

裁判外紛争解決手続の利用の促進に関する法律施行令 Order for Enforcement of the Act on Promotion of Use of Alternative Dispute Resolution

(平成十八年四月二十八日政令第百八十六号)
(Cabinet Order No. 186 of April 28, 2006)

内閣は、裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第一号ただし書並びに第七条第九号及び第十号の規定に基づき、この政令を制定する。

The Cabinet thus enacts this Cabinet Order based on the provisions of the proviso of Article 2, item (i) and Article 7, item (ix) and item (x) of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004).

(民間紛争解決手続に該当しない裁判外紛争解決手続)

(Alternative Dispute Resolution Procedures Not Falling under Private Dispute Resolution Procedures)

第一条 裁判外紛争解決手続の利用の促進に関する法律（以下「法」という。）第二条第一号ただし書の政令で定める裁判外紛争解決手続は、次に掲げるものとする。

Article 1 The alternative dispute resolution procedures specified by a Cabinet Order as stated in the proviso of Article 2, item (i) of the Act on Promotion of Use of Alternative Dispute Resolution (below referred to as the "Act") are as follows

一 自動車損害賠償保障法（昭和三十年法律第九十七号）第三章第二節の二の規定により指定紛争処理機関（同法第二十三条の五第二項に規定する指定紛争処理機関をいう。）が行う調停の手続

(i) a conciliation procedure carried out by a designated dispute resolution organization (which means a designated dispute resolution organization prescribed in Article 23-5, paragraph (2) of the Act on Securing Compensation for Automobile Accidents (Act No. 97 of 1955)) pursuant to the provisions of Chapter III, Section 2-2 of the same Act

二 住宅の品質確保の促進等に関する法律（平成十一年法律第八十一号）第六章第一節の規定により指定住宅紛争処理機関（同法第六十六条第二項に規定する指定住宅紛争処理機関をいう。）が行うあっせん及び調停の手続

(ii) A mediation procedure and a conciliation procedure carried out by a designated housing dispute resolution organization (which is a designated housing dispute resolution organization prescribed in Article 66, paragraph (2) of the Housing Quality Assurance Act (Act No. 81 of 1999)) pursuant to the provisions of Chapter VI, Section 1 of the same Act

(法第七条第九号及び第十号の政令で定める使用人)

(Employee Specified by a Cabinet Order as Stated in Article 7, item (ix) and item (x) of the Act)

第二条 法第七条第九号及び第十号の政令で定める使用人は、法第五条の認証の申請をした者の使用人であって、民間紛争解決手続の業務に関し法第八条第一項第二号の事務所の業務を統括する者及びこれに準ずる者として法務省令で定める者とする。

Article 2 The employee specified by Cabinet Order as stated in Article 7, item (ix) and item (x) of the Act is an employee of a person who has filed an application for the certification stated in Article 5 of the Act and who is specified by Ministry of Justice Order to be a person who supervises private dispute resolution services at an office stated in Article 8, paragraph (1), item (ii) of the Act or an equivalent person.

(認証の申請に係る手数料の額)

(Amount of the Fee for an Application for Certification)

第三条 法第八条第三項の政令で定める手数料の額は、申請一件につき十四万五千円とする。

Article 3 (1) The amount of the fee specified by Cabinet Order as stated in Article 8, paragraph (3) of the Act is 145,000 yen per application.

2 法第十二条第四項において準用する法第八条第三項の政令で定める手数料の額は、申請一件につき六万六千円とする。

(2) The amount of the fee specified by Cabinet Order as stated in Article 8, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 12, paragraph (4) of the Act is 60,600 yen per application.

附 則

Supplementary Provisions

この政令は、法の施行の日（平成十九年四月一日）から施行する。

This Cabinet Order comes into effect as of the day of enforcement of the Act (April 1, 2007).

附 則 〔平成十九年二月二日政令第十七号〕

Supplementary Provisions [Cabinet Order No. 17 of February 2, 2007]

この政令は、公布の日から施行する。

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

附 則 〔平成二十三年十二月二十一日政令第四百三号〕

Supplementary Provisions [Cabinet Order No. 403 of December 21, 2011]

(施行期日)

(Effective Date)

第一条 この政令は、平成二十四年一月七日から施行する。

Article 1 This Cabinet Order comes into effect as of January 7, 2012.

(経過措置)

(Transitional Measures)

第二条 この政令の施行前に電子申請（行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）第三条第一項の規定により同項に規定する電子情報処理組織を使用して行う申請をいう。）をした者が納付すべき裁判外紛争解決手続の利用の促進に関する法律第八条第三項（同法第十二条第四項において準用する場合を含む。）の手数料については、なお従前の例による。

Article 2 With regard to the fees stated in Article 8, paragraph (3) of the Act on Promotion of Use of Alternative Dispute Resolution (including as applied mutatis mutandis pursuant to Article 12, paragraph (4) of the same Act) to be paid by a person who has filed an electronic application (meaning an application filed by using the electronic data processing system prescribed in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedure (Act No. 151 of 2002), pursuant to the provisions of the same paragraph) prior to the enforcement of this Cabinet Order, prior laws continue to govern.