

Deposit Act (Act No. 15 of February 8, 1899)

(Act No. 15 of 1899)

Article 1 Money and securities to be deposited pursuant to the provisions of laws and orders are retained by the Legal Affairs Bureau, District Legal Affairs Bureau, its branch bureaus, or a small branch office of any of these bureaus designated by the Minister of Justice as the official depository.

Article 1-2 Affairs at an official depository are handled by an official of the Ministry of Justice who works at the Legal Affairs Bureau, District Legal Affairs Bureau, its branch bureau, or a small branch office of any of these bureaus and who is designated by the Director of the Legal Affairs Bureau or District Legal Affairs Bureau as a depository officer.

Article 1-3 The provisions of Chapter II of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to the disposition of a depository officer.

Article 1-4 A person who is dissatisfied with a disposition made by a depository officer or who has filed an application for a disposition related to inaction by a depository officer, may file a request for review with the Director of a supervising Legal Affairs Bureau or District Legal Affairs Bureau.

Article 1-5 A request for review must be filed through the depository officer.

Article 1-6 (1) If the depository officer finds a request for review regarding a disposition to be well-grounded or finds it necessary to implement a disposition concerning inaction on a request for review, the depository officer must implement a reasonable disposition and notify the requestor for review to that effect.

(2) In addition to what is prescribed in the preceding paragraph, the depository officer must attach their opinion and send it to the Director of a supervising Legal Affairs Bureau or District Legal Affairs Bureau within five days from the day on which the request for review was filed. In such a case, the Director of a supervising Legal Affairs Bureau or District Legal Affairs Bureau is to send that opinion to the review officer prescribed in Article 11, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014).

Article 1-7 (1) If the Director of a Legal Affairs Bureau or District Legal Affairs Bureau finds a request for review regarding a disposition to be well-grounded or finds it necessary to implement a disposition concerning inaction on a request for review, the Director must order the depository officer to implement a reasonable disposition.

(2) If the Director of the Legal Affairs Bureau or District Legal Affairs Bureau finds it necessary to deny an application for disposition concerning inaction on a request for review, the Director must order the depository officer to implement a disposition to deny the application.

Article 1-8 In applying the provisions of the Administrative Complaint Review Act to the request for review referred to in Article 1-4, the phrase "administrative

agency, etc. reaching the disposition" in Article 29, paragraph (5) of that Act is deemed to be replaced with "reviewing agency," the phrase "a written explanation has been submitted" in that paragraph is deemed to be replaced with "opinions prescribed in Article 1-6, paragraph (2) of the Deposit Act (Act No. 15 of 1899) are sent," and the term "written explanation" in Article 30, paragraph (1) of that Act is deemed to be replaced with "opinions referred to in Article 1-6, paragraph (2) of the Deposit Act".

Article 1-9 The provisions of Article 13, Article 18, Article 21, Article 25, paragraphs (2) through (7), Article 29, paragraphs (1) through (4), Article 31, Article 37, Article 45, paragraph (3), Article 46, Article 47, Article 49, paragraph (3) (excluding the part related to a declaration that inaction on a request for review is illegal or unjust) through paragraph (5), and Article 52 of the Administrative Complaint Review Act do not apply to the request for review referred to in Article 1-4.

Article 2 A person who seeks to make a deposit with an official depository must prepare a deposit document using the form specified by the Minister of Justice and submit the deposit document along with the deposited property.

Article 3 Interest must be accrued on deposited money pursuant to the provisions of Ministry of Justice Order.

Article 4 (1) An official depository receives redemption money, interest, or dividends of securities that are subject of a deposit, upon the request of a person who is to receive the deposited property, and retains the deposited property in lieu of or as a supplement to the deposited property; provided, however, that if securities are deposited in lieu of security money, the depositor may request payment of their interest or dividends.

Article 5 The Minister of Justice may designate a warehouse owner or a bank that is required to retain money or articles that are not securities to be deposited pursuant to the provisions of laws and regulations.

2. a warehouse owner or a bank has the duty to retain the things that fall under their line of business, limited to the quantity that they can retain.

Article 6 A person who seeks to make a deposit with a warehouse owner or a bank must prepare a deposit document using the form specified by the Minister of Justice, and deliver the deposit document along with the property to be deposited.

Article 7 A warehouse owner or a bank may charge a storage fee that is generally charged for the same type of things to the person who is to receive the deposited property under the provisions of Article 5, paragraph (1).

Article 8 A person who requests to receive a refund of deposited property must prove their right as provided for by the Minister of Justice.

2. The depositor may not recover deposited property unless the depositor proves that the provisions of Article 496 of the Civil Code apply, that the deposit was made by mistake, or that the cause of the deposit has ceased to exist.

Article 9 If a depositor designates a person that does not have the right to receive the deposited property, the deposit is void.

Article 10 If a person who is to receive the deposited property is required to provide a counter-performance, the person may not receive the deposited property unless the person proves that the performance was provided by the depositor's document, a judicial decision, notarial instrument, or other authenticated documents.

Supplementary Provisions

Article 11 This Act comes into effect on April 1, 1899.

Article 12 Interest referred to in Article 3 must be accrued for the money deposited before this Act comes into effect from the month this Act came into effect to the month preceding the month in which the payment request is made.

Article 13 The provisions of Article 4, Article 8, and Article 10 also apply to things deposited before this Act comes into effect.

Article 14 The Imperial Order No. 145 of 1890, Deposit Regulations is repealed on the date on which this Act comes into effect.

Article 15 Interest during the period from April 1, 1982 to March 31, 1991 is not to be accrued, notwithstanding the provisions of Article 3.

Supplementary Provisions (Act No. 69 of April 12, 1921)

(1) The effective date of this Act is specified by Imperial Order.

(2) The necessary provisions on deposits made before the enforcement of this Act are established by Imperial Order.

(3) Until otherwise provided for by law, the Attorney General may have a bank that the Attorney General finds to be appropriate handle the deposit affairs under the provisions of Article 1, at places other than where an official depository is located.