

供託法（明治三十二年二月八日法律第十五号）

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

(明治三十二年法律第十五号)

(Act No. 15 of 1899)

第一条 法令ノ規定ニ依リテ供託スル金銭及ヒ有価証券ハ法務局若ハ地方法務局若ハ此等ノ支局又ハ法務大臣ノ指定スル此等ノ出張所カ供託所トシテ之ヲ保管ス

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.

第一条ノ二 供託所ニ於ケル事務ハ法務局若ハ地方法務局若ハ此等ノ支局又ハ此等ノ出張所ニ勤務スル法務事務官ニシテ法務局又ハ地方法務局ノ長ノ指定シタル者カ供託官トシテ之ヲ取扱フ

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.

第一条ノ三 供託官ノ処分ニ付テハ行政手続法(平成五年法律第八十八号)第二章ノ規定ハ之ヲ適用セズ

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.

第一条ノ四 供託官ノ処分ニ不服アル者又ハ供託官ノ不作為ニ係ル処分ノ申請ヲ為シタル者ハ監督法務局又ハ地方法務局ノ長ニ審査請求ヲ為スコトヲ得

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.

第一条ノ五 審査請求ハ供託官ヲ經由シテ之ヲ為スコトヲ要ス

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

第一条ノ六 供託官ハ処分ニ付テノ審査請求ヲ理由アリト認ムルトキ又ハ審査請求ニ係ル不作為ニ係ル処分ヲ為スベキモノト認ムルトキハ相当ノ処分ヲ為シテ其旨ヲ審査請求人ニ通知スルコトヲ要ス

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 供託官ハ前項ニ規定スル場合ヲ除クノ外意見ヲ付シ審査請求アリタル日ヨリ五日内ニ之ヲ監督法務局又ハ地方法務局ノ長ニ送付スルコトヲ要ス此ノ場合ニ於テ監督法務

局又ハ地方法務局ノ長ハ当該意見ヲ行政不服審査法(平成二十六年法律第六十八号)第十一条第二項ニ規定スル審理員ニ送付スルモノトス

(2) In addition to what is prescribed in the preceding paragraph, the depositary 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).

第一条ノ七 法務局又ハ地方法務局ノ長ハ処分ニ付テノ審査請求ヲ理由アリト認ムルトキ又ハ審査請求ニ係ル不作為ニ係ル処分ヲ為スベキモノト認ムルトキハ供託官ニ相当ノ処分ヲ命スルコトヲ要ス

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 depositary officer to implement a reasonable disposition.

② 法務局又ハ地方法務局ノ長ハ審査請求ニ係ル不作為ニ係ル処分ノ申請ヲ却下スベキモノト認ムルトキハ供託官ニ当該申請ヲ却下スル処分ヲ命ズルコトヲ要ス

(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 depositary officer to implement a disposition to deny the application.

第一条ノ八 第一条ノ四ノ審査請求ニ関スル行政不服審査法ノ規定ノ適用ニ付テハ同法第二十九条第五項中「処分庁等」トアルハ「審査庁」ト、「弁明書ノ提出」トアルハ「供託法(明治三十二年法律第十五号)第一条ノ六第二項に規定する意見ノ送付」ト、同法第三十条第一項中「弁明書」トアルハ「供託法第一条ノ六第二項ノ意見」トス

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".

第一条ノ九 行政不服審査法第十三条、第十八条、第二十一条、第二十五条第二項乃至第七項、第二十九条第一項乃至第四項、第三十一条、第三十七条、第四十五条第三項、第四十六条、第四十七条、第四十九条第三項(審査請求ニ係ル不作為ガ違法又ハ不当ナル旨ノ宣言ニ係ル部分ヲ除ク)乃至第五項及ビ第五十二条ノ規定ハ第一条ノ四ノ審査請求ニ付テハ之ヲ適用セズ

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.

第二条 供託所ニ供託ヲ為サント欲スル者ハ法務大臣カ定メタル書式ニ依リテ供託書ヲ作り供託物ニ添ヘテ之ヲ差出タスコトヲ要ス

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.

第三条 供託金ニハ法務省令ノ定ムル所ニ依リ利息ヲ付スルコトヲ要ス

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

第四条 供託所ハ供託物ヲ受取ルヘキ者ノ請求ニ因リ供託ノ目的タル有価証券ノ償還金、利息又ハ配当金ヲ受取り供託物ニ代ヘ又ハ其従トシテ之ヲ保管ス但保証金ニ代ヘテ有価証券ヲ供託シタル場合ニ於テハ供託者ハ其利息又ハ配当金ノ払渡ヲ請求スルコトヲ得

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.

第五条 法務大臣ハ法令ノ規定ニ依リテ供託スル金銭又ハ有価証券ニ非サル物品ヲ保管スヘキ倉庫営業者又ハ銀行ヲ指定スルコトヲ得

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 倉庫営業者又ハ銀行ハ其営業ノ部類ニ属スル物ニシテ其保管シ得ヘキ数量ニ限り之ヲ保管スル義務ヲ負フ

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.

第六条 倉庫営業者又ハ銀行ニ供託ヲ為サント欲スル者ハ法務大臣カ定メタル書式ニ依リテ供託書ヲ作り供託物ニ添ヘテ之ヲ交付スルコトヲ要ス

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.

第七条 倉庫営業者又ハ銀行ハ第五条第一項ノ規定ニ依ル供託物ヲ受取ルヘキ者ニ対シ一般ニ同種ノ物ニ付テ請求スル保管料ヲ請求スルコトヲ得

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).

第八条 供託物ノ還付ヲ請求スル者ハ法務大臣ノ定ムル所ニ依リ其権利ヲ証明スルコトヲ要ス

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 供託者ハ民法第四百九十六条ノ規定ニ依レルコト、供託カ錯誤ニ出テシコト又ハ其原因カ消滅シタルコトヲ証明スルニ非サレハ供託物ヲ取戻スコトヲ得ス

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.

第九条 供託者カ供託物ヲ受取ル権利ヲ有セサル者ヲ指定シタルトキハ其供託ハ無効トス

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

第十条 供託物ヲ受取ルヘキ者カ反対給付ヲ為スヘキ場合ニ於テハ供託者ノ書面又ハ裁判、公正証書其他ノ公正ノ書面ニ依リ其給付アリタルコトヲ証明スルニ非サレハ供託物ヲ受取ルコトヲ得ス

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.

附 則

Supplementary Provisions

第十一条 本法ハ明治三十二年四月一日ヨリ之ヲ施行ス

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

第十二条 本法施行前ニ供託シタル金銭ニハ其施行ノ月ヨリ払渡請求ノ前月マテ第三条ノ利息ヲ附スルコトヲ要ス

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.

第十三条 第四条、第八条及ヒ第十条ノ規定ハ本法施行前ニ供託シタル物ニモ亦之ヲ適用ス

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

第十四条 明治二十三年勅令第四百四十五号供託規則ハ本法施行ノ日ヨリ之ヲ廃止ス

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

第十五条 昭和五十七年四月一日ヨリ昭和六十六年三月三十一日マデノ間ノ利息ハ第三条ノ規定ニ拘ラズ之ヲ付セズ

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.

附 則 (大正一〇年四月一二日法律第六九号)

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

① 本法施行ノ期日ハ勅令ヲ以テ之ヲ定ム

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

② 本法施行前為シタル供託ニ関シ必要ナル規定ハ勅令ヲ以テ之ヲ定ム

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

③ 供託所所在地外ニ於テハ法務総裁ハ当分ノ内其ノ適当ト認ムル銀行ヲシテ第一条ノ規定ニ依ル供託事務ヲ取扱ハシムルコトヲ得

(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.