

Regulation for Enforcement of the Administrative Complaint Review Act (Tentative translation)

(Order of the Ministry of Internal Affairs and Communications No. 5 of January 29, 2016)

Based on the provisions of Article 8 of the Order for Enforcement of the Administrative Complaint Review Act (Cabinet Order No. 391 of 2015) (including the cases as applied mutatis mutandis in Article 18, Article 19, paragraph (1), and Article 22 of the relevant Order), the provisions of Article 12, paragraph (2), item (iii), and Article 14, paragraph (1) of the relevant Order (including the cases where these provisions are applied mutatis mutandis in Article 19, paragraph (1) and Article 23 of the relevant Order), and the provisions of Article 16 of the relevant Order (including the cases as applied mutatis mutandis in Article 19, paragraph (1) of the relevant Order), the Regulation for Enforcement of the Administrative Complaint Review Act is hereby enacted.

(Stating an Opinion Orally through Communication by Audio and Visual Transmissions)

Article 1 When undertaking proceedings on the date of stating an opinion orally by the method prescribed in Article 8 of the Order for Enforcement of the Administrative Complaint Review Act (hereinafter referred to as the "Order") (including the cases as applied mutatis mutandis by replacing the terms in Article 18 and Article 19, paragraph (1) of the Order), a review officer (or the reviewing agency in the case prescribed in Article 9, paragraph (3) of the Administrative Complaint Review Act (Act No. 68 of 2014; hereinafter referred to as the "Act")); the agency reaching the disposition in the case of a request for re-investigation; or the re-examining agency when the re-examining agency falls under any of the agencies set forth in the items of Article 9, paragraph (1) of the Act as applied mutatis mutandis in Article 66, paragraph (1) of the Act) should hear the opinions of the persons concerned with proceedings (when the agency, etc. reaching the disposition falls under the reviewing agency in the case prescribed in Article 9, paragraph (3) of the Act, meaning the requestor for review and intervenors, and in the case of a request for re-investigation, meaning the requestor for re-investigation and intervenors; hereinafter, the same applies in this Article) and designate a place where equipment necessary for undertaking proceedings is installed and that the review officer finds appropriate for each of the persons concerned with proceedings.

(Payment of Fees)

Article 2 Deleted

(Method of Paying Expenses Required for Sending)

Article 3 The method specified by Order of the Ministry of Internal Affairs and Communications set forth in Article 14, paragraph (1) of the Order (including the cases as applied mutatis mutandis by replacing the terms in Article 19, paragraph (1) of the Order) is to be either of the following:

- (i) the method of making a payment with postal stamps or other voucher equivalent thereto as specified by the Minister of Internal Affairs and Communications; and
- (ii) when having requested the delivery pursuant to the provisions of Article 38, paragraph (1) of the Act (including the cases as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1) of the Act) by the method of using an electronic data processing system prescribed in Article 6, paragraph (1) of the Act on the Advancement of Government Administration Processes That Use Information and Communications Technology (Act No. 151 of 2002) pursuant to the provisions of the relevant paragraph, the method of making a payment based on the payment information obtained through the request.

(Submission of Review Officer's Written Opinions)

Article 4 The documents specified by Order of the Ministry of Internal Affairs and Communications prescribed in Article 16 of the Order (including the cases as applied mutatis mutandis by replacing the terms in Article 19, paragraph (1) of the Order) are to be as follows (including electronic or magnetic records and excluding those falling under the case record):

- (i) an application for permission set forth in Article 13, paragraph (1) of the Act (including the cases as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1) of the Act; the same applies in the following item), or other notices that has been filed with the review officer by the person concerned with proceedings or other persons concerned;
- (ii) permission set forth in Article 13, paragraph (1) of the Act, or other notices that the review officer has granted to the person concerned with proceedings or other persons concerned; and
- (iii) other documents that the review officer finds necessary.

(Mutatis Mutandis Application to Study and Deliberation Procedures of the Administrative Complaint Review Board)

Article 5 The provisions of Article 1 apply mutatis mutandis to the statement of opinions under Article 75, paragraph (1) of the Act, and the provisions of Article 3 apply mutatis mutandis to the delivery under Article 78, paragraph (1) of the Act. In this case, in the provisions set forth in the left-hand column of

the following Table, the terms set forth in the middle column of the relevant table are deemed to be replaced with the terms set forth respectively in the right-hand column of the relevant table.

Article 1	Article 8 of the Order for Enforcement of the Administrative Complaint Review Act (hereinafter referred to as the "Order") (including the cases as applied mutatis mutandis by replacing the terms in Article 18 and Article 19, paragraph (1) of the Order)	Article 8 of the Order for Enforcement of the Administrative Complaint Review Act (hereinafter referred to as the "Order") as applied mutatis mutandis by replacing the terms in Article 22
	undertaking proceedings	undertaking study and deliberation procedures
	the persons concerned with proceedings (when the agency reaching the disposition, etc. falls under the reviewing agency in the case prescribed in Article 9, paragraph (3) of the Act, meaning the requestor for review and intervenors, and in the case of a request for re-investigation, meaning the requestor for re-investigation and intervenors; hereinafter, the same applies in this Article)	the persons concerned with the review
	undertaking proceedings	undertaking study and deliberation procedures

	a review officer (or the reviewing agency in the case prescribed in Article 9, paragraph (3) of the Administrative Complaint Review Act (Act No. 68 of 2014; hereinafter referred to as the "Act"); the agency reaching the disposition in the case of a request for re-investigation ; or the re-examination agency when the re-examination agency falls under any of the agencies set forth in the items of Article 9, paragraph (1) of the Act as applied mutatis mutandis in Article 66, paragraph (1) of the Act)	the administrative complaint review board
	each of the persons concerned with proceedings	each of the persons concerned with the review
Article 3	Article 14, paragraph (1) of the Order (including the cases as applied mutatis mutandis by replacing the terms in Article 19, paragraph (1) of the Order)	Article 14, paragraph (1) of the Order as applied mutatis mutandis by replacing the terms in Article 23 of the Order

Supplementary Provisions

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the effective date of the Act (April 1, 2016).