

Act to Promote the Utilization of Electronic Civil Court Information (Act No. 49 of May 30, 2025)

(Act No. 49 of 2025)

(Purpose)

Article 1 The purpose of this Act is to provide for the responsibilities of the national government, the formulation of basic policy by the Minister of Justice, and the designation of corporations to perform the business of processing and providing civil court information to third parties with regard to the promotion of the utilization of electronic civil court information, in light of the fact that demand for civil court information is diversifying as a result of the development of a digital society, in order to develop a foundation for the appropriate and effective utilization of electronic civil court information, and thereby to contribute to the development of a creative and vibrant society.

(Definitions)

Article 2 (1) In this Act, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

(i) civil court information: information recorded in the following electronic or magnetic record (meaning a record used in computerized information processing which is created in electronic form, magnetic form, or any other form that cannot be perceived by the human senses; the same applies hereinafter) prepared in civil litigation proceedings and administrative case litigation proceedings:

(a) an electronic judgment (meaning an electronic judgment as prescribed in Article 252, paragraph (1) of the Code of Civil Procedure (Act No. 109 of 1996), and limited to one that is recorded in a file stored on a computer (including an input and output device) used by the court pursuant to the provisions of Article 253, paragraph (2) of that Code (hereinafter simply referred to as a "file" in this item));

(b) electronic record of Article 254, paragraph (2) under the Code of Civil Procedure (limited to those recorded in a file pursuant to the provisions of Article 160, paragraph (2) under the Code);

(c) an electronic written ruling (meaning an electronic or magnetic record prepared pursuant to the provisions of Article 122 of the Code of Civil Procedure as applied mutatis mutandis pursuant to Article 252, paragraph (1) of that Code, and limited to one that is recorded in a file pursuant to the provisions of Article 122 of that Code as applied mutatis mutandis pursuant to Article 253, paragraph (2) of that Code), which is specified by Order of Ministry of Justice Order as being related to a judicial decision that can be used as a reference for the interpretation and application of laws and regulations;

(ii) retained civil court information: civil court information recorded in an electronic or magnetic record which a designated corporation prescribed in Article 5,

paragraph (2) has received from the Supreme Court pursuant to the provisions of Article 7, paragraph (1), and which is held by the designated corporation;

(iii) pseudonymized civil court information: information obtained by processing retained civil court information so that a specific person cannot be identified unless a measure is taken to delete all or part of the name, date of birth, or other information that can identify a specific person (excluding a judge who has made a judicial decision related to the retained civil court information or any other person specified by Ministry of Justice Order as a person whose rights and interests are found unlikely to be harmed even if the measures prescribed in this item are not taken; hereinafter the same applies in this item and Article 13) and the individual identification code (meaning the individual identification code prescribed in Article 2, paragraph (2) of the Act on the Protection of Personal Information (Act No. 57 of 2003); hereinafter the same applies in this item) contained in the retained civil court information (including replacing the information and the individual identification code with other information by a method that does not have the regularity to enable restoration of the information and the individual identification code), and the processed information is compared with other information;

(iv) civil court related information: information that is related to civil court information, which is specified by Order of Ministry of Justice Order as information that contributes to furthering the utilization of civil court information, such as the fact that an appeal has been filed with regard to a judicial decision that involves that civil court information;

(2) When the Minister of Justice enacts, amends or repeals a Ministry of Justice Order as referred to in item (i), (c) or item (iv) of the preceding paragraph, the Minister must hear the opinion of the Supreme Court in advance.

(Responsibilities of the State)

Article 3 (1) In order to achieve the purpose of this Act, the government is to formulate and implement measures to promote the utilization of civil court information, and to endeavor to take the necessary measures for the appropriate implementation of those measures in cooperation with the Supreme Court and other relevant parties.

(2) In order to promote the utilization of electronic civil court information, the Supreme Court is to provide electronic or magnetic records in which civil court information is recorded and take other necessary measures.

(Basic Policy)

Article 4 (1) The Minister of Justice must establish the basic policy for promoting the utilization of electronic civil court information (hereinafter referred to as the "basic policy" in this Article and Article 8, paragraph (1)).

(2) The basic policy is to provide for the following matters:

(i) matters concerning the significance of promoting the utilization of civil court information;

(ii) basic matters concerning measures for promoting the utilization of civil court information;

(iii) basic matters concerning the management and provision of retained civil court information;

(iv) beyond what is set forth in the preceding three items, important particulars concerning the promotion of the utilization of civil court information.

(3) When establishing the basic policy, the Minister of Justice must hear the opinion of the Supreme Court in advance.

(4) Upon establishing the basic policy, the Minister of Justice must make them public without delay.

(5) The provisions of the preceding two paragraphs apply mutatis mutandis to any changes to the basic policy.

(Designation)

Article 5 (1) The Minister of Justice may designate a general incorporated association, general incorporated foundation, or any other non-profit corporation that satisfies the following requirements, upon their application, as the sole entity in the country that provides the services set forth in the items of paragraph (1) of the following Article (hereinafter referred to as the "business of management and provision of civil court information "):

(i) it has the necessary financial basis and technical capability to perform business of management and provision of civil court information properly and reliably;

(ii) the composition of its officers or employees is not likely to hinder the fair performance of the business of management and provision of civil court information;

(iii) if it conducts business other than the business of management and provision of civil court information, such business must not pose a risk of rendering the business of management and provision of civil court information unfair;

(iv) not be a corporation whose designation has been revoked pursuant to the provisions of Article 18, paragraph (1), and for which five years have not elapsed since the date of such revocation;

(v) there is no person falling under any of the following among the officers:

(a) a person who has been sentenced to imprisonment without work or a heavier punishment, and for whom five years have not passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

(b) a person that has been sentenced to a fine for violating the provisions of this Act, if five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement.

(2) When the Minister of Justice makes a designation under the preceding paragraph, the Minister is to give public notice of the name of the designee

(hereinafter referred to as the "Designated Corporation"), the location of its principal office, and the date on which the designation was made.

(3) If a designated corporation intends to change its name or the location of its principal office, it must notify the Minister of Justice to that effect no later than two weeks prior to the date of the intended change.

(4) When a notification under the preceding paragraph has been filed, the Minister of Justice is to give public notice to that effect.

(5) If a designated corporation appoints or dismisses an officer, it must notify the Minister of Justice to that effect without delay.

(Business)

Article 6 (1) A designated corporation is to perform the following business pursuant to the provisions of this Act and the operational rules as prescribed in Article 8, paragraph (1):

(i) preparing pseudonymized civil court information by organizing and processing retained civil court information, in order to develop a database of pseudonymized civil court information that is sufficient to meet general demand;

(ii) providing pseudonymized civil court information by electronic or magnetic means (meaning a means of using an electronic data processing system or any other means of using information and communications technology, which is specified by Ministry of Justice Order) to a person who intends to use pseudonymized civil court information;

(iii) managing retained civil court information, information deleted from the retained civil court information by the measures prescribed in Article 2, paragraph (1), item (iii) (referred to as "deleted information" in Article 20), information on the method of processing performed pursuant to the provisions of Article 13, paragraph (1), pseudonymized civil court information, and civil court related information collected and organized as prescribed in paragraph (2) of the following Article (hereinafter referred to as "retained civil court information, etc.");

(iv) performing business incidental to the business set forth in the preceding three items.

(2) In addition to the business of management and provision of civil court information, a designated corporation may conduct investigation and research services that contribute to the enhancement of the judicial system by using pseudonymized civil court information and the civil court related information collected and organized as prescribed in paragraph (2) of the following Article (referred to as "pseudonymized civil court information, etc." in Article 12).

(Request for Provision of Information)

Article 7 (1) In order to conduct business of management and provision of civil court information, a designated corporation may request the Supreme Court to provide electronic or magnetic records set forth in Article 2, paragraph (1), item (i), (a) through (c) (excluding the part for which a request for inspection, etc. of the

electronic or magnetic case record prescribed in Article 45, paragraph (5), item (ii) of the Code of Civil Procedure is restricted pursuant to the provisions of Article 92, paragraph (1) of the same Code or other laws and regulations) with the matters recorded therein, as provided for by the Rules of the Supreme Court.

(2) In order to perform business of management and provision of civil court information, a designated corporation is to collect and organize civil court related information and to endeavor to provide the collected and organized civil court related information to persons who intend to use pseudonymized civil court information.

(Operational Rules)

Article 8 (1) In accordance with the basic policy, a designated corporation must establish operational rules for the business of management and provision of civil court information (hereinafter referred to as "Operational Rules" in this Article and Article 18, paragraph (1), item (iv)) and obtain approval of the Minister of Justice. The same applies when a designated corporation intends to change them.

(2) The operational rules must provide for the following matters:

(i) matters concerning the method of processing retained civil court information;

(ii) matters concerning the conclusion of a contract for the provision of pseudonymized civil court information (referred to as an "information provision contract" in Articles 10 and 12);

(iii) matters concerning the prevention of the leaking, loss, or damage of the retained civil court information, etc. and other matters concerning the security management of the retained civil court information, etc.;

(iv) matters concerning fees;

(v) matters concerning the handling of complaints; and

(vi) beyond what is listed in the preceding items, matters necessary for conducting the business of management and provision of civil court information as specified by Ministry of Justice Order.

(3) If the Minister of Justice finds that the operational rules that have been granted the approval referred to in paragraph (1) have become inappropriate for the proper and reliable implementation of business of management and provision of civil court information, the Minister may order a designated corporation to change the operational rules.

(Business Plan)

Article 9 (1) A designated corporation must prepare a business plan and an income and expenditure budget for each business year, and obtain approval of the Minister of Justice prior to the commencement of the relevant business year (or without delay after designation under the provisions of Article 5, paragraph (1) in the case of a business year that contains the date of designation). The same applies when a designated corporation intends to change them.

(2) Each business year, a designated corporation must prepare a business report and statement of accounts and submit them to the Minister of Justice within three months from the end of the business year.

(Conclusion and Cancellation of Contracts)

Article 10 (1) A designated corporation must not refuse to conclude an information provision contract unless the applicant for the information provision contract has made a false statement or committed any other wrongful act in connection with the offer, or unless there are any other justifiable grounds specified by Ministry of Justice Order.

(2) A designated corporation must not cancel an information provision contract except when it is found that there are material grounds that make it difficult to continue the contractual relationship due to a breach of contractual obligations by the person who has entered into the information provision contract, or when there are other justifiable grounds specified by Ministry of Justice Order.

(Suspension or Discontinuation of Business)

Article 11 (1) A designated corporation must not suspend or discontinue all or part of its business of management and provision of civil court information without the permission of the Minister of Justice.

(2) When the Minister of Justice permits the discontinuation of all of the business of management and provision of civil court information pursuant to the provisions of the preceding paragraph, the designation related to the permission ceases to be effective.

(3) When the Minister of Justice has granted permission under paragraph (1), the Minister must issue public notice to that effect.

(Prohibition on the Use of Retained Civil Court Information for Other Purposes)

Article 12 Officers, employees, or other workers of a designated corporation, or persons who were formerly in such positions shall not use retained civil court information, etc. for any purpose other than for the business of management and provision of civil court information; provided, however, this does not apply when using pseudonymized civil court information, etc. to perform the business prescribed in Article 6, paragraph (2) or when providing civil court related information to a person who has concluded an information provision contract.

(Preparation of Pseudonymized Civil Court Information)

Article 13 (1) When preparing pseudonymized civil court information, a designated corporation must process the retained civil court information in accordance with the standards specified by Ministry of Justice Order as necessary for making it impossible to identify specific individuals unless collated with other information.

(2) Except cases based on laws and regulations, in handling pseudonymized civil court information, a designated corporation must not collate that pseudonymized civil court information with other information in order to identify the specific

individual related to the retained civil court information that was used to prepare that pseudonymized civil court information.

(Entrustment)

Article 14 (1) A designated corporation, pursuant to the provisions of Ministry of Justice Order, may entrust part of its business of management and provision of civil court information to others with approval of the Minister of Justice.

(2) A person entrusted under the preceding paragraph may further entrust part of the entrusted business of management and provision of civil court information to others with the consent of a designated corporation. In this case, a designated corporation must obtain approval of the Minister of Justice with regard to the further entrustment in advance.

(3) The provisions of Article 12 apply mutatis mutandis to persons who are or were engaged in business of management and provision of civil court information that are provided based on entrustment or further entrustment pursuant to the provisions of the preceding two paragraphs.

(Keeping of Books)

Article 15 A designated corporation, pursuant to the provisions of Ministry of Justice Order, must prepare and keep books (if electronic or magnetic records are prepared in lieu of the books, including the electronic or magnetic records; the same applies in Article 17, paragraph (1) and Article 21, paragraph (1), item (ii)) by recording or making entries in those books of the particulars specified by Ministry of Justice Order concerning the business of management and provision of civil court information.

(Supervision Order)

Article 16 If the Minister of Justice finds it necessary in order to ensure the proper implementation of the business of management and provision of civil court information, the Minister of Justice may issue orders necessary for supervision of the business to a designated corporation.

(Reports and Inspections)

Article 17 (1) If the Minister of Justice finds it necessary in order to ensure the proper implementation of the business of management and provision of civil court information, the Minister of Justice may request required reports for the business to a designated corporation, and may have the relevant officials enter a designated corporation's office, to inspect the status of its business or its facilities, books, documents, and other objects or to question related persons.

(2) The officials who conduct an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and present it to the relevant persons.

(3) The authority to conduct the on-site inspection under the provisions of paragraph (1) must not be construed as being granted for criminal investigation purposes.

(Rescission of Designation)

Article 18 (1) If a designated corporation falls under any of the following items, the Minister of Justice may rescind its designation or order the corporation to suspend all or part of the business of management and provision of civil court information for a specified period:

(i) if it is found that the corporation cannot properly and reliably perform the business of management and provision of civil court information;

(ii) if the corporation violates the provisions of this Act or any order or disposition based on those provisions;

(iii) when the corporation no longer satisfies the requirements set forth in Article 5, paragraph (1), item (v);

(iv) a designated corporation provides the business of management and provision of civil court information without following the operational rules that has been approved pursuant to the provisions of Article 8, paragraph (1).

(2) If the Minister of Justice carries out a disposition pursuant to the provisions of the preceding paragraph, the Minister must issue a public notification of the fact thereof.

(3) When a designation is rescinded pursuant to the provisions of paragraph (1), the corporation whose designation is rescinded must promptly hand over the retained civil court information, etc. under its management to a corporation newly designated by the Minister of Justice pursuant to the provisions of Article 5, paragraph (1), as provided for by Ministry of Justice Order.

(4) In addition to what is provided in the preceding paragraph, the handing over of the business of management and provision of civil court information and other necessary matters in cases where the designation is rescinded pursuant to the provisions of paragraph (1) are specified by Ministry of Justice Order.

(Delegation to the Ministry of Justice Order)

Article 19 Beyond what is provided for in this Act, necessary matters concerning the business of management and provision of civil court information are specified by Ministry of Justice Order.

(Penal Provisions)

Article 20 (1) If any of the following persons provides another person with or misappropriates, for the purpose of obtaining illicit gains for themselves or a third party, retained civil court information (limited to information that is planned to be deleted or replaced with other information through the measures prescribed in Article 2, paragraph (1), item (iii)), deleted information, or information concerning the method of processing carried out pursuant to the provisions of Article 13, paragraph (1) (limited to information with which deleted information can be reconstructed) that has come to the person's knowledge in the course of the person's duties, that person is subject to imprisonment for not more than one year, a fine of not more than 500000 yen, or both:

(i) a person who is or was an officer, employee, or other worker of a designated corporation;

(ii) a person who is or was engaged in the business of management and provision of civil court information conducted based on entrustment or re-entrustment pursuant to the provisions of Article 14, paragraph (1) or (2).

Article 21 (1) If any of the following items applies, the person who has committed the act of violation is subject to punishment by a fine of not more than 300000 yen:

(i) discontinuing all of the business of management and provision of civil court information without obtaining permission under Article 11, paragraph (1);

(ii) if the designated corporation, in violation of the provisions of Article 15, fails to prepare books, fails to make entries or records in books, or makes false entries or records in books, or fails to keep books;

(iii) when a person fails to report or falsely makes a report under Article 17, paragraph (1); when a person refuses, hinders, or evades an inspection under that paragraph; or when a person fails to give a statement or gives a false statement in response to questions asked under that paragraph.

(2) If the representative or administrator of a corporation (or of an organization without legal personality for which a representative or administrator has been designated; the same applies below in this paragraph), or an agent, employee, or other worker of a corporation or individual commits a violation referred to in the preceding paragraph in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the punishment referred to in that paragraph.

(3) If the provisions referred to in the preceding paragraph apply to an organization without legal personality, its representative or administrator represents the organization without legal personality regarding the procedural acts, and the provisions of Acts concerning criminal proceedings if a corporation stands as the accused or the suspect apply *mutatis mutandis*.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions of Article 6, Article 7, Article 8, paragraph (3), Article 9, paragraph (2), Articles 10 through 18, Article 20, and Article 21 come into effect on the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

(Preparatory Actions for business of management and provision of civil court information)

Article 2 A designated corporation may conduct preparatory acts necessary for performing the business of management and provision of civil court information, even before the day specified by the proviso to the preceding Article.

(Adjustment Provisions)

Article 3 If the date on which this Act comes into effect falls before the date on which the Act Partially Amending the Code of Civil Procedure (Act No. 48 of 2022) comes into effect, the term "the Code of Civil Procedure" in Article 2, paragraph (1), item (i) is deemed to be replaced with "the Code of Civil Procedure as amended by the provisions of Article 2 of the Act Partially Amending the Code of Civil Procedure (Act No. 48 of 2022)", until the day before the date on which the same Act comes into effect.

(partial amendment of the Act for Establishment of the Ministry of Justice)

Article 4 The Act for Establishment of the Ministry of Justice (Act No. 93 of 1999) is partially amended as follows.

The following item is added after Article 4, paragraph (1), item (xxv) - 2.

(xxv)-3 affairs related to the supervision of a corporation that performs business of management and provision of civil court information under the provisions of the Act on Promotion of Utilization of Civil Court Information (Act No.49 of 2025).

(Review)

Article 5 When five years have passed after the enforcement of the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, the government is to review the status of enforcement of this Act, and take necessary measures based on the results.