a "guardianship order, etc.") is made, upon commission or application, by recording the following particulars in a file of guardianship registration, etc.:

一 後見命令等の種別、審判前の保全処分をした裁判所、その審判前の保全処分の事

件の表示及び発効の年月日

(i) the type of guardianship order, etc., the court that made a provisional order prior to a ruling, the indication of the case of such provisional order prior to a ruling, and the date on which the provisional order became effective;

二 財産の管理者の後見、保佐又は補助を受けるべきことを命ぜられた者（以下「後見命令等の本人」と総称する。）の氏名、出生の年月日、住所及び本籍（外国人にあっては、国籍）

(ii) the name, date of birth, address, and registered domicile (in the case of a foreign national, nationality) of the person who was ordered to be subject to the guardianship, curatorship or assistance of an administrator of property (hereinafter collectively referred to as the "principal of a guardianship order, etc.");

三 財産の管理者の氏名又は名称及び住所

(iii) the name and address of the administrator of property;

四 家事事件手続法第百四十三条第二項の規定による審判前の保全処分において、財産の管理者の同意を得ることを要するものと定められた行為

(iv) any acts specified by a provisional order prior to a ruling under Article 143, paragraph (2) of the Domestic Relations Case Procedure Act, as acts which require the consent of the administrator of property;

五 後見命令等が効力を失ったときは、その事由及び年月日

(v) when the guardianship order, etc. has ceased to be effective, the grounds for and date of loss of the effect; and

六 登記番号

(vi) the registration number.

（任意後見契約の登記）

(Registration of Voluntary Guardianship Contract)

第五条 任意後見契約の登記は、嘱託又は申請により、後見登記等ファイルに、次に掲げる事項を記録することによって行う。

Article 5 Registration of a voluntary guardianship contract is made, upon commission or application, by recording the following particulars in a file of guardianship registration, etc.:

一 任意後見契約に係る公正証書を作成した公証人の氏名及び所属並びにその証書の番号及び作成の年月日

(i) the name and office of the notary who created a notarial instrument regarding the voluntary guardianship contract, as well as the number and date of creation of the instrument;

二 任意後見契約の委任者（以下「任意後見契約の本人」という。）の氏名、出生の年月日、住所及び本籍（外国人にあっては、国籍）

(ii) the name, date of birth, address, and registered domicile (in the case of a foreign national, nationality) of the mandator under the voluntary

- guardianship contract (hereinafter referred to as the "principal of a voluntary guardianship contract");
- 三 任意後見受任者又は任意後見人の氏名又は名称及び住所
(iii) the name and address of the mandatary of voluntary guardianship or voluntarily appointed guardian;
- 四 任意後見受任者又は任意後見人の代理権の範囲
(iv) the scope of the authority of representation of the mandatary of voluntary guardianship or voluntarily appointed guardian;
- 五 数人の任意後見人が共同して代理権を行使すべきことを定めたときは、その定め
(v) if it is provided that two or more voluntarily appointed guardians should exercise right to represent jointly, a statement of such provision;
- 六 任意後見監督人が選任されたときは、その氏名又は名称及び住所並びにその選任の審判の確定の年月日
(vi) if a supervisor of a voluntarily appointed guardian is appointed, the name and address of such supervisor, as well as the date on which the ruling of appointment thereof became final and binding;
- 七 数人の任意後見監督人が、共同して又は事務を分掌して、その権限を行使すべきことが定められたときは、その定め
(vii) if it is provided that two or more supervisors of a voluntarily appointed guardian should exercise authority jointly or by assuming the affairs assigned to them separately, a statement of such provision;
- 八 任意後見契約が終了したときは、その事由及び年月日
(viii) when the voluntary guardianship contract has terminated, the grounds for and date of the termination;
- 九 家事事件手続法第二百二十五条において準用する同法第二百二十七条第一項の規定により任意後見人又は任意後見監督人の職務の執行を停止する審判前の保全処分がされたときは、その旨
(ix) if a provisional order prior to a ruling is issued to suspend the performance of duties by the voluntarily appointed guardian or by the supervisor of the voluntarily appointed guardian pursuant to Article 127, paragraph (1) of the Domestic Relations Case Procedure Act as applied mutatis mutandis pursuant to Article 225 of said Act, a statement of such fact;
- 十 前号に規定する規定により任意後見監督人の職務代行者を選任する審判前の保全処分がされたときは、その氏名又は名称及び住所
(x) if a provisional order prior to a ruling is issued to appoint an acting representative person of the supervisor of the voluntarily appointed guardian pursuant to the provisions provided in the preceding item, the name and address of such person; and
- 十一 登記番号
(xi) the registration number.

(後見登記等ファイルの記録の編成)

(Compilation of Records in Files of Guardianship Registration)

第六条 後見登記等ファイルの記録は、後見等の登記については後見等の開始の審判ごとに、後見命令等の登記については後見命令等ごとに、任意後見契約の登記については任意後見契約ごとに、それぞれ編成する。

Article 6 With regard to the compilation of records in files of guardianship registration, etc., records of registration of guardianship, etc. are compiled for each ruling for commencement of guardianship, etc., those of registration of guardianship orders, etc. are compiled for each guardianship order, etc., and those of registration of voluntary guardianship contracts are compiled for each voluntary guardianship contract.

(変更の登記)

(Registration of Change)

第七条 後見登記等ファイルの各記録（以下「登記記録」という。）に記録されている次の各号に掲げる者は、それぞれ当該各号に定める事項に変更が生じたことを知ったときは、嘱託による登記がされる場合を除き、変更の登記を申請しなければならない。

Article 7 (1) When a person set forth in each of the following items who is recorded in each record in a file of guardianship registration, etc. (hereinafter referred to as a "registration record") comes to know that there has been a change to any of the particulars specified respectively in those items, such person must file an application for registration of change, except where the registration is to be made upon commission:

一 第四条第一項第二号から第四号までに規定する者 同項各号に掲げる事項

(i) any of the persons provided in Article 4, paragraph (1), items (ii) through (iv): the particulars set forth in the respective items of said paragraph;

二 第四条第一項第十号に規定する職務代行者 同号に掲げる事項

(ii) the acting representative person provided in Article 4, paragraph (1), item (x): the particulars set forth in said item;

三 第四条第二項第二号又は第三号に規定する者 同項各号に掲げる事項

(iii) the person provided in Article 4, paragraph (2), item (ii) or item (iii): the particulars set forth in the respective items of said paragraph;

四 第五条第二号、第三号又は第六号に規定する者 同条各号に掲げる事項

(iv) the person provided in Article 5, item (ii), item (iii) or item (vi): the particulars set forth in the respective items of said Article; and

五 第五条第十号に規定する職務代行者 同号に掲げる事項

(v) the acting representative person provided in Article 5, item (x): the particulars set forth in said item.

2 成年被後見人等の親族、後見命令等の本人の親族、任意後見契約の本人の親族その他の利害関係人は、前項各号に定める事項に変更が生じたときは、嘱託による登記がされる場合を除き、変更の登記を申請することができる。

(2) When there has been a change to any of the particulars specified in the items of the preceding paragraph, a relative of an adult ward, etc., a relative of the principal of a guardianship order, etc., a relative of the principal of a voluntary guardianship contract, or any other interested person may file an application for registration of change, except where the registration is to be made upon commission.

(終了の登記)

(Registration of Termination)

第八条 後見等に係る登記記録に登録されている前条第一項第一号に掲げる者は、成年被後見人等が死亡したことを知ったときは、終了の登記を申請しなければならない。

Article 8 (1) When any of the persons set forth in paragraph (1), item (i) of the preceding Article who is recorded in a registration record pertaining to guardianship, etc. comes to know that the adult ward, etc. has died, such person must file an application for registration of termination.

2 任意後見契約に係る登記記録に登録されている前条第一項第四号に掲げる者は、任意後見契約の本人の死亡その他の事由により任意後見契約が終了したことを知ったときは、嘱託による登記がされる場合を除き、終了の登記を申請しなければならない。

(2) When any of the persons set forth in paragraph (1), item (iv) of the preceding Article who is recorded in a registration record pertaining to a voluntary guardianship contract comes to know that the voluntary guardianship contract has terminated due to the death of the principal of the voluntary guardianship contract or on any other grounds, such person must file an application for registration of termination, except where the registration is to be made upon commission.

3 成年被後見人等の親族、任意後見契約の本人の親族その他の利害関係人は、後見等又は任意後見契約が終了したときは、嘱託による登記がされる場合を除き、終了の登記を申請することができる。

(3) When guardianship, etc. or a voluntary guardianship contract has terminated, a relative of the adult ward, etc., a relative of the principal of the voluntary guardianship contract, or any other interested person may file an application for registration of termination, except where the registration is to be made upon commission.

(登記記録の閉鎖)

(Closure of Registration Record)

第九条 登記官は、終了の登記をしたときは、登記記録を閉鎖し、これを閉鎖登記記録として、磁気ディスクをもって調製する閉鎖登記ファイルに登録しなければならない。

Article 9 When a registrar has made registration of termination, the registrar must close the registration record and include it in a closed registration file in the form of magnetic disk, as a closed registration record.

(登記事項証明書の交付等)

(Issuance of Certificate of Registered Information)

第十条 何人も、登記官に対し、次に掲げる登記記録について、後見登記等ファイルに記録されている事項（記録がないときは、その旨）を証明した書面（以下「登記事項証明書」という。）の交付を請求することができる。

Article 10 (1) Any person may file a request with a registrar for the issuance of a document certifying the particulars recorded in a file of guardianship registration, etc. (if there is no such record, a statement of such fact; hereinafter referred to as a "certificate of registered information") with regard to the following registration records:

一 自己を成年被後見人等又は任意後見契約の本人とする登記記録

(i) a registration record representing that the requesting person is an adult ward, etc. or the principal of a voluntary guardianship contract;

二 自己を成年後見人等、成年後見監督人等、任意後見受任者、任意後見人又は任意後見監督人（退任したこれらの者を含む。）とする登記記録

(ii) a registration record representing that the requesting person is a guardian of an adult, etc., a supervisor of a guardian of an adult, etc., a mandatary of voluntary guardianship, a voluntarily appointed guardian or a supervisor of a voluntarily appointed guardian (including those who have resigned from these offices);

三 自己の配偶者又は四親等内の親族を成年被後見人等又は任意後見契約の本人とする登記記録

(iii) a registration record representing that the spouse or a relative within the fourth degree of kinship of the requesting person is an adult ward, etc. or the principal of a voluntary guardianship contract;

四 自己を成年後見人等、成年後見監督人等又は任意後見監督人の職務代行者（退任したこれらの者を含む。）とする登記記録

(iv) a registration record representing that the requesting person is an acting representative person of a guardian of an adult, etc., supervisor of a guardian of an adult, etc. or supervisor of a voluntarily appointed guardian (including those who have resigned from these offices);

五 自己を後見命令等の本人とする登記記録

(v) a registration record representing that the requesting person is the principal of a guardianship order, etc.;

六 自己を財産の管理者（退任した者を含む。）とする登記記録

(vi) a registration record representing that the requesting person is the administrator of property (including those who have resigned from this office); and

七 自己の配偶者又は四親等内の親族を後見命令等の本人とする登記記録

(vii) a registration record representing that the spouse or a relative within the

fourth degree of kinship of the requesting person is the principal of a guardianship order, etc.

2 次の各号に掲げる者は、登記官に対し、それぞれ当該各号に定める登記記録について、登記事項証明書の交付を請求することができる。

(2) Each of the persons set forth in the following items may file a request with a registrar for the issuance of a certificate of registered information with regard to the registration records specified respectively in these items:

一 未成年後見人又は未成年後見監督人 その未成年被後見人を成年被後見人等、後見命令等の本人又は任意後見契約の本人とする登記記録

(i) a guardian of a minor or a supervisor of a guardian of a minor: a registration record representing that the guardian of the minor is an adult ward, etc., the principal of a guardianship order, etc. or the principal of a voluntary guardianship contract;

二 成年後見人等又は成年後見監督人等 その成年被後見人等を任意後見契約の本人とする登記記録

(ii) a guardian of an adult, etc. or supervisor of a guardian of an adult, etc.: a registration record representing that the adult ward, etc. is the principal of a voluntary guardianship contract; and

三 登記された任意後見契約の任意後見受任者 その任意後見契約の本人を成年被後見人等又は後見命令等の本人とする登記記録

(iii) the mandatary of voluntary guardianship under a registered voluntary guardianship contract: a registration record representing that the principal of the voluntary guardianship contract is an adult ward, etc. or the principal of a guardianship order, etc.

3 何人も、登記官に対し、次に掲げる閉鎖登記記録について、閉鎖登記ファイルに記録されている事項（記録がないときは、その旨）を証明した書面（以下「閉鎖登記事項証明書」という。）の交付を請求することができる。

(3) Any person may file a request with a registrar for the issuance of a document certifying the particulars recorded in a closed registration file (if there is no such record, a statement of such fact; hereinafter referred to as a "certificate of registered information in a closed record") with regard to the following closed registration records:

一 自己が成年被後見人等又は任意後見契約の本人であった閉鎖登記記録

(i) a closed registration record representing that the requesting person was an adult ward, etc. or the principal of a voluntary guardianship contract;

二 自己が成年後見人等、成年後見監督人等、任意後見受任者、任意後見人又は任意後見監督人であった閉鎖登記記録

(ii) a closed registration record representing that the requesting person was a guardian of an adult, etc., a supervisor of a guardian of an adult, etc., a mandatary of voluntary guardianship, a voluntarily appointed guardian or a supervisor of a voluntarily appointed guardian;

三 自己が成年後見人等、成年後見監督人等又は任意後見監督人の職務代行者であった閉鎖登記記録

(iii) a closed registration record representing that the requesting person was an acting representative person of a guardian of an adult, etc., supervisor of a guardian of an Adult, etc. or supervisor of a voluntarily appointed guardian;

四 自己が後見命令等の本人であった閉鎖登記記録

(iv) a closed registration record representing that the requesting person was the principal of a guardianship order, etc.; and

五 自己が財産の管理者であった閉鎖登記記録

(v) a closed registration record representing that the requesting person was the administrator of property.

4 相続人その他の承継人は、登記官に対し、被相続人その他の被承継人が成年被後見人等、後見命令等の本人又は任意後見契約の本人であった閉鎖登記記録について、閉鎖登記事項証明書の交付を請求することができる。

(4) An heir or any other successor may file a request with a registrar for the issuance of a certificate of registered information in a closed record with regard to a closed registration record representing that the decedent or any other predecessor was an adult ward, etc., the principal of a guardianship order, etc. or the principal of a voluntary guardianship contract.

5 国又は地方公共団体の職員は、職務上必要とする場合には、登記官に対し、登記事項証明書又は閉鎖登記事項証明書の交付を請求することができる。

(5) Officials of the national or local governments may file a request with a registrar for the issuance of a certificate of registered particulars or a certificate of registered information in a closed record if they need such certificates in the course of duties.

(手数料)

(Fees)

第十一条 次に掲げる者は、物価の状況、登記に要する実費、登記事項証明書の交付等に要する実費その他一切の事情を考慮して政令で定める額の手数料を納めなければならない。

Article 11 (1) The following persons must pay fees in an amount as specified by Cabinet Order in consideration of commodity price levels, actual costs required for registration and for the issuance of a certificate of registered information, etc., and any other circumstances concerned:

一 登記を嘱託する者

(i) a person who commissions registration;

二 登記を申請する者

(ii) a person who applies for registration; and

三 登記事項証明書又は閉鎖登記事項証明書の交付を請求する者

(iii) a person who requests the issuance of a certificate of registered particulars

or a certificate of registered information in a closed record.

2 前項の手数料の納付は、収入印紙をもってしなければならない。ただし、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）第三条第一項の規定により同項に規定する電子情報処理組織を使用して前項各号の嘱託、申請又は請求をするときは、法務省令で定めるところにより、現金をもってすることができる。

(2) The payment of fees referred to in the preceding paragraph must be made by means of revenue stamps; provided, however, that such payment may be made in cash as provided by Order of the Ministry of Justice when a person commissions or applies for registration or requests the issuance of a certificate as referred to in the items of the preceding paragraph by using an electronic data processing system provided in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedure (Act No. 151 of 2002) pursuant to Article 3, paragraph (1) of said Act.

(行政手続法の適用除外)

(Exclusion from Application of the Administrative Procedure Act)

第十二条 登記官の処分については、行政手続法（平成五年法律第八十八号）第二章及び第三章の規定は、適用しない。

Article 12 The provisions of Chapters II and III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a disposition made by a registrar.

(行政機関の保有する情報の公開に関する法律の適用除外)

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

第十三条 後見登記等ファイル及び閉鎖登記ファイルについては、行政機関の保有する情報の公開に関する法律（平成十一年法律第四十二号）の規定は、適用しない。

Article 13 The provisions of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999) do not apply to a file of guardianship registration, etc. or a closed registration file.

(行政機関の保有する個人情報の保護に関する法律の適用除外)

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

第十四条 後見登記等ファイル及び閉鎖登記ファイルに記録されている保有個人情報（行政機関の保有する個人情報の保護に関する法律（平成十五年法律第五十八号）第二条第三項に規定する保有個人情報をいう。）については、同法第四章の規定は、適用しない。

Article 14 The provisions of Chapter IV of the Act on the Protection of Personal Information Held by Administrative Organs (Act No. 58 of 2003) do not apply to the retained personal information (meaning the retained personal

information provided in Article 2, paragraph (3) of said Act) which is recorded in a file of guardianship registration, etc. or a closed registration file.

(審査請求)

(Request for Administrative Review)

第十五条 登記官の処分を不当とする者は、監督法務局又は地方法務局の長に審査請求をすることができる。

Article 15 (1) A person who considers a disposition made by a registrar to be unjust may request for administrative review to the director of the supervisory legal affairs bureau or district legal affairs bureau.

2 審査請求をするには、登記官に審査請求書を提出しなければならない。

(2) A request for administrative review must be made by submitting a written request for review to a registrar.

3 登記官は、審査請求を理由があると認めるときは、相当の処分をしなければならない。

(3) When a registrar finds a request for administrative review to be well-grounded, the registrar must make a reasonable disposition.

4 登記官は、審査請求を理由がないと認めるときは、三日以内に、意見を付して事件を監督法務局又は地方法務局の長に送付しなければならない。

(4) When a registrar finds a request for administrative review to be groundless, the registrar must refer the case, with opinions, to the director of the supervisory legal affairs bureau or district legal affairs bureau within three days from the date of the request.

5 法務局又は地方法務局の長は、審査請求を理由があると認めるときは、登記官に相当の処分を命じ、その旨を審査請求人のほか利害関係人に通知しなければならない。

(5) When the director of the legal affairs bureau or district legal affairs bureau finds a request for administrative review to be well-grounded, the director must order the registrar to make a reasonable disposition, and must give notice of this to the person who made the request for the review and to any other interested person.

(行政不服審査法の適用除外)

(Exclusion from Application of the Administrative Complaint Review Act)

第十六条 行政不服審査法（昭和三十七年法律第百六十号）第十四条、第十七条、第二十四条、第二十五条第一項ただし書、第三十四条第二項から第七項まで、第三十七条第六項、第四十条第三項から第六項まで及び第四十三条の規定は、前条第一項の審査請求については、適用しない。

Article 16 The provisions of Article 14, Article 17, Article 24, the proviso to Article 25, paragraph (1), Article 34, paragraphs (2) through (7), Article 37, paragraph (6), Article 40, paragraphs (3) through (6) and Article 43 of the Administrative Complaint Review Act (Act No. 160 of 1962) do not apply to a

request for administrative review referred to in paragraph (1) of the preceding Article.

(政令への委任)

(Delegation to Cabinet Order)

第十七条 この法律に定めるもののほか、後見登記等に関し必要な事項は、政令で定める。

Article 17 In addition to what is provided for in this Act, the necessary particulars concerning guardianship registration, etc. are provided by Cabinet Order.

附 則 [抄]

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、附則第八条の規定は、この法律の公布の日又は行政機関の保有する情報の公開に関する法律の施行に伴う関係法律の整備等に関する法律（平成十一年法律第四十三号）の公布の日のいずれか遅い日から施行する。

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that Article 8 of the Supplementary Provisions comes into effect as of the date of promulgation of this Act or the date of promulgation of the Act to Rearrange Related Laws upon Enforcement of the Act on Access to Information Held by Administrative Organs (Act No. 43 of 1999), whichever comes later.

(禁治産者及び準禁治産者についての経過措置)

(Transitional Measures Concerning Legally Incapacitated Persons and Persons with Limited legal Capacity)

第二条 民法の一部を改正する法律（平成十一年法律第百四十九号。以下「民法改正法」という。）附則第三条第一項の規定により成年被後見人、成年後見人若しくは成年後見監督人とみなされる者又は当該成年被後見人とみなされる者の配偶者若しくは四親等内の親族は、政令で定めるところにより、後見の登記を申請することができる。

Article 2 (1) A person who is deemed to be an adult ward, a guardian of an adult or a supervisor of a guardian of an adult pursuant to Article 3, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Civil Code (Act No. 149 of 1999; hereinafter referred to as the "Civil Code Amendment Act"), or the spouse or a relative within the fourth degree of kinship of the relevant person who is deemed to be an adult ward, may file an application for registration of guardianship, as provided by Cabinet Order.

2 民法改正法附則第三条第二項の規定により被保佐人若しくはその保佐人とみなされ

る者又は当該被保佐人とみなされる者の配偶者若しくは四親等内の親族は、政令で定めるところにより、保佐の登記を申請することができる。

(2) A person who is deemed to be a person under curatorship or curator thereof pursuant to Article 3, paragraph (2) of the Supplementary Provisions of the Civil Code Amendment Act, or the spouse or a relative within the fourth degree of kinship of the relevant person who is deemed to be a person under curatorship, may file an application for registration of curatorship, as provided by Cabinet Order.

3 民法改正法附則第三条第一項又は第二項の規定により成年被後見人又は被保佐人とみなされる者について、民法改正法の施行後に確定した審判に基づく変更の登記又は終了の登記の嘱託がされた場合において、当該嘱託に係る登記事項を記録すべき登記記録がないときは、登記官は、職権で、当該者について前二項の登記をする。

(3) Where registration of change or registration of termination is commissioned with regard to a person who is deemed to be an adult ward or person under curatorship pursuant to Article 3, paragraph (1) or paragraph (2) of the Supplementary Provisions of the Civil Code Amendment Act, based on a ruling which has become final and binding after the Civil Code Amendment Act came into effect, and if there is no registration record in which the registered information should be included, a registrar makes the registration referred to in the preceding two paragraphs with regard to the relevant person without any party's request.

4 登記官は、前三項の規定による登記をしたときは、遅滞なく、戸籍事務を管掌する者に対し、その旨の通知をしなければならない。

(4) When a registrar has made registration pursuant to the preceding three paragraphs, the registrar must give notice of this without delay to the person who administers affairs related to family registers.

5 戸籍事務を管掌する者は、前項の通知を受けたときは、法務省令で定めるところにより、当該通知に係る成年被後見人とみなされる者又は被保佐人とみなされる者の戸籍を再製しなければならない。

(5) When a person who administers affairs related to family registers has received the notice referred to in the preceding paragraph, the person must replicate the family register of the person who is deemed to be an adult ward or person under curatorship to whom said notice pertains, as prescribed by the Order of Ministry of Justice.