Attorney Act

(Act No. 205 of June 10, 1949)

Chapter I The Mission and Duties of an Attorney

(The mission of an Attorney)

Article 1 (1) An attorney is entrusted with the mission of protecting fundamental human rights and achieving social justice.

(2) An attorney shall, in keeping with the mission specified set forth in the preceding paragraph, perform his/her duties in good faith and endeavor to maintain the social order and to improve the legal system.

(The standards underlying the responsibilities of an attorney)

Article 2 An attorney shall strive to remain highly cultured and have an upright character and shall be well-versed in laws, regulations and legal practices.

(The duties of an attorney)

Article 3 (1) The duties of an attorney, upon the request of the party or the concerned parties, or upon the entrustment of public agency, shall be to engage in acts relating to lawsuits, non-contentious cases, and objections, request for re-examination, appeals, and other petitions against administrative agencies and other general legal services.

(2) An attorney may, without any further qualification, provide the services of a patent attorney and/or a tax attorney.

Chapter II Qualifications for Becoming an attorney

(Qualifications for becoming an attorney)

Article 4 A person who has completed the legal apprentice training course shall be qualified to become an attorney.

(Attorney qualification exemptions for certain persons certified by the Minister of Justice)

Article 5 Notwithstanding the provisions of the preceding Article, a person who has met any of the requirements set forth in either of the following items and who is certified by the Minister of Justice as having thereinafter completed a training course for attorney services, as designated by the Minister of Justice and implemented by a juridical person as specified in an Ordinance of the Ministry of Justice, shall be qualified to become an attorney.

(i) After acquiring the qualification to become a legal apprentice, to have served, in total, not less than five years as a judge of a summary court, a public prosecutor, a research law clerk, a court administrative official, a law official of the Ministry of Justice, an instructor at the Legal Training and Research Institute, the Research and Training Institute for Court Officials or government organ, as prescribed by Cabinet Order, in charge of the practices set forth in items (xxxvi) or (xxxviii) of Article 4 of the Act for Establishment of the Ministry of Justice (Act No. 93 of 1999), a member of the House of Representatives or of the House of Councilors or a councilor (Sanji-kan) of the Legislative Bureau of the House of Representatives or of the House of Councilors, a councilor (Sanji-kan) of the Legislative Bureau of the Cabinet, or as a professor or associate professor of law at a department, major course or graduate school for the study of law at a university as stipulated by the School Education Act (Act No. 26 of 1947) that has a graduate school for the study of law;

(ii) After acquiring the qualification to become a legal apprentice, to have utilized his/her own specialized knowledge of law in the discharge of duties dealing with any of the following matters, for a total of not less than seven years:

(a) Matters concerning the business of a corporation or other business operator (excluding national or local government) that were conducted as a officer, agent, employee or other person working for such business operator and that fall under any of the following (limited to matters conducted not in contravention with the provisions of Article 72):

1. To produce drafts of contracts or other documents found to require preparation based on the results of a legal analysis concerning the rights and obligations of the business operator in its business activities;
2. To confirm facts or to collect evidence for court proceedings, etc. (here and hereinafter "court proceedings, etc." refers to court proceedings and similar proceedings as specified in an Ordinance of the Ministry of Justice.);
3. To prepare drafts of complaints, motions, answers, briefs or other documents to be submitted in court proceedings, etc. setting forth the assertions of the business operator;
4. To present assertions or opinions or to make examination of witnesses on hearing dates for court proceedings, etc.; or
5. To negotiate settlements resolving civil disputes, or to confirm facts or to collect evidence necessary for such settlements.

(b) Matters of national or local government that are performed as a public officer and that come under any of the following:

1. To draft laws and/or regulations (including Prefectural Ordinance and Municipal ordinance), to perform matters relating to the signing of treaties or other international agreements, or to engage in the review or deliberation regarding bills relating to the enactment, modification or repeal of Prefectural Ordinance and Municipal ordinances;
2. To perform matters set forth in 2. through 5. of sub-item (a) hereof; or
3. To perform matters, to be handled by a person designated in an Ordinance of the Ministry of Justice, that are associated with hearings or trial decisions (shinketsu), rulings (kettei), or other determinations in administrative hearings (shinpan) or other judicial decision-like proceedings specified in an Ordinance of the Ministry of Justice.

(iii) After passing the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act (Act No. 61 of 1947), to have served, in total, not less than 5 years, as a public prosecutor (excluding assistant prosecutor).

(iv) Other than the minimum periods set forth in the preceding three items, the period listed in either of sub-item (a) or (b) below must not be less than the number of years set forth in the respective sub-item. (The periods of serving in the positions or discharging the duties provided in items (i) and (ii) below are limited to the period that elapsed after acquiring the qualification to become a legal apprentice, and the periods of serving in the positions provided in the preceding item are limited to the period that elapsed after passing the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act.)

(a) The total period of time in which he/she served in the positions set forth in item (i) hereof and in which he/she served in the positions set forth in the preceding item - five years

(b) The total period of time in which he/she discharged the duties set forth in item (ii) hereof, the period in which he/she served in the positions set forth in item (i) hereof, and the preceding item - seven years

(Application for certification)

Article 5-2 (1) A person who wishes to become qualified as an attorney as set forth in the preceding Article shall submit to the Minister of Justice a written application for certification containing his/her name, the date he/she acquired the qualification to become a legal apprentice or passed the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act, the period during which the positions set forth in item (i) or (iii) of the preceding Article were served or the period during which the duties set forth in item (ii) of said Article were discharged, as well as the details of such duties, and such other matters as are specified in an Ordinance of the Ministry of Justice.

(2) The following documents must be attached to the written application for

certification prescribed in the preceding paragraph: a document verifying the acquisition of the qualification to become a legal apprentice or the passing of the examination set forth in Article 18, paragraph (3) of the Public Prosecutor's Office Act; documents verifying the period during which the positions set forth in items (i) or (iii) of the preceding Article were served or the period during which the duties set forth in item (ii) of said Article were discharged, as well as the details of such duties; and other documents specified in an Ordinance of the Ministry of Justice.

(3) A person submitting an application in accordance with the provisions of paragraph (1) shall pay a fee in an amount stipulated by Cabinet Order in consideration of actual expenses.

(Proceedings, etc. for certification)

Article 5-3 (1) If the Minister of Justice confirms that a person submitting an application in accordance with the provisions of paragraph (1) of the preceding Article (hereinafter referred to as the "Applicant" in this Chapter) falls under any item of Article 5, the Minister shall assign the Applicant the training course set forth in said Article (hereinafter simply referred to as the "Training Course" in this Article) and give written notice to the Applicant of such assignment.

(2) When an Applicant completes all Training Course programs, the juridical person implementing the Training Course shall, without delay, provide a written report to the Minister of Justice regarding the Applicant's training status in the Training Course (including an opinion of whether or not the Minister of Justice may certify that the Applicant has completed all Training Course programs), pursuant to the provision of an Ordinance of the Ministry of Justice.

(3) When the Minister of Justice confirms that the Applicant has completed all Training Course programs based on the report set forth in the preceding paragraph, the Minister shall issue the certification set forth in Article 5 (hereinafter simply referred to as "Certification") with respect to the Applicant.

(4) When the Minister of Justice issues a Certification or makes a disposition of rejection with respect to an application submitted in accordance with the provisions of paragraph (1) of the preceding Article, the Minister shall give written notice to the Applicant to that effect.

(Designation of Training Course)

Article 5-4 (1) The Minister of Justice shall not issue the designation of a Training Course in accordance with the provisions of Article 5 unless the Minister confirms that the contents of the Training Course are appropriate and sufficient for the acquisition of the abilities necessary to engage in attorney

services.

(2) The juridical person implementing the Training Course may state an opinion to the Minister of Justice regarding the designation of the Training Course as set forth in the preceding paragraph.

(3) The Minister of Justice may, to the extent necessary to ensure the proper and sound implementation of the Training Course set forth in Article 5, require the juridical person implementing the Training Course to submit necessary reports or materials on the Training Course, and may state any necessary opinions.

(Request for information, etc.)

Article 5-5 If the Minister of Justice finds it necessary for the administration of affairs relating to Certifications, the Minister may request an Applicant to submit necessary materials, or make inquiries to public offices, public or private organizations or other related parties and request them to report on necessary matters.

(Delegation to an Ordinance of the Ministry of Justice)

Article 5-6 In addition to what is provided for in this Act, necessary matters concerning certification procedures shall be prescribed by an Ordinance of the Ministry of Justice.

(Attorney qualification exemptions for certain persons who have served as Justices of the Supreme Court)

Article 6 Notwithstanding the provisions of Article 4, a person who has served as Justices of the Supreme Court shall be qualified to become an attorney.

(Disqualification of an Attorney)

Article 7 Notwithstanding the provisions of Articles 4, 5 or 6, no person specified below shall be qualified to be an attorney:

(i) A person who has been sentenced to imprisonment without work or severer punishment;

(ii) A person who has been subject to a judicial decision of dismissal from the Impeachment Court;

(iii) A person who, through disciplinary action, has been disbarred as an attorney or as a Registered Foreign Lawyer, has been prohibited from practicing as a patent attorney, has had his/her registration as a certified public accountant revoked, has been prohibited from practicing business as a tax attorney, or has been dismissed from his/her office as a public officer, and three years have not elapsed since the date such disciplinary action was imposed;

(iv) A person who has been subject to an order for commencement of

guardianship of an adult ward or a person under curatorship;
(v) A person who has been declared bankrupt and has not had his/her civil rights restored.

Chapter III Roll of Attorneys

(Registration of attorneys)
Article 8 To become an attorney, a person must have his/her name registered in the roll of attorneys held by the Japan Federation of Bar Associations.

(Requests for the registration)
Article 9 To become an attorney, a person shall make a registration request with the Japan Federation of Bar Associations through the bar association to which he/she intends to be admitted anew.

(Requests for transfer of registration)
Article 10 (1) For an attorney to transfer the bar association to which he/she belongs, he/she shall make a request with the Japan Federation of Bar Associations to transfer his/her registration through the bar association to which he/she intends to be admitted anew.
(2) If an attorney makes a request to transfer his/her registration, he/she shall make report to such effect to the bar association to which he/she belongs.

(Request for rescission of registration)
Article 11 If an attorney intends to cease his/her practice, he/she shall make a request to the Japan Federation of Bar Associations to rescind his/her registration through the bar association of which he/she belongs.

(Refusal to transmit requests for registration or transfer of registration)
Article 12 (1) If there is a likelihood that an applicant may harm the bar association's order or reputation, or an applicant falls under one of the following items and there is a likelihood that he/she may be unfit to practice law, the bar association may refuse to transmit his/her request for registration or transfer of registration, pursuant to a resolution of its Qualifications Screening Board:
(i) If the person is mentally or physically disabled; or
(ii) If a person who falls under the provisions of Article 7, item (iii) makes a request after three years from the date of imposition of a disposition such as disbarment, prohibition to practice his/her profession, revocation of registration, or dismissal.
(2) The preceding paragraph shall apply to an applicant who, in the one year

prior to his/her request for registration or transfer of registration, was a full-time public officer in the district of the applicable bar association, and who may be particularly likely to be unfit to practice law within that district.

(3) If a bar association refuses to transmit a request pursuant to the provisions of the preceding two paragraphs, it shall promptly give written notice to the person who has requested registration or requested for transfer of registration of that fact and the reasons therefore.

(4) If three months after receiving the request for registration or transfer of registration, a bar association has failed to transmit the request to the Japan Federation of Bar Associations, it shall be deemed that the transmittal of such a request was denied, and the person who made the request may request for examination pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

Article 12-2 (1) If the Japan Federation of Bar Associations is to rule on a request for investigation pursuant to the Administrative Appeal Act (including the request for examination pursuant to paragraph (4) of the preceding Article) regarding a refusal to transmit a request for registration or transfer of registration pursuant to the preceding Article, the Japan Federation of Bar Associations shall act on the basis of the resolution of its Qualifications Screening Board.

(2) If the Japan Federation of Bar Associations finds grounds for the request for examination set forth in the preceding paragraph, it shall order the bar association to transmit the request for registration or transfer of registration.

(Request by a bar association for rescission of registration)

Article 13 (1) If an attorney has made false statements regarding the matters set forth in paragraph (1), items (i) or (ii), or in paragraph (2) of Article 12, or there is a likelihood that the attorney may be unfit to practice law because of a mental or physical disability, the bar association may, upon the resolution of its Qualifications Screening Board, request that the Japan Federation of Bar Associations rescind the attorney's registration.

(2) If a bar association requests rescission as set forth in the preceding paragraph, it shall promptly give written notice to the attorney of that fact and the reasons therefore.

Article 14 (1) A person against whom a registration rescission has been requested pursuant to the preceding Article may file an objection with the Japan Federation of Bar Associations within a period of sixty days commencing on the date following the date notice of such rescission was received.

(2) If the Japan Federation of Bar Associations receives an objection as set forth in the preceding paragraph, it shall, based on the resolution of its

Qualifications Screening Board, either refer the request for rescission of registration back to the bar association if it finds that there are grounds for such objection, or reject the objection if its finds it to be groundless.

(3) If the Japan Federation of Bar Associations makes the disposition set forth in the preceding paragraph, it shall promptly give written notice to the person who has filed the objection of that fact and the reasons therefore.

(Refusal of registration or transfer of registration)

Article 15 (1) When a bar association transmits a request for registration or transfer of registration to the Japan Federation of Bar Associations, and the Federation finds it proper to refuse such request for the reasons set forth in Article 12, paragraphs (1) and (2), it may refuse such registration or transfer of registration based upon the resolution of its Qualifications Screening Board.

(2) If the Japan Federation of Bar Associations refuses registration or transfer of registration pursuant to the preceding paragraph, it shall promptly give written notice to the person who has requested the registration or transfer of registration and to the bar association which transmitted the request, of that fact and the reasons therefor.

(Institution of lawsuit)

Article 16 (1) A person whose request for examination of a refusal to transmit his/her request for registration or transfer of registration in accordance with the provisions of Article 12 was dismissed or rejected, or whose filing of an objection in accordance with the provisions of Article 14, paragraph (1) was rejected, or whose request for registration or transfer of registration was refused in accordance with the provisions of the preceding Article, may institute a lawsuit for the rescission of such decision in the Tokyo High Court.

(2) If, three months after receiving a request for examination of the refusal to transmit the request for registration or transfer of registration in accordance with the provisions of Article 12 or the filing of objection in accordance with the provisions of Article 14, paragraph (1), the Japan Federation of Bar Associations has not made a ruling or a disposition as set forth in Article 14, paragraph (2), or if it has not effected the registration or transfer of registration in the roll of attorneys within three months of receiving the transmission of a request for registration or transfer of registration, it shall be deemed that the request for review or the filing of the objection has been rejected or the request for registration or transfer of registration has been refused, and the person who made such a request for review or filed such an objection or made such a request for registration or transfer of registration may institute a lawsuit pursuant to the preceding paragraph.

(3) With regard to the refusal to transmit the request for registration or transfer

of registration, a lawsuit for the rescission of such refusal may be instituted only against the ruling thereon of the Japan Federation of Bar Associations.

(Reasons for rescission of registration)

Article 17 The Japan Federation of Bar Associations shall rescind the registration of an attorney from its roll of attorneys under the following circumstances:

(i) If an attorney falls under any provision of Article 7, items (i) or (iii) to (v), inclusive;

(ii) If an attorney requests rescission of registration in accordance with the provisions of Article 11;

(iii) If a final ruling has been issued for the withdrawal, disbarment, or rescission of the registration of an attorney in accordance with the provisions of Article 13; or

(iv) If an attorney dies.

(Reporting the reasons for rescinding a registration)

Article 18 If a bar association finds grounds to rescind the registration of an attorney from its roll of attorneys, it shall promptly report that fact to the Japan Federation of Bar Associations.

(Notice and public notice of registration, etc.)

Article 19 The Japan Federation of Bar Associations shall promptly give notice of an attorney's registration, transfer of registration, or rescission of registration from the roll of attorneys to the bar association to which the attorney belongs, and publicize such registration, transfer of registration, or rescission of registration in the Official Gazette.

Chapter IV The Rights and Obligations of an attorney

(Law offices)

Article 20 (1) The office of an attorney shall be called a "law office".

(2) A law office shall be established within the district of the bar association to which the attorney belongs.

(3) An attorney may not establish two or more law offices under any name whatsoever; provided, however, that he/she is not prohibited from practicing at the law office of another attorney.

(Duty to report regarding a law office)

Article 21 An attorney must immediately notify the applicable bar association to which he/she belongs and the Japan Federation of Bar Associations when

he/she establishes or relocates his/her law office.

(Duty to observe the articles of association of an association)

Article 22 An attorney shall observe the articles of association of the bar association to which he/she belongs and of the Japan Federation of Bar Associations.

(Right and duty to maintain confidentiality)

Article 23 Unless otherwise provided by law, an attorney or a former attorney shall have the right and bear the duty to maintain the confidentiality of any facts which he/she may have learned in the course of performing his/her duties.

(Request for information)

Article 23-2 (1) An attorney may request the bar association to which he/she belongs to make inquiries to public offices or public or private organizations for information necessary for a case to which he/she has been retained. The bar association may refuse the request if it finds such request to be inappropriate.

(2) A bar association may, pursuant to the request set forth in the preceding paragraph, request public offices or public or private organizations to provide necessary information.

(Duty to perform entrusted matters, etc.)

Article 24 An attorney shall not refuse, without due reason, to undertake matters entrusted by the government or public agencies in accordance with laws and regulations, or to undertake matters designated by the bar association to which he/she belongs or by the Japan Federation of Bar Associations in accordance with the provisions of their articles of association.

(Cases that an attorney may not undertake)

Article 25 An attorney shall not undertake the cases specified below; provided, however, that the foregoing shall not apply for the cases specified in items (iii) and (ix), if the client of a case that has already been undertaken by the attorney consents:

(i) Cases in which he/she provided support to the other party after consultations, or accepted the other party as his/her client;

(ii) Cases in which he/she was consulted by the other party and where the extent and form of the consultation is found to be based on a relationship of mutual trust;

(iii) Cases requested by the other party to a case that has already been undertaken by the attorney;

(iv) Cases that he/she handled as a public officer in the course of performing

his/her duties;
(v) Cases that he/she handled as an arbitrator in arbitration procedures;
(vi) Cases in which, during the period in which he/she engaged in services as a member or employee of a juridical person as set forth in Article 30-2, paragraph (1), said juridical person provided support to the other party after consultation or accepted the other party as a client, and in which he/she personally involved;
(vii) Cases in which, during the period in which he/she engaged in services as a member or employee of a juridical person as set forth in Article 30-2, paragraph (1), said juridical person was consulted by the other party, and where the extent and form of the consultation is found to be based on a relationship of mutual trust, and in which he/she personally involved;
(viii) Cases accepted from the other party by a juridical person as set forth in Article 30-2, paragraph (1), of which he/she is a member or an employee; or
(ix) Cases requested by the other party to a case to which a juridical person as set forth in Article 30-2, paragraph (1), of which he/she is a member or an employee, has already undertaken (limited to cases in which he/she was personally involved in).

(Prohibition of corruption)
Article 26 An attorney shall not, in connection with any case that he/she has undertaken, receive, demand, or promise to receive any profit from the other party.

(Prohibition against collaboration with non-attorneys)
Article 27 An attorney shall not undertake any cases referred by a person who is in violation of any of the provisions of Articles 72 to 74 (inclusive), or allow such a person to utilize his/her name.

(Prohibition against obtaining any rights that are in dispute)
Article 28 An attorney shall not obtain any rights that are in dispute.

(Duty to give notice of decision not to undertake a case)
Article 29 When an attorney decides not to undertake a case, he/she shall promptly give notice to the client of that fact.

(Notification, etc. of profit-making business)
Article 30 (1) If any of the following items applies to an attorney, he/she shall give prior notification to the bar association to which he/she belongs of the matters set forth in the respective item.
(i) When he/she intends to personally operate a profit-making business - the

trade name and the details of the business; or

(ii) When he/she intends to become a director, executive officer or other officer of a person operating profit-making business (hereinafter referred to as "Director, etc." in this Article) or an employee of such a person - the trade name or name of the person operating the business, the location or address of the head office or principal place of business, the details of the business, and if he/she intends to become a Director, etc., the title.

(2) A bar association shall prepare a Roll of Attorneys at Law Engaged in Profit-Making Businesses, listing, for each attorney who has made notification in accordance with the provisions of the preceding paragraph, the matters as set forth in each item of that paragraph, and keep the register at the office of the bar association for public inspection.

(3) A person who has made notification in accordance with paragraph (1) hereof shall, without delay, notify the bar association to which he/she belongs should any changes to the notified matters occur. The same shall apply if a person has made a notification regarding a business, and such business is discontinued or such person ceases to serve as a Director, etc. or an employee.

(4) When a notification is made in accordance with the provisions set forth in the preceding paragraph, the bar association shall immediately modify or delete the matters set forth in the Roll of Attorneys at Law Engaged in Profit-Making Businesses.

Chapter IV-2 Legal Professional Corporation

(Establishment, etc.)

Article 30-2 (1) An attorney may establish a juridical person to perform the duties set forth in Article 3 (hereinafter referred to as "Legal Professional Corporation") in accordance with the provisions of this Chapter.

(2) The provisions of Article 1 shall apply mutatis mutandis to Legal Professional Corporations.

(Name)

Article 30-3 A Legal Professional Corporation shall include the words "legal professional corporation" in its name.

(Eligibility for membership)

Article 30-4 (1) The members of a Legal Professional Corporation shall be attorneys.

(2) The persons specified below shall not be eligible to be members of a Legal Profession Corporation.

(i) Any person who has been disciplined with suspension pursuant to Article 56

or 60, and the applicable suspension period has not yet elapsed; or

(ii) Any person who was a member of a Legal Professional Corporation within 30 days prior to the date such Legal Professional Corporation is disbarred or disciplined with suspension pursuant to Article 56 or 60, and three years have not elapsed from the date of such disciplinary action (or in case the Legal Professional Corporation has been suspended from the practice of law, the applicable suspension period).

(Scope of practice)

Article 30-5 In addition to the practices set forth in Article 3, a Legal Professional Corporation may, by making provisions in its articles of incorporation, engage in all or part of any businesses that an attorney may practice in accordance with laws and regulations, as designated by an Ordinance of the Ministry of Justice.

(Handling of matters related to litigation)

Article 30-6 (1) For the matters set forth below, a Legal Professional Corporation shall assign matters it undertakes from its clients to attorneys who are its members or employees ("Members, etc."). In such a case, the Legal Professional Corporation shall allow the client to appoint its representative, defense counsel, attendant, or assistant in court from among the Legal Professional Corporation's Members, etc.

(i) Representation or assistance in the procedures for court cases (excluding criminal cases); or

(ii) Representation in procedures for criminal cases, acting as a defense counsel in criminal cases, acting as an attendant in juvenile protection cases, or assistance in extradition review request cases

(2) A Legal Professional Corporation shall not be relieved of liability to the client for damages incurred in connection with the matters set forth in the preceding paragraph, unless it proves that the Members, etc. used due care in the execution of the practice of law.

(Registration)

Article 30-7 (1) All Legal Professional Corporations shall be registered in accordance with Cabinet Order.

(2) Matters required to be registered as provided in the preceding paragraph may not be duly asserted against a third party until after they are so registered.

(Establishment procedure)

Article 30-8 (1) In order to establish a Legal Professional Corporation, the attorneys who are to become members thereof shall adopt articles of

incorporation.

(2) The provisions of Article 30, paragraph (1) of the Companies Act (Act No. 86 of 2005) shall apply mutatis mutandis to the articles of incorporation of a Legal Professional Corporation.

(3) The articles of incorporation of a Legal Profession Corporation shall state, at a minimum, the following.

(i) Business purposes;

(ii) Name;

(iii) The location/locations of the law office/offices;

(iv) The bar association to which the Legal Profession Corporation belongs;

(v) The names and addresses of its members and the bar associations to which they belong;

(vi) Matters concerning capital contributions by its members; and

(vii) Matters concerning the execution of its practice.

(Time of establishment)

Article 30-9 A Legal Professional Corporation shall be formed upon registration of its establishment in the location of its principal law office.

(Notification of establishment)

Article 30-10 A Legal Professional Corporation shall, within two weeks from the date of its establishment, give notification of such establishment to the bar association to which it belongs and to the Japan Federation of Bar Associations, together with a certified copy of registration and a copy of its articles of incorporation.

(Amendment to the articles of incorporation)

Article 30-11 (1) A Legal Professional Corporation may change its articles of incorporation by an agreement of all its members, unless otherwise provided for in the articles of incorporation.

(2) A Legal Professional Corporation shall, within two weeks from the date of an amendment to its articles of incorporation, notify the bar association to which it belongs and the Japan Federation of Bar Associations of such amendment.

(Execution of the practice)

Article 30-12 The members of a Legal Professional Corporation shall have the right and bear the obligation to execute all of its practices unless otherwise provided for in its articles of incorporation.

(Representation of a juridical person)

Article 30-13 (1) Each member of a Legal Professional Corporation who executes

its practice shall represent such Legal Professional Corporation.
(2) The provisions set forth in the preceding paragraph shall not preclude a Legal Professional Corporation from specifying certain members who are to execute its practice as its representatives, in accordance with its articles of incorporation or pursuant to the consent of all its members.
(3) A member who represents a Legal Professional Corporation shall have the authority to conduct all judicial and non-judicial activities regarding the practice of the Legal Professional Corporation.
(4) The Legal Profession Corporation may not duly assert the restrictions imposed on the authority set forth in the preceding paragraph against a third party acting in good faith.

(Designated member)
Article 30-14 (1) A Legal Professional Corporation may designate a member to be in charge of a specific case.
(2) If designation is made for a case pursuant to the preceding paragraph ("Designated Case"), only the designated member ("Designated Member") shall have the right and bear the obligation to perform the matters related to the Designated Case.
(3) Notwithstanding the provisions of the preceding Article, only the Designated Member shall represent the Legal Professional Corporation with respect to the Designated Case.
(4) If a Legal Professional Corporation designates a case pursuant to paragraph (1), it shall give written notice to such effect to the client of the Designated Case.
(5) A client may request that the Legal Professional Corporation clarify, within a reasonable period of time as specified by the client, whether or not the Legal Professional Corporation will, pursuant to paragraph (1), designate a case it has been requested to undertake. In such an event, if the Legal Professional Corporation fails to give notice within such period as set forth in the preceding paragraph, it may not make such designation thereinafter; provided, however, that the Legal Professional Corporation shall not be precluded from making such designation with the consent of the client.
(6) If the Designated Member becomes unavailable before completion of the work undertaken for the Designated Case, the Legal Professional Corporation shall make a new designation. Failing such designation, the Legal Professional Corporation shall be deemed to have designated all of its members to handle the Designated Case.
(7) When a Legal Professional Corporation that has only one member is requested to undertake a case, the Legal Professional Corporation shall be deemed to have designated that member to handle the case.

(Member's liabilities)

Article 30-15 (1) If a Legal Professional Corporation is unable to fully satisfy its obligations with its assets, each member shall be jointly and severally liable for such liabilities.

(2) If the results of a compulsory execution against a Legal Professional Corporation's assets are inadequate, the preceding paragraph shall also apply.

(3) The provisions set forth in the preceding paragraph shall not apply if a member proves that the Legal Professional Corporation has sufficient resources and that a compulsory execution can be easily achieved.

(4) If a case has been designated pursuant to paragraph (1) of the preceding Article and notice has been given pursuant to paragraph (4) of said Article (including cases in which such designation shall be deemed to have been made pursuant to paragraph (6) or (7) of said Article), and the Legal Professional Corporation is unable to satisfy its obligations owed to the client with respect to the Designated Case with only its assets, then, notwithstanding the provisions of paragraph (1), the Designated Member (here and hereinafter in this Article, including all former Designated Members) shall be jointly and severally liable for such obligations; provided, however, that this shall not apply to a Designated Member who has resigned from the Legal Professional Corporation and proves that such obligations were incurred for reasons which occurred after his/her resignation.

(5) If, in the situation set forth in the preceding paragraph, the results of a compulsory execution against a Legal Professional Corporation's assets based on a client's claims with respect to a Designated Case are inadequate, the preceding paragraph shall also apply, except where a Designated Member proves that the Legal Professional Corporation has sufficient resources and that a compulsory execution can be easily achieved.

(6) If, in the situation set forth in paragraph (4), a member who is not a Designated Member has been involved in a Designated Case, whether before or after such a designation is made, he/she shall assume liability equal to that which the Designated Member assumed pursuant to the provisions of the preceding two paragraphs, unless he/she is able to prove that he/she used due care when he/she involved in the case. The same shall also apply after he/she resigns from the Legal Professional Corporation.

(7) The provisions of Article 612 of the Companies Act shall apply mutatis mutandis to the resignation of a member of a Legal Professional Corporation; provided, however, that the foregoing shall not apply to the obligations of a Legal Professional Corporation owed to a client with respect to a Designated Case as set forth in paragraph (4).

(Liability of a person whose conduct misled others to believe that he/she is a member)

Article 30-16 Any person whose conduct misleads others to believe that he/she is a member shall bear the same liability as a member with respect to any party who entered into a transaction with the Legal Professional Corporation as a result of being misled.

(Permanent Assignment of Members)

Article 30-17 A Legal Professional Corporation shall assign to each of its law offices, on a permanent basis, a member who belongs to the bar association of the district in which the law office is located (here and hereinafter in this Article, if there are two or more bar associations in that district, the member must belong to the bar association to which the Legal Professional Corporation belongs); provided, however, that the foregoing shall not apply to secondary offices if the bar association of the district in which such secondary law office is located decides not to require such an assignment after taking into consideration the distribution of attorneys in the vicinity of said secondary office and other factors.

(Restrictions on the practice of law in specific cases)

Article 30-18 A Legal Professional Corporation shall not undertake a case that falls under any of the following; provided, however, that the foregoing shall not apply in the case set forth in item (iii) below if the client of a case already undertaken by the Legal Professional Corporation consents.

(i) Cases in which the Legal Professional Corporation has provided support to the other party after consultation, or in which the Legal Professional Corporation has accepted the other party as its client;

(ii) Cases in which the Legal Professional Corporation has been consulted upon by the other party, and the extent and form of the consultation was such that it is found to be based on a relationship of mutual trust;

(iii) Cases requested by the other party to a case already undertaken by the Legal Professional Corporation;

(iv) Cases that the Members, etc. have already undertaken for the other party; or

(v) Cases set forth in Article 25, items (i) through (vii) in which one-half or more of the Legal Professional Corporation's members may not be engaged.

(Prohibition on joining another Legal Professional Corporation, etc.)

Article 30-19 (1) A member of a Legal Professional Corporation shall not become a member of another Legal Professional Corporation.

(2) No member of a Legal Professional Corporation shall, without the approval of

the other members, perform any undertaking within the scope of the Legal Professional Corporation's practice for his/her own or a third party's benefit; provided, however, that the foregoing shall not apply when he/she handles matters entrusted by a government or a public agency pursuant to laws and regulations.

(3) If a member violates the provisions of the preceding paragraph and performs any undertaking within the scope of the Legal Professional Corporation's practice for his/her own or a third party's benefit, the amount of profit earned by that member or third party shall be presumed to be the amount of damages incurred by the Legal Professional Corporation.

(Prohibition of corruption by the Members, etc. of a Legal Professional Corporation)

Article 30-20 (1) The Members, etc. of a Legal Professional Corporation shall not accept, demand, or promise to accept, any profit from the other party in connection with a case that the Legal Professional Corporation has undertaken.

(2) The Members, etc. of a Legal Professional Corporation shall not, in connection with any case that the Legal Professional Corporation has undertaken, cause the Legal Professional Corporation to accept, demand, or promise to accept any profit from the other party in connection with a case that the Legal Professional Corporation has undertaken.

(Mutatis mutandis application of provisions for the obligations, etc. of an attorney)

Article 30-21 The provisions of Article 20, paragraphs (1) and (2), Articles 21, 22, 23-2, 24, and 27 through 29 shall apply mutatis mutandis to Legal Professional Corporations.

(Statutory resignation)

Article 30-22 A member of a Legal Professional Corporation shall resign from the Legal Professional Corporation for the following reasons:

(i) The occurrence of any of the reasons stipulated in the articles of incorporation;

(ii) The agreement by all members;

(iii) Death;

(iv) He/she falls under Article 7, item (i), (iii), (iv), or (v);

(v) He/she makes a request for rescission of his/her registration pursuant to Article 11;

(vi) He/she becomes subject to any of the disciplinary actions prescribed in Article 57, paragraph (1), items (ii) through (iv), or a request for rescission of his/her registration made pursuant to Article 13, paragraph (1) is irrevocably

approved; or

(vii) He/she is disbarred pursuant to Article 859 of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1).

(Dissolution)

Article 30-23 (1) A Legal Professional Corporation shall be dissolved for any of the following reasons:

(i) The occurrence of any of the reasons stipulated in the articles of incorporation;

(ii) The agreement by all members to the dissolution;

(iii) A merger with another Legal Professional Corporation;

(iv) A decision to commence bankruptcy proceedings;

(v) The issuance of a judgment ordering its dissolution;

(vi) Disbarment pursuant to Article 56 or 60; or

(vii) Unavailability or death of its members.

(2) If a Legal Professional Corporation is dissolved for any reason other than those set forth in items (iii) and (vi) of the preceding paragraph, it shall provide notification thereof to the bar association to which it belongs and to the Japan Federation of Bar Associations within two weeks from the date of dissolution.

(Continuation of a Legal Professional Corporation)

Article 30-24 If and to the extent that a Legal Professional Corporation falls under item (vii) of paragraph (1) of the preceding Article due to the death of a member, the liquidator may, with the consent of the heir to that member (or, if a person is appointed to exercise the rights of that member pursuant to Article 608, paragraph (5) of the Companies Act as applied mutatis mutandis in Article 675 of the Companies Act as applied mutatis mutandis in Article 30-30, paragraph (2), then with the consent of such person), continue the Legal Professional Corporation by admitting a new member into the Legal Professional Corporation.

(Judgment ordering dissolution)

Article 30-25 (1) The provisions of Article 824, Article 826, Article 868, paragraph (1), Article 870 (only with regard to item (xiii), the main text of Article 871, Article 872 (only with regard to item (iv)), the main text of Article 873, Article 875, Article 876, Article 904 and Article 937, paragraph (1) (only with regard to item (iii) (b)) of the Companies Act shall apply mutatis mutandis to the order to dissolve Legal Professional Corporations. The provisions of Article 825, Article 868, paragraph (1), Article 870 (only with regard to item (ii)), Article 871, Article 872 (only with regard to items (i) and

(iv)), Article 873, Article 874 (only with regard to items (ii) and (iii)), Article 875, Article 876, Article 905 and Article 906 of the Companies Act shall apply mutatis mutandis to the preservation of the Legal Professional Corporation's assets when a petition is made pursuant to Article 824, paragraph (1) of the Companies Act as applied mutatis mutandis in this item. In such a case, "principal office (principal office and registered branch offices where matters listed in each item of Article 930, paragraph (2) are registered by the resolutions set forth in item (i) (g))" as used in Article 937, paragraph (1) shall be read as "principal office and secondary office."

(2) The provisions of Article 833, paragraph (2), Article 834 (only with regard to item (xxi), Article 835, paragraph (1), Article 837, Article 838, Article 846, Article 937, paragraph (1) (only regard to item (i) (i)) of the Companies Act shall apply mutatis mutandis to an action for dissolution of Legal Professional Corporations. In such case, "principal office (principal office and registered branch offices where matters listed in each item of Article 930, paragraph (2) are registered by the resolutions set forth in item (i) (g))" as used in Article 937, paragraph (1) shall be read as "principal office and secondary office."

(3) If the Minister of Justice intends to seek an order for dissolution under Article 824, paragraph (1) of the Companies Act as applied mutatis mutandis to the paragraph (1), the Minister shall first ask for the opinion of the Japan Federation of Bar Associations.

(Liquidation)

Article 30-26 (1) The liquidator of a Legal Professional Corporation shall be an attorney.

(2) Upon completion of liquidation, the liquidator shall, upon registration of the completion of liquidation, promptly give notification thereof to the bar association to which the Legal Professional Corporation belonged and to the Japan Federation of Bar Associations, together with a certified copy of the registration.

(Merger)

Article 30-27 (1) A Legal Professional Corporation may merge with another Legal Professional Corporation with the consent of all members.

(2) A merger between Legal Professional Corporations shall take effect upon registration by the Legal Professional Corporation surviving the merger or newly created through the merger at the location of its principal law office.

(3) A Legal Professional Corporation that merges shall, within two weeks from the date of the merger, give notification thereof to the bar association to which it belongs and to the Japan Federation of Bar Associations, together with a certified copy of the register (and a copy of the articles of incorporation if a new

Legal Professional Corporation is created through a merger).

(4) The Legal Professional Corporation surviving the merger or newly created through the merger shall succeed to all rights and obligations of the Legal Professional Corporation which is dissolved by the merger.

(Creditor's objections)

Article 30-28 (1) A creditor of a Legal Profession Corporations that is merging may lodge an objection against the merger of the Legal Professional Corporation.

(2) Each Legal Profession Corporation that is merging shall give public notice in the Official Gazette (kanpou) and notify each known creditor individually of the following matters; provided, however that the period set forth in item (iii) below cannot be less than one month:

(i) That it is being merged;

(ii) Name and location of principal office of the Legal Professional Corporation to be dissolved, and of the Legal Professional Corporation to survive or to be established as a result of the merger; and

(iii) That a creditor may object to the merger within a certain period.

(3) Notwithstanding the preceding paragraph, individual notifications will not be required if the Legal Professional Corporation to merge or to be merged, in accordance with its articles of incorporation, to which the provisions of paragraph (1) of Article 939 of the Companies Act applies mutatis mutandis to paragraph (6) below, gives public notice in the manner set forth in items (ii) or (iii) of Article 939, paragraph (1) of the Companies Act, as well as in the Official Gazette (kanpou).

(4) A creditor shall be deemed to have approved the merger unless it objects to the merger within the period set forth in paragraph (2), item (iii).

(5) If a creditor objects within the period set forth in paragraph (2), item (iii), the Legal Professional Corporation to merge or to be merged shall repay the obligations to the creditor, provide sufficient security or entrust sufficient properties to a trust company (this refers to a trust company or a financial institution approved pursuant to Article 1, paragraph (1) of the Act on Concurrent Operation, etc. of Trust Business by Financial Institutions (Act No. 43 of 1943)) for the purpose of causing the creditor to accept repayment; provided, however, that the foregoing shall not apply if there is no likelihood that the merger will harm the creditor.

(6) The provisions of Article 939, paragraph (1) (only with regard to items (ii) and (iii)) and paragraph (3), Article 940, paragraph (1) (only with regard to item (iii)) and paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953 and Article 955 of the Companies Act shall apply mutatis mutandis to the public notice by a Legal Professional Corporation

pursuant to the paragraph (2). In such case, "method of public notice" as used in Article 939, paragraphs (1) and (3) shall be read as "method of public notice of merger" and "trade name" as used in Article 946, paragraph (3) shall be read as "name."

(Petition to Invalidate a Merger)

Article 30-29 The provisions of Article 828, paragraph (1) (only with regard to items (vii) and (viii)) and paragraph (2) (only with regard to items (vii) and (viii)), Article 834 (only with regard to items (vii) and (viii)), Article 835, paragraph (1), Article 836, paragraphs (2) and (3), Articles 837 through 839, Article 843 (excluding paragraph (1), items (iii) and (iv) and the proviso to paragraph (2)) and Article 846 of the Companies Act shall apply mutatis mutandis to a petition to invalidate a merger of Legal Professional Corporation. The provisions of Article 868, paragraph (5), Article 870 (only with regard to item (xv)), the main text of Article 871, Article 872 (only with regard to item (iv)), the main text of Article 873, Article 875 and Article 876 of the Companies Act shall apply mutatis mutandis to a petition set forth in Article 843, paragraph (4) of the Companies Act applied mutatis mutandis in this Article.

(Mutatis mutandis application, etc. of the Civil Code and the Companies Act)

Article 30-30 (1) The provisions of Article 50 of the Civil Code (Act No. 89 of 1896) and Article 600, Articles 614 through 619, Article 621 and Article 622 of the Companies Act shall apply mutatis mutandis to Legal Professional Corporations. The provisions of Articles 55 of the Civil Code and Article 581, Article 582, Article 585, paragraphs (1) and (4), Article 586, Article 593, Article 595, Article 596, Article 601, Article 605, Article 606, Article 609, paragraphs (1) and (2), Article 611 (excluding the proviso to paragraph (1)) and Article 613 of the Companies Act shall apply mutatis mutandis to a member of Legal Professional Corporations. The provisions of Articles 859 through 862 of the Companies Act shall apply mutatis mutandis to an expulsion of a member of a Legal Professional Corporation or an action for nullifying the authority to execute activities for, or to represent, the Legal Professional Corporation. In such cases, "trade name" as used in Article 613 shall be read as "name" and "Article 594, paragraph (1) (including a case of mutatis mutandis application in Article 598, paragraph (2))" as used in Article 859, item (ii) shall be read as "Attorney Act (Act No. 205 of 1949) Article 30-19, paragraph (1) or (2)."

(2) The provisions of Article 82 of the Civil Code and Article 35, paragraph (2), Article 40 of the Non-Contentious Cases Procedures Act (Act No. 14 of 1898), Companies Act Article 644 (excluding item (iii)), Articles 645 through 649, Article 650, paragraphs (1) and (2), Article 651, paragraphs (1) and (2) (excluding portions relating to reference to Article 594), Article 652, Article 653,

Articles 655 through 659, Articles 662 through 664, Articles 666 through 673, Article 675, Article 863, Article 864, Article 868, paragraph (1), Article 869, Article 870 (only with regard to items (ii) and (iii)), Article 871, Article 872 (only with regard to item (iv)), Article 874 (only with regard to items (i) and (iv)), Article 875 and Article 876 shall apply mutatis mutandis to dissolution and liquidation of Legal Professional Corporations. In such a case, "Article 641, item (v)" as used in Article 644, item (i) shall be read as "Attorney Act Article 30-23, paragraph (1), item (iii)" and "Article 641, item (iv) or (vii)" as used in Article 647, paragraph (3) shall be read as "Attorney Act Article 30-23, paragraph (1), items (v) through (vii)" and "Article 641, items (i) through (iii)" as used in Article 668, paragraph (1) and Article 669 shall be read as "Attorney Act Article 30-23, paragraph (1), item (i) or (ii)" and "Article 939, paragraph (1)" as used in Article 670, paragraph (3) shall be read as "Article 939, paragraph (1) as referred to in Attorney Act Article 30-28, paragraph (6)" and "Article 580" as used in Article 673, paragraph (1) shall be read as "Attorney Act Article 30-15."

(3) The provisions of Article 828, paragraph (1) (only with regard to item (i)) and paragraph (2) (only with regard to item (i)), Article 834 (only with regard to item (i)), Article 835, paragraph (1), Articles 837 through 839 and Article 846 of the Companies Act shall apply mutatis mutandis to a petition to invalidate the incorporation of a Legal Professional Corporation.

(4) A court overseeing the dissolution and liquidation of a Legal Professional Corporation may ask for the opinion of, or request an investigation by, the Japan Federation of Bar Associations.

(5) The Japan Federation of Bar Associations may state its opinion to the court referred to in the preceding paragraph.

(6) For the purposes of Article 16 of the Bankruptcy Act (Act No. 75 of 2004), a Legal Professional Corporation shall be deemed to be a general partnership company.

Chapter V Bar Associations

(Purpose and juridical personality)

Article 31 (1) The purpose of a bar association, in view of the mission and duties of attorneys and Legal Professional Corporations, is to manage matters relating to the guidance, liaison, and supervision of its members in order to maintain their integrity and improve and advance their work.

(2) A bar association shall be a juridical person.

(District to serve as basis of establishment)

Article 32 A bar association shall be established in the jurisdictional district of

each district court.

(Articles of association)

Article 33 (1) A bar association shall formulate its articles of association with the approval of the Japan Federation of Bar Associations.

(2) The following matters shall be stipulated in the articles of association of a bar association:

(i) Name of the bar association and location of its office;

(ii) Rules pertaining to the selection, structure and duties of its president, vice presidents and other officers and organs;

(iii) Rules pertaining to admission to or resignation from the association;

(iv) Rules pertaining to the Qualifications Screening Board;

(v) Rules pertaining to the meetings of the bar association;

(vi) Rules pertaining to the transmittal of requests for registration, transfer of registration and rescission of registration in the roll of attorneys, and requests for rescission of registration as specified in Article 13;

(vii) Rules pertaining to the ethics of attorneys and maintaining the discipline of its members;

(viii) Rules pertaining to disciplinary matters, the Disciplinary Actions Committee and the Disciplinary Enforcement Committee;

(ix) Rules pertaining to legal support to be provided to indigent persons;

(x) Rules pertaining to the recommendation of an attorney to a government or a public agency etc.;

(xi) Rules pertaining to the training of legal apprentices;

(xii) Rules pertaining to settlement of disputes concerning the performance of duties of a member

(xiii) Rules pertaining to proposals and replies to the Japan Federation of Bar Associations, the government, or public offices;

(xiv) Rules pertaining to notifications to engage in a profit-making business and rules pertaining to the Roll of Attorneys at Law Engaged in Profit-Making Businesses;

(xv) Rules pertaining to membership fees; and

(xvi) Rules pertaining to accounting and assets.

(3) Any amendment in the matters stipulated in the preceding paragraph shall be subject to the approval of the Japan Federation of Bar Associations.

(Registration)

Article 34 (1) A bar association shall be formed upon the registration in its location of its establishment.

(2) The following matters shall be included in the registration of establishment of a bar association:

(i) Name;
(ii) Name and jurisdictional district of the district court which is the basis of its establishment;
(iii) Location of its office;
(iv) Full names and addresses of its president and vice- presidents;
(v) If its articles of association stipulate that public notices shall be made by publishing matters regarding current affairs in a daily newspaper as set forth in Article 30-28, paragraph (2), as applied mutatis mutandis to Article 43, paragraph (3), such stipulations; and
(vi) If its articles of association stipulate that a public notice as set forth in Article 30-28, paragraph (2), as applied mutatis mutandis to Article 43, paragraph (3), should be made by electronic notices (this term herein and in subsection (a) refers to an electronic notice as stipulated in Article 2, item (xxxiv) of the Companies Act), such stipulations, as well as the following matters:
(a) Such matters that are necessary in order for the general public to receive information regarding which a public notice should be made electronically and that are prescribed in a Ministry of Justice ordinance; and
(b) If the articles of association contain stipulations pursuant to the latter part of Article 939, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 30-28, paragraph (6) as applied mutatis mutandis in a bar association pursuant to Article 43, paragraph (3), such stipulations.

(3) If a bar association is dissolved, it shall register its dissolution within two weeks.
(4) If there are any changes to the matters specified in paragraph (2) of this Article, such changes shall be registered within two weeks.
(5) Matters that must be registered by a bar association cannot be duly asserted against a third party until after such matters have been registered.
(6) Any matter concerning the registration procedures of a bar association that is not prescribed in this Act, shall be stipulated by Cabinet Order.

(President and vice-presidents)

Article 35 (1) The representative of a bar association shall be its president.
(2) If the president is unable to perform his/her duties or the position is vacant, the vice-president shall perform the duties of the president as provided in this Act and in the articles of association of the bar association.
(3) In the application of criminal penalties pursuant to the Penal Code (Act No. 45 of 1907) or other laws, the president and vice-presidents shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations,.

(Admission and resignation)

Article 36 (1) A person who is registered or whose registration has been transferred on the roll of attorneys shall, as a matter of course, become a member of the bar association to which he/she intends to be admitted, and by changing his/her registration, he/she shall thereby resign from his/her former bar association.

(2) A person whose registration has been rescinded upon a request as set forth in Article 11 shall as a matter of course resign from the bar association to which he/she belongs.

(Admission and withdrawal of a Legal Professional Corporation)

Article 36-2 (1) A Legal Professional Corporation shall, upon its establishment, become a member of the bar association of the district in which its principal law office is located (if there are two or more bar associations in that district, the one that is specified in the Legal Professional Corporation's articles of incorporation).

(2) A Legal Professional Corporation that establishes a new law office or relocates its existing law office outside the district of the bar association to which it belongs shall, upon registration thereof at the location of such new or relocated law office, become a member of the bar association of the district in which such law office is located (if there are two or more bar associations in that district, then the one that is specified in its articles of incorporation).

(3) A Legal Professional Corporation that no longer has a law office in the district of the bar association to which it belongs due to relocation or closing shall, upon registration of relocation or closing of the former location of that office, withdraw from the association.

(4) A Legal Professional Corporation may transfer its bar association to which he/she belongs by modifying its articles of incorporation accordingly, provided that there are two or more bar associations in the district in which its law office is located.

(5) A Legal Professional Corporation may not belong to more than one bar associations in the same district.

(6) A Legal Professional Corporation that is admitted to a member of a new bar association pursuant to paragraph (2) or (4) shall, within two weeks from the date of admission, give notification thereof to said bar association and to the Japan Federation of Bar Associations, together with a certified copy of the register and a copy of its articles of incorporation.

(7) Any Legal Professional Corporation that withdraws from a bar association pursuant to paragraph (3) or (4) shall, within two weeks from the date of such withdrawal, give notification thereof to said bar association and to the Japan

Federation of Bar Associations.

(General meeting)

Article 37 (1) A bar association shall hold an ordinary general meeting every year.

(2) A bar association may convene an extraordinary general meeting when it deems necessary.

(Report on resolutions, etc. of general meeting)

Article 38 A bar association shall report to the Japan Federation of Bar Associations on resolutions adopted at its general meeting, on its officers' taking office and on their retirement.

(Matters requiring a resolution of a general meeting)

Article 39 Any amendment of its articles of association, budgets and settlement of accounts shall be approved by a resolution adopted at its general meeting.

(Rescission of a resolution adopted at a general meeting)

Article 40 If a resolution adopted at the general meeting of a bar association adversely affects the public interest, violates the provisions of any laws or regulations or the articles of association of the bar association or the Japan Federation of Bar Associations, the latter may rescind such resolution.

(Mediation of disputes)

Article 41 A bar association may, upon request of an attorney, a Legal Professional Corporation, the party in question, or other concerned parties, mediate any dispute regarding the duties of an attorney or the activities of a Legal Professional Corporation.

(Replies and proposals)

Article 42 (1) A bar association shall reply to inquiries and requests for consultation from the Japan Federation of Bar Associations.

(2) A bar association may make its proposals or reply to a request for consultation, to government or public agencies regarding the professional affairs of attorneys and Legal Professional Corporations, and other judicial affairs.

(Merger and dissolution)

Article 43 (1) If the jurisdictional district of a district court is changed and consequently it becomes necessary for a bar association within such district to merge or dissolve, said bar association shall merge or dissolve by means of a

resolution adopted at its general meeting.
(2) The bar association surviving the merger or newly created through the merger shall succeed to all rights and obligations of the bar association which is extinguished by the merger.
(3) The provisions of Article 30-28 shall apply mutatis mutandis to a merger of bar associations. In such case, "articles of incorporation" as used in paragraph (3) shall be read as "articles of association" and "Article 939, paragraphs (1) and (3)" as used in paragraph (6) shall be read as ""articles of incorporation" as used in Article 939, paragraph (1) shall be read as "articles of association" and the same paragraph and paragraph (3) of the same Article."
(4) The provisions of Articles 73 through 76, 78 through 80, and 82 of the Civil Code and Article 27 of the Act for Enforcement of the Civil Code (Act No. 11 of 1898) shall apply mutatis mutandis to the dissolution of bar associations.
(5) Where there is a merger of bar associations, attorneys who were members of the bar association which was dissolved on account of said merger shall automatically become members of the bar association which survives the merger or is newly established as a result of the merger.
(6) The provisions of Article 10, paragraph (1) shall apply mutatis mutandis in the case specified in the preceding paragraph.

(Exemption from application of the Administrative Procedure Act)
Article 43-2 Chapters II and III of the Administrative Procedure Act (Act No. 88 of 1993) shall not apply to an action taken by a bar association pursuant to this Act.

(A federation of bar associations)
Article 44 Bar associations situated in an area within the jurisdictional district of the same high court may, in order to jointly perform certain matters, formulate rules and establish a federation of bar associations with the approval of the Japan Federation of Bar Associations.

Chapter VI The Japan Federation of Bar Associations

(Establishment, purpose, and juridical personality)
Article 45 (1) All bar associations in Japan shall together establish the Japan Federation of Bar Associations.
(2) The purpose of the Japan Federation of Bar Associations shall be, in view of the mission and duties of attorneys and Legal Professional Corporations, to manage matters relating to the guidance, liaison, and supervision of attorneys, Legal Professional Corporations, and bar associations, in order to maintain the dignity and improve and advance the work of attorneys and Legal Professional

Corporations.
(3) The Japan Federation of Bar Associations shall be a juridical person.

(Articles of association)
Article 46 (1) The Japan Federation of Bar Associations shall formulate its articles of association.
(2) The following matters shall be stipulated in the articles of association of the Japan Federation of Bar Associations.
(i) Matters specified in items (i) to (v) inclusive, (vii) to (xi) inclusive, (xiii), (xv) and (xvi) of paragraph (2) of Article 33;
(ii) Provisions regarding registration, transfer and rescission of registration in the roll of attorneys; and
(iii) Provisions regarding the Board of Discipline Review.

(Membership)
Article 47 Attorneys, Legal Professional Corporations, and bar associations shall as a matter of course become members of the Japan Federation of Bar Associations.

(Request for investigation)
Article 48 The Japan Federation of Bar Associations may request that government and public agencies investigate necessary matters relating to its functions concerning the guidance, liaison, and supervision of attorneys, Legal Professional Corporations, and bar associations.

(Powers of the Supreme Court)
Article 49 The Supreme Court may, if it deems necessary, demand that the Japan Federation of Bar Associations report on its affairs, or request that it investigate matters regarding attorneys, Legal Professional Corporations, or bar associations.

(Exemption from application of the Administrative Procedure Act)
Article 49-2 Chapters II and III of the Administrative Procedure Act shall not apply to an action taken by the Japan Federation of Bar Associations pursuant to this Act.

(Restriction on the filing of complaints)
Article 49-3 No complaint under the Administrative Appeal Act can be filed against the dispositions made by the Japan Federation of Bar Associations in accordance with this Act.

(Mutatis mutandis application)

Article 50 The provisions of Article 34, 35, 37, 39 and Article 42, paragraph (2) shall apply mutatis mutandis to the Japan Federation of Bar Associations.

Chapter VII The Qualifications Screening Board

(Establishment and functions)

Article 51 (1) Each bar association and the Japan Federation of Bar Associations shall respectively establish a Qualifications Screening Board.

(2) A Qualifications Screening Board shall, upon request by the bar association or the Japan Federation of Bar Associations in which it is established, conduct necessary examinations regarding requests for registration or transfer and rescission thereof.

(Organization)

Article 52 (1) A Qualifications Screening Board shall be composed of a president and several board members.

(2) The president of the bar association or the Japan Federation of Bar Associations in which a Qualifications Screening Board is established shall become the ex-officio president of said Board.

(3) The president of the Qualifications Screening Board shall appoint board members from among attorneys, judges, public prosecutors and academic experts; provided, however, that appointment of board members who are judges or prosecutors to the Qualifications Screening Board of a bar association shall be based upon the recommendations respectively of the High Court, the District Court, the superintendent public prosecutor of the High Public Prosecutors Office, or the chief public prosecutor of the District Public Prosecutors Office, located within the same jurisdiction, and the other members shall be appointed based on a resolution adopted at a general meeting of the bar association. The appointment of members who are judges or prosecutors to the Qualifications Screening Board of the Japan Federation of Bar Associations shall be based on the recommendations of the Supreme Court or the Prosecutor-General, and the other members shall be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

(4) The term of office of board members shall be two years; provided, however, that the term of office of substituting board member shall be the remaining term of office of the member they replace.

(Reserve members)

Article 53 (1) Each Qualifications Screening Board shall have several reserve

members.
(2) The provisions of paragraphs (3) and (4) of the preceding Article shall apply mutatis mutandis to reserve members.
(3) If a board member is unable to perform his/her duties or there is a vacancy, the president shall appoint a person to act in place of such member or fill the vacancy from among such reserve members having the same qualifications.

(Duties and status of a president, etc.)
Article 54 (1) The president shall supervise all affairs of the Board.
(2) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the president, board members and reserve board members shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(Screening procedures)
Article 55 (1) The Qualifications Screening Board may, when necessary for screening, request the party in question, concerned parties, government and public agencies or others to submit statements, explanations or information.
(2) If the Qualifications Screening Board makes a resolution refusing a request for registration, a request for transfer of registration or the transmittal thereof, or approves a request for rescission of registration as specified in Article 13, it shall provide notice of that fact to the party in question and give him/her an opportunity to submit statements and information.

Chapter VIII Disciplinary action

Section 1 Grounds for Disciplinary Actions and the Organ Empowered to Take Disciplinary Action, etc.

(Grounds for disciplinary actions and the organ empowered to take disciplinary action)
Article 56 (1) An attorney or Legal Professional Corporation shall be subject to disciplinary actions if he/she or it violates this Act or the articles of association of the bar association to which he/she or it belongs or of the Japan Federation of Bar Associations, or damages the order or reputation of said bar association or misbehaves in a manner impairing his/her or its own integrity, whether in the conduct of his/her professional activities or not.
(2) Disciplinary actions shall be taken by the bar association to which the attorney or Legal Professional Corporation belongs.
(3) The grounds for disciplinary actions that a bar association may impose on a Legal Professional Corporation having a secondary law office within the jurisdiction of the bar association shall be limited to grounds involving the

secondary law office.

(Kinds of disciplinary actions)

Article 57 (1) There shall be four kinds of disciplinary actions against attorneys, as follows

(i) Admonition;

(ii) Suspension for not more than two years;

(iii) Order to withdraw from the bar association to which he/she belongs; or

(iv) Disbarment.

(2) There shall be four kinds of disciplinary actions against Legal Professional Corporations, as follows:

(i) Admonition;

(ii) Suspension of the Legal Professional Corporation or of its law office for not more than two years;

(iii) Order to withdraw from the bar association to which it belongs (this action shall be limited to Legal Professional Corporations with only a secondary law office within the jurisdiction of the association); or

(iv) Disbarment (this action shall be limited to Legal Professional Corporations whose principal law office is within the district of the association).

(3) If a bar association takes the disciplinary action set forth in item (ii) of the preceding paragraph against a Legal Professional Corporation with only a secondary law office within the district of said bar association, the only action it may take is to order the suspension at the law office located within its district.

(4) In connection with the application of the provisions of paragraph (2) or paragraph (3), the Japan Federation of Bar Associations shall be deemed to be the bar association in whose district the Legal Professional Corporation in question has its principal law office.

(Prohibition of the establishment or relocation of a law office by a Legal Professional Corporation subject to disciplinary action)

Article 57-2 (1) If a Legal Professional Corporation is ordered to suspend the practice of all of its law offices within a bar association's district as a result of a disciplinary action, it shall not establish or relocate a law office within such district during the term of suspension.

(2) A Legal Professional Corporation that has been subject to the disciplinary action set forth in item (iii) of paragraph (2) of the preceding Article shall not establish or relocate a law office within the district of the bar association taking such action for three years from the date of such action.

(Request for disciplinary action, investigation and examination)

Article 58 (1) Any person who believes that there are grounds for disciplining an attorney or a Legal Professional Corporation may make a request for disciplinary action to the bar association to which said attorney or Legal Professional Corporation belongs, attaching thereto an explanation of such grounds.

(2) If a bar association finds that there are grounds for disciplining an attorney or a Legal Professional Corporation who/which is a member thereof, or if there has been a request as set forth in the preceding paragraph, the bar association shall cause its Disciplinary Enforcement Committee to make an investigation regarding the disciplinary procedures against such member.

(3) If a Disciplinary Enforcement Committee finds, based on an examination pursuant to the preceding paragraph, that it would be appropriate to refer the matter to the Disciplinary Actions Committee to examine the case with respect to the Accused Attorney, etc. (the "Accused Attorney, etc." here and hereinafter mean refers to the attorney or Legal Professional Corporation being subject to the disciplinary procedure), the Disciplinary Enforcement Committee shall adopt a resolution to that effect. In such a case, the bar association shall, based on said resolution, refer the matter to the Disciplinary Actions Committee for examination.

(4) If the Disciplinary Enforcement Committee finds, based on an investigation pursuant to paragraph (2), that the request mentioned in paragraph (1) hereof is not legitimate, or is unable to commence the disciplinary procedure against the Accused Attorney, etc., or finds that there are no grounds to discipline the Accused Attorney, etc., or it is apparent that disciplinary action should not be imposed in light of the relative importance of the case or other extenuating circumstances, the Disciplinary Enforcement Committee shall adopt a resolution that it shall not refer the matter to the Disciplinary Actions Committee for examination. In such a case, the bar association shall issue a ruling to the effect that it will not discipline the Accused Attorney, etc.

(5) If the Disciplinary Actions Committee finds, based on an examination pursuant to paragraph (3), that it is appropriate to discipline the Accused Attorney, etc. it shall adopt a resolution to that effect setting forth the details of the disposition to be undertaken. In such a case, the bar association shall, based on said resolution, discipline the Accused Attorney, etc.

(6) If the Disciplinary Actions Committee finds, based on an examination pursuant to paragraph (3), that it is appropriate not to discipline the Accused Attorney, etc., it shall adopt a resolution to that effect. In such a case, the bar association shall, based on said resolution, issue a ruling that it will not discipline the Accused Attorney, etc.

(Ruling on an appeal by a person subject to discipline)

Article 59 When the Japan Federation of Bar Associations receives an appeal under the Administrative Appeal Act regarding a disciplinary action imposed by a bar association pursuant to the provisions of Article 56, it shall refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination, and shall issue a resolution based on the ruling of its Disciplinary Actions Committee.

(Discipline by the Japan Federation of Bar Associations)

Article 60 (1) If the Japan Federation of Bar Associations itself finds that it is appropriate to discipline an attorney or Legal Professional Corporation regarding the circumstances set forth in Article 56, paragraph (1), it may discipline him/her or it as set forth in the following paragraphs (2) through (6).

(2) If the Japan Federation of Bar Associations finds that there are grounds to discipline an attorney or a Legal Professional Corporation, it may cause the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations to investigate the matter.

(3) If the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds, based on an examination pursuant to the preceding paragraph, that it would be appropriate to refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination with respect to the Accused Attorney, etc., the Disciplinary Enforcement Committee shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination.

(4) If the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds, based on an investigation pursuant to paragraph (2), that it is not able to commence disciplinary procedures against the Accused Attorney, etc., or that there are no grounds to discipline the Accused Attorney, etc., or it is apparent that disciplinary actions should not be imposed in light of the relative importance of the case or other extenuating circumstances, the Disciplinary Enforcement Committee shall adopt a resolution that it will not refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations for examination. In such a case, the Japan Federation of Bar Associations shall issue a ruling that it will not discipline the Accused Attorney, etc.

(5) If the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds, based on an examination pursuant to paragraph (3), that it is appropriate to discipline the Accused Attorney, etc., it shall adopt a resolution to that effect setting forth the details of the dispositions to be undertaken. In such a case, the Japan Federation of Bar Associations shall,

based on said resolution, discipline the Accused Attorney, etc.

(6) If the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds, based on an examination pursuant to paragraph (3), that it is appropriate not to discipline the Accused Attorney, etc., it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling that it will not discipline the Accused Attorney, etc.

(Institution of lawsuit)

Article 61 (1) A person whose appeal regarding a disciplinary action imposed by a bar association pursuant to the provisions of Article 56 is dismissed or rejected or who is subject to disciplinary actions by the Japan Federation of Bar Associations pursuant to the provisions of Article 60, may institute a lawsuit for recission of such decision with the Tokyo High Court.

(2) With respect to disciplinary actions imposed by a bar association pursuant to the provisions of Article 56, a lawsuit for recission may be instituted only against the ruling of the Japan Federation of Bar Associations.

(Restrictions on requests for transfer of registration, etc.)

Article 62 (1) An attorney against whom disciplinary procedures have been initiated may not make a request for a transfer of registration or a rescission of registration until such procedures have been concluded.

(2) A Legal Professional Corporation against which disciplinary procedures have been initiated shall not, even if it no longer has a law office within the district of the bar association to which it belongs due to relocation or closing, withdraw from that bar association until such procedures have been concluded.

(3) A Legal Professional Corporation against which disciplinary procedures have been initiated shall not transfer its bar association pursuant to Article 36-2, paragraph (4) until such procedures have been concluded.

(4) If a Legal Professional Corporation against which disciplinary procedures have been initiated relocates its principal law office outside of the district of the bar association to which it belongs, the Legal Professional Corporation shall, for the purposes of this Chapter, be deemed to have retained its principal law office at its former location until such procedures have been concluded.

(5) For the purposes of this Chapter, a Legal Professional Corporation against which disciplinary procedures have been initiated shall, even after its liquidation has been completed, be deemed to survive until such procedures have been concluded.

(Statute of limitations)

Article 63 No disciplinary procedures shall be initiated after the lapse of three

years from the time the grounds for such action arose.

Section 2 Filing of an Objection, etc. by a Party Requesting Discipline

(Filing of an objection by a party requesting discipline)

Article 64 (1) If, despite a request for discipline made against an attorney or Legal Professional Corporation pursuant to the provisions of Article 58, paragraph (1), a bar association issues a ruling not to discipline the Accused Attorney, etc., or has not concluded disciplinary procedures within a reasonable period, the requesting party (hereinafter referred to as "Discipline Requesting Party") may file an objection thereto with the Japan Federation of Bar Associations. The same shall apply to cases where the Discipline Requesting Party finds that disciplinary actions imposed by the bar association were unjustly lenient.

(2) The filing of an objection pursuant to the provisions of the preceding paragraph (other than an objection that disciplinary procedures have not been concluded within a reasonable period) shall be made within 60 days from the day following the day of receipt of a notice from the bar association pursuant to the provisions of Article 64-7, paragraph (1), item (ii), of its decision not to discipline, or the date of receipt of a notice regarding disciplinary actions pursuant to the provisions of Article 64-6, paragraph (2).

(3) If a written objection is submitted by mail or by a general correspondence delivery service operator as set forth in Article 2, paragraph (6) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) or a specified correspondence delivery service operator as set forth in paragraph (9) of the same Article or via postal service as set forth in paragraph (2) of the same Article, the days needed for delivery shall not be included for purposes of calculating the objection period set forth in the preceding paragraph.

(Examination of an objection, etc. by the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations)

Article 64-2 (1) If, after an objection is filed in accordance with the provisions of paragraph (1) of the preceding Article, the case is not referred to the Disciplinary Actions Committee of the original bar association (the "original bar association" here and hereinafter refers to the bar association to which the Discipline Requesting Party submitted a request for disciplinary action) for examination, the Japan Federation of Bar Associations shall refer the objection to the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations for examination.

(2) If an objection is filed regarding the original bar association's ruling not to discipline the Accused Attorney, etc. pursuant to the provisions of Article 58,

paragraph (4), and based on an examination of the objection set forth in the preceding paragraph, the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds it appropriate to refer the case back to the Disciplinary Actions Committee of the original bar association for investigation, the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, rescind the original bar association's decision not to discipline the Accused Attorney, etc., and remand the case to the original bar association.

(3) The original bar association that receives a matter in accordance with the provisions of the preceding paragraph shall have its Disciplinary Actions Committee examine the matter. In such a case, the provisions of Article 58, paragraphs (5) and (6) shall apply mutatis mutandis.

(4) If an objection is filed that the original bar association failed to conclude disciplinary procedures within a reasonable period, and the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations allows the objection based on an examination of the objection as set forth in paragraph (1), it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, order the original bar association to promptly proceed with disciplinary procedures, and either discipline the Accused Attorney, etc. or issue a ruling that the Accused Attorney, etc. will not be disciplined.

(5) If the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations finds that it is appropriate to dismiss the objection as not being legitimate, or rejects the objection as being groundless, the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, issue a ruling dismissing or rejecting the objection.

(Application for discipline review)

Article 64-3 (1) If a Discipline Requesting Party is dissatisfied with a ruling issued by the Japan Federation of Bar Associations in accordance with paragraph (5) of the preceding Article dismissing or rejecting the objection filed pursuant to the provisions of paragraph (2) of the same Article, he/she may apply to the Japan Federation of Bar Associations for a discipline review by the Board of Discipline Review. In such a case, the Japan Federation of Bar Associations shall request the Board of Discipline Review to conduct a discipline review.

(2) The application for a discipline review pursuant to the provisions of the preceding paragraph shall be made within a period of 30 days commencing

from the date following the date of receipt of notice from the Japan Federation of Bar Association of its ruling dismissing or rejecting the objection in accordance with the provisions of Article 64-7, paragraph (2), item (vi).

(3) The provisions of Article 64, paragraph (3) shall apply mutatis mutandis to the application for discipline review as set forth in the preceding paragraph.

(Discipline Review, etc.)

Article 64-4 (1) If, based on the discipline review set forth in paragraph (1) of the preceding Article, the Board of Discipline Review finds that it is appropriate to have the matter examined by the Disciplinary Actions Committee of the original bar association, the Board of Discipline Review shall adopt a resolution to that effect. This resolution must be adopted by a two-third's majority of the committee members present.

(2) If the preceding paragraph applies, the Japan Federation of Bar Associations, based on the resolution of the preceding paragraph, shall remand the matter to the original bar association after rescinding its ruling dismissing or rejecting the objection, as well as the ruling rendered by the original bar association not to discipline the Accused Attorney, etc.

(3) The original bar association to which a matter pursuant to the provisions of the preceding paragraph has been remanded shall have its Disciplinary Actions Committee conduct an examination of the matter. In such a case, the provisions of Article 58, paragraphs (5) and (6) shall apply mutatis mutandis.

(4) If the Board of Discipline Review finds that it is appropriate to dismiss the application for a discipline review as not being legitimate, the Board of Discipline Review shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling dismissing the application for a discipline review.

(5) Except for the case set forth in the preceding paragraph, if the Board of Discipline Review is unable to adopt a resolution as set forth in paragraph (1) hereof, the Discipline Review Committee shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling rejecting the application for a discipline review.

(Examination of an objection, etc., by the Disciplinary Actions Committee of the Japan Federation of Bar Associations)

Article 64-5 (1) If an objection is filed pursuant to the provisions of Article 64, paragraph (1), and the matter had been previously investigated by the Disciplinary Actions Committee of the original bar association, the Japan Federation of Bar Associations shall have its Disciplinary Actions Committee conduct an examination of the objection.

(2) If an objection is filed regarding the original bar association's decision not to

discipline the Accused Attorney, etc. pursuant to the provisions of Article 58, paragraph (6), and based on an examination of the objection set forth in the preceding paragraph, the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds that it is appropriate to discipline the Accused Attorney, etc., the Committee shall adopt a resolution to that effect, setting forth the details of the disciplinary action. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, overturn the original bar association's decision not to discipline the Accused Attorney, etc., and discipline the Accused Attorney, etc. itself.

(3) If an objection is filed that the original bar association has not concluded disciplinary procedures within a reasonable period, and the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds that there are grounds for the objection based on an examination of the objection pursuant to paragraph (1) hereof, it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, order the original bar association to promptly proceed with disciplinary procedures, and either discipline the Accused Attorney, etc. or issue a ruling that it will not discipline the Accused Attorney, etc.

(4) If an objection is filed that the disciplinary actions imposed by the original bar association were unjustly lenient, and the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds that there are grounds for the objection based on an examination of the objection pursuant to paragraph (1) hereof, it shall set forth the details of such disciplinary actions and adopt a resolution ordering that the disciplinary actions be changed. In such a case, the Japan Federation of Bar Associations shall, based on such resolution, overturn the disciplinary actions imposed by the original bar association, and itself impose disciplinary actions against the Accused Attorney, etc.

(5) If the Disciplinary Actions Committee of the Japan Federation of Bar Associations finds that it is appropriate to dismiss the objection as not being legitimate, or to reject the objection as being groundless, it shall adopt a resolution to that effect. In such a case, the Japan Federation of Bar Associations shall, based on said resolution, issue a ruling dismissing or rejecting the objection.

(Notice and public notice of disciplinary actions)

Article 64-6 (1) If disciplinary actions are imposed against an Accused Attorney, etc., the bar association or the Japan Federation of Bar Associations shall provide the Accused Attorney, etc. with written notice of the details of the disciplinary actions and the reasons for the imposition thereof.

(2) If disciplinary actions are imposed against an Accused Attorney, etc., the bar association or the Japan Federation of Bar Associations shall promptly send a

written notice describing the contents of the disciplinary actions and the reasons for the imposition thereof to, in cases where the bar association imposes the actions, the Discipline Requesting Party, the other bar associations to which the accused Legal Professional Corporation belongs and the Japan Federation of Bar Associations, or, in cases where the Japan Federation of Bar Associations imposes the actions, the Discipline Requesting Party and the bar association to which the Accused Attorney, etc. belongs.

(3) If disciplinary actions are imposed against an Accused Attorney, etc. by the bar association or the Japan Federation of Bar Associations, the Japan Federation of Bar Associations shall make public the details of the disciplinary actions in the Official Gazette without delay.

(Notice regarding disciplinary procedures)

Article 64-7 (1) If any of following items applies to a disciplinary procedure, the bar association shall promptly provide written notices of the matters set forth in the relevant item to the Accused Attorney, etc., the Discipline Requesting Party, the other bar associations to which the accused Legal Professional Corporation belongs, and the Japan Federation of Bar Associations.

(i) If the Disciplinary Enforcement Committee has been made to investigate or a request for an examination has been made to the Disciplinary Actions Committee, a statement to such effect and details of the matter

(ii) If a ruling not to discipline the Accused Attorney, etc. has been issued, a statement to such effect and reasons therefor

(iii) If disciplinary proceedings are suspended or resumed by the Disciplinary Actions Committee or its sub-committee due to pending criminal proceedings for the same event, a statement to such effect

(iv) If disciplinary proceedings are terminated because the attorney subject to the disciplinary proceedings dies or is no longer an attorney, a statement to such effect and the reasons therefor

(2) If any of the following items applies with respect to a disciplinary proceeding, the Japan Federation of Bar Associations shall promptly give written notices of the matters set forth in the relevant item to the Accused Attorney, etc., the Discipline Requesting Party and the bar association to which the Accused Attorney, etc. belongs.

(i) If the Disciplinary Enforcement Committee has been made to examine the case, or the Disciplinary Actions Committee has been requested to investigate a matter, a statement to such effect and the details thereof

(ii) If a ruling not to discipline the Accused Attorney, etc. has been issued, a statement to such effect and the reasons therefor

(iii) If the Disciplinary Enforcement Committee has been requested to examine an objection, or the Board of Discipline Review has been requested to conduct

a discipline review, or the Disciplinary Actions Committee has been requested to investigate an objection, a statement to such effect

(iv) If a matter has been remanded to the original bar association pursuant to the provisions of Article 64-2, paragraph (2) or Article 64-4, paragraph (2), a statement to such effect and reasons therefor

(v) If the original bar association has been ordered to promptly proceed with disciplinary procedures, and either discipline the Accused Attorney, etc. or issue a ruling that it will not discipline the Accused Attorney, etc., a statement to such effect and reasons therefor

(vi) If a ruling dismissing or rejecting an objection has been issued, a statement to such effect and the reasons therefor

(vii) If a ruling dismissing or rejecting an application for a discipline review has been issued, a statement to such effect and the reasons therefor

(viii) If disciplinary proceedings are suspended or resumed by the Disciplinary Actions Committee or its sub-committee due to pending criminal proceedings regarding the same event, a statement to such effect

(ix) If disciplinary proceedings are terminated because the attorney subject to the disciplinary proceedings has died or is no longer an attorney, a statement to such effect and the reasons therefor

Section 3 The Disciplinary Actions Committee

(Establishment of a Disciplinary Actions Committee)

Article 65 (1) A Disciplinary Actions Committee shall be established in each bar association and in the Japan Federation of Bar Associations.

(2) A Disciplinary Actions Committee shall, upon the request of its bar association or the Japan Federation of Bar Associations conduct necessary examinations regarding the disciplining of an attorney or a Legal Professional Corporation that belongs to said bar association.

(Composition of a Disciplinary Actions Committee)

Article 66 A Disciplinary Actions Committee shall be composed of four or more committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

(The committee members of a Disciplinary Actions Committee)

Article 66-2 (1) The committee members of a Disciplinary Actions Committee of a bar association shall be individually appointed by the president of the bar association from among attorneys, judges, public prosecutors and academic experts. In such a case, the committee members who are judges or public prosecutors shall be appointed based on the recommendations from the High

Court or the District Court or by the superintendent public prosecutor of the High Public Prosecutors' Office or the chief public prosecutor of the District Public Prosecutors' Office located within the same jurisdiction, and the other members shall be appointed based on a resolution adopted at a general meeting of the bar association.

(2) The committee members of the Disciplinary Actions Committee of the Japan Federation of Bar Associations shall be individually appointed by the president of the Japan Federation of Bar Associations from among attorneys, judges, public prosecutors and academic experts. In such a case, the committee members who are judges or public prosecutors shall be appointed based upon the recommendations of the Supreme Court or the Secretary General of the Public Prosecutor's Office, and the other members shall be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

(3) The term of committee members of a Disciplinary Actions Committee shall be two years; provided that the term of a substituting committee member shall be the remaining term of his/her predecessor.

(4) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the committee members of a Disciplinary Actions Committee shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(The chairman of a Disciplinary Actions Committee)

Article 66-3 (1) A Disciplinary Actions Committee shall have a chairman who shall be elected from among its members.

(2) The chairman shall preside over all affairs of the committee.

(3) If the chairman is unable to carry out his/her duties, such duties shall be fulfilled by another member of the committee designated according to an order stipulated in advance by the Disciplinary Actions Committee.

(4) The provisions of paragraph (4) of the preceding Article shall apply mutatis mutandis to the chairman.

(Reserve committee members of a Disciplinary Actions Committee)

Article 66-4 (1) A Disciplinary Actions Committee shall include four or more reserve committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

(2) If a committee member is unable to carry out his/her duties or there is a vacancy on the committee, the president of the bar association or the Japan Federation of Bar Associations shall designate a person from among the reserve committee members having the same qualifications as that member to act in his/her place or fill such vacancy.

(3) The provisions of Article 66-2 shall apply mutatis mutandis to reserve committee members.

(Sub-committees of a Disciplinary Actions Committee)

Article 66-5 (1) A Disciplinary Actions Committee may establish sub-committees to examine a given case as is necessary.

(2) A sub-committee shall be composed of one or more sub-committee member(s) who is/are attorney(s), judge(s), public prosecutor(s) or academic expert(s) and is/are designated by the chairman.

(3) A sub-committee shall have a chairman, who shall be elected from among the sub-committee members.

(4) If the chairman of the sub-committee is unable to carry out his/her duties, such duties shall be fulfilled by another sub-committee member designated according to an order stipulated in advance by the sub-committee.

(5) A Disciplinary Actions Committee may treat a resolution adopted by a sub-committee for a matter that the sub-committee has examined as a resolution of the Disciplinary Actions Committee, as stipulated by the Committee.

(Examination procedures of a Disciplinary Actions Committee)

Article 67 (1) If a Disciplinary Actions Committee has been requested to conduct an examination, it shall promptly set the date of the examination and notify the Accused Attorney, etc. to such effect.

(2) An attorney or a member of a Legal Professional Corporation subject to an examination may appear before the Committee on the date of examination and make a statement. In such a case, said attorney or member of the Legal Professional Corporation shall follow the directions of the chairman of the Disciplinary Actions Committee.

(3) If necessary for the examination, the Disciplinary Actions Committee may request the Accused Attorney, etc., the Discipline Requesting Party, concerned parties or public agencies to make statements or submit explanations or information.

(The resolution statement of Disciplinary Actions Committee)

Article 67-2 When adopting a resolution, the Disciplinary Actions Committee shall promptly prepare a resolution statement giving the reasons therefor.

(Suspension of disciplinary procedures)

Article 68 A Disciplinary Actions Committee may suspend disciplinary proceedings while a criminal action is pending regarding the same event.

(Provisions that apply mutatis mutandis to sub-committees of Disciplinary

Actions Committee)

Article 69 The provisions of the preceding three Articles shall apply mutatis mutandis to the sub-committees of a Disciplinary Actions Committee.

Section 4 The Disciplinary Enforcement Committee

(Establishment of a Disciplinary Enforcement Committee)

Article 70 (1) A Disciplinary Enforcement Committee shall be established in each bar association and the Japan Federation of Bar Associations.

(2) A Discipline Enforcement Committee of a bar association shall conduct the investigations set forth in Article 58, paragraph (2) and Article 71-6, paragraph (2), and shall handle other matters related to maintaining the discipline of attorneys and Legal Professional Corporations belonging to that bar association.

(3) The Discipline Enforcement Committee of the Japan Federation of Bar Associations shall conduct the investigations set forth in Article 60, paragraph (2) and Article 71-6, paragraph (2) as well as examinations of the objections set forth in Article 64-2, paragraph (1), and shall handle other matters related to maintaining the discipline of attorneys and Legal Professional Corporations.

(Composition of a Disciplinary Enforcement Committee)

Article 70-2 A Disciplinary Enforcement Committee shall be composed of four or more committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

(The committee members of a Disciplinary Enforcement Committee)

Article 70-3 (1) The committee members of a Disciplinary Enforcement Committee of a bar association shall be individually appointed by the president of the bar association from among attorneys, judges, public prosecutors and academic experts. In such a case, the provisions of the second sentence of Article 66-2, paragraph (1) shall apply mutatis mutandis.

(2) The committee members of the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations shall be individually appointed by the president of the Japan Federation of Bar Associations from among attorneys, judges, public prosecutors and academic experts. In such a case, the provisions of the second sentence of Article 66-2, paragraph (2) shall apply mutatis mutandis.

(3) The term of committee members of a Disciplinary Enforcement Committee shall be two years; provided, however, that the term of a substituting committee member shall be the remaining term of his/her predecessor.

(4) In the application of criminal punishments stipulated pursuant to the Penal

Code or other laws, the committee members of a Disciplinary Enforcement Committee shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(The chairman of a Disciplinary Enforcement Committee)

Article 70-4 (1) A Disciplinary Enforcement Committee shall have a chairman who shall be elected from among its members.

(2) The chairman shall preside over all affairs of the committee.

(3) If the chairman is unable to carry out his/her duties, such duties shall be fulfilled by another member of the committee designated according to an order determined in advance by the Disciplinary Committee.

(4) The provisions of paragraph (4) of the preceding Article shall apply mutatis mutandis to the chairman.

(Reserve committee members of a Disciplinary Enforcement Committee)

Article 70-5 (1) A Disciplinary Enforcement Committee shall include four or more reserve committee members as designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

(2) If a committee member is unable to carry out his/her duties or there is a vacancy on the committee, the president of the bar association or the Japan Federation of Bar Associations shall designate a person from among the reserve committee members having the same qualifications as that member to act in his/her place or fill such vacancy.

(3) The provisions of Article 70-3 shall apply mutatis mutandis to reserve committee members.

(Sub-Committees of a Disciplinary Enforcement Committee)

Article 70-6 (1) A Disciplinary Enforcement Committee may establish sub-committees to investigate or examine a case as necessary.

(2) A sub-committee shall be composed of one or more sub-committee member(s) who is/are attorney(s), court judge(s), public prosecutor(s) or academic expert(s) and is/are designated by the chairman.

(3) A sub-committee shall have a chairman who shall be elected from among the sub-committee members.

(4) If the chairman of the sub-committee is unable to carry out his/her duties, such duties shall be fulfilled by another sub-committee member designated according to an order determined in advance by the sub-committee.

(5) A Discipline Enforcement Committee may treat a resolution adopted by a sub-committee for a case that the sub-committee has investigated or examined as a resolution of the Discipline Enforcement Committee, as stipulated by the Committee.

(Requests for statements, etc. by a Disciplinary Enforcement Committee)

Article 70-7 If necessary for an investigation or examination, a Disciplinary Enforcement Committee may request the Accused Attorney, etc., the Discipline Requesting Party, concerned parties or public agencies to make statements or submit explanations or information.

(The resolution statement of a Disciplinary Action Committee)

Article 70-8 When adopting a resolution, a Disciplinary Committee shall promptly prepare a resolution statement giving the reasons therefor.

(Provisions that apply mutatis mutandis to sub-committees of a Disciplinary Enforcement Committee)

Article 70-9 The provisions of the preceding two Articles shall apply mutatis mutandis to the sub-committees of a Disciplinary Enforcement Committee.

Section 5 The Board of Discipline Review

(Establishment of the Board of Discipline Review)

Article 71 (1) A Board of Discipline Review shall be established in the Japan Federation of Bar Associations.

(2) If a Discipline Requesting Party files a request for a review of a matter regarding which a bar association had issued a ruling not to discipline the Accused Attorney, etc. pursuant to the provisions of Article 58, paragraph (4), and to which the Japan Federation of Bar Associations had issued a ruling dismissing or rejecting the Discipline Requesting Party's objection to the bar association's ruling, the Board of Discipline Review shall reflect the public opinion of Japan and conduct discipline reviews as necessary to ensure that disciplinary procedures are appropriate.

(Composition of the Board of Discipline Review)

Article 71-2 The Board of Discipline Review shall be composed of eleven board members.

(The board members of the Board of Discipline Review)

Article 71-3 (1) The board members of the Board of Discipline Review shall be appointed by the president of the Japan Federation of Bar Associations from among academic experts (excluding attorneys, judges, public prosecutors and persons who formerly served in those professions) based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.

(2) The term of the board members of the Board of Discipline Review shall be two

years; provided that the term of a substituting board member shall be the remaining term of his/her predecessor.
(3) In the application of criminal punishments stipulated pursuant to the Penal Code or other laws, the board members shall be deemed to be officials engaging in public duties pursuant to the provisions of laws and regulations.

(The chairman of the Board of Discipline Review)
Article 71-4 (1) The Board of Discipline Review shall have a chairman who shall be elected from among the board members.
(2) The chairman shall preside over all affairs of the board.
(3) If the chairman is unable to carry out his/her duties, such duties shall be fulfilled by another board member designated according to an order determined in advance by the Board of Discipline Review.
(4) The provisions of paragraph (3) of the preceding Article shall apply mutatis mutandis to the chairman.

(Reserve board members of the Board of Discipline Review)
Article 71-5 (1) The Board of Discipline Review shall include reserve board members, the number of which shall be designated in the articles of association of the Japan Federation of Bar Associations.
(2) If a board member is unable to carry out his/her duties or there is a vacancy on the board, the President of the Japan Federation of Bar Associations shall designate a person from among the reserve board members having the same qualifications as that member to service in his/her place or fill such vacancy.
(3) The provisions of Article 71-3 shall apply mutatis mutandis to reserve board members.

(Request for statements, etc. by the Board of Discipline Review)
Article 71-6 (1) If necessary for a discipline review, the Board of Discipline Review may request that the Accused Attorney, etc., the Discipline Requesting Party, concerned parties or public agencies make statements or submit explanations or information.
(2) If necessary for a discipline review, the Board of Discipline Review may request the Disciplinary Enforcement Committee of the bar association to which the Accused Attorney, etc. belongs or the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations to conduct any necessary investigations.

(The resolution statement of the Board of Discipline Review)
Article 71-7 When adopting a resolution, the Board of Discipline Review shall promptly prepare a resolution statement giving the reasons therefor.

Chapter IX Control of the Handling of Legal Services

(Prohibition of the provision of legal services by non-attorneys)

Article 72 No person other than an attorney or a Legal Professional Corporation may, for the purpose of obtaining compensation, engage in the business of providing legal advice or representation, handling arbitration matters, aiding in conciliation, or providing other legal services in connection with any lawsuits, non-contentious cases, or objections, requesting for re-examination, appeals and other petitions against administrative agencies, etc., or other general legal services, or acting as an intermediary in such matters; provided, however, that the foregoing shall not apply if otherwise specified in this Act or other laws.

(Prohibition against the enforcement of assigned rights as a business)

Article 73 No person shall engage in the business of obtaining the rights of others by assignment and enforcing such rights through lawsuits, mediation, conciliation or any other method.

(Prohibition against false designations by non-attorneys)

Article 74 (1) No person who is not an attorney or a Legal Professional Corporation shall use for itself the indication or description of "attorney" or "law office."

(2) No person who is not an attorney or a Legal Professional Corporation shall, for profit, use a designation or reference indicating that he/she or it handles legal consultations or provides other legal services.

(3) No person who is not a Legal Professional Corporation shall use "legal professional corporation" or any other similar name in its name.

Chapter X Penal Provisions

(The crime of false registration, etc.)

Article 75 (1) A person without the required qualifications to be an attorney who has his/her name registered in the roll of attorneys by filing a false statement with the Japan Federation of Bar Associations shall be punished with a term of imprisonment with work of up to two years or by a fine of up to one million yen.

(2) The preceding paragraph shall also apply to a person who obtained from the Minister of Justice the Certification set forth in Article 5 by making a false statement on an application made pursuant to the provisions of Article 5-2, paragraph (1), regarding the period of having assumed a position set forth in Article 5, item (i) or (iii), the period of having discharged the duties set forth in

item (ii) of said Article, the details regarding the duties of said item, or any other material matters.

(3) Any attempt to commit the crimes specified in the preceding two paragraphs shall be punishable.

(Crime of Corruption)

Article 76 Any person who violates the provisions of Article 26 or Article 30-20 shall be punished with imprisonment at labor at a term of up to three years.

(Crime of acting in concert, etc. with non-attorneys)

Article 77 A person who falls under any of the following items shall be punished with imprisonment at labor at a term of up to of two years or a fine of up to three million yen:

(i) A person who has violated Article 27 (including that Article applied mutatis mutandis in Article 30-21);

(ii) A person who has violated Article 28 (including that Article applied mutatis mutandis in Article 30-21);

(iii) A person who has violated Article 72; or

(iv) A person who has violated Article 73.

(Crime of false indications, etc.)

Article 77-2 Any person who violates the provisions of Article 74 shall be punished by a fine of up to one million yen.

Article 77-3 Any person who, in violation of the provisions of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6) (including cases of mutatis mutandis application in Article 43, paragraph (3)), does not make entry of or record those matters stipulated by Ministry of Justice ordinance regarding the electronic public notice investigations prescribed in the same paragraph in the investigation record books, etc., prescribed in the same paragraph, or who makes a false entry or recording, or who does not retain such investigation record books, etc., shall be punished by a fine of up to three hundred thousand yen.

(Double punishment)

Article 78 (1) If Members, etc. of a Legal Professional Corporation violate the following provisions in connection with the legal practice of said corporation, such member shall be punished, and in addition, said Legal Professional Corporation shall be punished by the imposition of a fine as set forth below:

(i) A fine of up to three million yen for a violation of Article 76 (to the extent that it relates to the provisions of Article 30-20); or

(ii) The fine set forth in Article 77 for a violation of Article 77, item (i) (to the extent that it relates to the provisions of Article 27 as applied mutatis mutandis in Article 30-21) or Article 77, item (ii) (to the extent that it relates to the provisions of Article 28 as applied mutatis mutandis in Article 30-21).

(2) If a representative of a juridical person or the agent, employee, or other worker of a juridical or natural person violates the provisions of Article 77, item (iii) or (iv), Article 77-2 or the preceding Article in connection with the business of said juridical or natural person, such persons in violation shall be punished, and in addition said juridical or natural person shall be punished by the imposition of a fine as stipulated in this article.

(Administrative fines)

Article 79 Any person who falls under any of the following items shall be punished by an administrative fine of up to one million yen:

(i) A person who fails to make the report required by the provisions of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6) (here and hereafter, including mutatis mutandis application in Article 43, paragraph (3)), or who falsifies such report.

(ii) A person who, without justifiable grounds, rejects claims made pursuant to the provisions of any item of Article 951, paragraph (2) and Article 955, paragraph (2) of the Companies Act as applied mutatis mutandis to Article 30-28, paragraph (6).

Article 79-2 A member or a liquidator of a Legal Professional Corporation who falls under any of the following items shall be punished by an administrative fine of up to three hundred thousand yen:

(i) Failure to register, in violation of the provisions of a Cabinet Order issued in accordance with this Act;

(ii) A merger in violation of the provisions of Article 30-28, paragraph (2) or (5);

(iii) Failure to request an investigation, in violation of the provisions of Article 941 of the Companies Act, as applied mutatis mutandis to Article 30-28, paragraph (6);

(iv) Failure to make required statements or entries in, or the falsification of, the articles of incorporation or the account books required by Article 615, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1) or the balance sheet required by Article 617, paragraph (1) or (2) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (1);

(v) Failure to apply for the commencement of bankruptcy proceedings, in violation of the provisions of Article 656, paragraph (1) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2);

(vi) The distribution of the corporation's assets in violation of the provisions of Article 664 of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2); or

(vii) The disposal of the corporation's assets in violation of the provisions of Article 670, paragraph (2) or (5) of the Companies Act as applied mutatis mutandis to Article 30-30, paragraph (2).

Supplementary Provisions

(Effective date)

Article 80 This Act shall come into effect as from September 1, 1949.

(Persons qualified as an attorney pursuant to prior provisions)

Article 81 With respect to the application of this Act, a person qualified as an attorney pursuant to prior provisions shall be deemed to have completed the course for a legal apprentice at the time such said person obtained such qualification.

(Exceptions for probationary attorneys)

Article 82 A person who is a probationary attorney (Bengoshi-shiho), at the time this Act becomes effective, and has completed practical training for more than one year and a half and passed the examination in accordance with the prior Attorney Act, shall be deemed to have completed the course for a legal apprentice at the time such person passed said examination.

(Application of grounds for disqualification of an attorney)

Article 83 In the application of Article 7, a person who has been prohibited from practicing pursuant to the prior Accountant Law (Keirishi-ho, Act No.31 of 1927) shall be deemed to have had his/her registration as a certified public accountant revoked from the register of certified public accountants as a result of such disciplinary action, a person whose license was revoked pursuant to the prior Tax Accountants Law (Zeimu-dairishi-ho, Act No.46 of 1942) shall be deemed to have had his/her registration as a tax accountant revoked as a result of such disciplinary action, and a person who has been dismissed from his/her office as a government official under the order of the disciplinary action for public officials (Imperial Ordinance No. 63 of 1899) shall be deemed to have been discharged from his/her office as a public officer as a result of such disciplinary action.

(Registration on the former roll of attorneys)

Article 84 Registration on the prior roster pursuant to prior provisions shall be

deemed as registration on the roll of attorneys pursuant to this Act.

(Request for registration or change of registration)

Article 85 Request for registration or change of registration made to the Head of the Bureau of Legal Affairs (Homu-sosai) pursuant to prior provisions shall be deemed as a transmission of request for registration or change of registration to the Japan Federation of Bar Associations.

(Attorney's office pursuant to prior provisions)

Article 86 An office of an attorney which was notified to the Head of the Bureau of Legal Affairs pursuant to prior provisions shall be deemed as the law office notified pursuant to this Act by such attorney.

(Transfer of the roll of attorneys, etc., pursuant to prior provisions)

Article 87 Upon request by the Japan Federation of Bar Associations, the Bureau of Legal Affairs (Homu-fu) shall deliver to the Japan Federation of Bar Associations the roll of attorneys and any other documents concerning attorneys and bar associations which have been kept at the Bureau pursuant to prior provisions.

(Current bar associations and federation of bar associations)

Article 88 (1) Any bar association or federation of bar associations existing in the jurisdictional district of each high court at the time this Act becomes effective shall be deemed to be a bar association or federation of bar associations pursuant to this Act.

(2) The bar associations or federations of bar associations set forth in the preceding paragraph shall promptly obtain the approval of the Japan Federation of Bar Associations with respect to their articles of association or rules; in addition, the bar associations shall be required to register their establishment.

(3) Paragraph (2) and paragraphs (4) through (6) of Article 34 shall apply mutatis mutandis to the registration set forth in the preceding paragraph.

(Special provisions for bar associations within the same district)

Article 89 (1) Notwithstanding the provisions of Article 32, two or more bar associations existing within the jurisdictional district of the same district court may continue to exist as heretofore even after this Act becomes effective.

(2) The bar associations set forth in the preceding paragraph may at any time be merged with each other or be dissolved.

(3) In case of merger or dissolution pursuant to the preceding paragraph, paragraphs (2) through (6) of Article 43 shall apply mutatis mutandis.

(Preparatory proceedings for the establishment of the Japan Federation of Bar Associations)

Article 90 Any preparatory proceedings necessary for the establishment of the Japan Federation of Bar Associations may commence prior to the date set forth in Article 80.

(Application of Act concerning Exceptions to the Qualification of Attorneys and Probationary Attorneys)

Article 91 The Act concerning the Exceptions to the Qualification of Attorney and Probationary Attorney (Act No. 11 of 1946) shall continue to apply as heretofore; provided, however, that a probationary attorney in said Act shall be read as a legal apprentice and the duties of the Examining Committee shall be performed by the Qualifications Screening Board of the Japan Federation of Bar Associations as set forth in this Act.

(Repeal of the Act concerning Control over the Handling of Legal Matters)

Article 92 The Act concerning Control over the Provision of Legal Services (Act No. 54 of 1933) shall be repealed; provided, however, with respect to the application of penal provisions under said Act to any act committed prior to the repeal of said Act, the provisions then in force shall remain applicable.

Supplementary Provisions [Act No. 96 of April 14, 1950] [Extract]

(1) Those provisions of this Act amending Articles 61-2, 61-3 and 65 of the Court Act, amending those provisions of Article 6, item (vi) of the Act on Committee for Inquest of Prosecution that concern juvenile investigators and assistant juvenile investigators and amending provisions of the Juvenile Act shall become effective after 30 days have elapsed from the day of the promulgation, and all other provisions shall come into effect as from the day of promulgation.

Supplementary Provisions [Act No. 221 of June 9, 1951]

This Act shall come into effect as from the day of promulgation.

Supplementary Provisions [Act No. 237 of June 15, 1951] [Extract]

(1) This Act shall come into effect as from the day after one month has elapsed from the day of promulgation of this Act.

Supplementary Provisions [Act No. 268 of July 31, 1952] [Extract]

(1) This Act shall come into effect as from August 1, 1952.
(3) Previous organs and personnel shall become comparable organs and personnel under this Act and shall continue with the same identity.
(4) Tenure of office as each Chief in the Attorney-General's Office, Secretary General of the Attorney-General's Office, officials of the Attorney-General's Office, and educational officials of the Attorney-General's Office before effectuation of this Act shall respectively be regarded as the tenure of office as Vice-Minister of the Ministry of Justice, law officials of the Ministry of Justice, and education officials of the Ministry of Justice for the purpose of the application of the provisions of Article 41, Article 42 (including the case where the same Article is applied mutatis mutandis under Article 1, paragraph (2) of the Act concerning the Exceptions to the Authority of Assistant Judges, etc.) and Article 44 of the Court Act, and Article 19 of the Public Prosecutor's Office Act, Article 5 of the Attorney Act and Article 2 of the Judicial Scrivener Act.

Supplementary Provisions [Act No. 155 of August 10, 1955] [Extract]

(1) This Act shall come into effect as from the day of promulgation.
(3) Upon enforcement of this Act, regarding persons who have in fact received the approval of the Supreme Court prescribed in either paragraphs (1) or (2) of Article 7 of the pre-amendment Attorney Act, the provisions then in force shall remain applicable.
(4) Excluding those persons set forth in the previous paragraph, for purposes of application of penal provisions against acts carried out before the enforcement of this Act by persons who had received the approval of the Supreme Court prescribed in either paragraphs (1) or (2) of Article 7 of the pre-amendment Attorney Act, the provisions then in force shall remain applicable.

Supplementary Provisions [Act No. 158 of June 1, 1957] [Extract]

(Effective date)
(1) This Act shall come into effect as from August 1, 1957.

Supplementary Provisions [Act No. 137 of June 15, 1961] [Extract]

(1) This Act shall come into effect as from a date prescribed by a Cabinet Order within a period not exceeding six months from the day of promulgation.
(15) For the purpose of application of the provisions of item (iii) of Article 7 and item (ii) of paragraph (1) of Article 12 of the Attorney Act, revocation of registration as a tax accountant as disciplinary action pursuant to the former

law shall be deemed to be prohibition against the practice of business as a tax accountant as disciplinary action under the new law.

Supplementary Provisions [Act No. 77 of April 16, 1962] [Extract]

(Effective date)

(1) This Act shall come into effect as from the day of promulgation; provided, however, that the provisions of Article 6 and paragraphs (5) through (11) of the Supplementary Provisions shall come into effect as from July 1, 1962.

(10) For the purpose of application of the provisions of Article 5 of the amended Attorney Act, the tenure of office of an instructor of the Training Institute of the Minister of Justice (houmu kenshyujyo) prior to the enforcement of the provisions of Article 6 shall be deemed to be the tenure of office of an instructor of the Research and Training Institute of the Minister of Justice (houmu sogo kenkyujyo), and the tenure of office of a councilor of the legislative bureau (houseikyoku sanjikan) prior to the enforcement of the provisions of Article 6 shall be deemed to be the term of office of a councilor of the Legislative Bureau of the Cabinet (naikaku houseikyoku sanjikan).

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

(1) This Act shall come into effect as from October 1, 1962.

(2) The provisions revised by this Act shall also apply to matters that arose prior to the enforcement of this Act except as otherwise set forth in these Supplementary Provisions; provided, however, that the foregoing shall not hinder any valid force that arose pursuant to provisions prior to revision by this Act.

(3) With regards to lawsuits actually pending at the time of enforcement of this Act, the provisions then in force shall remain applicable notwithstanding provisions revised by this Act stipulating that such lawsuits may not be filed

(4) With respect to the jurisdiction over lawsuits actually pending at the time of enforcement of this Act, the provisions then in force shall remain applicable notwithstanding provisions revised by this Act stipulating exclusive jurisdiction.

(5) With respect to the valid period for filing a lawsuit concerning a disposition or determination for which the valid period for filing a lawsuit pursuant to provisions prior to revision by this Act is actually running at time of enforcement, the provisions then in force shall remain applicable; provided, however, that the foregoing shall apply only in the case where the amended valid period is shorter than the valid period prior to revision.

(6) The valid period for filing a party lawsuit concerning a disposition or

determination for which the valid period is stipulated through the amendment by this Act shall be counted from the effective date of this Act.

(7) With regard to actions for rescission of disposition or determination actually pending at time of enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding provisions revised by this Act stipulating that one party to the legal relationship be the defendant; provided, however, that the court may, upon the plaintiff's request, may rule to permit changing the action into a party suit.

(8) In the case set forth in the proviso to the preceding paragraph, the provisions of the second sentence of Article 18 and Article 21, paragraphs (2) to (5) of the Administrative Litigation Act shall apply mutatis mutandis.

Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]

(1) This Act shall come into effect as from October 1, 1962.

(2) The provisions revised by this Act shall also apply to dispositions by an administrative agency prior to the enforcement of this Act, inactions by an administrative agency pertaining to filings prior to the enforcement of this Act or other matters that have arisen prior to the enforcement of this Act, except as otherwise provided for in these Supplementary Provisions; provided, however, that those provisions shall not hinder legal effects that have arisen pursuant to provisions prior to revision by this Act.

(3) With respect to petitions, requests for examination, objections or other appeals ("Petitions, etc.") filed prior to the enforcement of this Act, the provisions then in force shall remain applicable even after the enforcement of this Act. The same shall apply to Petitions, etc. filed in the case of dissatisfaction with determinations, rulings, or other dispositions on Petitions, etc., which have been made prior to the enforcement of this Act ("Determinations, etc."), or a judgment, etc., made after the enforcement of this Act in regard to Petitions, etc., filed prior to the enforcement of this Act.

(4) Petitions, etc. specified in the preceding paragraph pertaining to a disposition on which after enforcement of this Act an appeal may be filed pursuant to the Administrative Appeal Act shall be deemed to be appeals pursuant to the Administrative Appeal Act with respect to the application of laws other than such Act.

(5) No appeal pursuant to the Administrative Appeal Act may be entered against Determinations, etc., on requests for examination, objections or other appeals filed after the enforcement of this Act pursuant to the provision of paragraph (3).

(6) With respect to dispositions of an administrative agency prior to the enforcement of this Act on which Petitions, etc. may be filed pursuant to the

provisions prior to revision by this Act and for which the valid period has not be stipulated, the valid period for filing an appeal pursuant to the Administrative Appeal Act shall be counted from the effective date of this Act.

(8) With respect to the application of penal provisions against acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(9) In addition to the provisions of the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act shall be stipulated by Cabinet Order.

(10) In the event this Act and the Act on the Arrangement, etc. of Relevant Acts with the Enforcement of the Administrative Case Litigation Act (Act No. 140 of 1962) contains provisions amending the same other Act, such Act shall first be amended by this Act and then by the Act on the Arrangement, etc. of Relevant Acts with the Enforcement of the Administrative Case Litigation Act.

Supplementary Provisions [Act No. 69 of May 18, 1965] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding 90 days from the day of promulgation

Supplementary Provisions [Act No. 89 of June 28, 1966] [Extract]

(Effective date)

(1) This Act shall come into effect as from the day of promulgation.

Supplementary Provisions [Act No. 78 of December 2, 1983]

(1) This Act (excluding Article 1) shall come into effect as from July 1, 1984.

(2) Transitional measures necessary for organs, etc. that are in existence pursuant to the provisions of laws on the day prior to the enforcement of this Act and that will be in existence pursuant to the provisions of the National Government Organization Act or Cabinet Order pursuant to the provisions of related laws that are amended by this Act ("Related Cabinet Orders") after the enforcement of this Act, and transitional measures necessary for the enactment or changes to Related Cabinet Orders resulting from the enforcement of this Act, may be stipulated by Cabinet Order.

Supplementary Provisions [Act. No. 80 of December 2, 1983] [Extract]

(Effective date)

(1) This Act shall come into effect as from the date that the Act for Establishment of the Management and Coordination Agency (Act No. 79 of 1983) becomes effective.

(Transitional measures)

(6) In addition to the provisions of this Act, transitional measures necessary for the enforcement of this Act may be stipulated by Cabinet Order.

Supplementary Provisions [Act No. 66 of May 23, 1986] [Extract]

(Effective date)

(1) This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding two years from the day of promulgation.

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from the day the Administrative Procedure Act (Act No. 88 of 1993) becomes effective.

(Transitional measures concerning adverse dispositions regarding which an appeal etc. has been made)

Article 2 If prior to the enforcement of this Act, a consultation or other request has been made under laws and regulations to a council or any other panel requesting that procedures corresponding to hearings, grant of opportunity for explanation and other procedures for giving statement of opinion prescribed in Article 13 of the Administrative Procedure Act be implemented, with regard to the procedures for adverse dispositions that are the subject of such consultation or request, the provisions that were then in force shall remain applicable notwithstanding the provisions of relevant Acts after amendment by this Act.

(Transitional measures upon arrangement of provisions relating to hearings)

Article 14 Procedures for hearings (excluding those concerning adverse dispositions) implemented under this Act prior to the enforcement of this Act or procedures incidental thereto shall be deemed to have been implemented under corresponding provisions of related laws after amendment by this Act.

Supplementary Provisions [Act No. 103 of June 26, 1996] [Extract]

(Effective date)

(1) This Act shall come into effect as from the day of promulgation.

Supplementary Provisions [Act No. 13 of March 31, 1998] [Extract]

(Effective date)

(1) This Act shall come into effect as from April 1, 1998.

Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from the effective date of the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999); provided, however, that the provisions in the following items shall come into force on the date stipulated therein.

(i) Omitted

(ii) The provisions of paragraphs (1) and (5) of Article 10, paragraph (3) of Article 14, Article 23, Article 28 and Article 30 of the Supplementary Provisions: day of promulgation.

(Separately stipulated transitional measures)

Article 30 In addition to the provisions of Article 2 through the previous Article, transitional measures necessary for the enforcement of this Act shall be separately stipulated by law.

Supplementary Provisions [Act No. 116 of July 30, 1999] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from the day of promulgation.

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from April 1, 2000.

(Transitional measures)

Article 3 With regard to the application of the provisions revised by this Act concerning quasi-incompetent persons and the curators thereof for whom the provisions then in force shall be deemed to remain applicable pursuant to Article 3, paragraph (3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), the provisions then in force shall remain applicable except for the following provisions:

(i) to (xxv) Omitted

Article 4 With respect to application of penal provisions to acts carried out prior to enforcement of this Act, the provisions then in force shall remain applicable.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective date)

Article 1 This Act (excluding Articles 2 and 3) shall come into effect as from January 16, 2001.

Supplementary Provisions [Act No. 125 of November 27, 2000] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from the day of promulgation.

Supplementary Provisions [Act No. 40 of June 8, 2001] [Extract]

(Effective date)

(1) This Act shall come into effect as from a date prescribed by Cabinet Order no later than March 31, 2002; provided, however, the following provisions shall come into effect as from the day of promulgation. Those provisions of Article 2 that amend the following: paragraph (1) of Article 36-4 of the Self Defense Forces Act ("SDF Act"); "Article 36-4" of the SDF Act to read as "Article 36-8" of the SDF Act; "Article 36-3" of the SDF Act to be "Article 36-7" of the SDF Act; the SDF Act by deleting the heading preceding Article 36-2 of the SDF Act; Article 36-2; "Article 36-2" of the SDF to be "Article 36-6" of the SDF Act; the SDF Act by adding a heading to precede Article 36-6; and the SDF Act by adding four Articles after Article 36. The provisions of Article 3 (excluding parts that amend the following: paragraph (1) of Article 3 of the Act on Remuneration, etc. of Ministry of Defense Personnel; paragraph (1) of Article 22 of such Act; Articles 24-4 and 24-5 of such Act; "Article 24-5" of such Act to be "Article 24-6"; such Act by adding one Article after Article 24-4; and Article 28-3 of such Act). The provisions of Article 4. The provisions of paragraphs (3) through (5) of the Supplementary Provisions.

Supplementary Provisions [Act No. 41 of June 8, 2001] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from April 1, 2002.

Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]

(Effective date)

(1) This Act shall come into effect as from April 1, 2002.

(Transitional measures regarding the application of penal provisions)

(2) With respect to the application of penal provisions to acts committed prior to the enforcement of this Act as well as acts committed after the enforcement of this Act in cases where the provisions then in force are to remain applicable pursuant to the provisions of this Act, the provisions then in force shall remain applicable.

Supplementary Provisions [Act No. 45 of May 29, 2002]

(Effective date)

(1) This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding one year from the day of promulgation.

Supplementary Provisions [Act No. 48 of May 29, 2002] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from a date prescribed by a Cabinet Order within a period not exceeding three months from the day of promulgation.

Supplementary Provisions [Act No. 128 of July 25, 2003] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from April 1, 2004; provided, however, that the provisions listed in the following items shall be effective on the date stipulated in the relevant item:

(i) Provisions of Articles 6, 11 and 12 of the Supplementary Provisions: day of promulgation.

(Transitional measures regarding notification of a profit-making business by an attorney)

Article 6 (1) If prior to the amendment of the Attorney Act ("Old Attorney Act") pursuant to Article 7, an attorney who prior to the enforcement of this Act obtained the permission set forth in paragraph (3) of Article 30 and operates a profit-making business, or became an employee of a person operating such a business, or became an executive member, director, executive officer or

employee of a profit-making juridical person, and wishes to continue such a business or be in such a position after the enforcement of this Act, may, prior to the effective date, in accordance with the classifications set forth in the items in paragraph (1) of Article 30 of the Attorney Act as amended by Article 7 ("New Attorney Act"), provide notification of the matters set forth in the items of the same paragraph to the bar association to which he/she belongs.

(2) A person who has made notification in accordance with the previous paragraph shall, without delay, notify the bar association to which he/she belongs should any changes to the notified matters occur. The same shall apply if, prior to the effective date, a business subject to such notification is discontinued or a position subject to such notification is lost.

(3) Any matters regarding which notification has been made pursuant to the provisions of the preceding two paragraphs shall, on the effective date, be deemed to be subject to notification pursuant to paragraph (1) of Article 30 of the New Attorney Act; provided, however, that this shall not apply to the notification pursuant to the provision in the latter part of the previous paragraph.

(Transitional measures regarding grounds for disciplinary actions against attorneys, etc.)

Article 7 If an attorney violates the provisions of Article 30 of the Old Attorney Act prior to the effective date, the bar association to which such attorney belongs or the Japan Federation of Bar Associations may discipline such attorney on such grounds even after the effective date.

(General rule for transitional measures regarding procedures for disciplining attorneys, etc.)

Article 8 Regarding the disciplinary procedures against attorneys or Legal Professional Corporations, except for the matters stipulated in the following Article, the provisions of the New Attorney Act shall apply even to cases where a demand for discipline has been made or disciplinary procedures have been commenced prior to the effective date; provided, however, that the foregoing shall not hinder legal effects that arose pursuant to the Old Attorney Act.

(Special provisions for transitional measures regarding disciplinary procedures against attorneys, etc.)

Article 9 (1) Regarding disciplinary procedures for cases for which an objection has been filed prior to the effective date pursuant to the provisions of paragraph (1) of Article 61 of the Old Attorney Act, except for the provisions of Articles 64-6 and 64-7 of the New Attorney Act, the provisions then in force shall remain applicable.

(2) The provisions of paragraphs (2) and (3) of Article 64-6 of the New Attorney Act shall not apply in disciplinary actions taken by the bar association or the Japan Federation of Bar Associations prior to the effective date.
(3) The provisions of Article 64-7 of the New Attorney Act shall not apply if the grounds for the notice set forth in the items of paragraphs (1) and (2) of said Article arose prior to the effective date.
(4) If prior to the date of enforcement the bar association makes a ruling not to discipline or disciplines an attorney or a Legal Professional Corporation, and if the person who made the request for disciplinary action against such attorney or Legal Professional Corporation files an objection regarding such determination or action after the effective date, such objection must be filed within 60 days from the day after the person making the demand for disciplinary action receives notice (if such notice is received prior to the date of enforcement, then from the date of enforcement) from the relevant bar association that it has made a decision not to discipline or that it has disciplined such attorney or Legal Services Corporation.
(5) The provisions of paragraph (3) of Article 64 of the New Attorney Act shall apply mutatis mutandis to an objection set forth in the previous paragraph.

(Special provisions regarding the term of members of the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations)

Article 10 (1) Notwithstanding the provisions of paragraph (3) of Article 70-3 of the New Attorney Act, the term of members of the Disciplinary Enforcement Committee of the Japan Federation of Bar Associations that are the first to be appointed after the effective date shall be, based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations, one year for half of the total number of such committee members (if the total number of committee members is odd, the number remaining after dividing the total number by two and rounding down to the nearest whole number).
(2) Notwithstanding the provisions of paragraph (2) of Article 71-3 of the New Attorney Act, the term of members of the Board of Discipline Review that are the first to be appointed after the effective date shall be, based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations, one year for five of the board members.

(Special provisions regarding procedures to appoint members, etc. to the Disciplinary Enforcement Committee)

Article 11 All actions necessary for the appointment of members and reserve members to the Disciplinary Enforcement Committee pursuant to paragraphs (1) and (2) of Article 70-3 of the New Attorney Act (including mutatis mutandis application in paragraph (3) of Article 70-5 of the New Attorney Act) and for

the appointment of members and reserve members to the Board of Discipline Review pursuant to paragraph (1) of Article 71-3 of the New Attorney Act (including mutatis mutandis application in paragraph (3) of Article 71-5 of the New Attorney Act) shall be carried out prior to the effective date.

Supplementary Provisions [Act No. 8 of March 31, 2004] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from April 1, 2004.

(Transitional Measures for qualifications pertaining to the Court Act, etc.)

Article 2 Tenure of offices as Professors of the Court Clerk Research and Training Institute shall be deemed as the tenure of office as professors of the Training and Research Institute for Court Officials with respect to the application of the provisions of Articles 41, 42 of the Court Act (including application mutatis mutandis under Article 1, paragraph (2) of the Act concerning the Exceptions to the Authority of Assistant Judge (Act No. 146 of 1948)) and Article 44 of the same, Article 19 of the Public Prosecutor's Office Act (Act No. 61 of 1947) and Article 5 of the Attorney Act (Act No. 205 of 1949).

Supplementary Provisions [Act No. 9 of March 31, 2004] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from April 1, 2004.

(Repeal of the Act Stipulating the Universities Prescribed in item (ii), paragraph (1) of Article 6 of the Attorney Act)

Article 2 The Act Stipulating the Universities Prescribed in item (ii), paragraph (1) of Article 6 of the Attorney Act (Act No. 188 of 1950) is repealed.

(Transitional measures regarding special provisions for qualifications of an attorney)

Article 3 (1) With respect to the qualifications to become an attorney of a person who, at the time of enforcement of this Act, actually has the qualifications to become an attorney pursuant to the Attorney Act prior to its revision ("Old Act"), the provisions then in force shall remain applicable.

(2) In addition to the provisions of the previous paragraph with respect to the qualifications of a person (excluding a person who falls under any of the items of Article 5 of the Attorney Act as amended by this Act ("New Act") and a person stipulated in Article 6 of the New Act) serving in a position stipulated in item (ii) of paragraph (1) of Article 6 of the Old Act prior to the effective date

to become an attorney, the provisions then in force shall remain applicable. In such case, the text "a person who is listed in the following" in paragraph (1) of Article 6 of the Old Act shall be read as "a person who has met the requirements of item (ii) and who is certified by the Minister of Justice as having thereinafter completed a training course for attorney services pursuant to the provisions of Articles 5 through 5-6 of the Attorney Act as amended pursuant to the Act for Partial Amendment of the Attorney Act (Act No. 9 of 2004)" and the text "a person with a total of not less than five years" in item (ii) of paragraph (1) of Article 6 of the Old Act shall be read as "a total of not less than five years by March 31, 2008".

(3) In addition to the provisions of the preceding two paragraphs, regarding the application of the provisions of Article 5 of the New Act to a person who, prior to the effective date of this Act, served in a position as set forth in item (ii), paragraph (1) of Article 6 of the Old Act, the period of time he/she serves in such a position and the period of time between the effective date of this Act and March 31, 2008 during which he/she serves in a corresponding position (hereinafter referred to in this paragraph as the "Transitional Tenure Period") may be added to the following: the period of time he/she serves in a position stipulated in item (i) of said Article after acquiring the qualification to become a legal apprentice; the period of time he/she works at a job stipulated in item (ii) of said Article after acquiring the qualification to become a legal apprentice; and the period of time he/she serves in a position stipulated in item (iii) of Article 5 of the New Act after passing the examination set forth in paragraph (3) of Article 18 of the Public Prosecutor's Office Act (includes the period of time that may be added pursuant to item (iv) of said Article; hereinafter, referred to in this paragraph as the "Tenure, etc. Period"). In such case, the relevant transitional Tenure Period shall be deemed to be included in the Tenure, etc. Period and the provisions of the New Act shall be applied.

(Penal provisions)

Article 4 (1) A person who, in an application pursuant to the stipulations of paragraph (1) of Article 5-2 of the New Act that, under the provisions of paragraph (1) of Article 6 of the Old Act construed, pursuant to the stipulations of paragraph (2) of the preceding Article, as being applicable in the manner previously applicable, are to be applied in the manner set forth in such provisions, makes a false application with respect to the period of time in which he/she served in the position stipulated in item (ii), paragraph (1) of Article 6 of the Old Act construed, pursuant to the stipulations of paragraph (2) of the preceding Article, as being applicable in the manner previously applicable or with respect to other material matters, thus causing the Minister of Justice to give the certification set forth in that same paragraph, shall be

punished with a maximum jail term of two years or a maximum fine of one million yen

(2) Attempts to commit the crime of the preceding paragraph will be punished.

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from the date the Bankruptcy Act (Act No. 75 of 2004; referred to as the "New Bankruptcy Act" in paragraph (8) of the next Article and paragraph (8) of Article 3, paragraphs (8), (16) and (21) of Article 5 and Article 13) becomes effective.

(Transitional measures regarding the application of penal provisions)

Article 12 With respect to the application of penal provisions to acts committed prior to the effective date of this Act as well as acts committed after the effective date for which the provisions then in force shall remain applicable pursuant to article 2 paragraph (1), article 3 paragraph (1), article 4, article 5 paragraph (1), article 9, article 17, article 19 and article 21 of supplementary provisions (Act No. 76, June 2, 2004), article 6 paragraph (1) and paragraph (3) of the supplementary provisions for which the provisions then in force shall remain applicable pursuant to said provisions after the enforcement of this Act in cases where the provisions then in force are to remain applicable pursuant to the provisions of the previous article, the provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 14 In addition to the matters provided for in Article 2 through the previous Article of the Supplementary Provisions, all other transitional measures necessary with respect to the enforcement of this Act shall be stipulated by Cabinet Order.

Supplementary Provisions [Act No. 87 of June 9, 2004] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from a date prescribed by Cabinet Order within a period not exceeding one year from the day of promulgation.

(Transitional measures regarding the application of penal provisions)

Article 3 With respect to the application of penal provisions to acts committed prior to the enforcement of this Act as well as acts committed after the enforcement of this Act in cases where the provisions then in force are to

remain applicable pursuant to the provisions of the previous Article, the provisions then in force shall remain applicable.

Supplementary Provisions [Act No. 124 of June 18, 2004] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from the date the New the Real Property Registration Act becomes effective.

Supplementary Provisions [Act No. 83 of July 15, 2005] [Extract]

(Effective date)

Article 1 This Act shall come into effect as from April 1, 2007.

(Transitional measures regarding the tenure of assistant professor)

Article 2 For the purpose of application of the provisions of the following Acts after the revision pursuant to the provisions of this Act, the tenure of assistant professor prior to the enforcement of the provisions of this Act shall be deemed to be the tenure of associate professors;

(i) to (v) Omitted

(vi) Article 5 of the Attorney Act (Act No. 205 of 1949)

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

This Act shall come into effect as from the date the Companies Act becomes effective.