

# Act on the Registration of Foreign Corporations and of Prenuptial Property Agreements

(Act No. 14 of 1898)

## (Purpose)

Article 1 The registration of foreign corporations and the registration of prenuptial property agreements, as prescribed in the Civil Code (Act No. 89 of 1896), are governed by the provisions of this Act, except as otherwise provided for by other laws and regulations.

## (Registry Office for the Registration of Foreign Corporations)

Article 2 Registration affairs of a foreign corporation that has established an office in Japan (limited to a foreign corporation prescribed in the proviso to Article 35, paragraph (1) of the Civil Code; the same applies in Article 4) are administered by the Legal Affairs Bureau, District Legal Affairs Bureau, or their branch offices or sub-branch offices (referred to as the "Legal Affairs Bureau, etc." in Article 5, paragraphs (1) through (3)) having jurisdiction over the location of the office, which act as the registry office.

## (Register of Foreign Corporations)

Article 3 A registry office maintains a register of foreign corporations .

## (Application of the Commercial Registration Act, Mutatis Mutandis)

Article 4 The provisions of Articles 2 through 5, Articles 7 through 15, Article 17, Article 18, Article 19-2, Article 19-3, Articles 21 through 23-2, Article 24 (excluding items (xiv) and (xv)), Articles 26 and 27, Article 128, Article 129, Article 130, paragraphs (1) and (3), Articles 132 through 137, and Articles 139 through 148 of the Commercial Registration Act (Act No. 125 of 1963) apply mutatis mutandis to the registration of foreign corporations that have established an office in Japan.

## (Registry Office for the Registration of Prenuptial Property Agreements)

Article 5 (1) The Legal Affairs Bureau, etc. having jurisdiction over the domicile of the person who is to become the husband when the spouses are to take the husband's surname, or over the domicile of the person who is to become the wife when the spouses are to take the wife's surname, administers the registration affairs for a prenuptial property agreement as the registry office.

(2) If the person who is to become the husband or the person who is to become the wife as prescribed in the preceding paragraph does not have a domicile in Japan,

or if that domicile is unknown, the Legal Affairs Bureau, etc. having jurisdiction over that person's residence administers the registration affairs referred to in that paragraph as the registry office; and if that person does not have a residence in Japan, or if that residence is unknown, the Legal Affairs Bureau, etc. having jurisdiction over that person's last domicile administers those registration affairs as the registry office.

- (3) If the registry office that administers the registration affairs pursuant to the provisions of the preceding two paragraphs is not determined, the Legal Affairs Bureau, etc. designated by the Minister of Justice administers the registration affairs referred to in paragraph (1) as the registry office.
- (4) If there are two or more registry offices that administer the registration affairs pursuant to the provisions of paragraphs (1) and (2), the Minister of Justice, or the Director of a Legal Affairs Bureau or District Legal Affairs Bureau, designates the registry office that administers the registration affairs pursuant to the provisions of Ministry of Justice Order.

(Register of Prenuptial Property Agreements)

Article 6 A registry office maintains a register of prenuptial property agreements.

(Joint Application)

Article 7 (1) Except as otherwise provided, an application for registration of a prenuptial property agreement must be filed jointly by both parties to that prenuptial property agreement.

- (2) When applying for the registration referred to in the preceding paragraph, the applicant must provide, together with the application information, information certifying that a prenuptial property agreement has been entered into, or information certifying that a ruling on a disposition regarding a change of administrator or the division of property in co-ownership has been made, or information certifying that an agreement related to this has been entered into.

(Application of the Real Property Registration Act, Mutatis Mutandis)

Article 8 The provisions of Articles 7 through 11, Article 13, Article 16, paragraph (1), Article 18, Article 24, Article 25, items (i) through (ix) and item (xii), Article 67, paragraphs (1) through (3), Article 71, Article 119 (excluding paragraph (6)), Article 121, paragraphs (3) through (5), Articles 153 through 156, Article 157, paragraphs (1) through (3), (5), and (6), and Article 158 of the Real Property Registration Act (Act No. 123 of 2004) apply mutatis mutandis to the registration of a prenuptial property agreement. In this case, the term "Cabinet Order" in Article 18 of that Act is deemed to be replaced with "Ministry of Justice Order".

(Matters to Be Determined by Ministerial Order)

Article 9 In addition to the provisions of this Act, necessary matters concerning the registration of a prenuptial property agreement are prescribed by Ministry of Justice Order.