

# **Ministerial Order on Processes Relating to Electronic or Magnetic Records by Designated Notary**

(Ministry of Justice Order No. 24 of March 1, 2001)

Pursuant to the provisions of the Notary Act (Act No. 53 of 1908), the Ministerial Order on Processes Relating to Electronic or Magnetic Records by Designated Notary is hereby enacted as follows.

Chapter I General Provisions (Articles 1 and 2)

Chapter II Electronic Certificate of Designated Notary (Articles 3 to 8)

Chapter III Handling of Administrative Processes Relating to Electronic or Magnetic Records (Articles 9 to 28)

Supplementary Provisions

## **Chapter I General Provisions**

(Designation of Designated Notary)

Article 1 When the Minister of Justice designates the designated notary provided for in Article 7-2 of the Notary Act (Act No. 53 of 1908; hereinafter referred to as the "Act"), the Minister is to take the following matters into consideration:

- (i) the notary retains the computer and its peripheral equipment necessary for handling the administrative processes relating to electronic or magnetic records provided for in Article 62-6, paragraphs (1) and (2) of the Act, Article 62-7, paragraphs (1) through (4) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Act for Enforcement of the Civil Code (Act No. 11 of 1898; hereinafter referred to as the "Enforcement Act")), and Article 5, paragraph (2) of the Enforcement Act (hereinafter referred to as a "process relating to electronic or magnetic records"); and
- (ii) the notary has taken measures for the reliable and stable operation of the computer and its peripheral equipment provided for in the preceding item.

(Method of Electronic Signature)

Article 2 The measure provided in Article 62-6, paragraph (1), item (i) and Article 62-8, paragraph (1), item (i) of the Act is a measure to apply a method to information that can be recorded in an electronic or magnetic record that is a method which conforms to Annex D of X5731-8 of the Japan Industrial

Standards (hereinafter referred to as "JIS") based on the Industrial Standardization Act (Act No. 185 of 1949) and in which the value of the length of "n" as specified in the Annex is 2048 bits (this measure is hereinafter referred to as an "electronic signature").

## **Chapter II Electronic Certificate of Designated Notary**

(Provision of Electronic Certificate)

Article 3 (1) When the Minister of Justice designates a notary as a designated notary, the Minister must provide the notary with the information referred to in Article 62-8, paragraph (1), item (ii) of the Act (hereinafter referred to as "electronic certificate of a designated notary").

(2) When a designated notary expects to be provided with the electronic certificate of a designated notary referred to in the preceding paragraph, the notary must make a written notification to that effect to the Minister of Justice.

(3) The following information must be indicated in an electronic certificate of a designated notary:

- (i) the certificate number of the electronic certificate of a designated notary;
- (ii) the code sufficient for identifying the designated notary; and
- (iii) the period for certification.

(Electronic Certificate Management File)

Article 4 When the Minister of Justice provides a designated notary with an electronic certificate of a designated notary, the Minister must record the information that is recorded in the electronic certificate of a designated notary in an electronic certificate management file prepared by means of a magnetic disk (including any object that can record certain matters securely by equivalent means; the same applies hereinafter).

(Report of Discontinuation of Use of Electronic Certificate)

Article 5 (1) If a designated notary finds it to be inappropriate to continue to use the notary's electronic certificate of a designated notary, the notary must immediately discontinue its use and promptly report the discontinuation of use to the Minister of Justice by a written notification.

(2) The following matters must be stated in the written notification referred to in the preceding paragraph, and the designated notary must affix name and seal of the notary to the written notification:

- (i) the reasons for report;
- (ii) the certificate number of an electronic certificate of a designated notary;
- and
- (iii) the date.

- (3) When the Minister of Justice receives the report referred to in paragraph (1), the Minister must record this in the electronic certificate management file.
- (4) The provisions of Article 3, paragraph (1) apply mutatis mutandis when the Minister of Justice receives the report referred to in paragraph (1).

Article 6 (1) If a designated notary is unable to use the notary's electronic certificate of a designated notary due to illness or any other grounds, the notary must promptly report the discontinuation of its use to the Minister of Justice by a written notification.

- (2) The provisions of paragraphs (2) and (3) of the preceding Article apply mutatis mutandis to the report referred to in the preceding paragraph.

(Report of Expectation to Be Provided with a New Electronic Certificate)

Article 7 (1) If the grounds referred to in paragraph (1) of the preceding Article cease to exist, the designated notary must report to the Minister of Justice the expectation to be provided with a new electronic certificate of a designated notary by a written notification.

- (2) The provisions of Article 5, paragraph (2) (excluding item (ii)) apply mutatis mutandis to the written notification referred to in the preceding paragraph, and the provisions of Article 3, paragraph (1) apply mutatis mutandis when the Minister of Justice receives the report referred to in the preceding paragraph.

(Notice by the Minister of Justice of Discontinuation of Use of an Electronic Certificate)

Article 8 (1) If the Minister of Justice finds it to be inappropriate to allow a designated notary to continue to use the notary's electronic certificate of a designated notary, the Minister may give notice to the designated notary that the notary should discontinue its use.

- (2) When a designated notary receives the notice referred to in the preceding paragraph, the notary must not use the electronic certificate of a designated notary.
- (3) The provisions of Article 3, paragraph (1) and Article 5, paragraph (3) apply mutatis mutandis when the Minister of Justice gives notice as provided in paragraph (1).

### **Chapter III Handling of Administrative Processes Relating to Electronic or Magnetic Records**

(Certification of Electronic or Magnetic Records)

Article 9 (1) The commission of certification referred to in Article 62-6, paragraph (3) of the Act is to be made through the procedure wherein the client

makes an electronic signature with respect to the information for which certification is sought, attaches the electronic signature certificate referred to in Article 3, paragraph (1) of the Act on the Authentication Services of the Japan Agency for Local Authority Information Systems in Connection with Electronic Signatures and Electronic User Certificates (Act No. 153 of 2002) or any other electronic or magnetic record which has been prepared to certify the necessary matters to confirm that the client has made an electronic signature and which is designated by the Minister of Justice (this record is referred to as an "electronic certificate" in Article 15, paragraph (1)), and transmits this set of electronic materials to the designated notary by using a telecommunications line.

- (2) The information for which certification is sought as referred to in the preceding paragraph must be prepared in the form designated by the Minister of Justice.
- (3) The designation under the provisions of the preceding two paragraphs must be made by public notice.
- (4) If a client commissions multiple processes to a notary simultaneously, and there is a certificate or any other information that is common to these commissioned processes, it will be sufficient to provide the certificate or other information with regard to one of those commissioned processes.
- (5) In the case referred to in the preceding paragraph, the fact that the common information has been provided with regard to one of the multiple commissioned processes must be included in the content of the information to be provided with regard to other commissioned processes.
- (6) An act to be performed by a client in the presence of a designated notary with regard to information recorded in a certified electronic or magnetic record relating to the commission of certification referred to in Article 62-6, paragraph (3) of the Act is to be performed by appearing at the designated notary's office or the place for providing the service to certify articles of incorporation outside the notary's office referred to in Article 12-2, paragraph (2) of the National Strategic Special Zone Act (Act No. 107 of 2013) (hereinafter referred to as the "designated notary's office, etc.").
- (7) Notwithstanding the provisions of the preceding paragraph, at the request of the client, when the designated notary finds it appropriate, the act set forth in Article 62-6, paragraph (1), item (ii) of the Act to be performed by the client in the presence of the designated notary (excluding the act to be performed after swearing an oath as prescribed in paragraph (2) of the Article) may be performed in a way that enables persons to communicate with an awareness of one another's condition through audio and visual transmissions.
- (8) The certification of an electronic or magnetic record referred to in Article 62-6, paragraph (1) of the Act is to be made through the procedure wherein the

designated notary attaches the following information to the information for which certification is sought as referred to in paragraph (1), records this set of information in a flexible disk cartridge or any other equivalent recording medium for electronic or magnetic records specified by the Minister of Justice (hereinafter referred to as a "recording medium" in Article 16, paragraph (3)) which has been submitted by the client at the designated notary's office, etc., and delivers the medium to the client; provided, however, that if the act prescribed in the preceding paragraph is performed by the method prescribed in the paragraph, the certification may be made through the procedure wherein the designated notary transmits the set of information to the client by using a telecommunications line:

- (i) an indication that the relevant information has been certified;
  - (ii) the date;
  - (iii) the name of the designated notary, the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated, and the location of the notary's office; and
  - (iv) the number to identify the commissioned process.
- (9) In the case provided in the preceding paragraph, at the request of the client, the designated notary must also attach the information concerning the matters set forth in Article 36, items (iv), (vi), and (vii) of the Act to the information for which certification is sought as referred to in paragraph (1).

#### (Identity Verification for Making Certification)

Article 10 (1) When a designated notary makes certification upon the commission under the provisions of paragraph (1) of the preceding Article, the notary must have the client prove the client's identity by a method by which the client's identity can be verified securely; provided, however, that this does not apply if the designated notary knows the name of and is acquainted with the client.

- (2) The provisions of the preceding paragraph apply mutatis mutandis to an agent when commission is made by the agent.
- (3) When a designated notary is commissioned by an agent, the notary must have the agent prove the authority as an agent by providing a certificate or any other information to prove their authority as an agent or by any other appropriate method.

#### (Appointment of Interpreter and Observer)

Article 11 (1) When certification of an electronic or magnetic record is sought, and an interpreter and observer are necessary, they must be selected by the client or the client's agent.

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

- (3) None of the following persons can serve as an observer; provided, however, that this does not apply to the case referred to in Article 30, paragraph (2) of the Act:
- (i) a minor;
  - (ii) the persons set forth in Article 14 of the Act;
  - (iii) a person who has an interest in any of the commissioned matters;
  - (iv) a person who is or was the client's agent or assistant in court with regard to any of the commissioned matters;
  - (v) the spouse, a relative within the fourth degree of kinship, legal representative, curator, assistant or employee of, or a person living together with the notary or the client or the client's agent; and
  - (vi) a clerk of the notary.

(Application Mutatis Mutandis of Certification under Oath)

Article 12 The provisions of Article 13-3 of the Regulation for Enforcement of the Notary Act (the Attorney-General's Office Order No. 9 of 1949; hereinafter referred to as the "Regulation") apply mutatis mutandis to the certification referred to in Article 62-6, paragraph (2) of the Act. In this case, the phrase "Article 58-2" in Article 13-3, paragraph (1) of the Regulation is deemed to be replaced with "Article 62-6, paragraph (2)", the phrase "what is stated in the instrument" in the paragraph and paragraph (3) of the Article is deemed to be replaced with "what is contained in the electronic or magnetic record", and the term "notary" in the paragraph is deemed to be replaced with "designated notary."

(Assignment of Date Information)

- Article 13 (1) The request referred to in Article 5, paragraph (2) of the Enforcement Act made under the provisions of Article 7, paragraph (2) of the Enforcement Act is to be made through the procedure in which the requesting person transmits to the designated notary the information for which date information is requested to be assigned by using a telecommunications line.
- (2) The provisions of Article 9, paragraph (2), and paragraph (3) of the Article (excluding the part concerning the designation under the provisions of paragraph (1) of the Article) apply mutatis mutandis to the information for which date information is requested to be assigned.
- (3) The assignment of date information under the provisions of Article 5, paragraph (2) of the Enforcement Act is to be conducted through the procedure in which the designated notary attaches the following information to the information for which date information is requested to be assigned, and transmits this set of information to the requesting person by using a telecommunications line:

- (i) the date;
- (ii) the name of the designated notary and the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated; and
- (iii) the code to identify the request.

(Keeping Electronic or Magnetic Records on File)

Article 14 (1) Information under the provisions of Article 62-7, paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) is to be kept on file through the procedure in which the designated notary assigns the number referred to in Article 9, paragraph (8), item (iv) or Article 13, paragraph (3), item (iii) (hereinafter collectively referred to as the "registration management number") to each piece of information recorded in the certified electronic or magnetic record or each piece of information sufficient for identifying the information for which date information has been assigned, and records this set of information on a magnetic disk.

- (2) The request for keeping information on file provided for in Article 62-7, paragraph (2) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) made under the provisions of Article 62-7, paragraph (5) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) must be made concurrently when conducting the commission of certification or making the request for assignment of date information.
- (3) The keeping information on file referred to in the preceding paragraph is to be conducted by recording the information on a magnetic disk.

(Attestation of Identity of Information)

Article 15 (1) The request for the attestation of identity of information provided for in Article 62-7, paragraph (3), item (i) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) made under the provisions of Article 62-7, paragraph (5) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) (hereinafter referred to as an "Attestation of Identity of Information") is to be made through the procedure in which the client or the person requesting assignment of date information or the successor to these persons, or the person who has proved to have a legal interest in the gist of an electronic or magnetic record (hereinafter referred to as the "Client, etc.") makes an electronic signature with respect to the information for which the attestation is requested, attaches an electronic certificate, and transmits this set of electronic materials to the designated notary by using a telecommunications line. In this case, the provisions of

Article 9, paragraphs (4) and (5) and Article 10 apply mutatis mutandis.

- (2) An attestation of identity of information is made by comparing the information referred to in paragraph (1) of the preceding Article with the information for which the attestation is requested.
- (3) When a designated notary makes an attestation of identity of information, the notary must attach the following information to the information for which the attestation is requested and transmit this set of information to the requesting person by using a telecommunications line:
  - (i) an indication of the results of the comparison under the provisions of the preceding paragraph;
  - (ii) the date;
  - (iii) the name of the designated notary, the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated, and the location of the notary's office; and
  - (iv) the registration management number.

(Provision of Identical Information)

Article 16 (1) The provisions of paragraph (1) of the preceding Article apply mutatis mutandis to the request for the provision of information referred to in Article 62-7, paragraph (3), item (ii) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) made under the provisions of Article 62-7, paragraph (5) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) (hereinafter referred to as the "provision of identical information"). In this case, the client, etc. must make the request by clearly indicating the registration management number to the designated notary.

- (2) Notwithstanding the provisions of the preceding paragraph, the request for the provision of identical information (limited to the request for provision of information through the delivery of a written notification as provided for in Article 62-7, paragraph (4) of the Act) may be made by a written notification at the designated notary's office, etc., only if the request is made simultaneously with receiving the certification referred to in Article 9, paragraph (1).
- (3) When a designated notary conducts provision of identical information, the notary must attach the following information to the information which is requested to be provided, record this set of information in the recording medium which has been submitted by the requesting person at the designated notary's office, etc., and deliver the medium to that person:
  - (i) an indication that the relevant information is identical to the information recorded in the electronic or magnetic record kept on file;
  - (ii) the date;

- (iii) the name of the designated notary, the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated, and the location of the notary's office; and
- (iv) the registration management number.

(Provision of Identical Information via Written Notification)

Article 17 (1) The provision of information through the delivery of a written notification as provided in Article 62-7, paragraph (4) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) is to be conducted through the procedure wherein the designated notary attaches the information set forth in the items of paragraph (3) of the preceding Article to the information which is requested to be provided, prepares a written notification by outputting this set of information, and affixes the notary's seal to the written notification. In this case, if the written notification extends to two or more pages, the designated notary must affix the official seal as a seal to confirm page continuation over the seam between each contiguous page.

- (2) In lieu of the seal to confirm page continuation, the designated notary may apply the method referred to in Article 4, paragraph (2) of the Regulation.
- (3) Notwithstanding the provisions of Article 8, paragraph (1) of the Regulation, the written notification referred to in paragraph (1) is prepared with sturdy writing paper of the JIS "A" Series, Size 4; provided, however, that this does not preclude the use of the JIS "B" Series, Size 4, instead of the JIS "A" Series, Size 4.

(Keeping Records of Information Concerning Processes Relating to Electronic or Magnetic Records on File)

Article 18 (1) A designated notary must record the following information on a magnetic disk with regard to processes relating to electronic or magnetic records and keep the disk on file:

- (i) the type of commission or request;
- (ii) the address and name of the client, etc. (if the client, etc. is a corporation, the location of its principal office and its name or trade name (in the case of the request for assignment of date information, limited to the name of the requesting person (if the requesting person is a corporation, its name or trade name)));
- (iii) the registration management number;
- (iv) the year, date and time of the certification, assignment of date information, attestation of identity of information or provision of identical information; and
- (v) the fee amounts.

(2) A designated notary must record in electronic or magnetic records the information which the client, etc. has provided in order to prove the fact concerning the succession or the fact that the client, etc. has a legal interest in the gist of the electronic or magnetic record pursuant to the provisions of Article 62-7, paragraph (3) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) or to prove the identity of the client, etc. pursuant to the provisions of Article 10, or any other information provided in relation to the commission or request concerning the processes relating to electronic or magnetic records and must keep the recorded information on file with an assigned management number.

(Documents Submitted in Relation to Processes Relating to Electronic or Magnetic Records)

Article 19 (1) When a document is submitted in relation to the commission or request concerning the processes relating to electronic or magnetic records, a designated notary must attach a cover sheet and enter the registration management number on the document, and bind and keep it in the order in which it is administratively processed; provided, however, that if the client, etc. requests that the original of the document be returned to them, the designated notary may bind and keep its transcript in lieu of the original.

(2) The provisions of Article 15 of the Regulation apply mutatis mutandis to the case referred to in the proviso to the preceding paragraph.

(Exclusion from Application of Regulation)

Article 20 (1) The provisions of Article 20 of the Regulation do not apply to processes relating to electronic or magnetic records; provided, however, that this does not apply to the accounting statement to be delivered pursuant to the provisions of Article 4, paragraph (2) of the Order for Notary Fees (Cabinet Order No. 224 of 1993; hereinafter referred to as the "Cabinet Order") as applied mutatis mutandis pursuant to the second sentence of Article 6, paragraph (1) of the Cabinet Order.

(2) In the course of administrative processes relating to electronic or magnetic records, an accounting statement to be delivered pursuant to the provisions of Article 4, paragraph (2) of the Cabinet Order must contain a statement of the following matters:

(i) the type of commission or request;

(ii) the address and name of the client, etc. (if the client, etc. is a corporation, the location of its principal office and its name or trade name (in the case of the request for assignment of date information, limited to the name of the requesting person (if the requesting person is a corporation, its name or trade name));

- (iii) the number of cases;
- (iv) the fee amounts; and
- (v) the name of the designated notary and the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated.

(Special Provisions for Account Book)

Article 21 (1) Notwithstanding the provisions of Article 23, paragraph (1) of the Regulation, a designated notary may make the necessary entry in an account book prepared in the form of Appendix 1 provided for in this Ministerial Order in lieu of the form of Appendix 4-B, and in an account book prepared in the form of Appendix 2 provided for in this Ministerial Order in lieu of the form of Appendix 4-C.

- (2) With regard to the application of the provisions of Article 23, paragraph (1) of the Regulation in the case referred to in the preceding paragraph, the term "certified date" in the proviso to Article 23, paragraph (1) of the Regulation is deemed to be replaced with "certified date, date information, keeping electronic or magnetic records on file, attestation of identity of information and provision of identical information".

(Reproduction of Magnetic Disk)

Article 22 (1) A designated notary must prepare a reproduction of a magnetic disk in which the information kept on file pursuant to the provisions of Article 62-7, paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) and paragraph (2) of the Article (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act) is recorded.

- (2) A designated notary must keep the reproduction prepared pursuant to the provisions of the preceding paragraph on file under strict guard by storing it in a lockable, fire-resistant and solid building.
- (3) If the information referred to in paragraph (1) is lost, a designated notary must restore it using the reproduction referred to in the preceding paragraph, with approval of the Minister of Justice.
- (4) If any electronic or magnetic records that should be kept on file pursuant to the provisions of laws and regulations are lost or are likely to be lost, a designated notary must report this to the Minister of Justice without delay.

(Period of Keeping Information on File)

Article 23 (1) The period of keeping the information or document set forth in each of the following items on file is 20 years from the day specified respectively in these items:

- (i) the information that should be kept on file pursuant to the provisions of Article 62-7, paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act): the year following the year in which the step to keep the information on file is taken;
  - (ii) the information that should be kept on file pursuant to the provisions of Article 62-7, paragraph (2) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act): the year following the year in which the step to keep the information on file is taken;
  - (iii) the information that should be kept on file pursuant to the provisions of Article 18: the year following the year in which the step to keep the information on file is taken; and
  - (iv) the document that should be kept pursuant to the provisions of Article 19: the year following the year in which the step to bind and keep the document is taken pursuant to the provisions of the Article.
- (2) The provisions of Article 27, paragraph (3) of the Regulation apply mutatis mutandis to the information or document referred to in the preceding paragraph.

(Disposal of Information)

Article 24 When a designated notary intends to dispose of any information or documents for which the period of keeping them on file has expired, the notary must prepare a list of the information or documents and obtain approval therefor from the Minister of Justice.

(Special Provisions for Refusal of Commission)

Article 25 If a designated notary refuses to handle a commissioned process with regard to processes relating to electronic or magnetic records, the notary may transmit the information containing the reasons for the refusal to the client by using a telecommunication line, in lieu of delivering the written statement of reasons referred to in Article 12 of the Regulation.

(Special Provisions for Office Hours of Designated Notary)

Article 26 The provisions of Article 9, paragraph (2) of the Regulation do not apply to processes relating to electronic or magnetic records.

(Management of Information by Designated Notary)

Article 27 (1) Information that should be kept on file pursuant to the provisions of laws and regulations must be managed by all designated notaries.  
(2) With regard to attestation of identify of information and provision of identical

information, a designated notary may respond to the request made in relation to the processes relating to electronic or magnetic records which have been handled by another designated notary.

(Roll of Designated Notaries)

Article 28 (1) The Minister of Justice must keep a roll of designated notaries and enter the name of each notary, the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated, the date of designation under Article 7-2, paragraph (1) of the Act, and the location of the notary's office.

(2) When a notary receives the designation referred to in the preceding paragraph, the director of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated must clearly indicate this in the roll of notaries referred to in Article 37 of the Regulation.

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

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the date of promulgation.

#### **Supplementary Provisions [Ministry of Justice Order No. 78 of December 12, 2001]**

This Ministerial Order comes into effect as of the date of promulgation.

#### **Supplementary Provisions**

- (1) This Ministerial Order comes into effect as of April 1, 2003.
- (2) The account books which have been prepared in the form of Appendix 4-B of the Regulation for Enforcement of the Notary Act and the form of Appendix 1 of the Ministerial Order on Processes Relating to Electronic or Magnetic Records by Designated Notary prior to the revision by this Ministerial Order and which exist at the time when this Ministerial Order comes into effect may continue to be used for one year from the day on which this Ministerial Order comes into effect.

#### **Supplementary Provisions [Ministry of Justice Order No. 11 of February 26, 2004]**

This Ministerial Order comes into effect as of March 1, 2004.

**Supplementary Provisions [Ministry of Justice Order No. 31 of February 28, 2005] [Extract]**

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the day on which the Real Property Registration Act comes into effect (March 7, 2005).

**Supplementary Provisions [Ministry of Justice Order No. 7 of March 8, 2007] [Extract]**

(Effective Date)

Article 1 This Ministerial Order comes into effect as of April 1, 2007.

(Transitional Measures)

Article 2 (1) With regard to the commission or request concerning processes relating to electronic or magnetic records made prior to this Ministerial Order coming into effect, except for those provided in the following paragraph and paragraph (3), the provisions then in force remain applicable.

(2) With regard to any information which is kept on file, at the time when this Ministerial Order comes into effect, under the provisions of Article 15 of the Ministerial Order on Processes Relating to Electronic or Magnetic Records by Designated Notary prior to the revision by this Ministerial Order (hereinafter referred to as the "former Ministerial Order"), the provisions of Articles 16 and 17 of the former Ministerial Order remain in force even after this Ministerial Order comes into effect.

(3) With regard to the application of the provisions of Articles 16 and 17 of the former Ministerial Order to the case referred to in the preceding paragraph: in Article 16, paragraph (1) of the former Ministerial Order and Article 17, paragraph (1) of the former Ministerial Order, the term "flexible disk cartridge" is deemed to be replaced with "flexible disk cartridge or any other equivalent recording medium for electronic or magnetic records which is specified by the Minister of Justice"; in Article 16, paragraph (3) of the former Ministerial Order, the phrase "records the information on the flexible disk cartridge referred to in paragraph (1)" is deemed to be replaced with "prepares a written notification by outputting the information", and the term "client" is deemed to be replaced with "client, etc."; in item (i) of the paragraph, the phrase "indication concerning identity" is deemed to be replaced with "indication of the results of the comparison under the provisions of the preceding paragraph"; in item (iii) of the paragraph, the phrase "name of the designated notary" is deemed to be replaced with "name of the designated notary, the name of the legal affairs bureau or district legal affairs bureau

with which the notary is affiliated, and the location of the notary's office"; in Article 17, paragraph (1) of the former Ministerial Order, the phrase "Article 62-7, paragraph (3), item (ii) of the Act" is deemed to be replaced with "Article 62-7, paragraph (3), item (ii) of the Act (including the cases where applied mutatis mutandis pursuant to Article 7, paragraph (1) of the Enforcement Act)"; in paragraph (2) of the Article, the phrase "paragraph (3) of the preceding Article" is deemed to be replaced with "paragraph (3) of the preceding Article that is to remain in force pursuant to the provisions of Article 2, paragraph (2) of the Supplementary Provisions of the Ministerial Order for Partial Revision to the Ministerial Order on Processes Relating to Electronic or Magnetic Records by Designated Notary", the 'phrase "client" is deemed to be replaced with "client, etc.'" is deemed to be replaced with 'the phrase "records the information on the flexible disk cartridge referred to in paragraph (1)" is deemed to be replaced with "prepares a written notification by outputting the information"', the phrase "indication concerning identity" is deemed to be replaced with "indication that the relevant information is identical to the information recorded in the electronic or magnetic record kept on file", and the phrase "name of the designated notary" is deemed to be replaced with "name of the designated notary, the name of the legal affairs bureau or district legal affairs bureau with which the notary is affiliated, and the location of the notary's office".

Appendix 1 (Re: Article 23)

Omitted

Appendix 2 (Re: Article 23)

Omitted