

Act on the Handling of Legal Services by Foreign Lawyers (Reflecting amendments in effect as of November 1, 2022)

(Act No. 66 of May 23, 1986)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act to ensure stable international legal relations and to contribute to the improvement of legal services relating to Japanese law in foreign jurisdictions, by establishing a system under which persons who are qualified to become foreign lawyers handle legal services covering foreign law in Japan, measures to regulate the handling of legal services in the same manner as that for attorneys, and measures that enable the establishment of attorney / registered foreign lawyer joint corporations.

(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: an attorney under the provisions of the Attorneys Act (Act No. 205 of 1949);
- (ii) legal professional corporation: a legal professional corporation under the provisions of the Attorneys Act;
- (iii) foreign lawyer: a person whose professional duties are the provision of legal services in a foreign jurisdiction (in the case of federal states specified by Ministry of Justice Order, the term "foreign jurisdiction" means a state, territory, or other constituent unit outside Japanese jurisdiction as specified by Ministry of Justice Order; the same applies hereinafter) and who is equivalent to an attorney;
- (iv) registered foreign lawyer: a person who has been granted approval under the provisions of Article 9 and has been registered in the roll of registered foreign lawyers under the provisions of Article 25;
- (v) registered foreign lawyer corporation: a corporation established by registered foreign lawyers for the purpose of handling legal services covering foreign law (meaning legal services covering cases in which all or a major part of the law that is or was in effect in a foreign jurisdiction applies or should apply; the same applies in Article 59, paragraph (1)) pursuant to the provisions of this Act;
- (vi) attorney / registered foreign lawyer joint corporation: a corporation jointly

- established by attorneys and registered foreign lawyers pursuant to the provisions of this Act for the purpose of engaging in the areas of practice provided for in Article 3 of the Attorneys Act;
- (vii) jurisdiction of primary qualification: the foreign jurisdiction where a person who has been granted approval under the provisions of Article 9 obtained the qualification as a foreign lawyer on which that approval is based;
 - (viii) law of the jurisdiction of primary qualification: the law which is or was in effect in the jurisdiction of primary qualification;
 - (ix) legal services concerning the law of the jurisdiction of primary qualification: legal services for a legal case in which all or a major part of the law of the jurisdiction of primary qualification applies or should apply;
 - (x) specified foreign jurisdiction: a foreign jurisdiction other than the jurisdiction of primary qualification;
 - (xi) law of a specified foreign jurisdiction: the law which is or was in effect in a specified foreign jurisdiction;
 - (xii) designated law: the law of a specified foreign jurisdiction in relation to which a person who has been granted approval under the provisions of Article 9 is designated under the provisions of Article 17, paragraph (1);
 - (xiii) legal services concerning designated law: legal services regarding cases in which all or a major part of the designated law apply or should apply;
 - (xiv) international arbitration case: a civil arbitration case which falls under any of the following:
 - (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 that is to govern the arbitral tribunal's arbitral award (limited to the law provided for by the agreement of the parties) is not Japanese law;
or
 - (c) the place of arbitration is in a country other than Japan;
 - (xv) international mediation case: a civil mediation case (including civil conciliation cases; and limited to cases concerning 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:
 - (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 validity 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;
- (xvi) Japan Federation of Bar Associations: the Japan Federation of Bar Associations under the provisions of the Attorneys Act;
- (xvii) bar association: a bar association under the provisions of the Attorneys Act;
- (xviii) Japan: the place where this Act is in force; and
- (xix) foreign law joint enterprise: an enterprise jointly operated by a registered foreign lawyer or a registered foreign lawyer corporation and an attorney, a legal professional corporation or an attorney / registered foreign lawyer joint corporation under a partnership contract or other ongoing contract for the purpose of providing legal services.

Chapter II Professional Duties of Registered Foreign Lawyers

(Professional Duties)

Article 3 (1) The professional duties of registered foreign lawyers are to provide legal services concerning the law of the jurisdiction of primary qualification at the request of a party or other relevant persons, or commissioned by a public agency; provided, however, that this does not apply to provision of 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 an investigation into the possibility of extraditing a fugitive criminal;
- (iii) giving an expert opinion or other legal opinions regarding the interpretation or the application of law 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 to commission 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, or after receiving written advice from an attorney:

(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 testamentary gift 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 their time of death, and in which a Japanese national is involved as a party.

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

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

(Legal Services concerning Designated Law)

Article 5 (1) A registered foreign lawyer may, notwithstanding the provisions of the preceding Article, provide legal services concerning designated law if they have been granted the designation under the provisions of Article 17, paragraph (1) and a supplementary note concerning the designated law has been made under the provisions of Article 35, paragraph (1); provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1)

items (i), (ii) and (iv) through (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of law other than the designated law.

- (2) The provisions of Article 3, paragraph (2) apply mutatis mutandis regarding cases where a registered foreign lawyer provides legal services concerning designated law under the provisions of the preceding paragraph.

(Legal Services concerning Law of Specified Foreign Jurisdictions other than
Legal Services concerning Designated Law)

Article 6 (1) Registered foreign lawyers may, notwithstanding the provisions of Article 4, provide legal services concerning designated law (meaning legal services for cases in which all or a major part of the law of the specified foreign jurisdiction apply or should apply; hereinafter referred to as "legal services concerning designated law"), if they do so in accordance with written advice received 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) through (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of law other than the law of the specified foreign jurisdiction:

- (i) a foreign lawyer in a specified foreign jurisdiction (excluding a person who is a registered foreign lawyer) who is engaged in the practice of providing legal services regarding the law of that jurisdiction based on their qualification as a foreign lawyer (excluding a person who is employed and is providing services in Japan pursuant to their knowledge of foreign law);
 - (ii) a registered foreign lawyer for whom the law of the jurisdiction of primary qualification or the designated law is the law of the specified foreign jurisdiction;
 - (iii) a registered foreign lawyer corporation (limited to where members, for whom the law of the jurisdiction of primary qualification or the designated law is the law of the specified foreign jurisdiction, engage in practice); or
 - (iv) an attorney / registered foreign lawyer joint corporation (limited to where members, who are registered foreign lawyers for whom the law of the jurisdiction of primary qualification or the designated law is the law of the specified foreign jurisdiction, engage in practice).
- (2) The provisions of Article 3, paragraph (2) apply mutatis mutandis regarding cases where a registered foreign lawyer provides legal services concerning the law of the specified foreign jurisdiction under the provisions of the preceding paragraph.

(Representation in International Arbitration and Mediation Proceedings)

Article 7 Registered foreign lawyers may, notwithstanding the provisions in

Article 3 through the preceding Article, act as a legal representative in the following proceedings:

- (i) international arbitration proceedings (including settlements 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 proceedings"); and
- (ii) international mediation proceedings (limited to those implemented by private businesses; the same applies hereinafter).

(Application Mutatis Mutandis of the Attorneys Act)

- Article 8 (1) The provisions of Articles 1 and 2 of the Attorneys Act apply mutatis mutandis to registered foreign lawyers.
- (2) The provisions of Article 72 of the Attorneys Act do not apply to registered foreign lawyers.

Chapter III Qualification to Become a Registered Foreign Lawyer

Section 1 Approval from the Minister of Justice

(Qualification to Become a Registered Foreign Lawyer)

- Article 9 A person who is qualified to become a foreign lawyer only qualifies as a registered foreign lawyer after they have been granted approval by the Minister of Justice.

(Grounds for Disqualification)

- Article 10 The provisions of Article 7 of the Attorneys Act apply mutatis mutandis with respect to qualification as a registered foreign lawyer.

(Application for Approval)

- Article 11 (1) A person who wishes to be granted approval under the provisions of Article 9 (hereinafter referred to as "approval") must submit a written application to the Minister of Justice, which contains the person's name, date of birth, nationality, address, date of acquiring qualification as a foreign lawyer, name of the foreign jurisdiction in which the person acquired their qualification (referred to as the "jurisdiction where they acquired their qualification" in the following Article), their title as a foreign lawyer and other particulars as specified by Ministry of Justice Order.
- (2) The written application for the approval in the preceding paragraph must be accompanied by documents proving that they qualified as a foreign lawyer, documents verifying that all the standards 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 wishes to be granted approval must pay a fee in an amount specified by Cabinet Order in consideration of actual expenses.

(Standards for Approval)

Article 12 (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 are qualified as a foreign lawyer and have experience in performing professional duties as a foreign lawyer in the jurisdiction where they acquired their qualification for three years or more after qualifying (including experience as a foreign lawyer in the jurisdiction where they acquired their qualification, of having engaged in the practice of providing legal services concerning the law of the jurisdiction where they acquired their qualification, on the basis of their qualification as a foreign lawyer, in a foreign jurisdiction other than the jurisdiction where they acquired their qualification);
 - (ii) they do not fall under any of the following sub-items:
 - (a) a person who has been given a sentence under foreign laws and regulations which is equivalent to imprisonment or a heavier sentence;
 - (b) a person who has been given a court ruling under foreign laws and regulations that is equivalent to a dismissal by the Court of Impeachment;
 - (c) a person who has been given a sentence under foreign laws and regulations that is equivalent to a disciplinary action provided for in Article 7, item (iii) of the Attorneys Act, for whom three years have not passed from the date the punishment was imposed;
 - (d) a person who is being treated under foreign laws and regulations, in a manner equivalent to a person who is subject to an order for the commencement of bankruptcy proceedings, who has not had their rights restored; and
 - (iii) they intend to perform their professional duties faithfully and have a plan, a residence and a financial basis for performing their professional duties in a proper and secure manner, and also have the ability to compensate for any losses which they may cause to clients.
- (2) the provision of the services of a person qualified to become a foreign lawyer, based on their knowledge of the law of the jurisdiction where they acquired their qualification, who is employed by an attorney, a legal professional corporation, a registered foreign lawyer, a registered foreign lawyer corporation, or an attorney / registered foreign lawyer joint corporation in

Japan after they acquired their qualification, and which are provided to the attorney, the legal professional corporation, the registered foreign lawyer, the registered foreign lawyer corporation, or the attorney / registered foreign lawyer joint corporation, is deemed to be experience of having performed professional duties as a foreign lawyer in the jurisdiction where they acquired their qualification, for a maximum of two years in total, in relation to the application of the provisions of item (i) of the preceding paragraph.

(3) If the applicant for approval satisfies the standards 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 become an attorney 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 become an attorney 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 as to the opinion of the Japan Federation of Bar Associations, in advance.

(Public Notices of Approval)

Article 13 (1) If the Minister of Justice has granted approval, the Minister must, without delay, notify the applicant and the Japan Federation of Bar Associations in writing and give public notice in the Official Gazette of that fact.

(2) The approval comes into effect as from the date of the public notice provided by the preceding paragraph.

(Expiration of Approval)

Article 14 If a person who has been granted approval does not make the request under the provisions of Article 26, 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 revocation of the registration request under the provisions of Article 30, the approval ceases to be effective.

(Reports)

Article 15 (1) The Minister of Justice may, when it is found to be necessary, seek the submission of reports or relevant materials from a person who has been granted approval, regarding the matters relating to the standards in any of the

items of Article 12, paragraph (1) or the matters concerning the treatment in the jurisdiction of primary qualification of a person who is qualified to become an attorney.

- (2) The Minister of Justice may, if it is found to be 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.

(Revocation of Approval)

Article 16 (1) The Minister of Justice must revoke the approval, if a person who has been granted approval falls under any of the following items:

- (i) if they have lost their 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 Attorneys Act (except item (ii)) applied mutatis mutandis pursuant to Article 10 of the Act;
- (iii) if their registration has been refused pursuant to the provisions of Article 27; or
- (iv) if their registration has been revoked pursuant to the provisions of Article 31, paragraph (2).

(2) The Minister of Justice may revoke an approval, if a person who has been granted 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 11, paragraph (1), or in a document attached thereto under paragraph (2) of the same Article;
- (ii) if the person no longer satisfies the standards listed in Article 12, paragraph (1), item (ii);
- (iii) if the revocation 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 relating to the standards listed in each item of Article 12, paragraph (1).

(3) In cases where circumstances listed in any of the following items arise after granting approval, the Minister of Justice may revoke the approval of those persons who have been granted approval with regard to the jurisdiction provided for in any of those items as the jurisdiction of primary qualification:

- (i) circumstances where persons who are qualified to become attorneys no longer receive substantively equivalent treatment to that accorded by this Act in a foreign jurisdiction, and revoking the approval on those grounds does not violate the sincere implementation of treaties or other international

- agreements; or
- (ii) circumstances where persons who are qualified to become attorneys are not given substantively equivalent treatment as that accorded by this Act in a foreign jurisdiction, and revoking the approval on those grounds would no longer violate the sincere implementation of treaties or other international agreements.
- (4) The provisions of Article 12, paragraph (4) and Article 13 apply mutatis mutandis to the revocation of approval under the provisions of the preceding three paragraphs.

Section 2 Designation of Laws of Specified Foreign Jurisdictions

(Designation)

- Article 17 (1) If a person who has been granted approval falls under any of the following items, the Minister of Justice may designate the law of a specified foreign jurisdiction for that person:
- (i) the person is qualified to become a foreign lawyer in the specified foreign jurisdiction; or
- (ii) the person has the same level of knowledge regarding the law of a specified foreign jurisdiction as a person who is qualified to become a foreign lawyer in that jurisdiction and has five or more years of practical experience of handling legal services concerning that law.
- (2) The provisions of Article 12, paragraph (4) and Article 13 apply mutatis mutandis to the designation under the provisions of the preceding paragraph.

(Applications for Designation)

- Article 18 (1) If a person who has been granted approval wishes to be granted a designation under the provisions of paragraph (1) of the preceding Article (hereinafter referred to as "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 any of the conditions listed in each item of paragraph (1) of the preceding Article, and other documents specified by Order of the Ministry of Justice.
- (3) A person who wishes to be granted a designation must pay a fee in an amount specified by Cabinet Order in consideration of actual expenses.

(Expiration of Designation)

- Article 19 If an approval ceases to be effective or is revoked, any designation also ceases to be effective. A designation also ceases to be effective if a person who has been granted a designation does not make the request under the

provisions of Article 34, paragraph (1) within six months from the day following the date of public notice under the provisions of Article 13, paragraph (1) applied mutatis mutandis pursuant to Article 17, paragraph (2).

(Reports)

Article 20 (1) The Minister of Justice may, when it is found to be necessary, seek the submission of reports or relevant materials on the matters relating to the conditions listed in each item of Article 17, paragraph (1) from a person who has been granted a designation.

(2) The provisions of Article 15, paragraph (2) apply mutatis mutandis to the handling of matters concerning designations.

(Revocation of Designation)

Article 21 (1) If a person who has been granted a designation has lost the qualification provided for in Article 17, paragraph (1), item (i), the Minister of Justice must revoke that designation.

(2) If a person who has been granted a designation falls under any of the following items, the Minister of Justice may revoke the designation:

(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 18, 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 12, paragraph (4) and Article 13 apply mutatis mutandis to the revocation of designations under the provisions of the preceding two paragraphs.

Chapter IV Registration and Practice of Registered Foreign Lawyers

Section 1 General Provisions

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

Article 22 A registered foreign lawyer is deemed to be an attorney, and registered foreign lawyer corporations and attorney / registered foreign lawyer joint corporations are deemed to be legal professional corporations, for the purposes of the application of the provisions of Article 31, paragraph (1), Article 41, Article 42, paragraph (2) (including as applied mutatis mutandis pursuant to Article 50 of the same Act), Article 45, paragraph (2), Article 48 and Article 49 of the Attorneys Act.

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

Associations)

Article 23 The articles of association of the bar associations list the following matters in accordance with the provisions of the Articles of Association of the Japan Federation of Bar Associations, in addition to what is listed in each item of Article 33, paragraph (2) of the Attorneys Act:

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

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

Article 24 The articles of association of the Japan Federation of Bar Associations must state the following matters, in addition to the matters listed each item of Article 46, paragraph (2) of the Attorneys Act:

- (i) matters listed in items (i), (ii) and (iv) of the preceding Article;
- (ii) provisions concerning registration, change of registration and revocation of registration in the roll of registered foreign lawyers;
- (iii) provisions concerning the Registered Foreign Lawyers Registration Screening Board;
- (iv) provisions concerning disciplinary action for registered foreign lawyers, registered foreign lawyer corporations and attorney / registered foreign lawyer joint corporations, and those concerning the Registered Foreign

- Lawyers Disciplinary Actions Committee and the Registered Foreign Lawyers Disciplinary Committee; and
- (v) other necessary provisions concerning registered foreign lawyers, registered foreign lawyer corporations and attorney / registered foreign lawyer joint corporations.

Section 2 Registration of Registered Foreign Lawyers

Subsection 1 Roll of Registered Foreign Lawyers

(Registration)

- Article 25 (1) In order to become a registered foreign lawyer, a person who is qualified to become a registered foreign lawyer is required to have 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, registered in the roll of registered foreign lawyers kept by the Japan Federation of Bar Associations.
- (2) Registration in the register of registered foreign lawyers is carried out by the Japan Federation of Bar Associations.

(Requests for the Registration)

- Article 26 (1) A person who wishes to be registered under the provisions of the preceding Article (hereinafter referred to as "registration") must submit a written request for registration to the Japan Federation of Bar Associations through the bar association which they wish 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 become 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 they were granted approval;
 - (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 27 When it is likely that a person requesting the registration would upset the order of, 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 disorder or physical disability; or
- (ii) the person, having been subject to the disciplinary action prescribed in Article 7, item (iii) of the Attorneys Act which applies *mutatis mutandis* pursuant to Article 10, has made the request after three years have passed since the date of the disciplinary action.

(Notices on Registration)

Article 28 When the Japan Federation of Bar Associations has received a request for registration, it must give notice in writing to the person who requested the registration, the bar association which has sent the request, and the Minister of Justice, when the registration has been made, of that fact and when the registration has been refused, of that fact, stating the reason for the refusal.

(Requests for Transfer of Registration)

Article 29 (1) If a registered foreign lawyer wishes to change the bar association to which they belong, they must submit a written request for transfer of the registration to the Japan Federation of Bar Associations through the bar association they wish to join.

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

(3) The provisions of Article 26, paragraphs (3) and (4) and the preceding two Articles apply *mutatis mutandis* to a request for transfer of registration.

(Requests for Revocation of Registration)

Article 30 If a registered foreign lawyer wishes to terminate their practice, they must make a request for the revocation of their registration to the Japan Federation of Bar Associations through the bar association to which they

belong.

(Revocation of Registration)

Article 31 (1) The Japan Federation of Bar Associations must revoke 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 Attorneys Act which applies mutatis mutandis pursuant to Article 10 of this Act;
- (ii) if they request revocation of the registration pursuant to the provisions of the preceding Article;
- (iii) if they have been given an order to withdraw from the bar association;
- (iv) if the approval has been revoked due to Article 16, 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 revoke 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 27, when it is likely that they are unfit to perform professional duties as a registered foreign lawyer due to a mental disorder or physical disability, or when they have violated the provisions of Article 49.

(3) When the Japan Federation of Bar Associations has revoked the registration pursuant to the provisions of paragraph (1), items (i) through (iv), or of the preceding paragraph, it must give notice in writing to the registered foreign lawyer concerned, the bar association to which they belonged, and the Minister of Justice, of that fact, stating the reasons for the rescission.

(Reporting the Grounds for Revocation of Registration)

Article 32 If a bar association finds that there are grounds for revoking the registration of a registered foreign lawyer who belongs to it, it must report that fact promptly to the Japan Federation of Bar Associations.

(Public Notices of Registration)

Article 33 If the Japan Federation of Bar Associations has effected a registration, a transfer of a registration or a revocation of a registration, it must promptly give public notice of that fact in the Official Gazette.

(Requests for Supplementary Note concerning Designated Law)

Article 34 (1) If a registered foreign lawyer wishes to have a supplementary note

concerning designated law made on their registration, they must submit a written request for a supplementary note concerning designated law to the Japan Federation of Bar Associations through the bar association to which they belong.

- (2) The written request for a supplementary note concerning 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 attach a document verifying that they have been granted the designation.
- (3) The provisions of Article 26, paragraph (3) apply mutatis mutandis to the sending of the written request for the supplementary note concerning designated law mentioned in paragraph (1).

(Supplementary Notes concerning Designated Law)

Article 35 (1) On receipt of a request under the provisions of the preceding Article, the Japan Federation of Bar Associations must promptly make the supplementary note concerning the relevant designated law on the registration of the relevant registered foreign lawyer.

- (2) The provisions of Article 28 apply mutatis mutandis in the case of a supplementary note made under the provisions of the preceding paragraph.

(Deletion of Supplementary Notes concerning Designated Law)

Article 36 The Japan Federation of Bar Associations must delete the relevant supplementary note concerning a designated law when the designation has been revoked.

(Public Notice of Supplementary Notes concerning Designated Law)

Article 37 The provisions of Article 33 apply mutatis mutandis to supplementary notes concerning designated law and their deletion.

Subsection 2 Registered Foreign Lawyers Registration Screening Board

(Establishment)

Article 38 (1) A Registered Foreign Lawyers Registration Screening Board is to be established within the Japan Federation of Bar Associations.

- (2) On the request of the Japan Federation of Bar Associations, the Registered Foreign Lawyers Registration Screening Board is to conduct the necessary examination of requests for registration as a registered foreign lawyer, requests for transfers to registration, requests for revocation of registration under the provisions of Article 30, and revocations of registration under the provisions of Article 31, paragraph (2), with respect to registered foreign

lawyers.

(Organization)

Article 39 (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 among 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 who are attorneys, one member who is a judge, one member who is a public prosecutor, and one member who is a person with relevant expertise (a total of three), and two board members who are government officials; provided, however, that the board members who are judges, public prosecutors or government officials must be appointed pursuant to the recommendation of the Supreme Court, the Public Prosecutor General or the Minister of Justice respectively, and the other board members must be appointed pursuant to a resolution of the organ of the Japan Federation of Bar Associations 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 Attorneys Act apply mutatis mutandis to the reserve board members mentioned in the preceding paragraph.

(7) The provisions of Article 54 of the Attorneys 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 the reserve board members of the Registered Foreign Lawyers Registration Screening Board, respectively.

(Screening Procedures)

Article 40 (1) The provisions of Article 55, paragraph (1) of the Attorneys Act apply mutatis mutandis to the screening procedures conducted by the Registered Foreign Lawyers Registration Screening Board.

(2) If the Registered Foreign Lawyers Registration Screening Board resolves to refuse a request for registration or a request for transfer of registration or to approve a revocation of registration under the provisions of Article 31, 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 Bar Associations and the Japan Federation of Bar Associations

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

Article 41 (1) A person who has been registered 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 had a change made to their registration is to join the relevant bar association at the time of the transfer of their registration and withdraw from the bar association to which they belonged until that time.

(3) A person whose registration was revoked due to a request under the provisions of Article 30 is to withdraw from the bar association to which they belong and the Japan Federation of Bar Associations at the time of revocation.

Article 42 (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 29, paragraph (1) apply mutatis mutandis in the case referred to in the preceding paragraph.

(Obligation to Observe the Articles of the Associations)

Article 43 Registered foreign lawyers must observe the provisions concerning registered foreign lawyers in the articles of association of the bar association to which they belong and those of the Japan Federation of Bar Associations.

(Voting Rights of Registered Foreign Lawyers)

Article 44 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, amendment, or cancellation of the articles of association, regarding the matters listed in any item of Article 23 or Article 24 (in the case of matters concerning attorney / registered foreign lawyer joint corporations, excluding matters concerning areas of practice that may be engaged in only by members who are attorneys provided for in Article 75, paragraph (3)), the registered foreign lawyer may attend the meeting, express opinions and participate in voting.

Section 3 Rights and Obligations of Registered Foreign Lawyers

(Indication of Qualification as a Registered Foreign Lawyer)

Article 45 A registered foreign lawyer must use the title of "外国法事務弁護士" (romanized as "Gaikokuho-Jimu-Bengoshi", 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 46 (1) The office of registered foreign lawyers must use the name "外国法事務弁護士事務所" (romanized as "Gaikokuho-Jimu-Bengoshi-Jimusho", 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, a registered foreign lawyer corporation, an attorney, a legal professional corporation or an attorney / registered foreign lawyer joint corporation, when they are employed by the registered foreign lawyer, the registered foreign lawyer corporation, the attorney, the legal professional corporation or the attorney / registered foreign lawyer joint corporation.
- (4) The office of registered foreign lawyers must be established within the district where the bar association to which they belong is located.
- (5) Registered foreign lawyers may not establish two or more offices in Japan, under any name.

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

Article 47 (1) Registered foreign lawyers are required to display a sign indicating the law of their jurisdiction of primary qualification and their designated law 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 law of the jurisdiction of primary qualification and the designated law are to be stipulated by the articles of association of the Japan Federation of Bar Associations.

(Use of the Title "Foreign Lawyer")

Article 48 (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 46, 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 in Japan)

Article 49 (1) A registered foreign lawyer must stay in Japan for not less than a hundred and eighty days per year.

- (2) If a registered foreign lawyer leaves 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 deemed to be a period in which they stayed 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 50 (1) A registered foreign lawyer who employs an attorney or a registered foreign lawyer must not order an attorney or a registered foreign lawyer who they employ to handle legal services beyond the scope of authority permitted in Article 3 and Articles 5 through 7 (hereinafter referred to as "legal services beyond the scope of authority").

- (2) An attorney or a registered foreign lawyer who was given an order due to violation of the provisions of the preceding paragraph to be involved in providing legal services beyond the scope of authority of the registered foreign lawyer who is their employer, is not exempt from disciplinary action or other liability on the grounds that they followed orders based on the employment relationship.

- (3) In addition to the prohibition provided for in paragraph (1), a registered

foreign lawyer who employs an attorney or a registered foreign lawyer must not become improperly involved in the handling of legal services that the employed attorney or registered foreign lawyer themselves provides, which are beyond the scope of authority of the registered foreign lawyer.

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

Article 51 A registered foreign lawyer managing a foreign law joint enterprise must not become improperly involved in legal services that the attorney, the legal professional corporation or the attorney / registered foreign lawyer joint corporation participating in the foreign law joint enterprise themselves provides, and which are beyond the scope of authority of the registered foreign lawyer.

(Notification of Employment of Attorneys and of Foreign Law Joint Enterprise)

Article 52 (1) If a registered foreign lawyer wishes to employ an attorney or manage a foreign law joint enterprise, they must give advance notification 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) the name and office of the attorney to be employed; and
 - (ii) the name or title and office of the attorney, the legal professional corporation or the attorney / registered foreign lawyer joint 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) On receipt of the notification under the provisions of preceding paragraph, the Japan Federation of Bar Associations must make a supplementary note on the registration of the relevant registered foreign lawyer the particulars relating to the notification that are prescribed by the articles of association of the Japan Federation of Bar Associations.
- (3) If the registered foreign lawyer who has given a notification under the provisions of paragraph (1) wishes 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 relating to the notification, they must notify the Japan Federation of Bar Associations of that fact in advance. In this case, the provisions of the second sentence of the same paragraph apply *mutatis mutandis*.
- (4) If notification is given under the provisions of the preceding paragraph, the Japan Federation of Bar Associations must correct, on the basis of the notification, the matters in the supplementary note on the registration of the

registered foreign lawyer concerned, pursuant to the provisions of paragraph (2).

- (5) If a registered foreign lawyer who has given a notification under the provisions of paragraph (1) has ceased to employ an attorney or to run a foreign law joint enterprise, they must notify the Japan Federation of Bar Associations of that fact without delay.
- (6) If a notification is made under the provisions of the preceding paragraph, the Japan Federation of Bar Associations must delete the content of the supplementary note on the registration of the relevant registered foreign lawyer, pursuant to the provisions of paragraph (2).
- (7) If a notification is made under the provisions of paragraph (1), (3) or (5), the Japan Federation of Bar Associations must give notice in writing of the particulars relating to the notification to the bar association to which the registered foreign lawyer concerned belongs and the bar association to which the attorney employed by or participating in the foreign law joint enterprise, or the legal professional corporation or the attorney / registered foreign lawyer joint corporation participating in the foreign law joint enterprise belongs.

(Indication of a Foreign Law Joint Enterprise)

Article 53 A registered foreign lawyer who has given a notification relating 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, the legal professional corporation or the attorney / registered foreign lawyer joint 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 Offices of Foreign Law Joint Enterprises)

Article 54 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 or a legal professional corporation participating in that foreign law joint enterprise (limited only to the main office, in the case of the 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 or the legal professional corporation contains the characters "外国法共同事業" (romanized as "Gaikokuho-Kyodo-Jigyo", meaning "foreign law joint enterprise"), their office may use the same name as the title of the office, notwithstanding the provisions of Article 46, paragraphs (1) and (2).

(Application Mutatis Mutandis of the Attorneys Act)

Article 55 (1) The provisions of Articles 23 through 30 of the Attorneys Act apply mutatis mutandis to registered foreign lawyers. In this case, the term "legal professional corporation (meaning a legal professional corporation prescribed in Article 30-2, paragraph (1))" in Article 25, item (vi) of the same Act is deemed to be replaced with "a registered foreign lawyer corporation (meaning a registered foreign lawyer corporation as prescribed in Article 2, item (v) of the Act on the Handling of Legal Services by Foreign Lawyers (Act No. 66 of 1986)"; the term "Act on the Handling of Legal Services by Foreign Lawyers (Act No. 66 of 1986)" in the same item is deemed to be replaced with "same Act"; the term "a registered foreign lawyer corporation (meaning a registered foreign lawyer corporation prescribed in item (v) of the relevant Article)" in the same item is deemed to be replaced with "a legal professional corporation (a legal professional corporation prescribed in Article 30-2, paragraph (1))"; the term "a member of a legal professional corporation or an attorney / registered foreign lawyer joint corporation" in items (vii) through (ix) of the same Article is deemed to be replaced with "a member of a registered foreign lawyer corporation or an attorney / registered foreign lawyer joint corporation"; the term "an employee of a registered foreign lawyer corporation" in those items is deemed to be replaced with "an employee of a legal professional corporation"; and the term "a roll of attorneys engaged in a for-profit businesses" in Article 30, paragraphs (2) and (4) of the same Act is deemed to be replaced with "a roll of registered foreign lawyers engaged in a for-profit businesses."

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

Chapter V Registered Foreign Lawyer Corporations

(Establishment)

Article 56 Registered foreign lawyers may establish a registered foreign lawyer corporation pursuant to the provisions of this chapter.

(Name)

Article 57 Registered foreign lawyer corporations must include the words "外国法事務弁護士法人" (romanized as "Gaikokuho-Jimu-Bengoshi-Hojin", meaning "Registered Foreign Lawyer Corporation") in their name.

(Eligibility of Membership)

Article 58 (1) The members of a registered foreign lawyer corporation must be registered foreign lawyers.

- (2) The persons listed below may not become members of a registered foreign lawyer corporation:
- (i) any person who has been disciplined with suspension of business pursuant to Article 83, for whom the applicable suspension period has not yet elapsed;
 - (ii) if a registered foreign lawyer corporation has been disbarred or disciplined with suspension pursuant to Article 83, any person who was a member of the corporation within 30 days prior to the date the disciplinary action was taken, for whom three years (or when the registered foreign lawyer corporation has been suspended from practice, the applicable suspension period) have not elapsed from that date; or
 - (iii) if an attorney / registered foreign lawyer joint corporation is disbarred or subject to suspension of practice as disciplinary action pursuant to the provisions of Article 92 or Article 94, any registered foreign lawyer who was a member of the corporation within 30 days prior to the date on which the disciplinary action is taken, for whom three years (or when the attorney / registered foreign lawyer joint corporation is suspended from practice, the applicable suspension period) have not elapsed from that date.

(Scope of Practice)

Article 59 (1) Beyond providing legal services concerning foreign law 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 areas of practice:

- (i) legal services listed in Article 3, paragraph (1), items (i), (ii), and (iv) through (vi); and
 - (ii) giving an expert opinion or other legal opinions regarding the interpretation or the application of law that is or was in effect in Japan (excluding treaties or other international law which is included in law that is or was 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 proceedings and international mediation proceedings.

(Procedures for Establishment)

Article 60 (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 Attorneys 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 those paragraphs is deemed to be replaced with "office/offices," and the term "addresses" in item (v) of the paragraphs is deemed to be replaced with "addresses, the law of the jurisdiction of primary qualification as provided for in Article 2, item (viii) of the Act on the Handling of Legal Services by Foreign Lawyers, designated law as provided for in item (xii) of the same Article."

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

Article 61 (1) On 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 42, paragraph (1) of this Act and Article 36-2, paragraphs (2) through (7) of the Attorneys Act apply mutatis mutandis to a registered foreign lawyer corporation. In this case, the term "law office" in paragraphs (2) through (4) of the same Article is deemed to be replaced with "office," and the phrase "becomes a member of" in paragraph (2) of the same Article is deemed to be replaced with "is to join."

(Execution of the Legal Practice)

Article 62 (1) Members of registered foreign lawyer corporations are to conduct the following areas of practice unless the registered foreign lawyer corporation's articles of incorporation stipulate otherwise:

(i) legal services concerning the law 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 proceedings and international mediation proceedings.

(2) Beyond what is provided for in the preceding paragraph, a member who conducts practice may do so regarding legal services concerning a designated law if the member has been granted a designation and a supplementary note concerning the designated law under the provisions of Article 35, paragraph (1); provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1), items (i), (ii), and (iv) through (vi), or to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of law other than the designated law.

(3) Beyond what is provided for in the preceding two paragraphs, a member who engages in practice may do so regarding the law of a specified foreign

jurisdiction if the member does so in accordance with written advice received from a person listed in the items of Article 6, paragraph (1); provided, however, that this does not apply to the legal services listed in Article 3, paragraph (1), items (i), (ii), and (iv) through (vi), nor to giving an expert opinion or otherwise rendering a legal opinion regarding the interpretation or the application of law other than the law of the specified foreign jurisdiction.

- (4) A member who engages in practice must, even when the member is entitled to engage in practice under the provisions of the preceding three paragraphs, do so in coordination with an attorney or after receiving written advice from an attorney with respect to the matters in listed in the items of Article 3, paragraph (2).

(Indication of Qualification as a Member of a Foreign Lawyer Corporation)

Article 63 A registered foreign lawyer corporation must, when a member engages in 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", meaning "registered foreign lawyer") and append the title to the name of the jurisdiction of primary qualification.

(Offices)

Article 64 (1) Registered foreign lawyer corporations must include the name of the relevant registered foreign lawyer corporation in the name of its office.

- (2) The provisions of Article 46, paragraphs (2) and (4) apply mutatis mutandis to the office of a registered foreign lawyer corporation, the provisions of Article 53 apply mutatis mutandis to a registered foreign lawyer corporation and its office, and the provisions of Article 54 apply mutatis mutandis to a registered foreign lawyer corporation, respectively. In these cases, the term "jurisdiction of primary qualification" in the proviso to Article 46, paragraph (2) is deemed to be replaced with "member's jurisdiction of primary qualification" and "they" with "the member," the term "office of a registered foreign lawyer" in Article 54 is deemed to be replaced with "main office of a registered foreign lawyer corporation," the phrase "in the case of the legal professional corporation" is deemed to be replaced with "in the case of the legal professional corporation or the registered foreign lawyer corporation," the phrase "limited; hereinafter the same applies in this Article" is deemed to be replaced with "limited" and the phrase "of the office" is deemed to be replaced with "of the office (in the case of a legal professional corporation, limited only to its main office)."

(Prohibition of Instruction to Conduct Legal Services beyond the Scope of Authority Based on Employment Relationship)

Article 65 (1) A registered foreign lawyer corporation must not order an attorney

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 or a registered foreign lawyer is given an order due to violation of the provisions of the preceding paragraph and subsequently 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 or the registered foreign lawyer employed by the corporation themselves provides, which are beyond the scope of the authority of the registered foreign lawyer corporation who is their employer.
- (4) Members of registered foreign lawyer corporations must not become improperly involved in the handling of legal services which the attorney or the registered foreign lawyer employed by the corporation themselves provides, which are beyond the scope of authority of the member.

(Prohibition of Improper Involvement in Foreign Law Joint Enterprises)

Article 66 (1) Registered foreign lawyer corporations which manage foreign law joint enterprises must not become improperly involved in the handling of legal services which the attorney, the legal professional corporation or the attorney / registered foreign lawyer joint 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) Member of registered foreign lawyer corporations which manage a foreign law joint enterprises must not become improperly involved in the handling of legal services which the attorney, the legal professional corporation or the attorney / registered foreign lawyer joint 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 Registered Foreign Lawyers and of the Attorneys Act)

Article 67 (1) The provisions of Article 43 and Article 52, paragraphs (1), (3), (5) and (7) apply mutatis mutandis to registered foreign lawyer corporations.

- (2) The provisions of Articles 1, 21, 23-2, 24, 27 through 29, 30-7, 30-9 through 30-11, 30-13 through 30-16, the main clause of Article 30-17, Articles 30-18 through 30-20, and 30-22 through 30-30 of the Attorneys Act apply mutatis mutandis to registered foreign lawyer corporations. 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 same Act is deemed to be replaced with "office"; the phrase "an attorney who is a member or an employee, or a registered foreign lawyer who is an employee (hereinafter referred to as "member, etc.)", in Article 30-18, item (iv) of the same Act and the term "member, etc." in Article 30-20 of the same Act are deemed to be replaced with "registered foreign lawyer who is a member or an employee, or an attorney who is an employee"; the term "Article 11" in Article 30-22, item (v) of the same Act is deemed to be replaced with "Article 30 of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "Article 57, paragraph (1), item (ii)" in item (vi) of the same Article is deemed to be replaced with "Article 84, paragraph (1), item (ii) of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "Article 13, paragraph (1)" is deemed to be replaced with "Article 31, paragraph (2) of the same Act"; the term "Article 56 or 60" in Article 30-23, paragraph (1), item (vi) of the same Act is deemed to be replaced with "Article 83 of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "be an attorney" in Article 30-26, paragraph (1) of the same Act is deemed to be replaced with "be an attorney or a registered foreign lawyer"; the term "Attorneys Act" in Article 30-30, paragraph (1) of the same Act is deemed to be replaced with "Attorneys Act applied mutatis mutandis pursuant to Article 67, paragraph (2) of the Act on the Handling of Legal Services by Registered Foreign Lawyers (Act No. 66 of 1986)"; and the term "Attorneys Act" in paragraph (2) of the same Article is deemed to be replaced with "Attorneys Act applied mutatis mutandis pursuant to Article 67, paragraph (2) of the Act on the Handling of Legal Services by Registered Foreign Lawyers".

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

Chapter VI Attorney / Registered Foreign Lawyer Joint Corporations

(Establishment)

Article 68 Attorneys and registered foreign lawyers may jointly establish an attorney / registered foreign lawyer joint corporation pursuant to the provisions of this Chapter.

(Name)

Article 69 Attorney / registered foreign lawyer joint corporations must include the words "弁護士・外国法事務弁護士共同法人" (romanized as "Bengoshi / Gaikokuho-Jimu-Bengoshi-Kyodo-Hojin," meaning "Attorney / Registered Foreign Lawyer Joint Corporation") in their name.

(Eligibility of Membership)

Article 70 (1) The members of an attorney / registered foreign lawyer joint corporation must be attorneys or registered foreign lawyers.

(2) The persons listed below are not eligible to be members of an attorney / registered foreign lawyer joint corporation:

- (i) any person who has been suspended from practicing by a disciplinary action pursuant to the provisions of Article 56 or Article 60 of the Attorneys Act, or the provisions of Article 83, for whom the applicable period of suspension has not yet elapsed;
- (ii) if an attorney / registered foreign lawyer joint corporation is disbarred or suspended from practicing by disciplinary action pursuant to the provisions of Article 92 or Article 94, any person who was a member of the corporation within 30 days prior to the date on which the disciplinary action is taken, for whom three years (or when the attorney / registered foreign lawyer joint corporation is suspended from practice, the applicable period of suspension) have not elapsed from that date;
- (iii) if a legal professional corporation is disbarred or suspended from practicing by disciplinary action pursuant to the provisions of Article 56 or Article 60 of the Attorneys Act, any person who was a member of the corporation within 30 days prior to the date on which the disciplinary action is taken, for whom three years (or when the legal professional corporation is suspended from practice, the applicable period of suspension) have not elapsed from that date; or
- (iv) if a registered foreign lawyer corporation is disbarred or suspended from practicing by disciplinary action pursuant to the provisions of Article 83, any person who was a member of the corporation within 30 days prior to the date on which the disciplinary action was taken, for whom three years (or when the registered foreign lawyer corporation is suspended from practice, the applicable period of suspension) have not elapsed from that date.

(Scope of Practice)

Article 71 In addition to engaging in the areas of practice provided for in Article 3 of the Attorneys Act, attorneys / registered foreign lawyer joint corporations may, pursuant to the provisions of its articles of incorporation, engage in all or part of any area of practice designated by Ministry of Justice Order as those an attorney may engage in in accordance with laws and regulations.

(Procedures for Establishment)

Article 72 (1) In order to establish an attorney / registered foreign lawyer joint corporation, attorneys and registered foreign lawyers who are to become

members of the corporation must jointly adopt the articles of incorporation.

- (2) The provisions of Article 30-8, paragraphs (2) and (3) of the Attorneys Act apply mutatis mutandis to the articles of incorporation of attorney / registered foreign lawyer joint corporations. In this case, the term "the bar association of which they hold a membership" in item (v) of the same paragraph is deemed to be replaced with "the bar association of which the attorney / registered foreign lawyer joint corporation holds a membership (in the case of a member who is a registered foreign lawyer, including the law of the jurisdiction of primary qualification (meaning the law of the jurisdiction of primary qualification as provided for in Article 2, item (viii) of the Act on the Handling of Legal Services by Foreign Lawyers) and the designated law (meaning the designated law as provided for in item (xii) of the same Article))."

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

- Article 73 (1) On its establishment, an attorney / registered foreign lawyer joint corporation is to join the bar association of the district in which its main law office is located (if there are two or more bar associations in that district, the one specified in the attorney / registered foreign lawyer joint corporation's articles of incorporation) and the Japan Federation of Bar Associations.
- (2) The provisions of Article 42, paragraph (1) of this Act and Article 36-2, paragraphs (2) through (7) of the Attorneys Act apply mutatis mutandis to attorney / registered foreign lawyer joint corporations. In this case, the term "becomes a member of" in paragraph (2) of the same Article is deemed to be replaced with "is to join."

(Execution of the Legal Practice)

- Article 74 (1) All members of attorney / registered foreign lawyer joint corporations who are attorneys have the right and obligation to engage in practice, unless otherwise provided for in its articles of incorporation.
- (2) The provisions of Article 62 apply mutatis mutandis to members of attorney / registered foreign lawyer joint corporations who are registered foreign lawyers engaging in practice.

(Representative of Corporations)

- Article 75 (1) Each member of attorney / registered foreign lawyer joint corporation who engages in the corporation's practice represents the attorney / registered foreign lawyer joint corporation.
- (2) The provisions of the preceding paragraph do not preclude attorney / registered foreign lawyer joint corporations from specifying certain members who represent the corporation from among the members who engage in practice,

in the articles of incorporation or with the consent of all members; provided, however, that attorney / registered foreign lawyer joint corporations may not specify members who are registered foreign lawyers as all the members who represent the corporation, even by the articles of incorporation or with the consent of all members.

- (3) With respect to areas of practice that may be engaged in only by members who are attorneys (meaning areas of practice of attorney / registered foreign lawyer joint corporations other than areas of practice that may be engaged in by members who are registered foreign lawyers pursuant to the provisions of Article 62 as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article; the same applies hereinafter), notwithstanding the provisions of the preceding two paragraphs, only each of those among the members who engage in practice who are attorneys (or when certain members who represent the attorney / registered foreign lawyer joint corporation have been specified by the articles of incorporation or with the consent of all members, those members) may represent the attorney / registered foreign lawyer joint corporation.
- (4) The provisions of Article 30-13, paragraphs (3) through (5) of the Attorneys Act apply mutatis mutandis to members who represent attorney / registered foreign lawyer joint corporations.

(Indication of Qualifications of Members Who are Registered Foreign Lawyers)
Article 76 Attorney / registered foreign lawyer joint corporations must, when a member who is a registered foreign lawyer engages in 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," meaning "registered foreign lawyer") and append the name of the jurisdiction of primary qualification to the title.

(Law Offices)

- Article 77 (1) Offices of attorney / registered foreign lawyer joint corporations are called "law offices".
- (2) Attorney / registered foreign lawyer joint corporations must include the name of the relevant attorney / registered foreign lawyer joint corporation in the name of its law office.
- (3) The law office of attorney / registered foreign lawyer joint corporations must be established within the district where the bar association to which the corporation belongs is located.

(Prohibition of Instructions and Improper Involvement on the Handling of Legal Services beyond the Scope of Authority)

Article 78 (1) A member of attorney / registered foreign lawyer joint corporations

who is a registered foreign lawyer must not give instructions to an attorney or a registered foreign lawyer who is an employee on the handling of legal services beyond the scope of authority of that member.

- (2) An attorney or a registered foreign lawyer who was given instructions due to violation of the provisions of the preceding paragraph to be involved in providing legal services beyond the scope of authority of the member who is a registered foreign lawyer is not exempt from disciplinary action or other responsibilities on the grounds that they followed the instructions.
- (3) A member who is a registered foreign lawyer must not become improperly involved in the handling of legal services that a member who is an attorney, or an employee who is an attorney or a registered foreign lawyer themselves provides, which are beyond the scope of authority of the member who is a registered foreign lawyer.

(Notification of Employment of Attorneys)

Article 79 (1) If an attorney / registered foreign lawyer joint corporation wishes to employ an attorney, it must give notification in advance to the Japan Federation of Bar Associations of the particulars stipulated by the articles of association of the Japan Federation of Bar Associations, including the name of the attorney to be employed and the law office at which the attorney works. In this case, the documents stipulated by the articles of association of the Japan Federation of Bar Associations must be attached to the notification.

- (2) If the attorney / registered foreign lawyer joint corporation that has given a notification under the provisions of preceding paragraph wishes to change important matters stipulated by the articles of association of the Japan Federation of Bar Associations relating to the notification, it must notify the Japan Federation of Bar Associations of that fact in advance. In this case, the provisions of the second sentence of the same paragraph apply *mutatis mutandis*.
- (3) If the attorney / registered foreign lawyer joint corporation that gave the notification under the provisions of paragraph (1) has ceased to employ an attorney, it must notify the Japan Federation of Bar Associations of that fact without delay.
- (4) If a notification is given under the provisions of the preceding three paragraphs, the Japan Federation of Bar Associations must give notice in writing of the particulars relating to the notification to the bar association to which the attorney / registered foreign lawyer joint corporation concerned belongs and the bar association to which the employed attorney belongs.

(Application *Mutatis Mutandis* of the Attorneys Act)

Article 80 (1) The provisions of Articles 1, 21, 22, 23-2, 24, 27 through 29, 30-6,

30-7, 30-9 through 30-11, 30-14 (excluding paragraph (7)), 30-15 through 30-20, 30-22, 30-23 and 30-25 through 30-30 of the Attorneys Act apply mutatis mutandis to attorney / registered foreign lawyer joint corporations. In this case, the term "member" in Article 30-17 of the same Act is deemed to be replaced with "member who is an attorney"; the phrase "attorney who is a member or an employee, or a registered foreign lawyer who is an employee (hereinafter referred to as "member, etc.")" in Article 30-18, item (iv) of the same Act and the term "member, etc." in Article 30-20 of the same Act are deemed to be replaced with "attorney or registered foreign lawyer who is a member or an employee"; the term "members" in Article 30-18, item (v) of the same Act is deemed to be replaced with "members (in the case of cases relating to areas of practice that may be engaged in only by members who are attorneys (meaning areas of practice that may be engaged in only by members who are attorneys as provided in Article 75, paragraph (3) of the Act on the Handling of Legal Services by Foreign Lawyers), a member who is an attorney)"; the term "or attorney / registered foreign lawyer joint corporation" in Article 30-19, paragraph (1) of the same Act is deemed to be replaced with ", legal professional corporation or registered foreign lawyer corporation (meaning a registered foreign lawyer corporation as provided in Article 2, item (v) of the Act on the Handling of Legal Services by Foreign Lawyers)"; the term "any of the items of Article 7 (excluding item (ii))" in Article 30-22, item (iv) of the same Act is deemed to be replaced with "any of the items of Article 7 (excluding item (ii)) (including as applied mutatis mutandis pursuant to Article 10 of the Act on the Handling of Legal Services by Foreign Lawyers)"; the term "Article 11" in item (v) of the same Article is deemed to be replaced with "Article 11 of this Act or Article 30 of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "through (iv)" in item (vi) of the same Article is deemed to be replaced with "through (iv) of this Act or Article 84, paragraph (1), items (ii) through (iv) of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "Article 13, paragraph (1)" in the same item is deemed to be replaced with "Article 13, paragraph (1) of this Act or Article 31, paragraph (2) of the same Act"; the term "Article 30-30, paragraph (1)" in item (vii) of the same Article is deemed to be replaced with "Article 30-30, paragraph (1) (including as applied mutatis mutandis pursuant to Article 80, paragraph (1) of the Act on the Handling of Legal Services by Foreign Lawyers)"; the term "Article 56 or 60" in Article 30-23, paragraph (1), item (vi) of the same Act is deemed to be replaced with "Article 92 or 94 of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "Attorneys Act (Act No. 205 of 1949)" in Article 30-30, paragraph (1) of the same Act is deemed to be replaced with "Attorneys Act (Act No. 205 of 1949) as applied mutatis mutandis pursuant to Article 80, paragraph (1) of the Act on the Handling of Legal Services by Foreign Lawyers

(Act No. 66 of 1986)"; and the term "Attorneys Act" in paragraph (2) of the same Article is deemed to be replaced with "Attorneys Act as applied mutatis mutandis pursuant to Article 80, paragraph (1) of the Act on the Handling of Legal Services by Foreign Lawyers."

- (2) The provisions of Article 72, and Article 74, paragraphs (1) and (2) of the Attorneys Act do not apply to attorney / registered foreign lawyer joint corporations.

Chapter VII Changes to Different Types of Corporations and Mergers with Different Types of Corporations

(Changes to Different Types of Corporations)

Article 81 (1) Each of the corporations listed in the following items becomes an attorney / registered foreign lawyer joint corporation by making an amendment in the articles of incorporation provided in each item:

- (i) legal professional corporation: an amendment in the articles of incorporation to admit registered foreign lawyers as members; and
- (ii) registered foreign lawyer corporation: an amendment in the articles of incorporation to admit attorneys as members.

(2) In the cases listed in the following items, an attorney / registered foreign lawyer joint corporation becomes the corporation provided in each item:

- (i) in cases where the attorney / registered foreign lawyer joint corporation becomes a corporation consisting only of members who are registered foreign lawyers because of the resignation of a member who is an attorney: registered foreign lawyer corporation; and
- (ii) in cases where the attorney / registered foreign lawyer joint corporation becomes a corporation consisting only of members who are attorneys because of the resignation of a member who is a registered foreign lawyer: legal professional corporation.

(3) If a legal professional corporation, a registered foreign lawyer corporation, or an attorney / registered foreign lawyer joint corporation has become a different type of corporation pursuant to the provisions of the preceding two paragraphs, it must, within two weeks from that time, notify the bar association to which the corporation belongs and the Japan Federation of Bar Associations of the fact that the corporation has become a different type of corporation, and attach a certificate of registered information and a copy of its articles of incorporation.

(Mergers with Different Types of Corporations)

Article 82 (1) Each of the corporations listed in the following items may merge with the corporation provided for in each item with the consent of all members:

- (i) legal professional corporation: a registered foreign lawyer corporation or an

- attorney / registered foreign lawyer joint corporation;
- (ii) registered foreign lawyer corporation: a legal professional corporation or an attorney / registered foreign lawyer joint corporation; and
- (iii) attorney / registered foreign lawyer joint corporation: a legal professional corporation or a registered foreign lawyer corporation.
- (2) In the cases provided for in the preceding paragraph, the corporation surviving the merger (excluding attorney / registered foreign lawyer joint corporations) is to become an attorney / registered foreign lawyer joint corporation and the corporation incorporated in the merger must be an attorney / registered foreign lawyer joint corporation.
- (3) The provisions of Article 30-27, paragraphs (2) through (4), Article 30-28 and Article 30-29 of the Attorneys Act apply mutatis mutandis to the cases provided in the preceding two paragraphs.

Chapter VIII Disciplinary Punishment

Section 1 Disciplinary Action against Registered Foreign Lawyers and Registered Foreign Lawyer Joint Corporations

(Grounds for Disciplinary Action and the Disciplinary Authority)

- Article 83 (1) Registered foreign lawyers and registered foreign lawyer corporations are subject to disciplinary action 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 Attorneys 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 relating to a registered foreign lawyer or a registered foreign lawyer corporation, or have 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 have 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 action is taken by the Japan Federation of Bar Associations, based on the resolution of the Registered Foreign Lawyers Disciplinary Actions Committee.

(Types of Disciplinary Action)

- Article 84 (1) Disciplinary action 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 action 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 of its office for not more than two years; and
 - (iii) disbarment.

(Disciplinary Procedures)

Article 85 (1) Any person who considers that there are grounds for disciplining a registered foreign lawyer or a registered foreign lawyer corporation may file a request to the Japan Federation of Bar Associations to take disciplinary action, through the bar association to which the registered foreign lawyer or the registered foreign lawyer corporation concerned belongs, with a statement of the grounds for such action.

- (2) If a bar association considers that there are grounds for disciplining a registered foreign lawyer or a registered foreign lawyer corporation that belongs to it or when there has been a request in the preceding paragraph, it must initiate disciplinary procedures against the registered foreign lawyer or the registered foreign lawyer corporation and have its disciplinary committee investigate the case pursuant to the provisions of Article 70, paragraph (1) of the Attorneys Act. If the disciplinary committee finds it appropriate in order to discipline the registered foreign lawyer or the 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 disciplinary committee and its opinion.
- (3) If the Japan Federation of Bar Associations considers that there are grounds for disciplining a registered foreign lawyer or a registered foreign lawyer corporation or if it has received a request 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 Disciplinary Committee investigate the case; provided, however, that this does not apply if the investigation 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 Disciplinary Committee has found, after the investigation in the preceding paragraph, that it would be appropriate to discipline a registered foreign lawyer or a registered foreign lawyer corporation, or if the request under paragraph (2) has been made.
- (5) If it is necessary for the investigation, the disciplinary committee of a bar association and the Registered Foreign Lawyers Disciplinary Committee may

request the registered foreign lawyer or the 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) If the Japan Federation of Bar Associations disciplines a registered foreign lawyer or a registered foreign lawyer corporation, it must notify them in writing the details of and the reason for the disciplinary action.
- (7) If the Japan Federation of Bar Associations has taken disciplinary action against a registered foreign lawyer or a registered foreign lawyer corporation, it must give public notice of the details of the disciplinary action in the Official Gazette without delay.
- (8) If the Japan Federation of Bar Associations has disciplined a registered foreign lawyer or a registered foreign lawyer corporation against whom the request relating to paragraph (1) or (2) is made or when it has decided not to discipline the registered foreign lawyer or the registered foreign lawyer corporation, it must give notice to the person who has filed the request under paragraph (1) or the bar association which has filed the request under paragraph (2) of that fact.

(Application Mutatis Mutandis of the Attorneys Act)

Article 86 The provisions of Article 57-2, paragraph (1) of the Attorneys 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 a 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 a 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 deemed to be replaced with "office"; and the phrase "With respect to the application of the provisions of this Chapter" in the same paragraph and paragraph (5) of the same Article is deemed to be replaced with "in relation to the disciplinary procedure."

(Restrictions on Change of Type to Attorney / Registered Foreign Lawyer Joint Corporations)

Article 87 Even when a registered foreign lawyer corporation against which disciplinary procedures have been initiated has changed its type to an attorney / registered foreign lawyer joint corporation pursuant to the provisions of Article 81, paragraph (1) (limited to the part relating to item (ii)), the

corporation is deemed not to have changed its type with respect to the application of the provisions of this Section and the following Section until the disciplinary procedures are completed.

Section 2 Registered Foreign Lawyers Disciplinary Actions Committee and Registered Foreign Lawyers Disciplinary Committee

(Establishment of a Registered Foreign Lawyers Disciplinary Actions Committee)

Article 88 (1) A Registered Foreign Lawyers Disciplinary Actions Committee is to be established within the Japan Federation of Bar Associations.

(2) On 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 a registered foreign lawyer corporation.

(Organization)

Article 89 (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 appoints eight committee members from attorneys, six from judges, two each from public prosecutors and government officials, 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, and the other committee members must be appointed based 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 39, 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 39, paragraph (4) of this Act, and Article 66-4, paragraph (2) of the Attorneys Act apply mutatis mutandis to the reserve committee members mentioned in the preceding paragraph. In this case, the phrase "the president of the bar association or the president of the Japan Federation of Bar Associations" in paragraph (2) of the same Article is

deemed to be replaced with "the chairperson."

- (7) The provisions of Article 66-2, paragraph (4) of the Attorneys Act apply mutatis mutandis to the chairperson, 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 90 (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 the registered foreign lawyer corporation against which disciplinary procedures were initiated of that fact.

- (2) The registered foreign lawyer or the 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 the member of a registered foreign lawyer corporation must follow the directions of the chairperson.

(3) The Registered Foreign Lawyers Disciplinary Actions Committee may request that the registered foreign lawyer or the registered foreign lawyer corporation against which disciplinary procedures were initiated, the person who has made the request under Article 85, 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 materials, if this is necessary for the Committee's examination.

- (4) The provisions of Articles 67-2 and 68 of the Attorneys 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 91 (1) A Registered Foreign Lawyers Disciplinary Committee is to be established within the Japan Federation of Bar Associations.

- (2) The Registered Foreign Lawyers Disciplinary Committee is to conduct the investigations mentioned in Article 85, paragraph (3).

(3) The Registered Foreign Lawyers Disciplinary 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, 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 Disciplinary Committee is to have a chairperson, elected by vote of its committee members.
- (6) The provisions of Article 39, paragraph (4) apply mutatis mutandis to the term of office of the committee members of the Registered Foreign Lawyers Disciplinary Committee.
- (7) The Registered Foreign Lawyers Disciplinary Committee is to have several reserve committee members.
- (8) The provisions of paragraph (4) and Article 39, paragraph (4) of this Act, and Article 70-5, paragraph (2) of the Attorneys Act apply mutatis mutandis to the reserve committee members mentioned in the preceding paragraph. In this case, the phrase "the president of bar association or the president of the Japan Federation of Bar Associations" in paragraph (2) of the same Article is deemed to be replaced with "the chairperson."
- (9) The provisions of Article 70-3, paragraph (4) of the Attorneys Act apply mutatis mutandis to the chairperson, committee members, and reserve committee members of the Registered Foreign Lawyers Disciplinary 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 Disciplinary Committee.

Section 3 Disciplinary Action against Attorney / Registered Foreign Lawyer Joint Corporations

(Grounds for Disciplinary Action and the Disciplinary Authority)

- Article 92 (1) Attorney / registered foreign lawyer joint corporations are subject to disciplinary action if they have violated this 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, or have caused damage to the good order or the reputation of the bar association to which they belong, or otherwise have misconducted themselves in a manner which undermines the dignity of the corporation, either in performing their professional duties or outside the professional context.
- (2) Disciplinary action is taken by the bar association to which the attorney / registered foreign lawyer joint corporation belongs.
 - (3) The grounds for disciplinary action taken by a bar association against attorney / registered foreign lawyer joint corporations having only a secondary

law office within the district of the bar association are limited to grounds relating to the secondary law office in that district.

(Types of Disciplinary Action)

Article 93 (1) Disciplinary action against attorney / registered foreign lawyer joint corporations is to consist of the following four types:

(i) admonition;

(ii) suspension of attorney / registered foreign lawyer joint corporations or their law office to practice for not more than two years;

(iii) order to withdraw from the bar association (limited to an order issued to attorney / registered foreign lawyer joint corporations with only a secondary law office within the district of the bar association); and

(iv) disbarment (limited to disbarment of attorney / registered foreign lawyer joint corporations whose main law office is located within the district of the bar association).

(2) The provisions of Article 57, paragraphs (3) and (4) of the Attorneys Act apply mutatis mutandis to disciplinary action against attorney / registered foreign lawyer joint corporations. In this case, the term "item (ii) of the preceding paragraph" in paragraph (3) of the same Article is deemed to be replaced with "Article 93, paragraph (1), item (ii) of the Act on the Handling of Legal Services by Foreign Lawyers"; and the term "paragraph (2)" in paragraph (4) of the same Article is deemed to be replaced with "Article 93, paragraph (1) of the Act on the Handling of Legal Services by Foreign Lawyers."

(Disciplinary Action Taken by the Japan Federation of Bar Associations)

Article 94 (1) If the Japan Federation of Bar Associations finds that it is appropriate to discipline attorney / registered foreign lawyer joint corporations regarding the cases provided for in Article 92, paragraph (1) ex officio, it may discipline the corporation pursuant to the provisions of Article 60, paragraphs (2) through (6) of the Attorneys Act as applied mutatis mutandis pursuant to the following paragraph.

(2) The provisions of Article 60, paragraphs (2) through (6) of the Attorneys Act apply mutatis mutandis to disciplinary procedures for attorney / registered foreign lawyer joint corporations. In this case, the term "accused attorney, etc." in paragraphs (3) through (6) of the same Article is deemed to be replaced with "attorney / registered foreign lawyer joint corporation against which disciplinary procedures have been initiated."

(Application Mutatis Mutandis of the Attorneys Act)

Article 95 The provisions of Article 57-2 of the Attorneys Act apply mutatis mutandis to attorney / registered foreign lawyer joint corporations that has

received disciplinary action; the provisions of Article 58 of the same Act apply mutatis mutandis to a request for disciplinary action against, investigation and examination of attorney / registered foreign lawyer joint corporations; the provisions of Article 59 of the same Act apply mutatis mutandis to administrative determination on a request for an administrative review filed by attorney / registered foreign lawyer joint corporations that has received disciplinary action; the provisions of Article 62 of the same Act apply mutatis mutandis to attorney / registered foreign lawyer joint corporations against which disciplinary procedures have been initiated; the provisions of Article 63 of the same Act apply mutatis mutandis to the disciplinary procedures for attorney / registered foreign lawyer joint corporations; the provisions of Article 64 through 64-5 of the same Act apply mutatis mutandis to filing of an objection by a person who has filed a request for disciplinary action against attorney / registered foreign lawyer joint corporations and examination of an objection, etc.; and the provisions of Article 64-6 and 64-7 of the same Act apply mutatis mutandis to a notice, etc. of disciplinary action against attorney / registered foreign lawyer joint corporations. In these cases, the term "item (iii) of paragraph (2) of the preceding Article" in Article 57-2, paragraph (2) of the same Act is deemed to be replaced with "Article 93, paragraph (1), item (iii) of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "accused attorney, etc. (meaning the "accused attorney or the legal professional corporation"; the same applies hereinafter)" in Article 58, paragraph (3) of the same Act and the term "accused attorney, etc." in paragraphs (4) through (6) of the same Article, and in Article 64, paragraph (1), Article 64-2 paragraphs (2) and (4), Article 64-5, paragraphs (2) through (4), Article 64-6, and Article 64-7 of the same Act are deemed to be replaced with "attorney / registered foreign lawyer joint corporation against which disciplinary procedures have been initiated"; the term "Article 56" in Article 59, paragraph (1) of the same Act is deemed to be replaced with "Article 92 of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "Attorneys Act" in paragraph (3) of the same Article is deemed to be replaced with "Attorneys Act as applied mutatis mutandis pursuant to Article 95 of the Act on the Handling of Legal Services by Foreign Lawyers (Act No. 66 of 1986)"; and the phrase "with respect to the application of the provisions of this Chapter" in Article 62, paragraphs (4) and (5) of the same Act is deemed to be replaced with "in relation to the disciplinary procedures."

(Examinations by Disciplinary Actions Committees of Bar Associations and the Japan Federation of Bar Associations)

Article 96 With respect to the application of the provisions of Article 65, paragraph (2), Article 67, Article 70, paragraphs (2) and (3), Article 70-7,

Article 71, paragraph (2), and Article 71-6 of the Attorneys Act in relation to attorney / registered foreign lawyer joint corporations, the term "an attorney or a legal professional corporation" in Article 65, paragraph (2) of the same Act is deemed to be replaced with "attorney / registered foreign lawyer joint corporations (meaning attorney / registered foreign lawyer joint corporations as provided in Article 2, item (vi) of the Act on the Handling of Legal Services by Foreign Lawyers; the same applies hereinafter)"; the term "accused attorney, etc." in Article 67, paragraphs (1) and (3), Article 70-7, Article 71, paragraph (2), and Article 71-6 of the same Act is deemed to be replaced with "attorney / registered foreign lawyer joint corporation against which disciplinary procedures have been initiated"; the term "An attorney or a member of a legal professional corporation subject to an examination" in Article 67, paragraph (2) of the same Act is deemed to be replaced with "A member of an attorney / registered foreign lawyer joint corporation subject to an examination"; the term "attorney or member of the legal professional corporation" in the same paragraph is deemed to be replaced with "member of an attorney / registered foreign lawyer joint corporation"; the term "attorneys and legal professional corporations" in Article 70, paragraphs (2) and (3) of the same Act is deemed to be replaced with "attorney / registered foreign lawyer joint corporations"; the term "Article 58, paragraph (2)" in paragraph (2) of the same Article is deemed to be replaced with "Article 58, paragraph (2) as applied mutatis mutandis pursuant to Article 95 of the Act on the Handling of Legal Services by Foreign Lawyers"; the term "Article 71-6, paragraph (2)" in the same paragraph and paragraph (3) of the same Article is deemed to be replaced with "Article 71-6, paragraph (2) as applied pursuant to Article 96 of the same Act following the deemed replacement of terms"; the term "Article 60, paragraph (2)" in the same paragraph is deemed to be replaced with "Article 60, paragraph (2) as applied mutatis mutandis pursuant to Article 94, paragraph (2) of the Act on the Handling of Legal Services by Foreign Lawyers"; and the term "Article 64-2, paragraph (1)" in the same paragraph is deemed to be replaced with "Article 64-2, paragraph (1) as applied mutatis mutandis pursuant to Article 95 of the same Act."

(Restrictions on Change of Type to a Registered Foreign Lawyer Corporations)
Article 97 Even when an attorney / registered foreign lawyer joint corporation against which disciplinary procedures have been initiated has changed its type to a registered foreign lawyer corporation pursuant to the provisions of Article 81, paragraph (2) (limited to the part relating to item (i)), the corporation is deemed to have not changed its type with respect to the application of the provisions of this Section until the disciplinary procedures are completed.

Chapter IX Miscellaneous Provisions

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

Article 98 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 law) may, notwithstanding the provisions of Article 72 of the Attorneys Act, act as a legal representative in international arbitration proceedings and international mediation 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 the laws and regulations of a foreign jurisdiction that corresponds to a disciplinary action prescribed in Article 84, paragraph (1), item (ii) of this Act or Article 57, paragraph (1), item (ii) of the Attorneys Act.

(Exemption from Application of the Administrative Complaint Review Act)

Article 99 The provisions of Chapter II, Section 4 of the Administrative Complaint Review Act (Act No. 68 of 2014) do not apply to a disposition concerning an approval that the Minister of Justice has granted after asking for the opinion of the Japan Federation of Bar Associations pursuant to the provisions of Article 12, paragraph (4) (including as applied *mutatis mutandis* pursuant to Article 16, paragraph (4), Article 17, paragraph (2), and Article 21, paragraph (3)), a disposition concerning revocation of approval pursuant to Article 16, paragraphs (1) through (3), or a disposition concerning a designation, and a request for review of a disposition of revocation of designation pursuant to the provisions of Article 21, paragraph (1) or (2).

(Exemption from Application of the Administrative Procedure Act)

Article 100 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.

(Restrictions on Requests for Administrative Review)

Article 101 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 Lawsuits)

Article 102 (1) A person whose registration has been refused pursuant to the provisions of Article 27, a person whose request for transfer of their registration has been refused pursuant to the provisions of Article 27 as applied mutatis mutandis pursuant to Article 29, paragraph (3), a person whose registration has been revoked pursuant to the provisions of Article 31, paragraph (2), a person who has received disciplinary action pursuant to the provisions of Article 83, or a person whose request for an administrative review of disciplinary action taken by a bar association pursuant to the provisions of Article 92 is dismissed or rejected, or a person who has received disciplinary action from the Japan Federation of Bar Associations pursuant to the provisions of Article 94 may file a lawsuit for the revocation of the disposition with the Tokyo High Court.

(2) A person who has made a request for registration or for transfer of registration may file a lawsuit referred to in the preceding paragraph by deeming that their registration or transfer 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.

(3) With respect to disciplinary actions taken by a bar association pursuant to the provisions of Article 92, an action for revocation may be filed only against the administrative determination on the disciplinary actions made by the Japan Federation of Bar Associations.

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

Article 103 (1) A person or entity which is not a registered foreign lawyer, a registered foreign lawyer corporation or an attorney / registered foreign lawyer joint corporation must not indicate or describe that they are "外国法事務弁護士" (romanized as "Gaikokuho-Jimu-Bengoshi", 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", meaning "office of registered foreign lawyer").

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

(3) An entity which is not an attorneys / registered foreign lawyer joint corporation must not include the word "弁護士・外国法事務弁護士共同法人" (romanized as "Bengoshi / Gaikokuho-Jimu-Bengoshi-Kyodo-Hojin," meaning "Attorney / Registered Foreign Lawyer Joint Corporation") in its name and

must not use a name similar thereto.

(Delegation to Orders of the Ministry of Justice)

Article 104 Beyond what is provided for in this Act, the procedures concerning permission and revocation thereof, and approval and revocation thereof, as well as other matters necessary for the enforcement of the provisions of Chapter III are specified by Ministry of Justice Order.

Chapter X Penal Provisions

Article 105 If a registered foreign lawyer provides legal services listed below in connection with their practice, they are subject to imprisonment for not more than two years or a fine of not more than 3,000,000 yen:

- (i) representation in a lawsuit (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 a request to extradite a fugitive;
- (iii) representation in complaint proceedings against an administrative agency in Japan, such as request for administrative review or request for re-investigation; or
- (iv) giving an expert opinion in writing regarding the interpretation or the application of law which is or was in effect in Japan (excluding treaties or other international law which is the law of the jurisdiction of primary qualification or designated law, or treaties or other international law which is included in the law of the specified foreign jurisdiction if they provide legal services concerning the law of a specified foreign jurisdiction pursuant to the provisions of Article 6, paragraph (1)).

Article 106 (1) A person who, by fraudulent or other unjust means, has had themselves registered in the roll of registered foreign lawyers or had a supplementary note concerning a designated law made on their registration, is subject to imprisonment 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 punitive measures.

Article 107 A person who violates the provisions of Article 26 of the Attorneys Act as applied mutatis mutandis pursuant to Article 55, paragraph (1) of this

Act or the provisions of Article 30-20 of the Attorneys Act as applied mutatis mutandis pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) of this Act, is subject to imprisonment for not more than three years.

Article 108 A person who violates the provisions of Article 27 or Article 28 of the Attorneys Act as applied mutatis mutandis pursuant to Article 55, paragraph (1), Article 67, paragraph (2), or Article 80, paragraph (1) of this Act, is subject to imprisonment for not more than two years or a fine of not more than 3,000,000 yen.

Article 109 (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 without legitimate grounds, that person is subject to imprisonment 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 on the filing of a criminal complaint.

Article 110 A person who violates the provisions of Article 103 is subject to punishment by a fine of not more than 1,000,000 yen.

Article 111 A person, in violation of the provisions of Article 955, paragraph (1) of the Companies Act (Act No. 86 of 2005) as applied mutatis mutandis pursuant to Article 30-28, paragraph (6) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2), Article 80, paragraph (1), or Article 82, paragraph (3) of this Act, who does not make an entry of or record particulars specified by Ministry of Justice Order regarding electronic public notice investigations prescribed in paragraph (1) in the investigation record book, etc., or who makes a false entry or recording in the investigation record book, or who does not retain the investigation record books, etc., is subject to punishment by a fine of not more than 300,000 yen.

Article 112 (1) If a registered foreign lawyer who is an employee of a legal professional corporation, a registered foreign lawyer who is a member or an employee of a registered foreign lawyer corporation, or an attorney who is an employee of a registered foreign lawyer corporation, or an attorney or a registered foreign lawyer who is a member or an employee of an attorney / registered foreign lawyer joint corporation, violates the following provisions in connection with the legal practice of that legal professional corporation, registered foreign lawyer corporation or attorney / registered foreign lawyer joint corporation, the person who performed the act is subject to punishment,

and in addition, the relevant legal professional corporation, registered foreign lawyer corporation or attorney / registered foreign lawyer joint corporation is subject to punishment by a fine as follows:

- (i) a fine prescribed in Article 105 for a violation of that Article;
 - (ii) a fine of not more than 3,000,000 yen for a violation of Article 107 (limited to the part relating to Article 30-20 of the Attorneys Act as applied *mutatis mutandis* pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) of this Act); or
 - (iii) a fine prescribed in Article 108 for a violation of that Article (limited to the part relating to Article 27 or Article 28 of the Attorneys Act as applied *mutatis mutandis* pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) of this Act).
- (2) If a representative of a corporation or the agent, the 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 a fine prescribed in the respective Articles.

Article 113 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 as applied *mutatis mutandis* pursuant to Article 30-28, paragraph (6) of the Attorneys Act, which is applied *mutatis mutandis* pursuant to Article 67, paragraph (2), Article 80, paragraph (1), or Article 82, paragraph (3) of this Act; or
- (ii) a person who, without legitimate grounds, rejects the requests listed in any item of Article 951, paragraph (2) or Article 955, paragraph (2) of the Companies Act as applied *mutatis mutandis* pursuant to Article 30-28, paragraph (6) of the Attorneys Act, which is applied *mutatis mutandis* pursuant to Article 67, paragraph (2), Article 80, paragraph (1), or Article 82, paragraph (3) of this Act.

Article 114 A member or a liquidator of a legal professional corporation, a registered foreign lawyer corporation, or an attorney / registered foreign lawyer joint 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 Attorneys Act as applied *mutatis mutandis* pursuant to Article 67, paragraph (2) or Article 80,

- paragraph (1) of this Act;
- (ii) carrying out a merger in violation of the provisions of Article 30-28, paragraph (2) or (5) of the Attorneys Act as applied mutatis mutandis pursuant to Article 67, paragraph (2), Article 80, paragraph (1), or Article 82, paragraph (3) of this Act;
 - (iii) failing to request an investigation in violation of the provisions of Article 941 of the Companies Act as applied mutatis mutandis pursuant to Article 30-28, paragraph (6) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2), Article 80, paragraph (1), or Article 82, paragraph (3) 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 as applied mutatis mutandis pursuant to Article 30-30, paragraph(1) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2) or Article 80, paragraph (1), or balance sheets under Article 617, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis pursuant to Article 30-30, paragraph (1) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) of this Act;
 - (v) failing to file a petition for commencement of bankruptcy proceedings in violation of the provisions of Article 656, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 30-30, paragraph (2) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) of this Act;
 - (vi) distributing the corporation's assets in violation of the provisions of Article 664 of the Companies Act as applied mutatis mutandis pursuant to Article 30-30, paragraph (2) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) 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 as applied mutatis mutandis pursuant to Article 30-30, paragraph (2) of the Attorneys Act, which is applied mutatis mutandis pursuant to Article 67, paragraph (2) or Article 80, paragraph (1) of this Act.