Administrative Complaint Review Act

(Act No. 68 of June 13, 2014)

The Administrative Complaint Review Act (Act No. 160 of 1962) is amended in full.

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Chapter I General Provisions

(Purpose)

Article 1 (1) The purpose of this Act is to establish a system for allowing citizens to file complaints against administrative agencies broadly under simple, prompt and fair procedures with regard to illegal or unjust administrative dispositions of administrative agencies or acts involving the exercise of public authority, with the aim to relieve the rights and interests of the citizens, and to ensure proper operations of the administration

(2) Any complaints regarding administrative dispositions or other acts constituting the exercise of public authority by administrative agencies

(hereinafter simply referred to as "dispositions") should be filed as provided for in this Act, except as otherwise provided for in any other Act.

(Request for Review with Regard to Dispositions)

Article 2 A person who is dissatisfied with a disposition reached by an administrative agency may file a request for review pursuant to the provisions of Article 4 and Article 5, paragraph (2).

(Request for Review with Regard to Inaction)

Article 3 When a person has applied for a disposition with an administrative agency based on laws and regulations but the administrative agency takes no action for the application based on laws and regulations (hereinafter referred to as "inaction"; the same applies hereinafter) although a certain period of time has elapsed after the relevant application, the person may file a request for review with regard to the relevant inaction pursuant to the provisions of the following Article.

(Administrative Agencies with Which a Request for Review is to Be Filed)

Article 4 A request for review should be filed with the administrative agency specified in the following items in accordance with the categories set forth respectively therein, except as otherwise provided for in Acts (in the case of a disposition based on Prefectural or Municipal Ordinance, in the relevant Ordinance):

(i) when the administrative agency , etc. reaching the disposition (meaning the administrative agency that has reached the disposition (hereinafter referred to as the "administrative agency reaching the disposition") or the administrative agency that has taken no action (hereinafter referred to as the "administrative agency having taken no action"); the same applies hereinafter) does not have any higher administrative agency or falls under any of the competent minister, the Grand Steward, or the head of any of the agencies prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) or Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948): the relevant administrative agency reaching the disposition, etc.;

(ii) when the Grand Steward or the head of any of the agencies prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office or Article 3, paragraph (2) of the National Government Organization Act falls under the higher administrative agency of the administrative agency reaching the disposition, etc.: the Grand Steward or the head of the relevant agency;

(iii) when the competent minister falls under the higher administrative agency

of the administrative agency, etc. reaching the disposition (excluding the cases set forth in the preceding two items): the relevant competent minister; or

(iv) cases other than those set forth in the preceding three items: the highest administrative agency of the relevant administrative agency, etc. reaching the disposition

(Request for Re-investigation)

Article 5 (1) When a request for review with regard to a disposition reached by an administrative agency may be filed with an administrative agency other than the administrative agency reaching the disposition, and any Act contains the provisions to the effect that a request for re-investigation may be filed, a person who is dissatisfied with the relevant disposition may file a request for re-investigation with the administrative agency reaching the disposition; provided, however, that this does not apply when the person has filed a request for review pursuant to the provisions of Article 2.

(2) When a person has filed a request for re-investigation pursuant to the provisions of the main clause of the preceding paragraph, the person may not file a request for review until the decision has been made for the relevant request for re-investigation; provided, however, that this does not apply when falling under either of the following items:

(i) when the administrative agency reaching the disposition does not make a decision for the request for re-investigation even after three months passed from the day following the day on which the person filed the relevant request for re-investigation with regard to the disposition (when the person was ordered to correct a defect pursuant to the provisions of Article 23 as applied mutatis mutandis by replacing the terms in Article 61, the day on which the person corrected the defect); or

(ii) when there are otherwise justifiable grounds for not waiting for a decision to be made in a request for a re-investigation.

(Request for a Re-examination)

Article 6 (1) When any Act contains the provisions to the effect that a request for a re-examination may be filed with regard to a disposition reached by an administrative agency, a person who is dissatisfied with the determination concerning a request for review with regard to the relevant disposition may file a request for a re-examination.

(2) A request for re-examination is to be filed with regard to the original determination (meaning a determination concerning a request for review with regard to a disposition for which a request for re-examination may be filed; the same applies hereinafter) or the relevant disposition (hereinafter referred to as

the "original determination, etc.") with the administrative agency prescribed in the Act set forth in the preceding paragraph.

(Exclusion from Application)

Article 7 (1) The provisions of Articles 2 and 3 do not apply to the following dispositions and inaction pertaining thereto:

(i) dispositions rendered in the nature of any resolution of both or either houses of the Diet, or by assemblies of local public entities;

(ii) dispositions rendered by the judgment of any court or judge, or made in the nature of the execution of any such judgment;

(iii) dispositions directed in the nature of an express instruction by a resolution of both or either houses of the Diet, or assemblies, of local public entities, or dispositions rendered based upon the consent or approval of the relevant houses or assemblies, where such consent or approval is necessary;

(iv) dispositions to be decided by the Audit Commission;

(v) dispositions to confirm or create a legal relationship between parties, wherein either party to the legal relationship is to stand as a defendant as prescribed in the provisions of laws and regulations;

(vi) dispositions rendered by a public prosecutor, public prosecutor's assistant officer, or judicial police official pursuant to laws and regulations relating to criminal cases;

(vii) dispositions rendered by the Commissioner of the National Tax Agency, directors of a Regional Taxation Bureau, chiefs of a tax office, tax collectors, superintendents of custom houses, customs officers, or local tax officials (including those who perform the duties of these officials pursuant to the provisions of other laws and regulations), pursuant to laws and regulations relating to national or local tax law violations (including cases where the relevant laws and regulations are applied mutatis mutandis pursuant to other laws and regulations), and dispositions rendered by the Securities and Exchange Surveillance Commission, personnel of that Commission (including persons deemed as its personnel pursuant to the provisions of the relevant laws and regulations), directors-general of a Local Finance Bureau, or directors-general of a Local Finance Branch Bureau pursuant to laws and regulations relating to violations of financial instruments transactions regulations (including cases where such laws and regulations are applied mutatis mutandis pursuant to other laws and regulations);

(viii) dispositions rendered, towards the achievement of educational or training-oriented goals, to students, pupils, elementary school children or pre-school children or to their custodians, or to trainees in schools, short-course training schools, training schools, and professional training institutes;

(ix) dispositions rendered to effectuate accommodation in prisons, juvenile

prisons, jails, detention facilities, detention facilities of the Japan Coast Guard, juvenile training schools, juvenile classification homes, and women's guidance homes;

(x) dispositions concerning departure and immigration or naturalization of foreign nationals;

(xi) dispositions exclusively based upon results of examinations or tests for certifications regarding a person's expertise; and

(xii) dispositions based on this Act (excluding dispositions based on the provisions of Chapter V, Section 1, Subsection 1).

(2) The provisions of this Act do not apply to dispositions rendered to national government organs, local public entities, other public entities, or their organs, for which these organs or entities are the parties subject to the dispositions with their distinct status as governmental entities, and to inaction pertaining thereto.

(System for Filing Special Complaints)

Article 8 The provisions of the preceding Article do not preclude the establishment of a system for filing administrative complaints regarding dispositions or inaction for which requests for review are not allowed under the provisions of the relevant Article, separately under laws and regulations, in accordance with the nature or the relevant dispositions or inaction.

Chapter II Request for Review

Section 1 Reviewing Agencies and Persons Concerned with Proceedings

(Review Officers)

Article 9 (1) An administrative agency with which a request for review has been filed pursuant to the provisions of Article 4 or the provisions of any other Act or Prefectural or Municipal Ordinance (including an administrative agency that has taken over the relevant documents and articles pursuant to the provisions of Article 14; hereinafter referred to as a "reviewing agency") must appoint a person who undertakes the procedures for proceedings prescribed in Section 3 (including procedures prescribed in this section) from among the officials belonging to the reviewing agency (when having prepared a name list prescribed in Article 17, those included in the relevant list), and give a notice to that effect to the requestor for review and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency); provided, however, that this does not apply when any of the agencies set forth in the following items falls under the reviewing agency, when a Prefectural or Municipal Ordinance has specific provisions applicable to dispositions based thereon, or when the

request for review is dismissed without prejudice pursuant to the provisions of Article 24:

(i) committees prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office or Article 3, paragraph (2) of the National Government Organization Act;

(ii) organs prescribed in Article 37 or 54 of the Act for Establishment of the Cabinet Office or Article 8 of the National Government Organization Act; or

(iii) committees or members prescribed in Article 138-4, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) or organs prescribed in paragraph (3) of the relevant Article.

(2) A person to be appointed by the reviewing agency pursuant to the provisions of the preceding paragraph must be a person other than those set forth in the following items:

(i) a person who has been involved in the disposition, for which a request for review is filed, or in the decision for a request for re-investigation with regard to the relevant disposition, or a person who has been involved or is to be involved in the disposition causing inaction, for which a request for review is filed;

(ii) the requestors for review;

(iii) the requestor for review's spouse, relatives within the fourth degree of kinship or relatives living together;

(iv) the requestor for review's agents;

(v) a person who was a person prescribed by any of the preceding two items;

(vi) the requestor for review's guardians, supervisors of guardians, curators, supervisors of curators, assistants, or supervisors of assistants; and

(vii) the interested persons prescribed in Article 13, paragraph (1).

(3) When the reviewing agency falls under the agencies set forth in the items of paragraph (1) or when there are specific provisions as set forth in the proviso to the relevant paragraph, with regard to the application of the provisions set forth in the left-hand column of Appended Table 1, the terms in these provisions as set forth in the middle column of the relevant Table should be replaced with the terms set forth respectively in the right-hand column of the relevant Table, and the provisions of Article 17, Article 40, Article 42, and Article 50, paragraph (2) do not apply.

(4) In the case prescribed in the preceding paragraph, if it is found necessary, the reviewing agency may have its officials (limited to persons other than those set forth in the items of paragraph (2) (for members of the organs set forth in the items of paragraph (1), excluding item (i))) hear opinions stated by the requestor for review under Article 31, paragraph (1) as applied by replacing the terms in the preceding paragraph or the intervenors prescribed in Article 13, paragraph (4), hear opinions stated by the witnesses under Article 34 as

applied by replacing the terms in the preceding paragraph, conduct observation under Article 35, paragraph (1) as applied by replacing the terms in the preceding paragraph, ask questions to the persons concerned with proceedings prescribed in Article 28 under Article 36 as applied by replacing the terms in the preceding paragraph, or hold a hearing of opinions under Article 37, paragraph (1) or (2) as applied by replacing the terms in the preceding paragraph.

(Request for Review by an Unincorporated Association or Foundation)

Article 10 An unincorporated association or foundation that has designated a representative or administrator may file a request for review in the name of the representative or administrator.

(Representative Members)

Article 11 (1) When a large number of persons intend to jointly file a request for review, up to three representative members may be selected from among themselves.

(2) When joint requestors for review do not select any representative members from among themselves and when it is found necessary, a person who has been designated pursuant to the provisions of Article 9, paragraph (1) (hereinafter referred to as a "review officer") may order the joint requestors for review to select representative members from among themselves.

(3) Each of the representative members may undertake all acts for filing the request for review, except for the withdrawal of the request, on behalf of other joint requestors for review.

(4) When representative members have been selected, joint requestors for review may carry out the acts set forth in the preceding paragraph only through the representative members.

(5) Even if two or more representative members have been selected, it is sufficient for an administrative agency to give a notice or take other actions to only one of the representative members.

(6) Joint requestors for review may dismiss a representative member if they find it necessary.

(Request for Review by Agents)

Article 12 (1) An agent for a requestor for review may file a request for review.

(2) The agent set forth in the preceding paragraph may undertake all acts for filing a request for review on behalf of the relevant requestor for review; provided, however, that the agent may undertake procedures for the withdrawal of the request for review only when having been specially entrusted.

(Intervenors)

Article 13 (1) An interested person (meaning a person other than a requestor for review who found to have an interest in the disposition, for which the request for review is filed, or the disposition causing inaction in light of the laws and regulations that serve as the grounds for the relevant disposition; the same applies hereinafter) may participate in the relevant request for review by obtaining permission from the review officer.

(2) The review officer may request any interested persons to participate in the request for review when found necessary.

(3) The participation in the request for review may be entrusted to an agent.

(4) The agent set forth in the preceding paragraph may undertake all acts for participating in the request for review on behalf of the relevant person who participates in the request for review pursuant to the provisions of paragraph (1) or (2) (hereinafter referred to as an "intervenor"); provided, however, that the agent may undertake procedures for the withdrawal of the participation in the request for review only when having been specially entrusted.

(Measures When Administrative Agency Ceases to Have the Authority to Make Determination)

Article 14 When an administrative agency that has received a request for review ceases to have the authority to make a determination on the relevant request due to the amendment or abolition of laws and regulations, the relevant administrative agency must turn over the written request for review prescribed in Article 19 or the written statement concerning the request for review prescribed in Article 21, paragraph (2), relevant documents, and other articles to the administrative agency that is newly vested with the authority to make a determination on the relevant request for review. In this case, the administrative agency that has taken over those documents and articles must promptly give a notice to that effect to the relevant requestor for review and intervenors.

(Succession of Procedures for Proceedings)

Article 15 (1) When a requestor for review dies, an heir or other person who has succeeded to the right pertaining to the disposition for which the request for review has been filed pursuant to laws and regulations is to succeed to the status of the requestor for review.

(2) When a requestor for review has gone through a merger or split (limited to a merger or split involving the succession of the right pertaining to the disposition for which the request for review has been filed), the corporation, or other association or foundation surviving the merger, the corporation, or other

association or foundation established through the merger, or the corporation that has succeeded to the relevant right through the split is to succeed to the status of the requestor for review.

(3) In the cases referred to in the preceding two paragraphs, the heir or other person, the corporation or other association or foundation that has succeeded to the status of the requestor for review must notify the reviewing agency of that fact in writing. In this case, a document proving the fact of the succession of the right through the death or split or the fact of the merger must be attached to the written notification.

(4) In the cases referred to in paragraph (1) or (2), when a notice addressed to the deceased, the corporation or other association or foundation before the merger, or the split corporation arrives, before the notification is filed under the preceding paragraph, to the heir or other person that has succeeded to the status of the requestor for review, the corporation or other association or foundation after the merger, or the corporation that has succeeded to the status of the requestor for review through the split, the relevant notice is effective as a notice addressed to these persons.

(5) In the case referred to in paragraph (1), when there are two or more heirs or other persons that have succeeded to the status of the requestor for review, a notice addressed to, or other acts taken against that person is deemed to have been given to all of them.

(6) A person who has received the transfer of the right pertaining to the disposition, for which the request for review has been filed, may succeed to the status of the requestor for review by obtaining permission from the reviewing agency.

(Standard Period for Proceedings)

Article 16 The administrative agency that is to be the reviewing agency pursuant to the provisions of Article 4 or the provisions of any other Act or Prefectural or Municipal Ordinance (hereinafter referred to as the "administrative agency to be the reviewing agency") must endeavor to establish standard periods of time typically needed for making a determination from the time when a request for review arrives at their offices; and upon establishing the standard periods of time, and make them available to the public by posting them at the offices of the administrative agency to be the reviewing agency and the relevant administrative agencies reaching the disposition (meaning administrative agencies vested with the authority to render a disposition subject to the request for review other than the administrative agency to be the reviewing agency; the same applies in the following Article) or by some other appropriate method.

(The List of Names of Persons to be Review Officers)

Article 17 The administrative agency to be the reviewing agency should endeavor to prepare a list of names of persons to be review officers; and upon preparing the name list, it must be made available to the public by posting it at the offices of the administrative agency to be the reviewing agency and the relevant administrative agencies reaching the disposition or by some other appropriate method.

Section 2 Procedures for Filing Request for Review

(Period for Filing Request for Review)

Article 18 (1) A request for review with regard to a disposition may not be filed after three months passed from the day following the day on which the relevant person comes to know that the disposition was reached (when a request for re-investigation has been filed with regard to the relevant disposition, after one month has passed from the day following the day on which the relevant person comes to know that the decision was made for the relevant request for re-investigation); provided, however, that this does not apply when there are any justifiable grounds.

(2) A request for review with regard to a disposition may not be filed after one year has passed from the day following the day on which the disposition was reached (when a request for re-investigation has been filed with regard to the relevant disposition, from the day following the day on which the decision was made for the relevant request for re-investigation); provided, however, that this does not apply when there are any justifiable grounds.

(3) When a written request for review prescribed in the following Article has been submitted by post or by corresponding delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) conducted by a general correspondence delivery operator prescribed in paragraph (6) of the relevant Article or a specified letter delivery operator prescribed in paragraph (9) of the relevant Article, the number of days required for the delivery is not included in the calculation of the period of time prescribed in the preceding two paragraphs (hereinafter referred to as the "period for filing request for review").

(Submission of Written Request for Review)

Article 19 (1) A request for review, unless any other Act (or Prefectural or Municipal Ordinance in the case of a disposition under Prefectural or Municipal Ordinance) provides that a request may be filed orally, must be filed through the submission of a written request for review as provided for by Cabinet Order.

(2) A written request for review with regard to a disposition must contain the following matters:
(i) the name and domicile or residence of the requestor for a review;
(ii) the details of the disposition, for which the request for review is filed;
(iii) the date on which the requestor for review came to know that the disposition, for which the request for review is filed, was reached (when a decision was made for a request for re-investigation with regard to the relevant disposition, came to know that the relevant decision was made);
(iv) the purpose and grounds for filing the request for review;
(v) whether any instruction has been given by the administrative agencies reaching the disposition and the details of the instruction if any; and
(vi) the date of filing the request for review.

(3) A written request for review with regard to inaction must contain the following matters:
(i) the name and domicile or residence of the requestor for review;
(ii) the details of the application for the disposition causing the relevant inaction and the date of filing the application; and
(iii) the date of filing the request for review.

(4) When a requestor for review is a corporation, or other association or foundation, when representative members have been selected from among requestors for review, or when a request for review is filed by an agent, the written request for review must contain the name and domicile or residence of the representative or administrator, the representative members, or the agent, beyond the matters set forth in the items of paragraph (2) or the items of the preceding paragraph.

(5) In the cases set forth in the following items, a written request for review with regard to a disposition must contain the matters specified respectively therein, beyond the matters prescribed in paragraph (2) and the preceding paragraph:
(i) when filing a request for review without waiting for a decision to be made for a request for re-investigation pursuant to the provisions of Article 5, paragraph (2), item (i): the date of filing the request for re-investigation;
(ii) when filing a request for review without waiting for a decision to be made for a request for re-investigation pursuant to the provisions of Article 5, paragraph (2), item (ii): justifiable grounds for not waiting for the decision to be made; and
(iii) when filing a request for review after the elapse of the Period for Filing Request for Review: justifiable grounds prescribed in the proviso to paragraph (1) or (2) of the preceding Article.

(Request for Review Filed Orally)

Article 20 When orally filing a request for review, the person must orally state

the matters prescribed in paragraphs (2) through (5) of the preceding Article. In this case, the administrative agency that has received the oral statement must record the details thereof, read them out to the person who made the oral statement to confirm that there is no error, and have the relevant person affix the seal on the record.

(Request for Review via the Administrative Agency Reaching the Disposition)

Article 21 (1) When an administrative agency with which a request for review is to be filed is different from the administrative agency, etc. reaching the disposition, the request may be filed via the administrative agency, etc. reaching the disposition In this case, the requestor for review should submit a written request for review to the administrative agency, etc. reaching the disposition or orally state the matters prescribed in Article 19, paragraphs (2) through (5) to the administrative agency, etc. reaching the disposition

(2) In the case referred to in the preceding paragraph, the administrative agency, etc. reaching the disposition must immediately send the written request for review or written statement concerning the request for review (meaning a document recording the details of the oral statement pursuant to the provisions of the second sentence of the preceding Article; the same applies in Article 29, paragraph (1) and Article 55) to the Administrative Agency to be the reviewing agency.

(3) With regard to the calculation of the Period for Filing Request for Review in the case referred to in paragraph (1), the request for review with regard to the disposition is deemed to have been filed as of the time of submitting the written request for review or orally stating the relevant matters to the Administrative Agency Reaching the disposition.

(Relief for when an Erroneous Instruction was Given)

Article 22 (1) With regard to a disposition for which a request for review may be filed, when the Administrative Agency Reaching the disposition has erroneously told the relevant person a wrong administrative agency as the administrative agency with which a request for review should be filed, and the person has filed a request for review in writing with the administrative agency thus instructed, the relevant administrative agency must promptly send the written request for review to the Administrative Agency Reaching the disposition or the Administrative Agency to be the reviewing agency and give a notice to that effect to the requestor for review.

(2) When the written request for review has been sent to the Administrative Agency Reaching the disposition pursuant to the provisions of the preceding paragraph, the Administrative Agency Reaching the disposition must promptly send it to the Administrative Agency to be the reviewing agency and give a

notice to that effect to the requestor for review.

(3) With regard to the disposition set forth in paragraph (1) for which a request for re-investigation may not be filed, when the administrative agency reaching the disposition has erroneously instructed the relevant person that a request for re-investigation may be filed, and the person has filed a request for re-investigation with the relevant administrative agency reaching the disposition, the administrative agency reaching the disposition must promptly send the written request for re-investigation (meaning the written request for re-investigation prescribed in Article 19 as applied mutatis mutandis by replacing the terms in Article 61; hereinafter, the same applies in this Article) or written statement concerning the request for re-investigation (meaning a document recording the details of the oral statement pursuant to the provisions of the second sentence of Article 20 as applied mutatis mutandis in Article 61; hereinafter, the same applies in this Article) to the administrative agency to be the reviewing agency and give a notice to that effect to the requestor for re-investigation .

(4) With regard to a disposition for which a request for re-investigation may be filed, when the administrative agency reaching the disposition has erroneously failed to instruct the relevant person that a request for review may be filed, and the person has filed a request for re-investigation with the relevant administrative agency reaching the disposition and has filed a petition, the administrative agency reaching the disposition must promptly send the written request for re-investigation or written statement concerning the request for re-investigation, and the relevant documents and other articles to the administrative agency to be the reviewing agency. In this case, the administrative agency that has received these documents and articles must promptly give a notice to that effect to the requestor for re-investigation and persons who participate in the relevant request for re-investigation pursuant to the provisions of Article 13, paragraph (1) or (2) as applied mutatis mutandis by replacing the terms in Article 61.

(5) When the written request for review, written request for re-investigation or written statement concerning the request for re-investigation has been sent to the administrative agency to be the reviewing agency pursuant to the provisions of the preceding each paragraph, the request for review is deemed to have been filed with the administrative agency to be the reviewing agency from the beginning.

(Correction of Written Request for Review)

Article 23 When a written request for review violates the provisions of Article 19, the reviewing agency must specify an appropriate period of time and order the correction of any defect within the relevant period of time.

(Dismissing a Request without Prejudice, without Going through Proceedings)

Article 24 (1) In the case referred to in the preceding Article, when a requestor for review does not correct the defect within the period of time set forth in the relevant Article, the reviewing agency may dismiss the relevant request for review without prejudice by its determination based on the provisions of Article 45, paragraph (1) or Article 49, paragraph (1) without going through the procedures for proceedings prescribed in the following section.

(2) The preceding paragraph also applies when it is clear that a request for review is unlawful and cannot be corrected.

(Stay of Execution)

Article 25 (1) A request for review does not preclude the effect of the disposition, execution of the disposition, or continuation of procedures.

(2) The reviewing agency that falls under the higher administrative agency of the Administrative Agency Reaching the disposition or the administrative agency reaching the disposition itself may suspend the effect of the disposition, execution of the disposition, or continuation of procedures in full or in part or take other measures (hereinafter referred to as a "stay of execution"), when finding it necessary, upon a petition filed by the requestor for review or by its authority.

(3) The reviewing agency that does not fall under the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition itself may order a Stay of Execution, when finding it necessary, upon a petition filed by the requestor for review and after hearing opinions of the administrative agency reaching the disposition; provided, however, that the relevant reviewing agency may not take any measures other than suspending the effect of the disposition, execution of the disposition, or continuation of procedures in full or in part.

(4) When a petition has been filed by the requestor for review pursuant to the provisions of the preceding two paragraphs, and the reviewing agency finds it urgently necessary for avoiding serious damage to be caused by the disposition or through the execution of the disposition or the continuation of procedures, the reviewing agency must order a stay of execution; provided, however, that this does not apply when the stay of execution is likely to seriously affect public welfare or when the action on the merits seems groundless.

(5) When determining whether the serious damage prescribed in the preceding paragraph would be caused or not, the reviewing agency should consider the level of difficulty in recovering the damage and should also take into account the nature and extent of the damage and the details and nature of the disposition.

(6) In the cases referred to in paragraphs (2) through (4), the suspension of the effect of the disposition may not be ordered when the intended purpose can be achieved through any measures other than the suspension of the effect of the disposition.
(7) When a petition for a stay of execution has been filed or a written opinion to suggest the necessity to order a stay of execution as prescribed in Article 40 has been submitted by a review officer, the reviewing agency must promptly decide whether or not to order a stay of execution.

(Revocation of Stay of Execution)
Article 26 After ordering a stay of execution, if it has become clear that the Stay of Execution would seriously affect public welfare or when there have otherwise been any changes to the circumstances, the reviewing agency may revoke the stay of execution.

(Withdrawal of Request for Review)
Article 27 (1) A requestor for review may withdraw the request anytime until a determination therefor is made.
(2) The withdrawal of a request for review must be filed in writing.

Section 3 Procedures for Proceedings

(Well-Organized Progress of Procedures for Proceedings)
Article 28 A requestor for review, an intervenor, and the administrative agency , etc. reaching the disposition (hereinafter referred to as the "persons concerned with proceedings"), as well as a review officer must cooperate with one another in the proceedings and strive to facilitate well-organized progress of the procedures for proceedings for the purpose of achieving simple, fast and fair proceedings.

(Submission of a Written Explanation)
Article 29 (1) When having been appointed by the reviewing agency, a review officer must immediately send a copy of the written request for review or written statement concerning the request for review to the administrative agency, etc. reaching the disposition; provided, however, that this does not apply when the administrative agency, etc. .reaching the disposition falls under the reviewing agency.
(2) A review officer is to specify an appropriate period of time and demand the administrative agency, etc. reaching the disposition to submit a written explanation.
(3) The administrative agency, etc. reaching the disposition must enter the

matters specified in the following items in accordance with the categories set forth respectively therein in the written explanation set forth in the preceding paragraph:

(i) a written explanation on a request for review with regard to a disposition: the details of and the grounds for the disposition; and

(ii) a written explanation on a request for review with regard to inaction: the grounds for having not reached a disposition, the time when a disposition is scheduled to be reached, and the details of, and the grounds for the disposition.

(4) When the administrative agency reaching the disposition has any of the following documents, they should be attached to the written explanation set forth in item (i) of the preceding paragraph:

(i) the record set forth in Article 24, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993) and the written report set forth in paragraph (3) of the relevant Article; and

(ii) the written explanation prescribed in Article 29, paragraph (1) of the Administrative Procedure Act.

(5) When a written explanation has been submitted from the administrative agency, etc. reaching the disposition, a review officer must send it to the relevant requestor for review and intervenors.

(Submission of a Written Counterargument)

Article 30 (1) A requestor for review may submit a document containing a counterargument against the matters stated in the written explanation sent thereto pursuant to the provisions of paragraph (5) of the preceding Article (hereinafter referred to as a "written counterargument"). In this case, when a review officer has specified an appropriate period of time during which a written counterargument should be submitted, the requestor for review must submit a written counterargument within the relevant period of time.

(2) An intervenor may submit a document containing opinions on the case wherein a request for review has been filed (hereinafter referred to as a "written opinion" except in Article 40 and Article 42, paragraph (1)). In this case, when a review officer has specified an appropriate period of time during which a written opinion should be submitted, the intervenor must submit a written opinion within the relevant period of time.

(3) When a written counterargument has been submitted by a requestor for review, a review officer must send it to the intervenors and the administrative agency, etc. reaching the disposition., and when a written opinion has been submitted by an intervenor, a review officer must send it to the relevant requestor for review and the administrative agency, etc. .reaching the disposition.

(Stating an Opinion Orally)

Article 31 (1) When a petition has been filed by a requestor for review or an intervenor, a review officer must give the person who has filed the relevant petition (hereinafter referred to as a "petitioner" in this Article and Article 41, paragraph (2), item (ii)) an opportunity to orally state opinions on the case wherein the request for review has been filed; provided, however, that this does not apply when it is found difficult to give the petitioner an opportunity to orally state opinions in light of the whereabouts of the petitioner or other circumstances.

(2) Procedures for stating opinions orally pursuant to the provisions of the main clause of the preceding paragraph (hereinafter referred to as "stating an opinion orally") are to be undertaken on the date and at the venue designated by the review officer in participation of all of the persons concerned with proceedings.

(3) On the occasion of stating an opinion orally, the petitioner may, with the permission of the review officer, appear together with assistants.

(4) On the occasion of stating an opinion orally, if the statement being made by the petitioner extends to matters irrelevant to the case or is otherwise inappropriate, the review officer may limit the statement.

(5) On the occasion of stating an opinion orally, the petitioner may, with the permission of the review officer, address questions concerning the case wherein the request for review has been filed to the administrative agency, etc. reaching the disposition.

(Submission of Documentary Evidence)

Article 32 (1) A requestor for review or an intervenor may submit documentary evidence or articles of evidence.

(2) The administrative agency, etc. reaching the disposition may submit documents or other articles that prove the fact serving as the grounds for the disposition.

(3) In the cases referred to in the preceding two paragraphs, when a review officer has specified an appropriate period of time during which documentary evidence or articles of evidence, or documents or other articles should be submitted, such evidence, documents or articles must be submitted within the relevant period of time.

(Demand for Submission of Articles)

Article 33 A review officer may specify an appropriate period of time and demand that the owner of the relevant documents or other articles submit them within the relevant period of time, upon a petition filed by a requestor for

review or an intervenor or by its authority. In this case, the review officer may keep the articles thus submitted.

(Demand for Witnesses' Statements and Expert Opinions)

Article 34 A review officer may demand a person found appropriate to state the facts that the person knows as a witness or seek expert opinions, upon a petition filed by a requestor for review or an intervenor or by its authority.

(Observation)

Article 35 (1) A review officer may conduct an observation at places as necessary, upon a petition filed by a requestor for review or intervenor or by its authority.

(2) When a review officer intends to conduct an observation as set forth in the preceding paragraph upon a petition filed by a requestor for review or an intervenor, the review officer must give a notice in advance to inform the person who has filed the petition of the date and places of the observation and give the relevant person an opportunity to attend the observation.

(Questions to Persons Concerned with Proceedings)

Article 36 A review officer may ask questions concerning the case wherein the request for review has been filed to the persons concerned with proceedings, upon a petition filed by a requestor for review or an intervenor or by its authority.

(Well-Organized Pursuit of Procedures for Proceedings)

Article 37 (1) With regard to the case wherein the request for review has been filed, if a review officer finds it necessary to pursue the procedures for proceedings specified in Article 31 to the preceding Article in a well-organized manner in order to ensure prompt and fair proceedings, in light of the complexity of the case due to the large number of matters to be examined being confusingly tangled or any other circumstances, the review officer may specify the date and venue to gather the persons concerned with proceedings and hear their opinions on the petition for the procedures for proceedings in advance.

(2) When a person concerned with proceedings resides in a remote area or when otherwise considered appropriate, a review officer may hear the opinions of the relevant person, as provided for by Cabinet Order, by a method that enables the review officer and the person concerned with proceedings to communicate with each other by audio transmissions.

(3) When having heard opinions pursuant to the provisions of the preceding two paragraphs, the review officer must decide the date and venue for the procedures for proceedings specified in Article 31 to the preceding Article, and the time when the procedures for proceedings are scheduled to be concluded

pursuant to the provisions of Article 41, paragraph (1), and give a notice of these matters to the Persons Concerned with Proceedings without delay. The same applies when the scheduled time of concluding the procedures are altered.

(Inspection of Submitted Documents by Requestors for Review)

Article 38 (1) Until the procedures for proceedings are concluded pursuant to the provisions of Article 41, paragraph (1) or (2), the relevant requestor for review or intervenor may request the review officer to permit the inspection of submitted documents, etc. (meaning the documents set forth in the items of Article 29, paragraph (4), or the documents or other articles submitted pursuant to the provisions of Article 32, paragraph (1) or (2), or Article 33; the same applies in the following paragraph) (in the case of an electronic or magnetic record (a record made by an electronic method, magnetic method, or any other method not recognizable through the human senses, which is used in information processing by computers; the same applies hereinafter), the inspection of anything that indicates the matters recorded therein in the method specified by the reviewing agency), or to deliver copies of these documents or a document containing the matters recorded in the electronic or magnetic record. In this case, the review officer cannot refuse the inspection or delivery unless it is found that the inspection or delivery is likely to damage the interest of a third party or there are otherwise justifiable grounds for refusal.

(2) When intending to permit the inspection pursuant to the provisions of the preceding paragraph or deliver the relevant documents pursuant to the provisions of the relevant paragraph, the review officer must hear the opinions of the persons who have submitted the relevant documents, etc. to be inspected or delivered; provided, however, that this does not apply when the review officer finds it unnecessary.

(3) With regard to the inspection pursuant to the provisions of paragraph (1), the review officer may specify the date and venue therefor.

(4) A requestor for review or an intervenor who receives the delivery pursuant to the provisions of paragraph (1) must pay the fees specified by Cabinet Order within an amount not exceeding the actual cost, as provided for by Cabinet Order.

(5) When financial difficulties or other special grounds are found, the review officer may reduce the amount of the fees set forth in the preceding paragraph or exempt the relevant person from paying the relevant fees, as provided for by Cabinet Order.

(6) When an administrative agency that belongs to a local public entity (limited to any of the prefectures, municipalities, and special wards, and associations of local public entities; the same applies hereinafter) falls under the reviewing

agency, with regard to the application of the provisions of the preceding two paragraphs, the term "Cabinet Order" in these provisions are deemed to be replaced with "Prefectural or Municipal Ordinance," and when an administrative agency that does not belong to the national government or a local public entity falls under the reviewing agency, with regard to the application of these provisions, the term "by Cabinet Order" in these provisions are deemed to be replaced with "by the reviewing agency."

(Consolidation or Separation of Procedures for Proceedings)

Article 39 When finding it necessary, a review officer may consolidate procedures for proceedings for multiple requests for review or separate procedures for proceedings for consolidated multiple requests for review.

(Submission of Written Opinions by Review Officers to Suggest the Necessity to Order Stay of Execution)

Article 40 When finding it necessary, a review officer may submit a written opinion to suggest the necessity to order a Stay of Execution to the reviewing agency.

(Conclusion of Procedures for Proceedings)

Article 41 (1) When a review officer finds that necessary proceedings have been completed, the review officer is to conclude the procedures for proceedings.

(2) Beyond what is provided for in the preceding paragraph, a review officer may conclude the procedures for proceedings in any of the following cases:

(i) when any of the articles prescribed in (a) through (e) below has not been submitted within the appropriate period of time as specified in the provisions set forth respectively therein, and even after specifying an appropriate period of time anew and demanding the submission of the relevant articles, the review officer has not received the submission of the relevant articles:

(a) Article 29, paragraph (2): a written explanation;

(b) the second sentence of Article 30, paragraph (1): a written counterargument;

(c) the second sentence of Article 30, paragraph (2): a written opinion;

(d) Article 32, paragraph (3): documentary evidence or articles of evidence, or documents or other articles;

(e) the first sentence of Article 33: documents or other articles; or

(ii) when a petitioner does not appear for stating an opinion orally without justifiable grounds.

(3) When a review officer has concluded the procedures for proceedings pursuant to the provisions of the preceding two paragraphs, the review officer should promptly give a notice to the Persons Concerned with Proceedings to inform

them of the conclusion of the procedures for proceedings and the time when the review officer's written opinion prescribed in paragraph (1) of the following Article and the case record (meaning the written request for review, written explanation, and other documents and articles pertaining to the case wherein the request for review has been filed, which are specified by Cabinet Order; the same applies in paragraph (2) of the following Article and Article 43, paragraph (2)) are scheduled to be submitted to the reviewing agency. The same applies when the scheduled time of submission is altered.

(Review Officer's Written Opinions)

Article 42 (1) When having concluded the procedures for proceedings, a review officer must prepare a written opinion concerning the determination to be made by the reviewing agency (hereinafter referred to as a "review officer's written opinion") without delay.

(2) When having prepared a review officer's written opinion, the review officer must promptly submit it to the reviewing agency, together with the case record.

Section 4 Consultation with the Administrative Complaint Review Board

Article 43 (1) When having received the submission of a review officer's written opinion, the reviewing agency that falls under any of the competent minister, the Grand Steward, or the head of any of the agencies prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office or Article 3, paragraph (2) of the National Government Organization Act must consult with the Administrative Complaint Review Board, and the reviewing agency that falls under the head of a local public entity (in the case of an association of a local public entity, the head, manager, or council thereof) must consult with the organ set forth in Article 81, paragraph (1) or (2), except in any of the following cases:

(i) when any other Act or Cabinet Order (or Prefectural or Municipal Ordinance in the case of a disposition under Prefectural or Municipal Ordinance) provides that a disposition, for which a request for review is filed, should or may be reached through deliberations at any of the organs set forth in the items of Article 9, paragraph (1), the assemblies of local public entities, or others specified by Cabinet Order as equivalents to these organs (hereinafter referred to as the "Council, etc."), and the administrative agency reaching the disposition has reached the disposition through such deliberations;

(ii) when any other Act or Cabinet Order (or Prefectural or Municipal Ordinance in the case of a disposition under Prefectural or Municipal Ordinance) provides that a determination should or may be made through deliberations at any of the organs set forth in the items of Article 9,

paragraph (1), the assemblies of local public entities, or others specified by Cabinet Order as equivalents to these organs, and the reviewing agency intends to make a determination through such deliberations;

(iii) when the reviewing agency intends to make a determination through deliberations at the Council, etc. pursuant to the provisions of Article 46, paragraph (3) or Article 49, paragraph (4);

(iv) when the requestor for review has presented the intention not to wish to have the request subject to consultation with the Administrative Complaint Review Board or the organ set forth in Article 81, paragraphs (1) or (2) (hereinafter referred to as the "Administrative Complaint Review Board, etc.") (excluding the cases where an intervenor has raised an objection to the omission of consultation with the Administrative Complaint Review Board, etc.);

(v) when the Administrative Complaint Review Board, etc. finds that consultation is not necessary for the request for review in light of the level of possible influence on the rights and interests of citizens and administrative operations, as well as any other nature of the relevant case;

(vi) when the request for review is unlawful and the reviewing agency intends to dismiss it without prejudice;

(vii) when the reviewing agency intends to revoke the disposition, for which the request for review is filed, (excluding a disposition to dismiss with or without prejudice an application based on laws and regulations, and de facto acts) in full pursuant to the provisions of Article 46, paragraph (1), or order the elimination or decide to eliminate de facto acts, for which the request for review is filed, in full pursuant to the provisions of Article 47, item (i) or (ii) (excluding the cases where a written opinion to oppose the revocation of the relevant disposition in full or the order or decision to eliminate the relevant de facto acts in full has been submitted and where an opinion to that effect has been stated on the occasion of stating an opinion orally); or

(viii) when the reviewing agency intends to take the measures specified in the items of Article 46, paragraph (2) or the items of Article 49, paragraph (3) (limited to ordering to uphold or deciding to uphold an application based on laws and regulations in full) (excluding the cases where a written opinion to oppose the upholding of the relevant application in full has been submitted and where an opinion to that effect has been stated on the occasion of stating an opinion orally).

(2) The consultation pursuant to the provisions of the preceding paragraph must be sought by attaching copies of the review officer's written opinion and case record.

(3) The reviewing agency that has consulted with the Administrative Complaint Review Board, etc. pursuant to the provisions of paragraph (1) must give a

notice to the Persons Concerned with Proceedings (when the administrative agency , etc. reaching the disposition falls under the reviewing agency, to the relevant requestor for review and intervenors) to inform them of the fact of going through the consultation and send them a copy of the review officer's written opinion.

Section 5 Determination

(Timing of Making Determination)

Article 44 When the reviewing agency has received a report to its consultation from the Administrative Complaint Review Board, etc. (or when a review officer's written opinion has been submitted in the case where the consultation pursuant to the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of the relevant paragraph), or when deliberations prescribed in item (ii) or (iii) of the relevant paragraph have been held in the cases falling under item (ii) or (iii) of the relevant paragraph), the reviewing agency must make a determination without delay.

(Dismissal with or without Prejudice of Request for Review with Regard to Disposition)

Article 45 (1) When a request for review with regard to a disposition has been filed after the elapse of the statutory period, or is otherwise unlawful, the reviewing agency is to dismiss the relevant request for review without prejudice by its determination.

(2) When there are no grounds for a request for review with regard to a disposition, the reviewing agency is to dismiss the relevant request for review with prejudice on the merits by its determination.

(3) When a disposition, for which a request for review is filed, is illegal or unjust but the revocation or elimination thereof would significantly harm public interest and the reviewing agency finds that the revocation or elimination of the disposition is not in line with public welfare in consideration of the level of damage to be sustained by the relevant requestor for review, the level and method of compensation for or prevention of the relevant damage, and other circumstances as a whole, the reviewing agency may dismiss the relevant request for review with prejudice on the merits by its determination. In this case, the reviewing agency must declare that the relevant disposition is illegal or unjust in the main text of the determination.

(Upholding of Request for Review with Regard to Disposition)

Article 46 (1) When there are grounds for a request for review with regard to a

disposition (excluding de facto acts; hereinafter, the same applies in this Article and Article 48) (excluding the cases to which the provisions of paragraph (3) of the preceding Article apply), the reviewing agency is to revoke the relevant disposition in full or in part or alter it by its determination; provided, however, that when the reviewing agency does not fall under the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition itself, the reviewing agency may not alter the relevant disposition.

(2) When revoking the disposition to dismiss with or without prejudice an application based on laws and regulations in full or in part, pursuant to the provisions of the preceding paragraph, the reviewing agency set forth in the following items is to take the measures specified respectively therein when it finds the necessity to render a certain disposition for the relevant application:

(i) the reviewing agency that falls under the higher administrative agency of the administrative agency reaching the disposition: to order the relevant administrative agency reaching the disposition to render the relevant disposition; and

(ii) the reviewing agency that falls under the administrative agency reaching the disposition: to render the relevant disposition.

(3) When there are any provisions to the effect that a certain disposition as prescribed in the preceding paragraph should be put under deliberations as prescribed in Article 43, paragraph (1), item (i), and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of the preceding paragraph, the reviewing agency may go through deliberations at the Council, etc. under such provisions.

(4) Beyond the cases where there are the relevant provisions as prescribed in the preceding paragraph, when any other laws and regulations provide that consultation with the relevant administrative agencies or other procedures should be undertaken with regard to a certain disposition as prescribed in paragraph (2), and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of the relevant paragraph, the reviewing agency may undertake the relevant procedures.

Article 47 When there are grounds for a request for review with regard to de facto acts (excluding the cases to which the provisions of Article 45, paragraph (3) apply), the reviewing agency is to, by its determination, declare that the relevant de facto acts are illegal or unjust and take the measures specified in the following items in accordance with the categories of reviewing agencies set forth respectively therein; provided, however, that when the reviewing agency falls under anything other than the higher administrative agency of the administrative agency reaching the disposition, the reviewing agency may not

order to alter the relevant de facto acts:

(i) the Reviewing Agency other than the Administrative Agency Reaching the disposition: to order the relevant administrative agency reaching the disposition to eliminate the relevant de facto acts in full or in part or alter them; and

(ii) the reviewing agency that falls under the administrative agency reaching the disposition: to eliminate the relevant de facto acts in full or in part or alter them.

(Prohibition of Adverse Alteration)

Article 48 In the cases referred to in the main clause of Article 46, paragraph (1) or the preceding Article, the reviewing agency may not alter the relevant disposition, order to alter the relevant de facto acts, or alter them in a manner disadvantageous to the requestor for review.

(Determination for Request for Review with Regard to Inaction)

Article 49 (1) When a request for review with regard to Inaction has been filed before the elapse of the appropriate period of time after an application for the disposition causing the relevant Inaction, or is otherwise unlawful, the reviewing agency is to dismiss the relevant request for review without prejudice by its determination.

(2) When there are no grounds for a request for review with regard to Inaction, the reviewing agency is to dismiss the relevant request for review with prejudice on the merits by its determination.

(3) When there are grounds for a request for review with regard to inaction, the reviewing agency is to declare that the relevant inaction is illegal or unjust by its determination. In this case, when the reviewing agency set forth in the following items finds the necessity to render a certain disposition for the relevant application, the reviewing agency is to take the measures specified respectively therein:

(i) the reviewing agency that falls under the higher administrative agency of the administrative agency having taken no action: to order the relevant administrative agency having taken no action to render the relevant disposition; and

(ii) the reviewing agency that falls under the administrative agency having taken no action: to render the relevant disposition.

(4) When there are any provisions to the effect that the disposition causing Inaction, for which a request for review is filed, should be put under deliberations as prescribed in Article 43, paragraph (1), item (i), and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of the preceding paragraph, the reviewing agency may go

through deliberations at the Council, etc. under the provisions.

(5) Beyond the cases where there are the relevant provisions as prescribed in the preceding paragraph, when any other laws and regulations provide that consultation with the relevant administrative agencies or other procedures should be undertaken with regard to the disposition causing inaction, for which a request for review is filed, and the reviewing agency finds it necessary for the purpose of taking the measures specified in the items of paragraph (3), the reviewing agency may undertake the relevant procedures.

(Method of Making Determination)

Article 50 (1) A determination must be made with a written determination containing the following matters on which the reviewing agency has affixed its name and seal:

(i) the main text;

(ii) the outline of the case;

(iii) summaries of the allegations by the Persons Concerned with Proceedings; and

(iv) grounds (when the main text set forth in item (i) differs from the details of the review officer's written opinion or the written report from the Administrative Complaint Review Board, etc. or the Council, etc., including the grounds for the relevant difference).

(2) When consultation with the Administrative Complaint Review Board, etc. pursuant to the provisions of Article 43, paragraph (1) is not necessary, the review officer's written opinion must be attached to the written determination set forth in the preceding paragraph.

(3) When making a determination for which a request for re-examination may be filed, the reviewing agency must enter the fact that a request for re-examination may be filed, administrative agencies with which a request for re-examination should be filed, and the period for filing a request for re-examination (meaning the period of time prescribed in Article 62) in a written determination to instruct the relevant persons on these matters.

(Occurrence of Effects of Determination)

Article 51 (1) A determination comes into effect when it is served to the requestor for review (in the case of a determination made pursuant to the provisions of Article 46, paragraph (1) and Article 47 when the request for review has been filed by a person other than the parties subject to the disposition, when it is served to the relevant requestor for review and the parties subject to the disposition).

(2) A determination is to be served by sending a transcript of the written determination to the person to whom the determination is to be served;

provided, however, that when the whereabouts of the person to whom the determination is to be served are unknown or otherwise it is impossible to send a transcript of the written determination to the relevant person, the service of the determination may be made by means of public notice.

(3) In the case of making the service of the determination by means of public notice, the reviewing agency should keep a transcript of the written determination, post a notice, on the notice board of the reviewing agency, to the effect that the reviewing agency will deliver the transcript to the person who is to receive the service thereof at any time, and also post the article of the same effect in the Official Gazette other bulletin or in a newspaper at least once. In this case, the transcript of the written determination is deemed to be served as of the time when two weeks passed from the day following the day on which the posting is commenced.

(4) The reviewing agency must send a transcript of the written determination to the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency).

(Binding Effect of Determination)

Article 52 (1) A determination binds the relevant administrative agencies.

(2) When a disposition reached based on an application has been revoked by a determination on the grounds of procedural illegality or unjustness, or a disposition to dismiss an application with or without prejudice has been revoked by a determination, the administrative agency reaching the disposition must render a disposition for the application anew in line with the purport of the determination.

(3) When a disposition publicly noticed pursuant to the provisions of laws and regulations has been revoked or altered by a determination, the administrative agency reaching the disposition must publicize the fact that the relevant disposition has been revoked or altered.

(4) When a disposition, a notice of which has been given to an interested person other than the parties subject to the disposition pursuant to the provisions of laws and regulations, has been revoked or altered by a determination, the administrative agency reaching the disposition must give a notice to the person who has received the notice (excluding the relevant requestor for review and intervenors) to inform of the fact that the relevant disposition has been revoked or altered.

(Return of Documentary Evidence)

Article 53 When having made a determination, the reviewing agency must promptly return the documentary evidence or articles of evidence, or

documents or other articles submitted pursuant to the provisions of Article 32, paragraph (1) or (2), and the documents or other articles submitted in response to a demand for submission under Article 33 to the persons who have submitted them.

Chapter III Request for Re-investigation

(Period for Filing Request for Re-investigation)

Article 54 (1) A request for re-investigation may not be filed after three months passed from the day following the day on which the relevant person comes to know that the disposition was reached; provided, however, that this does not apply when there are any justifiable grounds.

(2) A request for re-investigation may not be filed after one year passed from the day following the day on which the disposition was reached; provided, however, that this does not apply when there are any justifiable grounds.

(Relief when an Erroneous Instruction was Given)

Article 55 (1) With regard to a disposition for which a request for re-investigation may be filed, when the Administrative Agency Reaching the disposition has erroneously failed to instruct a person that a request for re-investigation may be filed, and the person has filed a request for review and has filed a petition, the reviewing agency must promptly send the written request for review or written statement concerning the request for review to the administrative agency reaching the disposition; provided, however, that this does not apply after a written explanation has been sent to the requestor for review.

(2) The administrative agency reaching the disposition that has received the written request for review or written statement concerning the request for review pursuant to the provisions of the main clause of the preceding paragraph must promptly give a notice to that effect to the relevant requestor for review and intervenors.

(3) When the written request for review or written statement concerning the request for review has been sent to the administrative agency reaching the disposition pursuant to the provisions of the main clause of paragraph (1), the request for re-investigation is deemed to have been filed with the administrative agency reaching the disposition from the beginning.

(When Request for Review was Filed without Waiting for a Decision to be Made for Request for Re-investigation)

Article 56 When a request for review has been filed pursuant to the provisions of the proviso to Article 5, paragraph (2), the request for re-investigation set forth

in the relevant paragraph is deemed to have been withdrawn; provided, however, that when the administrative agency reaching the disposition has sent a transcript of the written decision set forth in Article 60, paragraph (1) to the effect that the disposition (excluding de facto acts), for which the request for re-investigation is filed, is to be revoked, or when de facto acts, for which the request for re-investigation is filed, have been eliminated, prior to the day on which the relevant request for review was filed, the relevant request for review (when a decision set forth in Article 59, paragraph (1) to revoke the disposition (excluding de facto acts) in part has been made or de facto acts have been eliminated in part, limited to the relevant part) is deemed to have been withdrawn.

(Instructions after Three Months)

Article 57 When a request for re-investigation is still pending even after three months passed from the day following the day on which the relevant request for re-investigation was filed (when the administrative agency reaching the disposition ordered to correct a defect pursuant to the provisions of Article 23 as applied mutatis mutandis by replacing the terms in Article 61, the day following the day on which the defect was corrected), the administrative agency reaching the disposition must instruct the requestor for re-investigation in writing that a request for review may be immediately filed with regard to the relevant disposition.

(Decision on Dismissal with or without Prejudice of Request for Re-investigation)

Article 58 (1) When a request for re-investigation has been filed after the statutory period passed, or is otherwise unlawful, the administrative agency reaching the disposition is to dismiss the relevant request for re-investigation without prejudice by its decision.

(2) When there are no grounds for a request for re-investigation, the administrative agency reaching the disposition is to dismiss the relevant request for re-investigation with prejudice on the merits by its decision.

(Decision on Upholding of Request for Re-investigation)

Article 59 (1) When there are grounds for a request for re-investigation with regard to a disposition (excluding de facto acts), the administrative agency reaching the disposition is to revoke the relevant disposition in full or in part or alter it by its decision.

(2) When there are grounds for a request for re-investigation with regard to de facto acts, the administrative agency reaching the disposition is to, by its decision, declare that the relevant de facto acts are illegal or unjust and

eliminate the relevant de facto acts in full or in part or alter them.

(3) In the cases referred to in the preceding two paragraphs, the administrative agency reaching the disposition may not alter the relevant disposition or de facto acts in a manner disadvantageous to the requestor for re-investigation.

(Method of Making Decisions)

Article 60 (1) A decision set forth in the preceding two Articles must be made with a written decision containing the main text and grounds on which the administrative agency reaching the disposition has affixed its name and seal.

(2) In the written decision set forth in the preceding paragraph (excluding written decisions on revocation or elimination of the disposition, for which the request for re-investigation is filed, in full), the administrative agency reaching the disposition must enter the fact that a request for review may be filed with regard to the disposition, for which the request for re-investigation is filed, (in the case of a decision to dismiss the request without prejudice, the fact that a request for review may be filed only when the relevant decision of dismissal without prejudice is illegal), administrative agencies with which a request for review should be filed, and the period for filing a request for review to instruct the relevant persons on these matters.

(Mutatis Mutandis Application of the Provisions Concerning Request for Review)

Article 61 The provisions of Article 9, paragraph (4), Articles 10 through 16, Article 18, paragraph (3), Article 19 (excluding paragraph (3) and paragraph (5), items (i) and (ii)), Article 20, Article 23, Article 24, Article 25 (excluding paragraph (3)), Article 26, Article 27, Article 31 (excluding paragraph (5)), Article 32 (excluding paragraph (2)), Article 39, Article 51, and Article 53 apply mutatis mutandis to requests for re-investigation. In this case, in the provisions set forth in the left-hand column of Appended Table 2, the terms set forth in the middle column of the relevant table are deemed to be replaced with the terms set forth respectively in the right-hand column of the relevant table.

Chapter IV Request for Re-examination

(Period for Filing Request for Re-examination)

Article 62 (1) A request for re-examination may not be filed after one month passed from the day following the day on which the relevant person comes to know that the original determination was made; provided, however, that this does not apply when there are any justifiable grounds.

(2) A request for re-examination may not be filed after one year passed from the day following the day on which the original determination was made; provided,

however, that this does not apply when there are any justifiable grounds.

(Sending of a Written Determination)

Article 63 The Review Officer prescribed in Article 11, paragraph (2) as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1) or the re-examining agency (meaning an administrative agency with which a request for re-examination has been filed pursuant to the provisions of any other Act (including an administrative agency that has taken over the relevant documents and articles pursuant to the provisions of Article 14 as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1)); the same applies hereinafter) that falls under any of the organs set forth in the items of Article 9, paragraph (1) as applied mutatis mutandis in Article 66, paragraph (1) is to request the administrative agency that has made the original determination to send thereto a written determination for the original determination.

(Determination on Dismissal with or without Prejudice of Request for Re-examination)

Article 64 (1) When a request for re-examination has been filed after the statutory period passed, or is otherwise unlawful, the re-examining agency is to dismiss the relevant request for re-examination without prejudice by its determination.

(2) When there are no grounds for a request for re-examination, the re-examining agency is to dismiss the relevant request for re-examination with prejudice on the merits by its determination.

(3) When the original determination, for which a request for re-examination is filed, (limited to original determinations to dismiss a request for review with or without prejudice) is illegal or unjust but when the disposition, for which the relevant request for review is filed, is neither illegal nor unjust, the re-examining agency is to dismiss the relevant request for re-examination with prejudice on the merits by its determination.

(4) Beyond the case prescribed in the preceding paragraph, when the original determination, etc., for which a request for re- examination is filed, is illegal or unjust but the revocation or elimination thereof would significantly harm public interest and the re-examining agency finds that the revocation or elimination of the original determination, etc. is not in line with public welfare in consideration of the level of damage to be sustained by the relevant requestor for re-examination, the level and method of compensation for or prevention of the relevant damage, and other circumstances as a whole, the re-examining agency may dismiss the relevant request for re-examination with prejudice on the merits by its determination. In this case, the re-examining

agency must declare that the relevant original determination, etc. is illegal or unjust in the main text of the determination.

(Determination on Upholding of Request for Re-examination)

Article 65 (1) When there are grounds for a request for re-examination with regard to the original determination, etc. (excluding de facto acts) (excluding the cases prescribed in paragraph (3) of the preceding Article and the cases to which the provisions of paragraph (4) of the relevant Article apply), the re-examining agency is to revoke the relevant original determination, etc. in full or in part by its determination.

(2) When there are grounds for a request for re-examination with regard to de facto acts (excluding the cases to which the provisions of paragraph (4) of the preceding Article apply), the re-examining agency is to declare that the relevant de facto acts are illegal or unjust in its determination and order the administrative agency reaching the disposition to eliminate the relevant de facto acts in full or in part.

(Mutatis Mutandis Application of the Provisions Concerning Request for Review)

Article 66 (1) The provisions of Chapter II (excluding Article 9, paragraph (3), Articles 18 (excluding paragraph (3)), Article 19, paragraph (3) and paragraph (5), items (i) and (ii), Article 22, Article 25, paragraph (2), Article 29 (excluding paragraph (1)), Article 30, paragraph (1), Article 41, paragraph (2), item (i), (a) and (b), Section 4, Articles 45 to 49, and Article 50, paragraph (3)) apply mutatis mutandis to requests for re- examination. In this case, in the provisions set forth in the left-hand column of Appended Table 3, the terms set forth in the middle column of the relevant table are deemed to be replaced with the terms set forth respectively in the right-hand column of the relevant table.

(2) When the re-examining agency falls under any of the organs set forth in the items of Article 9, paragraph (1) as applied mutatis mutandis in the preceding paragraph, the provisions of Article 17, Article 40, Article 42, and Article 50, paragraph (2) as applied mutatis mutandis in the preceding paragraph do not apply.

Chapter V Administrative Complaint Review Board

Section 1 Administrative Complaint Review Board

Subsection 1 Establishment and Organization

(Establishment)

Article 67 (1) The Administrative Complaint Review Board (hereinafter referred to as the "board") is established in the Ministry of Internal Affairs and

Communications.
(2) The board is to administer matters that have been brought under its jurisdiction pursuant to the provisions of this Act.

(Organization)
Article 68 (1) The board consists of nine board members.
(2) Board members serve on a part-time basis; provided, however, that up to three of them may serve on a full-time basis.

(Board Members)
Article 69 (1) Board members are to be appointed by the Minister of Internal Affairs and Communications, with the consent of both Houses of the Diet, from among persons who can make a fair judgment on the matters under jurisdiction of the board and have excellent insight into law or administration.
(2) When the term of office of a board member expires or a vacancy occurs and the consent of both Houses of the Diet cannot be obtained because the Diet is closed or the House of Representatives is dissolved, the Minister of Internal Affairs and Communications may appoint a board member from among persons who are qualified as prescribed in the preceding paragraph, notwithstanding the provisions of the relevant paragraph.
(3) In the case referred to in the preceding paragraph, the ex post facto approval of both Houses of the Diet must be obtained in the first session of the Diet after the appointment. In this case, when the ex post facto approval of both Houses of the Diet cannot be obtained, the Minister of Internal Affairs and Communications must dismiss the relevant board member.
(4) The term of office of a board member is to be three years; provided, however, that the term of office of a board member appointed to fill a vacancy is to be the remaining term of office of the predecessor.
(5) Board members may be reappointed.
(6) When the term of office has expired, the relevant board member is to continue performing duties until a successor is appointed.
(7) When the Minister of Internal Affairs and Communications finds that any board member cannot properly perform duties due to mental or physical disorder or if any board member has committed a violation of obligation in the course of duties or other misconduct unbecoming to a board member, the Minister may dismiss the relevant board member, with the consent of both Houses of the Cabinet.
(8) Board members must not disclose any confidential information that they have learned in the course of duties. The same applies even after they have left office.
(9) During the term of office, board members must not serve as an officer of a

political party or other political bodies, nor actively engage in political activities.
(10) During the term of office, board members on a full-time basis must not engage in other jobs with remuneration, run business for profit purposes or operate other businesses seeking for monetary interest unless permitted by the Minister of Internal Affairs and Communications.
(11) The remuneration of the board members is prescribed separately by law.

(Chairperson)
Article 70 (1) The board has a chairperson, who is to be elected from among the board members.
(2) The chairperson presides over affairs of the board and represents the board.
(3) In the event of any accident to the chairperson, a board member appointed thereby in advance performs the chairperson's duties.

(Expert Board Members)
Article 71 (1) The board may have expert board members to have them examine specialized matters.
(2) Expert board members are to be appointed by the Minister of Internal Affairs and Communications from among persons with relevant knowledge and experience.
(3) When an examination on the relevant specialized matters, for which an expert board member was appointed to is completed, the expert board member is to be dismissed from the post.
(4) Expert board members serve on a part-time basis.

(Panel)
Article 72 (1) A panel consists of three persons designated by the board from among the board members studies and deliberates a case wherein a request for review is filed.
(2) Notwithstanding the provisions of the preceding paragraph, on occasions as specified by the board, a panel consisting of all board members studies and deliberates a case wherein a request for review is filed.

(Secretariat)
Article 73 (1) The board is to establish a secretariat for the purpose of having the secretariat deal with the affairs of the board.
(2) The secretariat has a secretary general and other necessary officials.
(3) The secretary general takes control of the affairs of the secretariat in accordance with orders of the chairperson.

Subsection 2 Study and Deliberation Procedures at the Board

(Board's Authority to Conduct Examination)

Article 74 With regard to a case wherein a request for review is filed, when finding it necessary, the board may demand that the relevant requestor for review, intervenors, or the reviewing agency that has consulted with the board pursuant to the provisions of Article 43, paragraph (1) (hereinafter referred to as the "persons concerned with the review" in this subsection) submit a document stating their allegation (hereinafter referred to as a "written allegation" in this subsection) or other materials, request a person found appropriate to state the facts that the person knows or give an expert opinion, or otherwise conduct necessary examination.

(Statement of Opinions)

Article 75 (1) When any person concerned with the review has filed a petition, the board must give the relevant person concerned with the review an opportunity to orally state opinions; provided, however, that this does not apply when the board finds it unnecessary.

(2) In the case referred to in the main clause of the preceding paragraph, a requestor for review or an intervenor may appear together with an assistant in court by obtaining permission from the board.

(Submission of a Written Allegation)

Article 76 A person concerned with the review may submit a written allegation or other materials to the board. In this case, when the board has specified an appropriate period of time during which a written allegation or other materials should be submitted, the person must submit the documents within the relevant period of time.

(Procedures for Examination by Board Members)

Article 77 The board, when finding it necessary, may designate certain board members to have them conduct examination pursuant to the provisions of Article 74 or hear the statement of opinions of the persons concerned with the review pursuant to the provisions of the main clause of Article 75, paragraph (1).

(Inspection of Submitted Materials)

Article 78 (1) The persons concerned with the review may request the board to permit the inspection of a written allegation or other materials submitted to the board (in the case of an electronic or magnetic record, the inspection of anything that indicates the matters recorded therein in the method specified

by the board), or to deliver copies of the written allegation or other materials, or a document containing the matters recorded in the electronic or magnetic record. In this case, the board cannot refuse the inspection or delivery unless it is found that the inspection or delivery is likely to damage the interest of a third party or there are otherwise justifiable grounds for refusal.

(2) When intending to permit the inspection pursuant to the provisions of the preceding paragraph or deliver the relevant documents pursuant to the provisions of the relevant paragraph, the board must hear the opinions of the persons who have submitted the written allegation or other materials to be inspected or delivered; provided, however, that this does not apply when the board finds it unnecessary.

(3) With regard to the inspection pursuant to the provisions of paragraph (1), the board may specify the date and venue therefor.

(4) A requestor for review or an intervenor who receives the delivery pursuant to the provisions of paragraph (1) must pay the fees specified by Cabinet Order within an amount not exceeding the actual cost, as provided for by Cabinet Order.

(5) When financial difficulties or other specific reasons are found, the board may reduce the amount of the fees set forth in the preceding paragraph or exempt the relevant person from paying the relevant fees, as provided for by Cabinet Order.

(Sending of Written Reply)

Article 79 When the board has given a report for consultation, the Board is to send a copy of the written report to the relevant requestor for review and intervenors and make the details of the report public.

Subsection 3 Miscellaneous Provisions

(Delegation to Cabinet Order)

Article 80 Beyond what are provided for in this Act, other necessary matters concerning the board are provided for by Cabinet Order.

Section 2 Organs Established in Local Public Entities

Article 81 (1) A local public entity establishes an organ for administering matters that have been brought under its jurisdiction pursuant to the provisions of this Act as an organ affiliated to its executive organ.

(2) Notwithstanding the provisions of the preceding paragraph, when it is inappropriate or difficult to establish an organ as set forth in the relevant paragraph in light of the situation of complaints having been filed, a local

public entity may establish, for each case, an organ for administering matters that have been brought under its jurisdiction pursuant to the provisions of this Act as an organ affiliated to its executive organ as provided for by Prefectural or Municipal Ordinance.

(3) The provisions of Subsection 2 of the preceding section apply mutatis mutandis to organs set forth in the preceding two paragraphs. In this case, the term "Cabinet Order" in Article 78, paragraphs (4) and (5) is deemed to be replaced with "Prefectural or Municipal Ordinance."

(4) Beyond what are provided for in the preceding three paragraphs, necessary matters concerning the organization and operation of the organs set forth in paragraphs (1) or (2) are provided for by Prefectural or Municipal Ordinance of the relevant local public entity wherein the relevant organ is established (in the case of an organ jointly established pursuant to the provisions of Article 252-7, paragraph (1) of the Local Autonomy Act, by the constitution set forth in the relevant paragraph).

Chapter VI Auxiliary Provisions

(Instruction on Administrative Agencies with Which Complaint should be Filed)

Article 82 (1) When an administrative agency renders a disposition for which a request for review, request for re-investigation, or administrative complaints based on other laws and regulations (hereinafter collectively referred to as a "complaint" in this Article) may be filed, the administrative agency must instruct the party subject to the disposition, in writing, that a complaint may be filed with regard to the relevant disposition, the administrative agency with which a complaint should be filed, and the period of time during which a complaint may be filed; provided, however, that this does not apply when the relevant disposition is rendered orally.

(2) When any interested person has sought an instruction on whether a complaint may be filed with regard to the relevant disposition, and if a complaint may be filed, an instruction on the administrative agency with which a complaint should be filed and the period of time during which a complaint may be filed, an administrative agency must give the relevant instruction as sought.

(3) In the case referred to in the preceding paragraph, when a person has sought the instruction in writing, the administrative agency must give the relevant instruction in writing.

(Filing of Complaint when an Instruction was not Given)

Article 83 (1) When an administrative agency has failed to give an instruction as

prescribed in the preceding Article, a person who is dissatisfied with the relevant disposition may submit a written complaint to the relevant administrative agency.

(2) The provisions of Article 19 (excluding paragraph (5), items (i) and (ii)) apply mutatis mutandis to a written complaint set forth in the preceding paragraph.

(3) When a written complaint has been submitted pursuant to the provisions of paragraph (1) and the relevant disposition is the type for which a request for review may be filed with an administrative agency other than the administrative agency reaching the disposition, the administrative agency reaching the disposition must promptly send the written complaint to the relevant administrative agency. The same applies when the relevant disposition is the type for which a request for review may be filed with an administrative agency other than the administrative agency reaching the disposition based on other laws and regulations.

(4) When a written complaint has been sent pursuant to the provisions of the preceding paragraph, the request for review or the complaint based on the relevant laws and regulations are deemed to have been filed with the relevant administrative agency from the beginning.

(5) Except for the case referred to in paragraph (3), when a written complaint has been submitted pursuant to the provisions of paragraph (1), the request for review or the complaint based on the relevant laws and regulations are deemed to have been filed with the relevant administrative agency from the beginning.

(Information Provision)

Article 84 An administrative agency vested with the authority to make a determination or decision, or otherwise render a disposition (referred to as a "determination, etc." in the following Article) for a request for review, request for re-investigation, request for re-examination, or administrative complaint based on other laws and regulations (hereinafter collectively referred to as a "complaint" in this Article and the following Article) must endeavor to provide the matters concerning the statement in a written complaint and other information necessary for filing a complaint upon a request from a person who intends to file or has filed a complaint.

(Publication)

Article 85 An administrative agency vested with the authority to make a determination, etc. for a filed complaint must endeavor to make the details of the determination, etc. public, and other status of dealing with the complaint at the administrative agency.

(Delegation to Cabinet Order)

Article 86 Beyond what are provided for in this Act, other necessary matters for the implementation of this Act are provided for by Cabinet Order.

(Penal Provisions)

Article 87 A person who has disclosed any confidential information in violation of the provisions of Article 69, paragraph (8) is to be punished by imprisonment with required labor of not more than one year or a fine of not more than 500,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions of the following Article come into effect as of the date of promulgation.

(Preparatory Actions)

Article 2 Actions necessary for the appointment of members of the board pursuant to the provisions of Article 69, paragraph (1) may be taken even prior to the effective date of this Act, in accordance with the provisions of the relevant paragraph.

(Transitional Measures)

Article 3 Prior laws continue to govern the applicability regarding a complaint filed with regard to a disposition reached by an administrative agency prior to the enforcement of this Act or with regard to inaction by an administrative agency for an application filed prior to the enforcement of this Act.

Article 4 (1) The terms of office of members of the board who are appointed for the first time after the enforcement of this Act are to be two years for three members and three years for the remaining six out of the nine board members, notwithstanding the provisions of the main clause of Article 69, paragraph (4).

(2) The term of office of each of the board members prescribed in the preceding paragraph is to be specified by the Minister of Internal Affairs and Communications.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 5 Beyond what are provided for in the preceding two Articles, necessary transitional measures concerning the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 6 When five years have passed since this Act comes into effect, the government should review the status of the enforcement of this Act and, when finding it necessary, take appropriate measures based on the results thereof.

Appended Table 1 (Re. Article 9)

Article 11, paragraph (2)	a person who has been designated pursuant to the provisions of Article 9, paragraph (1) (hereinafter referred to as a "review officer")	the reviewing agency
Article 13, paragraphs (1) and (2)	review officer	reviewing agency
Article 25, paragraph (7)	When a petition for a stay of execution has been filed or a written opinion to suggest the necessity to order a stay of execution as prescribed in Article 40 has been submitted by a review officer	When a petition for a stay of execution has been filed
Article 28	review officer	the reviewing agency
Article 29, paragraph (1)	When having been appointed by the reviewing agency, a review officer must immediately	When a request for review has been filed, except for the case of dismissing the request for review without prejudice pursuant to the provisions of Article 24, the reviewing agency must promptly
Article 29, paragraph (2)	A review officer	The reviewing agency that falls under any category other than the administrative agency, etc. reaching the disposition

	administrative agency, etc. reaching the disposition to submit a written explanation	submission of a written explanation, and the reviewing agency that falls under the administrative agency, etc. reaching the disposition is to prepare a written explanation within an appropriate period of time
Article 29, paragraph (5)	a review officer	the reviewing agency
	from the administrative agency, etc. reaching the disposition	from the administrative agency , etc.reaching the disposition or the reviewing agency has prepared a written explanation pursuant to the provisions of paragraph (2)
Article 30, paragraphs (1) and (2)	a review officer	the reviewing agency
Article 30, paragraph (3)	a review officer	the reviewing agency
	intervenors and the administrative agency, etc. reaching the disposition	intervenors and the administrative agency, etc. reaching the disposition (when the administrative agency reaching the disposition falls under the reviewing agency, intervenors)
	relevant requestor for review and the administrative agency, etc. reaching the disposition	relevant requestor for review and the administrative agency, etc. reaching the disposition (when the administrative agency reaching the disposition falls under the reviewing agency, the relevant requestor for review)
Article 31, paragraph (1)	a review officer	the reviewing agency
Article 31, paragraph (2)	a review officer	the reviewing agency

	all of the persons concerned with proceedings	all of the persons concerned with proceedings (when the administrative agency, etc. reaching the disposition falls under the reviewing agency, the relevant requestor for review and intervenors; hereinafter, the same applies in this Section and Article 50, paragraph (1), item (iii))
Article 31, paragraphs (3) through (5), Article 32, paragraph (3), Articles 33 through 37, Article 38, paragraphs (1) through (3) and paragraph (5), Article 39, and Article 41, paragraphs (1) and (2)	the/a/A review officer	the/The reviewing agency
Article 41, paragraph (3)	a review officer	the reviewing agency

	the review officer should promptly give a notice to the persons concerned with proceedings to inform them of the conclusion of the procedures for proceedings and the time when the written opinion of the review officer prescribed in paragraph (1) of the following Article and the case record (meaning the written request for review, written explanation, and other documents and articles pertaining to the case wherein the request for review has been filed, which are specified by Cabinet Order; the same applies in paragraph (2) of the following Article and Article 43, paragraph (2)) are scheduled to be submitted to the Reviewing Agency. The same applies when the scheduled time of submission is altered	the reviewing agency should promptly give a notice to the persons concerned with proceedings to inform them of the conclusion of the procedures for proceedings

Article 44	When the reviewing agency has received a reply to its consultation from the Administrative Complaint Review Board, etc. (or when a review officer's written opinion has been submitted in the case where the consultation pursuant to the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of the relavant paragraph), or when deliberations prescribed in item (ii) or (iii) of the relevant paragraph have been held in the cases falling under item (ii) or (iii) of the relevant paragraph)	When the reviewing agency has concluded the procedures for proceedings
Article 50, paragraph (1), item (iv)	grounds (when the main text set forth in item (i) differs from the details of the review officer's written opinion or the written reply from the Administrative Complaint Review Board, etc. or the council, etc., including the grounds for the relevant difference)	grounds

Appended Table 2 (Re. Article 61)

Article 9, paragraph (4)	In the case prescribed in the preceding paragraph, the reviewing agency may	The administrative agency reaching the disposition is to

	(limited to persons other than those set forth in the items of paragraph (2) (for members of the organs set forth in the items of paragraph (1), excluding item (i))) hear opinions stated by the requestor for review under Article 31, paragraph (1) as applied by replacing the terms in the preceding paragraph	hear opinions stated by the requestor for review under Article 31, paragraph (1) as applied mutatis mutandis by replacing the terms in Article 61
	in Article 13, paragraph (4)	in Article 13, paragraph (4) as applied mutatis mutandis in Article 61
	, hear opinions stated by the witnesses under Article 34 as applied by replacing the terms in the preceding paragraph, conduct observation under Article 35, paragraph (1) as applied by replacing the terms in the preceding paragraph, ask questions to the persons concerned with proceedings prescribed in Article 28 under Article 36 as applied by replacing the terms in the preceding paragraph, or hold a hearing of opinions under Article 37, paragraph (1) or (2) as applied by replacing the terms in the preceding paragraph	[Deleted]
Article 11, paragraph (2)	a person who has been designated pursuant to the provisions of Article 9, paragraph (1) (hereinafter referred to as a "review officer")	the administrative agency reaching the disposition

Article 13, paragraph (1)	or the disposition causing inaction	[Deleted]
	review officer	administrative agency reaching the disposition
Article 13, paragraph (2)	review officer	administrative agency reaching the disposition
Article 14	the written request for review prescribed in Article 19	the written request for re-investigation prescribed in Article 19 as applied mutatis mutandis by replacing the terms in Article 61
	written statement concerning the request for review prescribed in Article 21, paragraph (2)	written statement concerning the request for re-investigation prescribed in Article 22, paragraph (3)
Article 16	The administrative agency that is to be the reviewing agency pursuant to the provisions of Article 4 or the provisions of any other Act or prefectural or municipal ordinance (hereinafter referred to as the "administrative agency to be the reviewing agency")	The administrative agency vested with the authority to render a disposition subject to a request for re-investigation
	offices of the administrative agency to be the reviewing agency and the relevant administrative agencies reaching the disposition (meaning administrative agencies vested with the authority to render a disposition subject to the request for review other than the administrative agency to be the reviewing agency; the same applies in the following Article)	offices of the relevant administrative agency

Article 18, paragraph (3)	a written request for review prescribed in the following Article	a written request for re-investigation prescribed in the following Article as applied mutatis mutandis by replacing the terms in Article 61
	the period of time prescribed in the preceding two paragraphs (hereinafter referred to as the "period for filing request for review")	the period of time prescribed in Article 54
Title of Article 19, and paragraph (1) of the relevant Article	Written Request for Review/written request for review	Written Request for Re-investigation/written request for re-investigation
Article 19, paragraph (2)	A written request for review with regard to a disposition	A written request for re-investigation
	(when a decision was made for a request for re-investigation with regard to the relevant disposition, came to know that the relevant decision was made)	[Deleted]
Article 19, paragraph (4)	written request for review	written request for re-investigation
	or the items of the preceding paragraph	[Deleted]
Article 19, paragraph (5)	a written request for review with regard to a disposition	a written request for re-investigation
	period for filing request for review	period prescribed in Article 54
	the proviso to paragraph (1) or paragraph (2) of the preceding Article	the proviso to paragraph (1) or paragraph (2) of the relevant Article
Article 20	paragraphs (2) through (5) of the preceding Article	paragraphs (2), (4), and (5) of the preceding Article as applied mutatis mutandis by replacing the terms in Article 61
Article 23 (including the Title)	Written Request for Review/written request for review	Written Request for Re-investigation/written request for re-investigation

Article 24, paragraph (1)	based on the provisions of Article 45, paragraph (1) or Article 49, paragraph (1) without going through the procedures for proceedings prescribed in the following section	based on the provisions of Article 58, paragraph (1) without going through the procedures for proceedings
Article 25, paragraph (2)	The reviewing agency that falls under the higher administrative agency of the administrative agency reaching the disposition or the administrative agency reaching the disposition itself	The administrative agency reaching the disposition
Article 25, paragraph (4)	the preceding two paragraphs	paragraph (2)
Article 25, paragraph (6)	paragraphs (2) through (4)	paragraphs (2) and (4)
Article 25, paragraph (7)	or a written opinion to suggest the necessity to order a stay of execution as prescribed in Article 40 has been submitted by a review officer	[Deleted]
Article 31, paragraph (1)	a review officer	the administrative agency reaching the disposition
	and Article 41, paragraph (2), item (ii)	[Deleted]
Article 31, paragraph (2)	review officer	administrative agency reaching the disposition
	all of the persons concerned with proceedings	the relevant requestor for re-investigation and intervenors
Article 31, paragraphs (3) and (4)	review officer	administrative agency reaching the disposition
Article 32, paragraph (3)	the preceding two paragraphs	paragraph (1)
	a review officer	the administrative agency reaching the disposition
Article 39	a review officer	the administrative agency reaching the disposition
Article 51, paragraph (1)	Article 46, paragraph (1) and Article 47	Article 59, paragraphs (1) and (2)

Article 51, paragraph (4)	the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency)	the intervenors
Article 53	documentary evidence or articles of evidence, or documents or other articles submitted pursuant to the provisions of Article 32, paragraph (1) or (2), and the documents or other articles submitted in response to a demand for submission under Article 33	documentary evidence or articles of evidence submitted pursuant to the provisions of Article 32, paragraph (1) as applied mutatis mutandis in Article 61

Appended Table 3 (Re. Article 66)

Article 9, paragraph (1)	An administrative agency with which a request for review has been filed pursuant to the provisions of Article 4 or the provisions of any other Act or Prefectural or Municipal Ordinance (including an administrative agency that has taken over the relevant documents and articles pursuant to the provisions of Article 14; hereinafter referred to as a "reviewing agency")	The re-examining agency prescribed in Article 63 (hereinafter referred to as the "re-examining agency" in this chapter)
	this section	this section and Article 63

	administrative agency, etc. reaching the disposition, etc. (limited to the administrative agency, etc. reaching the disposition, etc. other than the reviewing agency)	the administrative agency, etc. making the original determination (meaning the administrative agency that made the original determination (hereinafter referred to as the "administrative agency making the original determination" in this chapter) or the administrative agency reaching the disposition; hereinafter, the same applies in this chapter)
	when a Prefectural or Municipal Ordinance has specific provisions applicable to dispositions based thereon, or when the request for review is dismissed without prejudice pursuant to the provisions of Article 24	or when the request for review is dismissed without prejudice pursuant to the provisions of Article 24 as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1)
Article 9, paragraph (2), item (i)	the disposition, for which a request for review is filed, or in	any part of the disposition for a request for review with regard to the original determination,
	a person who has been involved or is to be involved in the disposition causing inaction, for which a request for review is filed	the original determination
Article 9, paragraph (4)	In the case prescribed in the preceding paragraph, the reviewing agency	The re-examining agency that falls under any of the organs set forth in the items of paragraph (1) (hereinafter referred to as the "re-examining agency falling under a committee, etc.")
	in the preceding paragraph	in Article 66, paragraph (1)
	as applied	as applied mutatis mutandis
	Article 13, paragraph (4)	Article 13, paragraph (4) as applied mutatis mutandis in Article 66, paragraph (1)

	Article 28	Article 28 as applied mutatis mutandis by replacing the terms in the relevant paragraph
Article 11, paragraph (2)	a person who has been designated pursuant to the provisions of Article 9, paragraph (1) (hereinafter referred to as a "review officer")	a person who has been designated pursuant to the provisions of Article 9, paragraph (1) as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1) (hereinafter referred to as a "review officer") or the re-examining agency falling under a committee, etc.
Article 13, paragraph (1)	in the disposition, for which the request for review is filed, or the disposition causing inaction in light of the laws and regulations that serve as the grounds for the relevant disposition	in the original determination, etc., for which the request for review is filed, in light of the laws and regulations that serve as the grounds for the relevant original determination, etc.
	review officer	review officer or the re-examining agency falling under a committee, etc.
Article 13, paragraph (2)	review officer	review officer or the re-examining agency falling under a committee, etc.
Article 14	the written request for review prescribed in Article 19	the written request for re-examination prescribed in Article 19 as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1)
	written statement concerning the request for review prescribed in Article 21, paragraph (2)	written statement concerning the request for re-examination prescribed in Article 21, paragraph (2) as applied mutatis mutandis by replacing the terms in the relevant paragraph
Article 15, paragraphs (1), (2), and (6)	the request for review	the request for review with regard to the original determination

Article 16	the provisions of Article 4 or the provisions of any other Act or Prefectural or Municipal Ordinance	the provisions of any other Act
	the relevant administrative agencies reaching the disposition (meaning administrative agencies vested with the authority to render a disposition subject to the request for review other than the administrative agency to be the reviewing agency; the same applies in the following Article)	the administrative agency vested with the authority to make a determination or render a disposition subject to the relevant request for re-examination
Article 17	the relevant administrative agencies reaching the disposition	the administrative agency vested with the authority to make a determination or render a disposition subject to the relevant request for re-examination
Article 18, paragraph (3)	a written request for review prescribed in the following Article	a written request for re-examination prescribed in the following Article as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1)
	the period of time prescribed in the preceding two paragraphs (hereinafter referred to as the "period for filing request for review")	the period for filing a request for re-examination prescribed in Article 50, paragraph (3) (hereinafter referred to as the "period for filing request for re-examination" in this chapter)
Title of Article 19, and paragraph (1) of the relevant Article	written request for review/written request for review	written request for re-examination/written request for re-examination
Article 19, paragraph (2)	A written request for review with regard to a disposition	A written request for re-examination
	the details of the disposition	the details of the original determination, etc.

	the disposition, for which the request for review is filed, was reached (when a decision was made for a request for re-examination with regard to the relevant disposition, came to know that the relevant decision was made)	the original determination was made
	the administrative agencies reaching the disposition	the administrative agency making the original determination
Article 19, paragraph (4)	the written request for review	the written request for re-examination
	or the items of the preceding paragraph	[Deleted]
Article 19, paragraph (5)	a written request for review with regard to a disposition	the written request for re-examination
	the period for filing request for review	the period for filing request for re-examination
	the proviso to paragraph (1) or paragraph (2) of the preceding Article	the proviso to paragraph (1) or paragraph (2) of Article 62
Article 20	paragraphs (2) through (5) of the preceding Article	paragraphs (2), (4), and (5) of the preceding Article as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1)
Title of Article 21	the administrative agency, etc. reaching the disposition	the administrative agency reaching the disposition or the administrative agency making the original determination
Article 21, paragraph (1)	When an administrative agency with which a request for review is to be filed is different from the administrative agency, etc. reaching the disposition, the request may be filed via the administrative agency, etc. reaching the disposition	A request for re-examination may be filed via the administrative agency reaching the disposition or the administrative agency making the original determination.
Article 21, paragraph (2)	the administrative agency, etc. reaching the disposition	the administrative agency reaching the disposition or the administrative agency making the original determination

	the written request for review or written statement concerning the request for review (meaning a document recording the details of the oral statement pursuant to the provisions of the second sentence of the preceding Article	the written request for re-examination or written statement concerning the request for re-examination (meaning a document recording the details of the oral statement pursuant to the provisions of the second sentence of the preceding Article as applied mutatis mutandis in Article 66, paragraph (1)
	Article 29, paragraph (1) and Article 55	Article 29, paragraph (1) as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1)
Article 21, paragraph (3)	the period for filing request for review	the period for filing request for re-examination
	to the administrative agency reaching the disposition	to the administrative agency reaching the disposition or the administrative agency making the original determination
	the written request for review	the written request for re-examination
	the request for review with regard to the disposition is	the request for re-examination is
Article 23 (including the Title)	written request for review/written request for review	written request for re-examination/written request for re-examination
Article 24, paragraph (1)	based on the provisions of Article 45, paragraph (1) or Article 49, paragraph (1) without going through the procedures for proceedings prescribed in the following Section	based on the provisions of Article 64, paragraph (1) without going through the procedures for proceedings prescribed in the following section (including the procedures prescribed in Article 63)
Article 25, paragraph (1)	disposition	original determination, etc.

Article 25, paragraph (3)	The reviewing agency that does not fall under the higher administrative agency of the administrative agency reaching the disposition nor the administrative agency reaching the disposition itself	The re-examining agency
	opinions of the administrative agency reaching the drisposition; provided, however, that the relevant reviewing agency may not take any measures other than suspending the effect of the disposition, execution of the disposition, or continuation of procedures in full or in part.	opinions of the administrative agency, etc. making the original determination
	may order a stay of execution	may suspend the effect of the original determination, etc., execution of the original determination, etc., or continuation of procedures in full or in part (hereinafter referred to as a "stay of execution")
Article 25, paragraph (4)	the preceding two paragraphs	the preceding paragraph
	Disposition	original determination, etc.
Article 25, paragraph (6)	paragraphs (2)through (4)	paragraphs (3) and (4)
	disposition	original determination, etc.
Article 25, paragraph (7)	as prescribed in Article 40 has been submitted by a review officer	as prescribed in Article 40 as applied mutatis mutandis in Article 66, paragraph (1) has been submitted by a review officer (if the re-examining agency is the re-examining agency falling under a committee, etc., when a petition for a stay of execution has been filed)
Article 28	the administrative agency, etc. reaching the disposition	the administrative agency, etc. making the original determination

	a review officer	a review officer or the re-examining agency falling under a committee, etc.
Article 29, paragraph (1)	When having been appointed by the reviewing agency, a review officer	A review officer that has been appointed by the reviewing agency
	send a copy of the written request for review or written statement concerning the request for review to the administrative agency, etc. reaching the disposition; provided, however, that this does not apply when the administrative agency, etc. reaching the disposition falls under the reviewing agency.	, and the re-examining agency falling under a committee, etc. must promptly, except for the case of dismissing without prejudice a request for re-examination pursuant to the provisions of Article 24 as applied mutatis mutandis by replacing the terms in Article 66, paragraph (1), send a copy of the written request for re-examination or written statement concerning the request for re-examination to the administrative agency, etc. making the original determination
Title of Article 30	written counterargument, etc.	written opinions
Article 30, paragraph (2)	a review officer	a review officer or the re-examining agency falling under a committee, etc.
Article 30, paragraph (3)	When a written counterargument has been submitted by a requestor for review, a review officer must send it to an intervenors and the administrative agency, etc. reaching the disposition, and when a written opinion has been submitted by an intervenor, a review officer	When a written opinion has been submitted by an intervenor, a review officer or the re-examining agency falling under a committee, etc.
	the relevant requestor for review and the administrative agency, etc. reaching the disposition	the relevant requestor for re-examination and the administrative agency, etc. making the original determination
Article 31, paragraphs (1) through (4)	review officer	review officer or the re-examining agency falling under a committee, etc.

Article 31, paragraph (5)	review officer	review officer or the re-examining agency falling under a committee, etc.
	the administrative agency, etc. reaching the disposition	the administrative agency, etc. making the original determination
Article 32, paragraph (2)	The administrative agency, etc. reaching the disposition may submit documents or other articles that prove the fact serving as the grounds for the disposition.	The administrative agency, etc. making the original determination may submit documents or other articles that prove the fact serving as the grounds for the original determination, etc.
Article 32, paragraph (3), and Articles 33 through 37	review officer	review officer or the re-examining agency falling under a committee, etc.
Article 38, paragraph (1)	review officer	review officer or the re-examining agency falling under a committee, etc.
	the documents set forth in the items of Article 29, paragraph (4), or the documents or other articles submitted pursuant to the provisions of Article 32, paragraph (1) or (2), or Article 33	the documents or other articles submitted pursuant to the provisions of Article 32, paragraph(1) or (2), or Article 33 as applied mutatis mutandis in Article 66, paragraph (1)
Article 38, paragraphs (2), (3), and (5), Article 39, and Article 41, paragraph (1)	review officer	review officer or the re-examining agency falling under a committee, etc.
Article 41, paragraph (2)	review officer	review officer or the re-examining agency falling under a committee, etc.
	(a) through (e)	(c) through (e)
Article 41, paragraph (3)	a review officer has	a review oficer or the re-examining agency falling under a committee, etc. has
	prescribed in paragraph (1) of the following Article	prescribed in paragraph (1) of the following Article as applied mutatis mutandis in Article 66, paragraph (1)
	the written request for review, written explanation	the written request for re-examination, written determination for the original determination

	paragraph (2) of the following Article and Article 43, paragraph (2)	paragraph (2) of the following Article as applied mutatis mutandis in Article 66, paragraph (1)
	submitted to the reviewing agency	submitted to the reviewing agency, and the re-examining agency falling under a committee, etc. should promptly give a notice to the persons concerned with proceedings to inform them of the conclusion of the procedures for proceedings
	the scheduled time of submission is altered	the review officer has altered the scheduled time of submission
Article 44	When the reviewing agency has received a reply to its consultation from the Administrative Complaint Review Board, etc. (or when a review officer's written opinion has been submitted in the case where the consultation pursuant to the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of the relevant paragraph), or when deliberations prescribed in item (ii) or (iii) of the relevant paragraph have been held in the cases falling under item (ii) or (iii) of the relevant paragraph)	When a review officer's written opinion has been submitted (for the re-examining agency falling under a committee, etc., when it has concluded the procedures for proceedings)
Article 50, paragraph (1), item (iv)	when the main text set forth in item (i) differs from the details of the review officer's written opinion or the written reply from the Administrative Complaint Review Board, etc. or the council, etc.	if the re-examining agency is an administrative agency other than the re-examining agency falling under a committee, etc., when the main text set forth in item (i) differs from the details of the review officer's written opinion

Article 50, paragraph (2)	When consultation with the Administrative Complaint Review Board, etc. pursuant to the provisions of Article 43, paragraph (1) is not necessary	When the re-examining agency is an administrative agency other than the re-examining agency falling under a committee, etc.
Article 51, paragraph (1)	disposition	original determination, etc.
	Article 46, paragraph (1) and Article 47	Article 65
Article 51, paragraph (4)	the intervenors and the administrative agency, etc. reaching the disposition (limited to the administrative agency, etc. reaching the disposition other than the reviewing agency)	the intervenors, the administrative agency reaching the disposition, and the administrative agency making the original determination (limited to the administrative agency making the original determination other than the administrative agency reaching the disposition)
Article 52, paragraph (2)	an application	an application or request for review
	a disposition to dismiss	the original determination, etc. to dismiss
	administrative agency reaching the disposition	administrative agency, etc. making the original determination
	disposition for the application	disposition for the application or a determination for the request for review
Article 52, paragraph (3)	a/the disposition	the original determination, etc.
	administrative agency reaching the disposition	administrative agency making the original determination, etc.
Article 52, paragraph (4)	the subject parties of the disposition	the subject parties of the original determination, etc.
	a/the relevant disposition	the original determination, etc.
	administrative agency reaching the disposition	administrative agency, etc. making the original determination