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The Japan Federation of Bar Associations is not responsible for the accuracy, reliability or current nature of the translation of the Act as provided in this website, or for any consequences resulting from its use. For all purposes of interpreting and applying the Act to any legal issue or dispute, users should consult the original Japanese text of the Act published in the Official Gazette. Furthermore, please understand that this translation may change in the future to conform with the Japanese government’s standard bilingual dictionary of legal terms.

PRACTICING ATTORNEY LAW

(Law No. 205 of 1949)

	June 10, 1949
Amended	April 14, 1950
	June 9, 1951
	June 15, 1951
	July 31, 1952
	August 10, 1955
	June 1, 1957
	June 15, 1961
	April 16, 1962
	May 16, 1962
	September 15, 1962
	May 18, 1965
	June 28, 1966
	June 23, 1978
	-December 2, 1983
	December 2, 1983
	May 23, 1986
	November 12, 1993
	June 26, 1996
	March 31, 1998

July 16, 1999
July 30, 1999
December 8, 1999
December 22, 1999
November 27, 2000
June 8, 2001
June 8, 2001
November 28, 2001
May 29, 2002
May 29, 2002
July 25, 2003
March 31, 2004
March 31, 2004
June 2, 2004
June 9, 2004
June 18, 2004
July 26, 2005

Note: Amendments by Law No. 83 of 2005, which took effect as of April 1, 2007, are not reflected in this translation.

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Chapter I. The Mission and Duties of a Practicing Attorney

Article 1. (The mission of a practicing attorney)

1. A practicing attorney is entrusted with a mission to protect fundamental human rights and to realize social justice.
2. A practicing attorney shall, in keeping with the mission specified in the preceding paragraph, sincerely perform his/her duties and endeavor to maintain the social order and to improve the legal system.

Article 2. (The basic responsibility of a practicing attorney in the performance of his/her professional duties)

A practicing attorney shall strive to remain highly cultured, to build his/her fine character and be well acquainted with laws, ordinances and legal practices.

Article 3. (The functions of a practicing attorney)

1. A practicing attorney may, upon the application of a party or other interested person, or shall, upon the request of the government or a public office, engage in practice relating to lawsuits, non-contentious matters, appeals against dispositions made by administrative offices by such means as a request for investigation, raising of objection or request for review, and other general legal work.
2. A practicing attorney may, without any further qualification, engage in the business of a patent attorney and/or a tax attorney.

Chapter II. Qualifications to Become a Practicing Attorney

Article 4. (Qualifications of a practicing attorney)

A person who has completed the training course for a legal apprentice shall be qualified to become a practicing attorney.

Article 5. (Exceptions to qualifications of a practicing attorney for those persons who are certified by the Minister of Justice)

Notwithstanding the provisions of the preceding Article, a person who comes under any of the following items and for whom the Minister of Justice has certified that he/she completed the training course for engaging in practice as a practicing attorney designated by the Minister of Justice, which is implemented by a juridical person specified in a

Ministry of Justice Ordinance, shall be qualified to become a practicing attorney.

- (1) To have served, for a total period of not less than five years after acquiring the qualification to become a legal apprentice, a judge of a summary court, a public prosecutor, a judicial research official, a court commissioner (Jimu-kan), a legal affairs commissioner, an instructor of the Legal Research and Training Institute, of the Research and Training Institute for Court Officials or of an organ dealing with the matters concerning Items (36) or (38) of Article 4 of the Ministry of Justice Establishment Law (Law No. 93 of 1999) as prescribed by Cabinet Order, a member of the House of Representatives or of the House of Councilors or a councilor (*Sanji*) of the Legislative Bureau of the House of Representatives or of the House of Councilors, a councillor (*Sanji-kan*) of the Legislative Bureau of the Cabinet, or a professor or assistant professor of law at the department, major course or graduate school for the study of law at a university that is admitted under the School Education Law (Law No. 26 of 1947) and has a graduate school for the study of law;
- (2) To have discharged, for a total period of not less than seven years after acquiring the qualification to become a legal apprentice, duties dealing with any of the following matters by utilizing his/her own specialized knowledge of law:
 - (a) Matters concerning the business of a business enterprise or other business entity (excluding national or local public entities) that he/she conducts as a director, agent, employee or other person working for such business entity and that comes under any of the following (provided that these matters are limited to those conducted in compliance with the provisions of Article 72):
 - (i) To produce drafts of contracts or other documents requiring preparation based on the result of a legal analysis concerning the rights and obligations of the business entity in its business activities;
 - (ii) To confirm facts or to collect evidence for court proceedings, etc. ("court proceedings, etc." shall mean court proceedings and similar proceedings that are specified in a Ministry of Justice Ordinance. The same shall apply hereinafter.);
 - (iii) To produce drafts of complaints, motions, answers, preparatory briefs or other

documents to be submitted in court proceedings, etc. setting forth the assertions of the business entity;

(iv) To present assertions or opinions or to make examination on hearing dates of court proceedings, etc.; or

(v) To negotiate to reach settlements resolving civil disputes, or to confirm facts or to collect evidence necessary for such settlements.

(b) Matters of national or local public entities that he/she performs as a public servant, and that come under any of the following:

(i) To draft laws and/or ordinances (including ordinances by local governments), to perform matters relating to the execution of treaties or other international agreements, or to engage in the review or deliberation of bills relating to the enactment, modification or repeal of ordinances by a local government;

(ii) To perform matters set forth in (ii) through (v) of Sub-item (a) hereof; or

(iii) To perform matters, to be handled by a person designated in a Ministry of Justice Ordinance, that are associated with hearings or decisions (*shinketsu*), rulings (*kettei*), or other determinations in administrative hearings (*shinpan*) or other court-like proceedings specified in a Ministry of Justice Ordinance.

(3) To have served, for a period of not less than 5 years after having passed the examination set forth in Article 18, Paragraph 3 of the Law on the Public Prosecutors Office (Law No. 61 of 1947), as a public prosecutor (excluding assistant prosecutor).

(4) Other than the preceding three items, where the period listed in either of Sub-item (a) or (b) below (limiting to those elapsed after acquiring the qualification to become a legal apprentice with respect to the periods of having served in particular positions as prescribed in Item (1) hereof or having discharged given duties as prescribed in Item (2) hereof, and also limiting to those elapsed after having passed the examination set forth in Article 18, Paragraph 3 of the Law on the Public Prosecutors Office with respect to the periods of having served in particular positions as

prescribed in the preceding item) has been not less than the number of years prescribed in the respective sub-item.

- (a) The total of the period in which he/she served in the positions prescribed in Item (1) hereof and the period in which he/she served in the positions prescribed in the preceding item
 - five years
- (b) The total of the period in which he/she discharged the duties prescribed in Item (2) hereof and the period in which he/she served in the positions prescribed in Item (1) hereof and the preceding item
 - seven years

Article 5-2. (Application for certification)

- 1. A person who intends to obtain the qualification to become a practicing attorney provided for in the preceding Article shall submit to the Minister of Justice a written application for certification which contains his/her name, the date of acquiring a qualification to become a legal apprentice or having passed the examination set forth in Article 18, Paragraph 3 of the Law on the Public Prosecutors Office, the period of having served in the positions prescribed in Item (1) or (3) of the preceding Article or the period of having discharged the duties prescribed in Item (2) of said Article as well as the contents of the duties prescribed in said item, and such other matters as are specified in a Ministry of Justice Ordinance.
- 2. A written application for certification mentioned in the preceding paragraph shall be accompanied by a document verifying the acquisition of qualification to become a legal apprentice or that the examination set forth in Article 18, Paragraph 3 of the Law on the Public Prosecutors Office has been passed, documents verifying the period of having served in the positions prescribed in Items (1) or (3) of the preceding Article or the period of having discharged the duties prescribed in Item (2) of said Article as well as the contents of the duties prescribed in said item, and other documents specified in a Ministry of Justice Ordinance.
- 3. A person applying in accordance with the provisions of paragraph 1 shall pay a fee in the amount that is stipulated by a Cabinet Order taking actual expenses into consideration.

Article 5-3. (Proceedings, etc. of certification)

- 1. When the Minister of Justice has confirmed that a person applying in accordance with the provisions of Paragraph 1 of the preceding Article (hereinafter referred to as the

"Applicant" in this Chapter) comes under any item of Article 5, the Minister shall designate the training course mentioned in the same Article that the Applicant should take (hereinafter simply referred to as the "Training Course" in this Article) and give notice in writing to the Applicant of such course.

2. When the Applicant has completed all programs in the Training Course, the juridical person implementing the Training Course shall, without delay, provide the Minister of Justice with a report in writing on the training status of the Applicant in the Training Course (including the opinion of whether or not the Minister of Justice may certify that the Applicant has completed all programs in the Training Course).
3. When the Minister of Justice has confirmed that the Applicant completed all programs in the Training Course based on the report mentioned in the preceding paragraph, the Minister shall issue the certification set forth in Article 5 (hereinafter simply referred to as "Certification") with respect to the Applicant.
4. Where the Minister of Justice issues a Certification or determination of rejection with respect to an application submitted in accordance with the provision of Paragraph 1 of the preceding Article, the Minister shall give notice in writing to the Applicant to that effect.

Article 5-4. (Designation of Course)

1. The Minister of Justice may not issue the designation of a Training Course in accordance with the provisions of Article 5 unless the Minister confirms that the contents of the Training Course are proper and sufficient for the acquisition of the abilities required for engaging in practice as a practicing attorney.
2. The juridical person implementing the Training Course may express its opinion to the Minister of Justice with regard to the designation of the Training Course mentioned in the preceding paragraph.
3. The Minister of Justice may, to the extent necessary to ensure the proper and sound implementation of the Training Course mentioned in Article 5, require the juridical person implementing the Training Course to submit necessary reports or materials on the Training Course, or to express necessary opinions.

Article 5-5. (Requirement of information, etc.)

When the Minister of Justice considers it necessary for the administration of affairs relating to Certifications, the Minister may

require the Applicant to submit necessary materials, or make inquiries to public offices, public or private organizations or other concerned parties and request them to make reports on necessary matters.

Article 5-6. (Delegation to Ministry of Justice Ordinance)

Besides the matters provided for in this Law, matters required for the proceedings of Certification shall be stipulated by the Ministry of Justice Ordinance.

Article 6. (Exception to qualification of a practicing attorney for those persons who have served as judges of the Supreme Court)

Notwithstanding the provisions of Article 4, a persons who has served as a Judge of the Supreme Court shall be qualified to become a practicing attorney.

Article 7. (Disqualifications of a practicing attorney)

No person specified below shall be qualified to be a practicing attorney irrespective of the provisions of Articles 4 and 5 and the preceding Article:

- (1) A person who has been sentenced to imprisonment or a heavier punishment;
- (2) A person in respect of whom the Impeachment Court has made a decision of dismissal;
- (3) A person who has been disbarred from attorneyship or disbarred from attorneyship as *Gaikokuho-jimu-bengoshi* or prohibited from practicing as a patent attorney or has his/her registration as a certified public accountant struck off or has been prohibited from working as a tax attorney or discharged from his/her office as a public servant through disciplinary action until the lapse of three years since such disciplinary action was imposed;
- (4) An incompetent or quasi-incompetent person; or
- (5) A person who has been declared bankrupt, and has not yet been reinstated.

Chapter III. Roll of Practicing Attorneys

Article 8. (Registration of a practicing attorney)

Any person who intends to become a practicing attorney shall be required to have his/her name registered in the roll kept by the Japan Federation of Bar Associations.

Article 9. (Request for registration)

A person who intends to become a practicing attorney shall make a request for registration to the Japan Federation of Bar Associations, through the bar association to which he/she intends to be admitted.

Article 10. (Request for change of registration)

1. When a practicing attorney intends to change the bar association to which he/she belongs, he/she shall make a request for change of his/her registration to the Japan Federation of Bar Associations, through the bar association which he/she intends to be admitted anew.
2. When a practicing attorney makes a request to change his/her registration, he/she shall report such fact to the bar association to which he/she belonged until then.

Article 11. (Request for rescission of registration)

When a practicing attorney intends to cease his/her practice, he/she shall make a request to rescind his/her registration to the Japan Federation of Bar Associations, through the bar association to which he/she belongs.

Article 12. (Refusal to transmit requests for registration or change of registration)

1. When a bar association has apprehensions that an applicant may harm the bar association's order or prestige or that he/she comes under one of the following categories and may be unfit to practice law, the said bar association may refuse to transmit his/her request for registration or change of registration, upon the decision of its Qualifications Screening Board:
 - (1) When the person is mentally or physically incompetent; or
 - (2) When the person who comes under the provisions of Article 7, Item (3) makes the request after three years from the date of imposition of disciplinary action such as disbarment, prohibition to practice his/her profession, striking-off of registration, or removal.
2. The preceding paragraph shall apply to an applicant who was a full-time public servant in the district of the bar association concerned within one year prior to his/her request for registration or change of registration, when it is deemed to be manifestly inappropriate for him/her to practice law within the said district.

3. When a bar association refuses to transmit the request in accordance with the provisions of the preceding two paragraphs, it shall give notice in writing to the person who has requested registration or change of registration of that fact and the reason therefor without delay.
4. If the bar association has failed to make the transmittal to the Japan Federation of Bar Associations three months after the request for registration or change of registration, the person who has made the said request for registration or change of registration may make a request for investigation under the Administrative Complaint Investigation Law (Law No. 160 of 1962), it being deemed that he/she was refused the transmittal of the request for registration or change of registration.

Article 12-2.

1. When the Japan Federation of Bar Associations is to make a ruling on the request for investigation under the Administrative Complaint Investigation Law (including the request for investigation under the provision of paragraph 4 of the preceding Article) with regard to the refusal to transmit the registration or change of registration under the provisions of the preceding Article, the Japan Federation of Bar Associations shall act on the basis of the decision of its Qualifications Screening Board.
2. The Japan Federation of Bar Associations shall, if it finds due reason for the request for investigation specified in the preceding paragraph, order the bar association to transmit the request for registration or change of registration.

Article 13. (Request by a bar association for rescission of registration)

1. When a practicing attorney has made a false statement on the matters specified in Paragraph 1, Items (1) or (2), or in Paragraph 2 of Article 12, or it is manifestly inappropriate for the person to practice law because he or she is mentally or physically incompetent, the bar association may, upon the decision of its Qualifications Screening Board, make a request to rescind his/her registration to the Japan Federation of Bar Associations.
2. When the bar association has made a request for rescission as provided for in the preceding paragraph, it shall give notice in writing to the practicing attorney of that fact and the reason therefor without delay.

Article 14.

1. Any person, the rescission of whose registration has been requested in accordance with the provisions of the preceding Article, may file an objection with the Japan Federation of Bar Associations within sixty days from the day next to the day on which he/she received notification thereof.
2. Where the Japan Federation of Bar Associations receives an objection as specified in the preceding paragraph, it shall, by the decision of its Qualifications Screening Board, either send back the said request for rescission of registration to the bar association if there is due reason for such objection, or reject the objection in the absence of due reason.
3. Where the Japan Federation of Bar Associations has made the disposition specified in the preceding paragraph, it shall give notice in writing to the person who has filed such objection of that fact and the reason therefor without delay.

Article 15. (Refusal of registration or change of registration)

1. The Japan Federation of Bar Associations may, if there has been filed with the Federation a request for registration or change of registration from a bar association and the Federation finds it proper to refuse such request for the reasons specified in Article 12, Paragraphs 1 and 2, refuse such registration or change of registration upon the decision of its Qualifications Screening Board.
2. When the Japan Federation of Bar Associations refuses registration or change of registration in accordance with the provision of the preceding paragraph, it shall give notice in writing to the person who has requested the registration or change of registration and to the bar association which transmitted the request, of that fact and the reason therefor, without delay.

Article 16. (Institution of lawsuit)

1. A person whose request for investigation of a refusal to transmit his/her request for registration or change of registration in accordance with the provisions of Article 12 was dismissed or rejected, or whose filing of objection in accordance with the provision of Article 14, Paragraph 1 was rejected, or whose request for registration or change of registration was refused in accordance with the provision of the preceding Article, may institute a lawsuit for cancellation thereof in the Tokyo High Court.

2. Where the Japan Federation of Bar Associations has made neither a ruling nor such disposition as specified in Article 14, Paragraph 2 within three months of having received the request for investigation of the refusal to transmit the request for registration or change of registration in accordance with the provision of Article 12 or the filing of objection in accordance with the provision of Article 14, Paragraph 1, or where it has not effected the registration or change of registration in the roll of practicing attorneys within three months of having received the transmission of the request for registration or change of registration, the person who made such request for investigation or filed such objection or such request for registration or change of registration may institute a lawsuit under the preceding paragraph, deeming that the said request for investigation or the said filing of objection has been rejected or the said registration or change of registration has been refused.
3. With regard to the refusal to transmit the request for registration or change of registration, a lawsuit for cancellation shall be instituted only against the ruling made thereon by the Japan Federation of Bar Associations.

Article 17. (Reasons for rescission of registration)

The Japan Federation of Bar Associations shall rescind the registration of a practicing attorney in the following circumstances:

- (1) When a practicing attorney comes under the provisions of any one of Items (1) or (3) to (5), inclusive, of Article 7;
- (2) When a practicing attorney has requested rescission of registration in accordance with the provision of Article 11;
- (3) When it has been finally decided that a practicing attorney shall be compelled to withdraw from the association, or shall be disbarred, or his/her registration shall be rescinded in accordance with the provisions of Article 13; or
- (4) When a practicing attorney dies.

Article 18. (Report on reasons for rescission of registration)

When a bar association finds due reason for the rescission of the registration of a practicing attorney on its roll of practicing attorneys, it shall report that fact without delay to the Japan Federation of Bar Associations.

Article 19. (Notice and public notice of registration, etc.)

Upon registration, change of registration, and rescission of registration in the roll of practicing attorneys, the Japan Federation

of Bar Associations shall give notice without delay to the bar association to which the said practicing attorney belongs, and at the same time shall publicize such registration, change of registration, or rescission of registration in the Official Gazette.

Chapter IV. The Rights and Obligations of a Practicing Attorney

Article 20. (A law office)

1. The office of a practicing attorney shall be called a law office.
2. A law office shall be established within the district of the bar association to which the practicing attorney belongs.
3. No practicing attorney may establish two or more law offices under any name whatever; provided, however, that he/she may practice at the law office of another practicing attorney.

Article 21. (Duty to report on law office)

When a practicing attorney establishes or transfers his/her law office, he/she shall report that fact to the bar association concerned and to the Japan Federation of Bar Associations without delay.

Article 22. (Duty to observe articles of association)

A practicing attorney shall observe the articles of association of the bar association to which he/she belongs and those of the Japan Federation of Bar Associations.

Article 23. (Right and duty to maintain secrecy)

A practicing attorney or a person who was previously a practicing attorney shall have the right and duty to maintain the secrecy of any facts which he/she came to know in the performance of his/her profession; provided, however, that this shall not apply when otherwise provided for by any law.

Article 23-2. (Request to provide information)

1. A practicing attorney may, with regard to the cases with which he/she is entrusted, apply to the bar association to which he/she belongs to make inquiries about certain matters from public offices or public or private organizations and request them to provide necessary information. The bar association may, upon the receipt of the application, reject it if it deems it inappropriate.
2. The bar association may, upon the application specified in the preceding paragraph, request public offices or public or private organizations to provide necessary information.

Article 24. (Duty to perform entrusted matters, etc.)

A practicing attorney shall not refuse, without due reason, to undertake matters at the request of the government or public offices in accordance with the provisions of laws and ordinances, or to undertake the matters designated by the bar association to which he/she belongs or by the Japan Federation of Bar Associations in accordance with the provisions of their articles of association.

Article 25. (Cases that a practicing attorney may not undertake)

A practicing attorney shall not undertake the cases specified below; provided, however, that so far as the cases specified in Items (3) and (9) are concerned, he/she may do so if the client whose case is already in his/her charge has consented thereto.

- (1) Cases in which he/she provided support to the adverse party in the consultation requested, or accepted the adverse party as his/her client;
- (2) Cases in which he/she was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on a relationship of mutual trust;
- (3) Cases that are requested by the adverse party to a case which he/she has already undertaken;
- (4) Cases that he/she handled as a public servant in the course of his/her duties;
- (5) Cases that he/she handled as an arbitrator in arbitration procedures;
- (6) Cases in which the corporation defined in Article 30-2, Paragraph 1 supported the adverse party in the consultation requested, or accepted the adverse party as its client, and in which he/she was directly involved as a partner of or practicing attorney employed by said corporation;
- (7) Cases in which the corporation defined in Article 30-2, Paragraph 1 was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on a relationship of mutual trust, and in which he/she was directly involved as a partner of or practicing attorney employed by said corporation;
- (8) Cases that have already been undertaken for the adverse party thereto by the corporation defined in Article 30-2, Paragraph 1 of which he/she is a partner or employee; or
- (9) Cases that are requested to undertake by the adverse party to a case which the corporation defined in Article 30-2, Paragraph 1, of which he/she is a partner or employee, has already undertaken (and in which he/she is directly involved).

Article 26. (Prohibition of corruption)

A practicing attorney shall not, in connection with any case that he/she has undertaken, receive, demand, or promise to receive any benefit from the adverse party.

Article 27. (Prohibition against acting together with persons who are non-lawyers)

A practicing attorney shall neither undertake any cases introduced by any person who violates any of the provisions of Articles 72 to 74 inclusive, nor allow such person to make use of his/her name.

Article 28. (Prohibition against obtaining of any right in dispute)

A practicing attorney shall not obtain any right in dispute.

Article 29. (Duty to give notice of decision not to undertake a case)

When a practicing attorney decides not to undertake a case, he/she shall give notice to the client of that fact without delay.

Article 30. (Notification, etc. of profit-making business)

1. In cases specified in the items below, a practicing attorney shall give notification in advance to the bar association to which he/she belongs of the matters set forth in the respective item.
 - (1) When he/she intends to operate by himself/herself a profit-making business
 - the trade name and the contents of the business
 - (2) When he/she intends to become a director, operating officer or other officer in charge of executing business activities ("Director, etc.") of a person operating a profit-making business or an employee thereof
 - the trade name or name of the person operating the business, the location or address of the head office or principal place of business, the contents of the business, and if he/she intends to become a Director, etc., the name of such title
2. A bar association shall produce a register of practicing attorneys engaged in profit-making businesses describing, for each practicing attorney who has made notification in accordance with the provisions of the preceding paragraph, the matters as set forth in the respective item of the same paragraph, and keep the same register at the office of the bar association to make it available for public inspection.

3. A person who has made notification in accordance with the provision of Paragraph 1 hereof shall, where any change has occurred to the notified matters, notify, without delay, the bar association to which he/she belong of such change. The same shall apply to cases where he/she has abolished the business so notified or where he/she no longer serves as the director or employee so notified.
4. When a notification is made in accordance with the provisions of the preceding paragraph, the bar association shall, without delay, modify the matters registered in the register of practicing attorneys engaged in profit-making businesses, or delete the matters registered.

Chapter IV-II. Legal Profession Corporation

Article 30-2. (Establishment, etc.)

1. Practicing attorneys may establish a corporation to perform the duties set forth in Article 3 (hereinafter referred to as a "Legal Profession Corporation") in accordance with the provisions of this chapter.
2. The provisions of Article 1 shall apply *mutatis mutandis* to Legal Profession Corporations.

Article 30-3. (Name)

A Legal Profession Corporation shall use the word "legal profession corporation" in its name.

Article 30-4. (Eligibility for partnership)

1. The partners of a Legal Profession Corporation shall be practicing attorneys.
2. The persons described below shall not be eligible to be partners of a Legal Profession Corporation.
 - (1) Any person who has been punished with suspension from the practice of law under Article 56 or 60, which suspension from practice has not yet lapsed; or
 - (2) Any person who was, within 30 days prior to the date of such disciplinary action, a partner of a Legal Profession Corporation which has been disbarred or punished with suspension from the practice of law under Article 56 or 60, three years having not yet lapsed from the date of such disciplinary action (or such suspension from practice has not yet lapsed, in the case of suspension).

Article 30-5. (Scope of activity)

In addition to the practice set forth in Article 3, a Legal Profession Corporation may, by making provisions in its articles of incorporation, engage in all or part of the practice as those that may be practiced by a practicing attorney in accordance with laws and ordinances, as designated in a Ministry of Justice Ordinance.

Article 30-6. (Handling of affairs related to litigation)

1. For the affairs described below, a Legal Profession Corporation shall undertake for the client the matters to be assigned to practicing attorneys who are its partners or employees (hereinafter referred to as "Partners, etc."). In this case, the Legal Profession Corporation shall allow the client to appoint such client's representative, defense counsel, attendant, or assistant from among the Legal Profession Corporation's Partners, etc.
 - (1) Representation or assistance in procedures for court cases (other than criminal ones); or
 - (2) Representation in procedures for criminal cases, activities as a defense counsel in criminal cases, activities as an attendant in cases of protection of a juvenile, or assistance in cases of application for review of extradition
2. The Legal Profession Corporation shall not be relieved of liability to the client for damage incurred in connection with the matters set forth in the preceding paragraph, unless it proves that the Partners, etc. used due care in practicing law.

Article 30-7. (Registration)

1. All Legal Profession Corporations shall be registered as provided in Cabinet Order.
2. Matters required to be registered as provided in the preceding paragraph may not be availed of with respect to third parties unless they are so registered.

Article 30-8. (Establishment procedure)

1. To establish a Legal Profession Corporation, the practicing attorneys who intend to be partners thereof shall adopt articles of incorporation.
2. The provisions of Article 30, Paragraph 1 of the Corporation Law (Law No. 86 of 2005) shall apply *mutatis mutandis* to the articles of incorporation of a Legal Profession Corporation.

3. The articles of incorporation of a Legal Profession Corporation shall state, as a minimum requirement, the following:
 - (1) Business purposes;
 - (2) Name or title;
 - (3) The location of the law office/offices;
 - (4) The bar association to which the Legal Profession Corporation belongs;
 - (5) The names and addresses of the partners and the bar associations to which they belong;
 - (6) Matters concerning capital contributions by the partners; and
 - (7) Matters concerning how practice will be conducted.

Article 30-9. (Time of formation)

A Legal Profession Corporation shall be formed upon registration of its establishment at the location of its principal law office.

Article 30-10. (Notification of formation)

A Legal Profession Corporation shall, within two weeks from the date of formation, give notification of formation to the bar association to which it belongs and to the Japan Federation of Bar Associations, together with a certified copy of the matters of registration and a copy of its articles of incorporation.

Article 30-11. (Change in the articles of incorporation)

1. A Legal Profession Corporation may change its articles of incorporation by the consents of all partners, unless otherwise provided in the articles of incorporation.
2. A Legal Profession Corporation shall, within two weeks from the date of any change in its articles of incorporation, give notification of such change to the bar association to which it belongs and to the Japan Federation of Bar Associations.

Article 30-12. (Operation of activities)

The partners of a Legal Profession Corporation shall have the right and obligation to operate all of its activities unless otherwise specified in the articles of incorporation.

Article 30-13. (Representative of a Legal Profession Corporation)

1. Each of the partners of a Legal Profession Corporation who operates its activities shall represent it.
2. The provisions of the preceding paragraph shall not impede the Legal Profession Corporation from appointing, in accordance with its articles of incorporation or with the

- consent of all partners, one or more of the partners operating its activities in particular to represent it.
3. A partner who represents the Legal Profession Corporation shall have the authority to conduct any action with regard to the activities of the Legal Profession Corporation whether or not relating to judicial proceedings.
 4. The Legal Profession Corporation may not assert as against bona fide third party any restriction on the authority set forth in the preceding paragraph.

Article 30-14. (Designated partner)

1. A Legal Profession Corporation may designate a certain partner to handle a specified case.
2. For a case subject to designation under the preceding paragraph (hereinafter referred to as a "Specified Case"), only the designated partner (hereinafter referred to as a "Designated Partner") shall have the right and obligation to operate the activities.
3. Notwithstanding the provisions of the preceding article, only the Designated Partner shall represent the Legal Profession Corporation with respect to the Specified Case.
4. The Legal Profession Corporation shall, if it makes designation under Paragraph 1, give notice in writing to the client in the Specified Case of such designation.
5. The client may request that the Legal Profession Corporation clarify its intention to make or not make designation under Paragraph 1 for cases that the client has requested it to undertake, within such a reasonable period of time as specified by the client. In such a case, if the Legal Profession Corporation fails to give notice as provided in the preceding paragraph within such period, it may not make such designation thereafter; provided, however, that the Legal Profession Corporation shall not be precluded from making such designation with the consent of the client.
6. If the Designated Partner becomes unavailable for any reason before the assigned work undertaken for the Specified Case is accomplished, the Legal Profession Corporation shall make a new designation. Failing such designation, the Legal Profession Corporation shall be deemed to have designated all of its partners to handle the Specified Case.
7. When a Legal Profession Corporation that has only one partner is requested to undertake a case, the Legal Profession Corporation shall be deemed to have designated that partner to handle the case.

Article 30-15. (Partner's liability)

1. If the obligations of a Legal Profession Corporation cannot be fully satisfied using only its assets, all partners shall be jointly and severally liable for performance.
2. When the effect of compulsory execution against the assets of a Legal Profession Corporation is inadequate, the preceding paragraph shall also apply.
3. The provisions of the preceding paragraph shall not apply when a partner proves that the Legal Profession Corporation has sufficient means and the compulsory execution is easily achieved.
4. In cases in which designation has been made under Paragraph 1 of the preceding article and notice has been given pursuant to Paragraph 4 (including cases in which such designation is deemed to have been made under Paragraph 6 or 7), if the obligations of the Legal Profession Corporation to the client with respect to the Specified Case cannot be fully satisfied using only its assets, then, notwithstanding the provisions of Paragraph 1, the Designated Partners (which shall include those who were formerly Designated Partners, the definition of which shall be effective in this article.) themselves shall be jointly and severally liable for performance; provided, however, that this shall not apply to any Designated Partner who withdrew from the Legal Profession Corporation and proves that such obligations were incurred in connection with an incident occurring after his/her withdrawal.
5. In the case described in the preceding paragraph, when the effect of compulsory execution against the assets of the Legal Profession Corporation based on the client's claims with respect to the Specified Case is inadequate, the preceding paragraph shall also apply, except where a Designated Partner proves that the Legal Profession Corporation has sufficient means and the compulsory execution is easily achieved.
6. In the case described in Paragraph 4, when a partner who is not a Designated Partner has been involved in duties related to the Specified Case before or after such designation is made, he/she shall assume liability coextensive in scope with that which the Designated Partners assume under the provisions of the preceding two paragraphs, except where he/she proves that he/she used due care to the extent of being so involved. The same shall also apply after he/she withdraws from the Legal Profession Corporation.
7. The provisions of Article 612 of the Corporation Law shall apply *mutatis mutandis* to withdrawal of the partners of a Legal Profession Corporation. except for the obligations

that the Legal Profession Corporation must perform to the client with respect to the Specified Case in the case described in Paragraph 4.

Article 30-16. (Liability of Person Whose Act Mislead Others to Believe that the Person is a Partner)

Any person other than a partner who acted in such manner that others mistake that he/she is a partner should owe the same liability as a partner to a party which transacted with the Legal Profession Corporation based on the mistake.

Article 30-17. (Full-time service)

A Legal Profession Corporation shall assign, on a full-time basis, a partner to each law office who shall be a member of the bar association for the region in which the law office is located (if there are two or more bar associations in that region, then the one to which the Legal Profession Corporation belongs, the definition of which shall be effective in this article). However, for a secondary law office, such assignment is not required if the bar association for the region in which said law office is located so permits, taking into consideration the distribution of practicing attorneys in the vicinity of said law office and other factors.

Article 30-18. (Restriction on practice of law for certain cases)

A Legal Profession Corporation shall not undertake the cases specified below; provided, however, that so far as the case specified in Item (3) is concerned, it may do so if the client whose case is already in his/her charge has consented thereto.

- (1) Cases in which the corporation provided support to the adverse party in the consultation requested, or accepted the adverse party as its client;
- (2) Cases in which the corporation was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on a relationship of mutual trust;
- (3) Cases that are requested by the adverse party to a case which it has already undertaken;
- (4) Cases that the Partners, etc. have already undertaken for the adverse party; or
- (5) Cases specified in Article 25, Items (1) through (7) in which one-half or more of the corporation's partners may not be engaged.

Article 30-19. (Prohibition on joining another Legal Profession Corporation, etc.)

1. The partners of a Legal Profession Corporation shall not become partners of another Legal Profession Corporation.
2. No partner of a Legal Profession Corporation shall, without the approval of the other partners, perform any undertaking within the scope of the corporation's activities for his/her own or a third party's benefit. However, the same shall not apply where he/she handles specific matters at the request of the government or a public office under laws and ordinances.
3. In case a partner performs any undertaking within the scope of the Legal Profession Corporation's activities for his/her own or a third party's benefit in breach of the preceding paragraph, the amount of profit earned by that partner or third party would be deemed to be the loss to the corporation.

Article 30-20. (Prohibition of bribery by the Partners, etc. of a Legal Profession Corporation)

1. The Partners, etc. of a Legal Profession Corporation shall not, in connection with any case that the corporation has undertaken, receive the provision of, or demand or promise to obtain the provision of any benefit from the adverse party.
2. The Partners, etc. of a Legal Profession Corporation shall not, in connection with any case that the corporation has undertaken, cause the corporation to receive the provision of, or demand or promise to obtain the provision of any benefit from the adverse party.

Article 30-21. (Application *mutatis mutandis* of provisions for the obligations, etc. of a practicing attorney)

The provisions of Article 20, Paragraphs 1 and 2, Articles 21, 22, 23-2, 24, and 27 through 29 shall apply *mutatis mutandis* to Legal Profession Corporations.

Article 30-22. (Statutory withdrawal)

A partner of a Legal Profession Corporation shall withdraw from the corporation in any of the following cases:

- (1) Occurrence of any of the reasons prescribed in the articles of incorporation;
- (2) All partners consent to his/her withdrawal;
- (3) He/she dies;
- (4) He/she comes under Article 7, Item (1), (3), (4), or (5);
- (5) He/she makes a request for rescission of his/her registration under Article 11;

- (6) He/she becomes subject to any of the actions specified in Article 57, Paragraph 1, Items (2) through (4), or a request for rescission of his/her registration made under Article 13, Paragraph 1 is irrevocably approved; or
- (7) He/she is disbarred under Article 859 of the Corporation Law as applied *mutatis mutandis* under Article 30-30, Paragraph 1.

Article 30-23. (Dissolution)

1. A Legal Profession Corporation shall be dissolved in any of the following cases:
 - (1) Occurrence of any of the reasons prescribed in the articles of incorporation;
 - (2) All partners consent to dissolution;
 - (3) It merges with another Legal Profession Corporation;
 - (4) It decides to commence bankruptcy proceedings;
 - (5) A judgment ordering its dissolution is made;
 - (6) It is disbarred under Article 56 or 60; or
 - (7) Its partners become unavailable or die.
2. If a Legal Profession Corporation is dissolved for any reason other than those specified in Items (3) and (6) of the preceding paragraph, it shall provide notification thereof to the bar association to which it belongs and to the Japan Federation of Bar Associations, within two weeks from the date of dissolution.

Article 30-24. (Continuation of a Legal Profession Corporation)

If and to the extent that a Legal Profession Corporation comes under Item (7) of Paragraph 1 of the preceding article due to the death of a partner, the liquidator may continue the corporation by admitting a new partner into the corporation with the consent of the heir to that partner (or, if a person is appointed to exercise the rights of that partner under Article 608, Paragraph 5 of the Corporation Law which is referred to in Article 675 of the Corporation Law as applied *mutatis mutandis* in Article 30-30, Paragraph 2, then with the consent of such person).

Article 30-25. (Judgment ordering dissolution)

1. The provisions of Article 824, Article 826, Article 868, Paragraph 1, Article 870 (only with regard to Item 13), the main text of Article 871, Article 872 (only with regard to Item 4), the main text of Article 873, Article 875, Article 876, Article 904 and Article 937, Paragraph 1 (only with regard to Item 3 "ro") of the Corporation Law shall apply

mutatis mutandis to the order to dissolve Legal Profession Corporations. The provisions of Article 825, Article 868, Paragraph 1, Article 870 (only with regard to Item 2), Article 871, Article 872 (only with regard to Items 1 and 4), Article 873, Article 874 (only with regard to Items 2 and 3), Article 875, Article 876, Article 905 and Article 906 of the Corporation Law shall apply *mutatis mutandis* to the preservation of assets when a petition is made pursuant to Article 824, Paragraph 1 of the Corporation Law which is referred to herein. In such a case, "principal office (principal office and registered branch offices where matters listed in each Item of Article 930, Paragraph 2 are registered by the resolutions set forth in Item 1 "to")" as used in Article 937, Paragraph 1 shall be read as "principal office and secondary office."

2. The provisions of Article 833, Paragraph 1, Article 833 (only with regard to Item 21), Article 835, Paragraph 1, Article 837, Article 838, Article 846, Article 937 (only regard to Item 1 "ri") of the Corporation Law shall apply *mutatis mutandis* to the petition for dissolution of Legal Profession Corporations. In such case, "principal office (principal office and registered branch offices where matters listed in each Item of Article 930, Paragraph 2 are registered by the resolutions set forth in Item 1 "to")" as used in Article 937, Paragraph 1 shall be read as "principal office and secondary office."
3. If the Minister of Justice intends to seek an order for dissolution under Article 824, Paragraph 1 of the Corporation Law as applied *mutatis mutandis* under the first paragraph, the Minister shall give the Japan Federation of Bar Associations a prior hearing.

Article 30-26. (Liquidation)

1. The liquidator of a Legal Profession Corporation shall be a practicing attorney.
2. Upon completion of liquidation, the liquidator shall, immediately upon registration of the completion of liquidation, give notification thereof to the bar association to which the Legal Profession Corporation belonged and to the Japan Federation of Bar Associations, together with a certified copy of the register.

Article 30-27. (Merger)

1. A Legal Profession Corporation may merge with another Legal Profession Corporation with the consent of all partners.

2. A merger between Legal Profession Corporations shall take effect upon registration by the Legal Profession Corporation surviving the merger or newly created through the merger, at the location of its principal law office.
3. A Legal Profession Corporation that carries out a merger shall, within two weeks from the date of the merger, give notification thereof to the bar association to which it belongs and to the Japan Federation of Bar Associations, together with a certified copy of the register (and a copy of the articles of incorporation in the case of a new Legal Profession Corporation created through a merger).
4. The Legal Profession Corporation surviving the merger or newly created through the merger shall succeed all rights and obligations of the Legal Profession Corporation which is extinguished by the merger.

Article 30-28. (Creditors Objections)

1. Any creditor of Legal Profession Corporations to merge or to be merged may claim its objection against the Legal Profession Corporation.
2. Each Legal Profession Corporation to merge or to be merged shall publicly notify the following matters on the Official Gazette (*kanpou*) and notify thereof individually each of the creditors known to it.
 - (1) That it is being merged;
 - (2) Name and location of principal office of the Legal Profession Corporations to be extinguished and to survive or of the Legal Profession Corporation to be newly created; and
 - (3) That a creditor may object against the merger within certain period.
3. Notwithstanding the preceding paragraph, individual notifications would not be required if the Legal Profession Corporation to merge or to be merged publicly notify the matters in the manner set forth in Items 2 and 3 of Article 939, Paragraph 1 of the Corporation Law in accordance with the provisions of the articles of incorporation as well as on the Official Gazette (*kanpou*).
4. A creditor is deemed to have approved the merger unless it objects to the merger within the period set out in Paragraph 2, Item 3.
5. If a creditor objects within the period set out in Paragraph 2, Item 3, the Legal Profession Corporation to merge or to be merged shall repay the obligations, provide sufficient security or entrust sufficient assets to a trust company (which means a trust corporation or a financial institution

which is approved under Article 1, Paragraph 1 of the Law Concerning Concurrent Undertaking of Trust Business by Financial Institutions (Law No. 43 of 1943)) for the purpose of causing the creditor receive repayment, unless the merger will not harm the creditor.

6. The provisions of Article 939, Paragraph 1 (only with regard to Items 2 and 3) and Paragraph 3, Article 940, Paragraph 1 (only with regard to Item 3) and Paragraph 3, Article 941, Article 946, Article 947, Article 951, Paragraph 2, Article 953 and Article 955 of the Corporation Law shall apply *mutatis mutandis* to the public notice of a Legal Profession Corporation pursuant to the Paragraph 2. In such case, "method of public notice" as used in Article 939, Paragraphs 1 and 3 shall be read as "method of public notice of merger" and "trade name" as used in Article 946, Paragraph 3 shall be read as "name."

Article 30-29. (Petition to Invalidate Merger)

The provisions of Article 828, Paragraph 1 (only with regard to Items 7 and 8) and Paragraph 2 (only with regard to Items 7 and 8), Article 834 (only with regard to Items 7 and 8), Article 835, Paragraph 1, Article 836, Paragraphs 2 and 3, Articles 837 through 839, Article 843 (excluding Paragraph 1, Items 3 and 4 and the proviso to Paragraph 2) and Article 846 of the Corporation Law shall apply *mutatis mutandis* to a petition to invalidate merger of Legal Profession Corporations. The provisions of Article 868, Paragraph 5, Article 870 (only with regard to Item 15), the main text of Article 871, Article 872 (only with regard to Item 4), the main text of Article 873, Article 875 and Article 876 of the Corporation Law shall apply *mutatis mutandis* to a petition set out in Article 843, Paragraph 4 of the Corporation Law referred to herein.

Article 30-30. (Application *mutatis mutandis*, etc. of the Civil Code and Corporation Law)

1. The provisions of Article 50 of the Civil Code (Law No. 89 of 1896) and Article 600, Articles 614 through 619, Article 621 and Article 622 of the Corporation Law shall apply *mutatis mutandis* to Legal Profession Corporations. The provision of Articles 55 of the Civil Code and Article 581, Article 582, Article 585, Paragraphs 1 and 4, Article 586, Article 593, Article 595, Article 596, Article 601, Article 605, Article 606, Article 609, Paragraphs 1 and 2, Article 611 (excluding the proviso to Paragraph 1) and Article 613 of the Corporation Law shall apply *mutatis mutandis* to a partner of Legal Profession Corporations. The provisions of Articles 859 through 862 of the Corporation Law shall

apply *mutatis mutandis* to a petition for removal of, and nullifying the authority to operate the activities for, or represent, the Legal Profession Corporation. In such cases, "trade name" as used in Article 613 shall be read as "name" and "Article 594, Paragraph 1 (including a case referred to by Article 598, Paragraph 2)" as used in Article 859, Item 2 shall be read as "Practicing Attorney Law (Law No. 205 of 1949) Article 30-19, Paragraph 1 or 2."

2. Article 82 of the Civil Code and Article 35, Paragraph 2, Article 40 of the Law concerning Procedures for Non-Contentious Matters (Law No. 14 of 1898), Articles 645 through 649, Article 650, Paragraphs 1 and 2, Paragraph 651, Paragraphs 1 and 2 (excluding portions relating to reference to Article 594), Article 652, Article 653, Articles 655 through 659, Articles 662 through 664, Articles 666 through 673, Article 675, Article 863, Article 864, Article 868, Paragraph 1, Article 869, Article 870 (only with regard to Items 2 and 3), Article 871, Article 872 (only with regard to Item 4), Article 874 (only with regard to Items 1 and 4), Article 875 and Article 876 shall apply *mutatis mutandis* to dissolution and liquidation of Legal Profession Corporations. In such a case, "Article 641, Item 5" as used in Article 644, Item 1 shall be read as "Practicing Attorney Law Article 30-23, Paragraph 1, Item 3" and "Article 641, Item 4 or 7" as used in Article 647, Paragraph 3 shall be read as "Practicing Attorney Law Article 30-23, Paragraph 1, Items 5 through 7" and "Article 641, Items 1 through 3" as used in Article 668, Paragraph 1 and Article 669 shall be read as "Practicing Attorney Law Article 30-23, Paragraph 1, Item 1 or 2" and "Article 939, Paragraph 1" as used in Article 670, Paragraph 3 shall be read as "Article 939, Paragraph 1 as referred to in Practicing Attorney Law Article 30-28, Paragraph 6" and "Article 580" as used in Article 673, Paragraph 1 shall be read as "Practicing Attorney Law Article 30-15."
3. The provisions of Article 828, Paragraph 1 (only with regard to Item 1) and Paragraph 2 (only with regard to Item 1), Article 834 (only with regard to Item 1), Article 835, Paragraph 1, Articles 837 through 839 and Article 846 of the Corporation Law shall apply *mutatis mutandis* to a petition to invalidate incorporation of Legal Profession Corporations.
4. A court having jurisdiction over dissolution and liquidation of a Legal Profession Corporation may ask opinion of, or request investigation by, the Japan Federation of Bar Associations.

5. The Japan Federation of Bar Associations may submit its opinion to the competent court referred to in the preceding paragraph.
6. For the purpose of Article 16 of the Bankruptcy Law (Law No. 75 of 2004), a Legal Profession Corporation shall be deemed to be a general partnership (*gomei kaisha*).

Chapter V. Bar Associations

Article 31. (Object and legal personality)

1. It shall be the object of a bar association, in view of the mission and duties of practicing attorneys and Legal Profession Corporations, to manage matters relating to the guidance, liaison, and supervision of members in order to maintain their dignity and improve and advance their work.
2. A bar association shall be a juristic person.

Article 32. (District of establishment)

A bar association shall be established in the district of jurisdiction of each district court.

Article 33. (Articles of association)

1. A bar association shall formulate its articles of association with the approval of the Japan Federation of Bar Associations.
2. The following matters shall be stipulated in the articles of association of a bar association:
 - (1) Name of the bar association and location of its office;
 - (2) Rules pertaining to the selection, structure and powers of its president, vice-presidents and other officers and organs;
 - (3) Rules pertaining to admission of membership in or withdrawal from the association;
 - (4) Rules pertaining to the Qualifications Screening Board;
 - (5) Rules pertaining to the meetings in the bar association;
 - (6) Rules pertaining to the transmittal of requests for registration, change of registration and rescission of registration in the roll of practicing attorneys, and also requests for rescission of registration as specified in Article 13;

- (7) Rules pertaining to the practicing attorneys' ethics and maintenance of discipline of its members;
 - (8) Rules pertaining to disciplinary matters, the Disciplinary Actions Committee and the Discipline Maintenance Committee;
 - (9) Rules pertaining to legal aid to be provided to indigent persons;
 - (10) Rules pertaining to the recommendation of practicing attorneys to the government and public offices, etc.;
 - (11) Rules pertaining to the training of legal apprentices;
 - (12) Rules pertaining to settlement of disputes in connection with its members' profession;
 - (13) Rules pertaining to proposals and replies to the Japan Federation of Bar Associations, the government, or public offices;
 - (14) Rules pertaining to notification of profit-making business, and the register of practicing attorneys engaged in profit-making businesses;
 - (15) Rules pertaining to membership fees; and
 - (16) Rules pertaining to accounts and assets.
3. Any amendment in the matters stipulated in the preceding paragraph shall be subject to the approval of the Japan Federation of Bar Associations.

Article 34. (Registration)

1. A bar association shall come into existence upon the registration of its establishment in its area.
2. The following matters shall be included in the registration of establishment of a bar association:
 - (1) Name;
 - (2) Name and jurisdiction of the district court which is the basis of its establishment;
 - (3) Place of its office;
 - (4) Full names and addresses of its president and vice-presidents;
 - (5) The provisions, if any, in the articles of association that a public notice set forth in Article 30-28, Paragraph 2 as referred to in Article 43, Paragraph 3 should be made by publishing notices on a daily newspaper with regard to current affairs; and
 - (6) The provisions, if any, in the articles of association that a public notice set forth in Article 30-28, Paragraph 2 as referred to in Article 43, Paragraph 3 should be made by electronic notices

(this term herein and (a) shall have the meaning as defined in Article 2, Item 34 of the Corporation Law) as well as the following matters;

(a) such matters that are necessary for unidentified and many person could receive the information subject to the public notice by way of an electronic notice and that are prescribed in the Minister of Justice Ordinance; and

(b) The provisions, if any, in the articles of association pursuant to Article 939, Paragraph 3, the latter part of the Corporation Law referred to in Article 38-28, Paragraph 6 as applied *mutatis mutandis* to a bar association under Article 43, Paragraph 3.

3. When a bar association is dissolved, it shall register its dissolution within two weeks.
4. Any change in the matters specified in Paragraph 2 of this Article shall be registered within two weeks.
5. Matters that shall be registered by a bar association cannot be set up against a third party until and unless they have been registered.
6. The necessary matters concerning the registration procedures of bar associations shall, except as stipulated in this Law, be stipulated by Cabinet Orders.

Article 35. (President and vice-presidents)

1. A representative of a bar association shall be the president thereof.
2. In the case of any accident or vacancy in the office of president, the vice-president shall temporarily perform the functions of the president stipulated in this Law and in the articles of association of the bar association.
3. In the application of criminal punishments stipulated under the Criminal Law (Law No. 45 of 1907) or other laws, the president and vice-presidents shall be deemed to be officials engaging in public duties under the provisions of laws and ordinances.

Article 36. (Admission and secession)

1. A person who has had the registration made for him/her or who has had the change of his/her registration made for him/her in the roll of practicing attorneys, shall automatically be admitted to the bar association which he/she intends to join, and in the case of changing his/her registration, he/she shall thereby automatically secede from the bar association to which he/she belonged until then.

2. A person whose registration has been rescinded upon the request stipulated in Article 11 shall automatically secede from the bar association to which he/she belongs.

Article 36-2. (Admission and secession of a Legal Profession Corporation)

1. A Legal Profession Corporation shall, upon its formation, become a member of the bar association for the region in which its principal law office is located (if there are two or more bar associations in that region, the one that is specified in the Legal Profession Corporation's articles of incorporation).
2. A Legal Profession Corporation that establishes a new law office or relocates its existing law office outside the region of the bar association to which it belongs shall, upon registration thereof at the location of such new or relocated law office, become a member of the bar association for the region in which such law office is located (if there are two or more bar associations in that region, then the one that is specified in its articles of incorporation).
3. A Legal Profession Corporation that no longer has a law office in the region of the bar association to which it belongs due to relocation or closing shall, upon registration of relocation or closing at the former location of that office, secede from the association.
4. A Legal Profession Corporation may change its bar association by modifying its articles of incorporation accordingly, provided that there are two or more bar associations in the region in which its law office is located.
5. A Legal Profession Corporation may not belong to two or more bar associations in the same region.
6. A Legal Profession Corporation that is admitted to a new bar-association under Paragraph 2 or 4 shall, within two weeks from the date of such admission, give notification thereof to that bar association and to the Japan Federation of Bar Associations, together with a certified copy of the register and a copy of its articles of incorporation.
7. Any Legal Profession Corporation that secedes from its bar-association under Paragraph 3 or 4 shall, within two weeks from the date of such secession, give notification thereof to that bar association and to the Japan Federation of Bar Associations.

Article 37. (General meeting)

1. A bar association shall hold an ordinary general meeting every year.

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

Article 38. (Report on resolutions, etc. of general meeting)

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

Article 39. (Matters requiring a resolution of a general meeting)

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

Article 40. (Rescission of the resolution of a general meeting)

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

Article 41. (Mediation of disputes)

A bar association may, upon request of a practicing attorney, Legal Profession Corporation, the party in question, or other interested person, mediate any dispute regarding the duties of the practicing attorney or the activities of the Legal Profession Corporation.

Article 42. (Replies and proposals)

1. A bar association shall reply to inquiries and requests for consultation from the Japan Federation of Bar Associations.
2. A bar association may present its proposals, or make its reply to a request for consultation, to the government or public offices regarding the professional affairs of practicing attorneys and Legal Profession Corporations, and other judicial affairs.

Article 43. (Merger and dissolution)

1. Where the jurisdiction of a district court is altered and consequently it becomes necessary for a bar association within such district to merge or dissolve, said bar association shall merge or dissolve by means of a resolution of its general meeting.
2. The bar association surviving the merger or newly created through the merger shall succeed all rights and obligations of the bar association which is extinguished by the merger.
3. The provisions of Article 38-28 shall apply *mutatis mutandis* to a merger of bar associations. In such case, "articles

of incorporation" as used in Paragraph 3 shall be read as "articles of association" and "Article 939, Paragraphs 1 and 3" as used in Paragraph 6 shall be read as ""articles of incorporation" as used in Article 939, Paragraph 1 shall be read as "articles of association" and the same paragraph and Paragraph 3 of the same article."

4. The provisions of Articles 73 through 76, 78 through 80, and 82 of the Civil Code and Article 27 of the Civil Code Enforcement Law (Law No. 11 of 1898) shall apply *mutatis mutandis* to the dissolution of bar associations.
5. Where there is a merger of bar associations, practicing attorneys who were members of the bar association which was dissolved on account of the said merger shall automatically become members of the bar association which continues to exist after the merger or is newly established as a result of the merger.
6. The provision of Article 10, Paragraph 1 shall apply *mutatis mutandis* in the case specified in the preceding paragraph.

Article 43-2. (Exemption from Application of Administration Procedures Law)

Chapters 2 and 3 of the Administrative Procedures Law (Law No. 88 of 1993) shall not apply to an action taken by a bar association pursuant to this Law.

Article 44. (A federation of bar associations)

Bar associations situated in an area within the jurisdiction of the same high court may, for the purpose of jointly performing specific matters, formulate rules and establish a federation of bar associations with the approval of the Japan Federation of Bar Associations.

Chapter VI. The Japan Federation of Bar Associations

Article 45. (Establishment, object, and legal personality)

1. All bar associations in the country shall together constitute the Japan Federation of Bar Associations.
2. The object of the Japan Federation of Bar Associations shall be, in view of the mission and duties of practicing attorneys and Legal Profession Corporations, to manage matters relating to the guidance, liaison, and supervision of practicing attorneys, Legal Profession Corporations, and bar associations, in order to maintain their dignity and improve and advance the work of practicing attorneys and Legal Profession Corporations.

3. The Japan Federation of Bar Associations shall be a juristic person.

Article 46. (Articles of association)

1. The Japan Federation of Bar Associations shall formulate its articles of association.
2. The following matters shall be stipulated in the articles of association of the Japan Federation of Bar Associations.
 - (1) Matters specified in Items (1) to (5) inclusive, (7) to (11) inclusive, (13), (15) and (16) of Paragraph 2 of Article 33;
 - (2) Provisions regarding registration, change and rescission of registration in the roll of practicing attorneys; and
 - (3) Provisions regarding the Board of Discipline Review.

Article 47. (Membership)

Practicing attorneys, Legal Profession Corporations, and bar associations shall automatically become members of the Japan Federation of Bar Associations.

Article 48. (Request for investigation)

The Japan Federation of Bar Associations may request that the government and public offices investigate necessary matters relating to its functions concerning the guidance, liaison, and supervision of practicing attorneys, Legal Profession Corporations, and bar associations.

Article 49. (Powers of the Supreme Court)

The Supreme Court may, when it deems necessary, demand that the Japan Federation of Bar Associations report on its affairs, or request that it investigate matters regarding practicing attorneys, Legal Profession Corporations, and bar associations.

Article 49-2. (Exemption from Application of Administration Procedures Law)

Chapters 2 and 3 of the Administrative Procedures Law shall not apply to an action taken by Japan Federation of Bar Associations pursuant to this Law.

Article 49-3. (Restriction on the filing of complaints)

No complaint under the Administrative Complaint Investigation Law can be filed against the dispositions made by the Japan Federation of Bar Associations in accordance with this Law.

Article 50. (Applicability *mutatis mutandis*)

The provisions of Article 34, 35, 37, 39 and Article 42, Paragraph 2 shall apply *mutatis mutandis* to the Japan Federation of Bar Associations.

Chapter VII. The Qualifications Screening Board

Article 51. (Establishment and functions)

1. A Qualifications Screening Board shall be established in each bar association and in the Japan Federation of Bar Associations respectively.
2. A Qualifications Screening Board shall, upon request by its bar association or the Japan Federation of Bar Associations in which it is established, conduct necessary inquiries regarding requests for registration or change and rescission thereof.

Article 52. (Organization)

1. A Qualifications Screening Board shall consist of the president and several board members.
2. The president of a bar association or the Japan Federation of Bar Associations in which a Qualifications Screening Board is established, shall become the ex-officio president of the said Board.
3. Board members shall be appointed by the president from amongst practicing attorneys, judges, public prosecutors and persons of learning and experience; provided, however, that appointment of board members shall depend upon, in case of the Qualifications Screening Board of a bar association, the recommendation respectively of the high court, the district court, the superintending prosecutor of the high public prosecutors office or the chief prosecutor of the district public prosecutors office of the same district for members who are judges and prosecutors, and a resolution of the general meeting of the said bar association for other members. In the case of the Qualifications Screening Board of the Japan Federation of Bar Associations, the recommendation of the Supreme Court or the Prosecutor-General for members who are judges or prosecutors, and a resolution of the General meeting of the Japan

Federation of Bar Associations for other members shall be necessary.

4. The term of office of board members shall be two years; provided, however, that the term of office of members appointed to fill vacancy shall be the remaining period of office of the members whose place they take.

Article 53. (Reserve members)

1. There shall be several reserve members in each Qualifications Screening Board.
2. The provisions of Paragraphs 3 and 4 of the preceding Article shall apply *mutatis mutandis* to reserve members.
3. When a board member is prevented from performing his/her duties, or a vacancy occurs in such office, the president shall appoint a person to act or fill the vacancy from amongst such reserve members having the same qualification.

Article 54. (Duties and status of a president, etc.)

1. The president shall supervise all the affairs of the Board.
2. In the application of criminal punishments stipulated under the Criminal Law or other laws, the president, board members and reserve board members shall be deemed to be officials engaging in public duties under the provisions of laws and ordinances.

Article 55. (Screening procedures)

1. The Qualifications Screening Board may, when it deems it necessary for screening, request the party in question, interested persons concerned, the government and public offices or others to submit their statement, explanations or data.
2. When the Qualifications Screening Board makes a resolution refusing a request for registration, a request for change of registration or the transmittal of these requests or approving a request for rescission of registration as is specified in Article 13, it shall notify the party in question of that fact in advance and give him an opportunity to submit his/her statements and data.

Chapter VIII. Discipline

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

Article 56. (Grounds for disciplinary action and the organ empowered to take disciplinary action)

1. A practicing attorney or Legal Profession Corporation shall be subject to disciplinary action where he/she or it violates this Law or the articles of association of the bar association to which he/she or it belongs or of the Japan Federation of Bar Associations, or damages the order or reputation of the said bar association or misbehaves in a manner impairing his/her or its own dignity, whether in the conduct of his/her professional activities or not.
2. Disciplinary action shall be taken by the bar association to which the practicing attorney or Legal Profession Corporation belongs.
3. The grounds for a disciplinary action that a bar association may impose on a Legal Profession Corporation having a secondary office within the jurisdiction of the the bar association shall be limited to those relevant to the secondary office.

Article 57. (Kinds of disciplinary action)

1. There shall be four kinds of disciplinary action against practicing attorneys, as follows:
 - (1) Reprimand;
 - (2) Suspension of practice for not more than two years;
 - (3) Order to secede from the bar association to which he/she belongs; or
 - (4) Disbarment.
2. There shall be four kinds of disciplinary action against Legal Profession Corporations, as follows:
 - (1) Reprimand;
 - (2) Suspension of practice of the Legal Profession Corporation or its specific law office for not more than two years;
 - (3) Order to secede from the bar association to which it belongs (This action shall be limited to Legal Profession Corporations that have only a secondary law office in the region covered by the association.); or
 - (4) Disbarment (This action shall be limited to Legal Profession Corporations that have their principal law office in the region covered by the association.).
3. If a bar association takes the disciplinary action set forth in Item (2) of the preceding paragraph against a Legal Profession Corporation that has only a secondary law office

- in the region covered by the association, it may only order the suspension of the law office located in said region.
4. In connection with the application of the provisions of Paragraph 2 or the preceding paragraph, the Japan Federation of Bar Associations shall be deemed to be a bar association in whose region the Legal Profession Corporation in question has its principal law office.

Article 57-2. (Prohibition of the establishment or relocation of a law office by a Legal Profession Corporation subject to disciplinary action)

1. Any Legal Profession Corporation that becomes subject to practice suspension with respect to all of its law offices located in the region covered by a certain bar association shall not establish any law office in said region, or relocate therein from any other region, during the term of suspension.
2. Any Legal Profession Corporation that becomes subject to the disciplinary action set forth in Item (3) of Paragraph 2 of the preceding article shall not establish any law office in the region covered by the bar association taking such action, or relocate therein from any other region, for three years from the date of such action.

Article 58. (Request for discipline, investigation and inquiry)

1. Any person who believes that there are grounds for disciplining a practicing attorney or Legal Profession Corporation may make a request for disciplinary action to the bar association to which the said attorney or corporation belongs, by attaching thereto an explanation of such grounds.
2. In cases where a bar association believes that there are grounds for disciplining a practicing attorney or Legal Profession Corporation who or which belongs to it, or where there has been a request under the preceding paragraph, it shall make the member subject to disciplinary procedure, so that the Discipline Maintenance Committee can make an investigation.
3. When the Discipline Maintenance Committee has found, based on the investigation under the preceding paragraph, that it would be appropriate to refer the matter to the Disciplinary Actions Committee to examine the case with respect to the Accused Attorney, Etc. (the "Accused Attorney, Etc." means the practicing attorney or Legal Profession Corporation being subject to the disciplinary procedure. The same shall

apply hereinafter.), the Discipline Maintenance Committee shall adopt a resolution to that effect. In this case, the bar association shall, based on the said resolution, refer the matter to the Disciplinary Actions Committee to examine the case.

4. When the Discipline Maintenance Committee believes, based on the investigation under Paragraph 2, that the complaint mentioned in Paragraph 1 hereof is unlawful or is not able to commence the disciplinary procedure against the Accused Attorney, Etc., or that there are no grounds to discipline the Accused Attorney, Etc., or it is apparent that disciplinary action should not be imposed in light of the gravity of the case or other extenuating circumstances, the Discipline Maintenance Committee shall adopt a resolution that it would not refer the matter to the Disciplinary Actions Committee to examine the case. In this case, the bar association shall issue a ruling to the effect that it will not discipline the Accused Attorney, Etc.
5. When the Disciplinary Actions Committee believes, based on the examination under Paragraph 3, it appropriate to discipline the Accused Attorney, Etc., it shall adopt a resolution to that effect wherein the details of the action are specified. In this case, the bar association shall, based on the said resolution, discipline the Accused Attorney, Etc.
6. When the Disciplinary Actions Committee believes, based on the examination under Paragraph 3, it appropriate not to discipline the Accused Attorney, Etc., it shall adopt a resolution to that effect. In this case, the bar association shall, based on the said resolution, issue a ruling to the effect that it will not discipline the Accused Attorney, Etc.

Article 59. (Ruling on an appeal for investigation by a person the subject of discipline)

When the Japan Federation of Bar Associations receives an appeal for investigation under the Administrative Complaint Investigation Law regarding disciplinary action imposed by a bar association in accordance with the provisions of Article 56, it shall refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations to examine the case, and shall issue a decision on the basis of the decision of its Disciplinary Actions Committee.

Article 60. (Discipline by the Japan Federation of Bar Associations)

1. The Japan Federation of Bar Associations may, when it believes, on its own, it appropriate to discipline a practicing attorney or Legal Profession Corporation in the

circumstances specified in Article 56, Paragraph 1, discipline him/her or it as provided in in Paragraphs 2 through 6 hereof.

2. When the Japan Federation of Bar Associations believes, on its own, that there are grounds to discipline a practicing attorney or Legal Profession Corporation, it may make the accused attorney or corporation subject to disciplinary procedure, and request the Discipline Maintenance Committee of the Japan Federation of Bar Associations make an investigation of the case.
3. When the Discipline Maintenance Committee of the Japan Federation of Bar Associations believes, based on the investigation under the preceding paragraph, that it would be appropriate to refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations to examine the case with respect to the Accused Attorney, Etc., the Discipline Maintenance Committee shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on the said resolution, refer the matter to the Disciplinary Actions Committee of the Japan Federation of Bar Associations to examine the case.
4. When the Discipline Maintenance Committee of the Japan Federation of Bar Associations believes, based on the investigation under Paragraph 2, that it is not able to commence the disciplinary procedure against the Accused Attorney, Etc., or that there are no grounds to discipline the Accused Attorney, Etc., or it is apparent that any disciplinary action should not be imposed in light of the gravity of the case or other extenuating circumstances, the Discipline Maintenance Committee shall adopt a resolution that it would not refer the matter to the Disciplinary Actions Committee to examine the case. In this case, the Japan Federation of Bar Associations shall issue a ruling to the effect that it will not discipline the Accused Attorney, Etc.
5. When the Disciplinary Actions Committee of the Japan Federation of Bar Associations believes, based on the examination under Paragraph 3, it appropriate to discipline the Accused Attorney, Etc., it shall adopt a resolution to that effect wherein the details of the action are specified. In this case, the Japan Federation of Bar Associations shall, based on the said resolution, discipline the Accused Attorney, Etc.
6. When the Disciplinary Actions Committee of the Japan Federation of Bar Associations believes, based on the

examination under Paragraph 3, it appropriate not to discipline the Accused Attorney, Etc., it shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on the said resolution, issue a ruling to the effect that it will not discipline the Accused Attorney, Etc.

Article 61. (Institution of lawsuit)

1. A person whose appeal for investigation in respect of a disciplinary action imposed by a bar association under the provisions of Article 56 was dismissed or rejected or who was imposed with a disciplinary action by the Japan Federation of Bar Associations under the provisions of Article 60, may institute a lawsuit for cancellation thereof at the Tokyo High Court.
2. With regard to any disciplinary action imposed by a bar association under the provisions of Article 56, a lawsuit for cancellation may be instituted only against the ruling of the Japan Federation of Bar Associations over an appeal for investigation.

Article 62. (Restriction on request for change of registration, etc.)

1. A practicing attorney against whom a disciplinary procedure has been initiated may not make a request for a change of registration or a rescission of registration until such procedure has been concluded.
2. A Legal Profession Corporation against which a disciplinary procedure has been initiated shall not, even if it no longer has a law office in the region covered by the bar association to which it belongs due to relocation or closing, withdraw from that bar association until such procedure has been concluded.
3. A Legal Profession Corporation against which a disciplinary procedure has been initiated may not change its bar association under Article 36-2, Paragraph 4 until such procedure has been concluded.
4. If a Legal Profession Corporation against which a disciplinary procedure has been initiated removes its principal law office from the jurisdiction of the bar association to which it belongs, the corporation shall, for the purpose of this chapter, be deemed to retain the principal law office at the former location as well, until such procedure has been concluded.
5. For the purposes of this chapter, a Legal Profession Corporation against which a disciplinary procedure has been

initiated shall, even if its liquidation has been completed, be deemed to exist until such procedure has been concluded.

Article 63. (Limitation)

No disciplinary procedure shall be initiated after the lapse of three years since the grounds for such action arose.

Section 2. Filing of Opposition, Etc. by Party Requesting Discipline

Article 64. (Filing of opposition by party requesting discipline)

1. When, despite a request for discipline made against a practicing attorney or Legal Profession Corporation in accordance with the provisions of Article 58, Paragraph 1, the bar association issues a ruling not to discipline the Accused Attorney, Etc. or where it has not concluded the disciplinary procedure within a reasonable period, the requesting party (hereinafter referred to as the "Discipline Requesting Party") may file an opposition thereto with the Japan Federation of Bar Associations. The same shall apply to cases where it is considered that the disciplinary action imposed by the bar association was unjustly lenient.
2. The filing of an opposition pursuant to the provisions of the preceding paragraph (other than opposition that the disciplinary procedure has not been concluded within a reasonable period) shall be made within a period of 60 days commencing from the date following the date on which a notice under the provisions of Article 64-7, Paragraph 1, Item (2) with regard to the decision not to discipline rendered by the bar association is received, or a notice under the provisions of Article 64-6, Paragraph 2 with regard to the disciplinary action is received.
3. In cases where a written opposition is submitted via a mail delivery stipulated in Article 2, Paragraph 2 of the Law Concerning Delivery of Correspondences by Post or Private Business Operators (2002 Law No. 99), made by a general mail delivery service operator stipulated in Paragraph 6 of the same Article or a specified mail delivery service operator stipulated in Paragraph 9 of the same Article, the days that have elapsed during the delivery shall not be included for the purpose of calculating the opposition period prescribed in the preceding paragraph.

Article 64-2. (Examination of the opposition, etc. by the Discipline Maintenance Committee of the Japan Federation of Bar Associations)

1. When the filing of an opposition is made in accordance with the provision of Paragraph 1 of the preceding Article, if the given case was not previously referred to the Disciplinary Actions Committee of the original bar association (the "original bar association" means the bar association to which the Discipline Requesting Party submitted a request for disciplinary action. The same shall apply hereinafter.) for its examination, The Japan Federation of Bar Associations shall have the Discipline Maintenance Committee of the Japan Federation of Bar Associations investigate the opposition.
2. When the filing of an opposition is made with respect to the ruling of the original bar association to the effect that it would not discipline the Accused Attorney, Etc. pursuant to the provision of Article 58, Paragraph 4, if, based on the investigation of the opposition mentioned in the preceding paragraph, the Discipline Maintenance Committee of the Japan Federation of Bar Associations considers it appropriate to refer the given case back to the Disciplinary Actions Committee of the original bar association for examination, the Discipline Maintenance Committee of the Japan Federation of Bar Associations shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on such resolution, rescind the original bar association's decision not to discipline the Accused Attorney, Etc., and then remand the case to the original bar association.
3. The original bar association that receives the case in accordance with the provision of the preceding paragraph shall have its Disciplinary Actions Committee examine the case. In this case, the provisions of Article 58, Paragraphs 5 and 6 shall apply *mutatis mutandis*.
4. When the filing of an opposition is made that the original bar association had not concluded the disciplinary procedure within a reasonable period, if the Discipline Maintenance Committee of the Japan Federation of Bar Associations allows the opposition based on the investigation of the opposition mentioned in Paragraph 1, it shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on such resolution, order the original bar association to promptly proceed with a disciplinary procedure, and issue a ruling whether or not to discipline the Accused Attorney, Etc.

5. When the Discipline Maintenance Committee of the Japan Federation of Bar Associations considers it appropriate to dismiss the opposition as being unlawful, or reject the opposition as being groundless, the Discipline Maintenance Committee of the Japan Federation of Bar Associations shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on that resolution, issue a ruling to dismiss or reject the opposition.

Article 64-3. (Application for discipline review)

1. When the Discipline Requesting Party is dissatisfied with the ruling issued by the Japan Federation of Bar Associations in accordance with Paragraph 5 of the preceding Article ordering to dismiss or reject the opposition filed pursuant to the provision of Paragraph 2 of the same Article, he/she may apply to the Japan Federation of Bar Associations for a discipline review by the Board of Discipline Review. In this case, the Japan Federation of Bar Associations shall have the Board of Discipline Review conduct a discipline review.
2. The application for a discipline review pursuant to the provisions of the preceding Paragraph shall be made within a period of 30 days commencing from the date following the date on which a notice in accordance with the provisions of Article 64-7, Paragraph 2, Item (6) is received with regard to the Japan Federation of Bar Associations' ruling to dismiss or reject the opposition.
3. The provision of Article 64, Paragraph 3 shall apply *mutatis mutandis* to the application for a discipline review mentioned in the preceding paragraph.

Article 64-4. (Discipline Review, Etc.)

1. Where, based on the discipline review mentioned in Paragraph 1 of the preceding Article, the Board of Discipline Review considers it appropriate to have an examination made of the case by the Disciplinary Actions Committee of the original bar association, the Board of Discipline Review shall adopt a resolution to that effect. This resolution shall be adopted by a two-third's majority of the board members present.
2. In case of the preceding paragraph, the Japan Federation of Bar Associations shall rescind its ruling to dismiss or reject the opposition, as well as the ruling rendered by the original bar association not to discipline the Accused Attorney, Etc., and then send the case back to the original bar association.

3. The original bar association that receives the case pursuant to the provisions of the preceding paragraph shall have its Disciplinary Actions Committee conduct an examination of the case. In this case, the provisions of Article 58, Paragraphs 5 and 6 shall apply *mutatis mutandis*.
4. Where the Board of Discipline Review considers it appropriate to dismiss the application for a discipline review as being unlawful, the Board of Discipline Review shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on that resolution, render a decision to dismiss the application for a discipline review.
5. Where the Board of Discipline Review is not able to adopt a resolution mentioned in Paragraph 1 hereof, the Discipline Maintenance Committee shall adopt a resolution to that effect except for the case of the preceding paragraph. In this case, the Japan Federation of Bar Associations shall, based on that resolution, render a decision to reject the application for a discipline review.

Article 64-5. (Examination of the opposition, etc. by the Disciplinary Actions Committee of the Japan Federation of Bar Associations)

1. Where an opposition is filed pursuant to the provision of Article 64, Paragraph 1, if the given case was formerly examined by the Disciplinary Actions Committee of the original bar association, the Japan Federation of Bar Associations shall have its the Disciplinary Actions Committee conduct an examination of the opposition.
2. Where the filing of an opposition is made with respect to the decision of the original bar association to the effect that it would not discipline the Accused Attorney, Etc. pursuant to the provision of Article 58, Paragraph 6, if, based on the examination of the opposition mentioned in the preceding paragraph, the Disciplinary Actions Committee of the Japan Federation of Bar Associations believes it appropriate to discipline the Accused Attorney, Etc., the Committee shall adopt a resolution to that effect by specifying the detail of the disciplinary action. In this case, the Japan Federation of Bar Associations shall, based on such resolution, rescind the original bar association's decision not to discipline the Accused Attorney, Etc., and on its own discipline the Accused Attorney, Etc.
3. When the filing of an opposition is made that the original bar association has not concluded the disciplinary procedure within a reasonable period, if the Disciplinary Actions

Committee of the Japan Federation of Bar Associations allows the opposition based on the examination of the opposition mentioned in Paragraph 1, it shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on such resolution, order the original bar association to promptly proceed with the disciplinary procedure, and render a decision whether or not to discipline the Accused Attorney, Etc.

4. When the filing of an opposition is made that the disciplinary action imposed by the original bar association was unjustly lenient, if the Disciplinary Actions Committee of the Japan Federation of Bar Associations allows the opposition based on the examination of the opposition mentioned in Paragraph 1 hereof, it shall adopt a resolution ordering the change of the disciplinary action by specifying the contents of the revised disciplinary action. In this case, the Japan Federation of Bar Associations shall, based on such resolution, rescind the disciplinary action imposed by the original bar association, and impose on its own the revised disciplinary action against the Accused Attorney, Etc.
5. When the Disciplinary Actions Committee of the Japan Federation of Bar Associations considers it appropriate to dismiss the opposition as being unlawful, or reject the opposition as being groundless, it shall adopt a resolution to that effect. In this case, the Japan Federation of Bar Associations shall, based on that resolution, render a decision to dismiss or dismiss reject the opposition.

Article 64-6. (Notice and Public Notice of Disciplinary Action)

1. When imposing a disciplinary action against an Accused Attorney, Etc., the bar association or the Japan Federation of Bar Associations shall send a written notice describing the contents of the disciplinary action and the reason for the imposition thereof to the Accused Attorney, Etc.
2. When imposing a disciplinary action against an Accused Attorney, Etc., the bar association or the Japan Federation of Bar Associations shall immediately send a written notice describing the contents of the disciplinary action and the reason for the imposition thereof to, in cases where the bar association imposes the action, the Discipline Requesting Party, the other bar associations to which the accused Legal Profession Corporation belongs and the Japan Federation of Bar Associations, or, in cases where the Japan Federation of Bar Associations imposes the action, the Discipline Requesting Party and the bar association to which the Accused Attorney, Etc. belongs.

3. When a disciplinary action is imposed against an Accused Attorney, Etc. by the bar association or the Japan Federation of Bar Associations, the Japan Federation of Bar Associations shall make public the contents of the disciplinary action in the Official Gazette without delay.

Article 64-7. (Notice regarding Disciplinary Procedures)

1. In cases coming under any of the items below with respect to the given disciplinary procedure, the bar association shall promptly give notice in writing to the Accused Attorney, Etc., the Discipline Requesting Party, the other bar associations to which the accused Legal Profession Corporation belongs and the Japan Federation of Bar Associations of the matters set forth in the respective item below.
 - (1) When having had the Discipline Maintenance Committee investigate the case, or where having requested the Disciplinary Actions Committee to examine the case
 - That effect and the details of the case
 - (2) When having issued a ruling not to discipline the Accused Attorney, Etc.
 - That effect and the reasons therefor
 - (3) When the disciplinary proceedings are suspended or resumed by the Disciplinary Actions Committee or its sub-committee due to the pending of criminal proceedings on the same cause
 - That effect
 - (4) When the disciplinary proceedings are ended due to the death or the resignation of the practicing attorney who has been subject to the disciplinary proceedings
 - That effect and the reasons therefor
2. In cases coming under any of the items below with respect to the given disciplinary proceedings, the Japan Federation of Bar Associations shall promptly give notice in writing to the Accused Attorney, Etc., the Discipline Requesting Party and the bar association to which the Accused Attorney, Etc. belongs of the matters set forth in the respective item below.
 - (1) When having had the Discipline Maintenance Committee investigate the case, or where having requested the Disciplinary Actions Committee to examine the case
 - That effect and the details of the case
 - (2) When having issued a ruling not to discipline the Accused Attorney, Etc.
 - That effect and the reasons therefor

- (3) When having requested the Discipline Maintenance Committee to investigate the opposition, where having requested the Board of Discipline Review to conduct a discipline review, or where having requested the Disciplinary Actions Committee to examine the opposition
 - That effect
- (4) When having sent the case back to the original bar association pursuant to the provisions of Article 64-2, Paragraph 2 or Article 64-4, Paragraph 2
 - That effect and the reason therefor
- (5) When having ordered the original bar association to promptly proceed with a disciplinary procedure, and render a decision whether or not to discipline the Accused Attorney, Etc.
 - That effect and the reasons therefor
- (6) When having rendered a decision to dismiss or reject the opposition
 - That effect and the reasons therefor
- (7) When having rendered a decision to dismiss or reject the application for a discipline review
 - That effect and the reasons therefor
- (8) When the disciplinary proceedings are suspended or resumed by the Disciplinary Actions Committee or its sub-committee due to the pending of criminal proceedings on the same cause
 - That effect
- (9) When the disciplinary proceedings are ended due to the death or the resignation of the practicing attorney who has been subject to the disciplinary proceedings
 - That effect and the reasons therefor

Section 3. The Disciplinary Actions Committee

Article 65. (Establishment of a Disciplinary Actions Committee)

1. A Disciplinary Actions Committee shall be established in each bar association and the Japan Federation of Bar Associations, respectively.
2. A Disciplinary Actions Committee shall, upon the request of its bar association or the Japan Federation of Bar Associations, as the case may be, conduct necessary examinations concerning discipline of a practicing attorney or Legal Profession Corporation that belongs to the said bar association.

Article 66. (Composition of a Disciplinary Actions Committee)

A Disciplinary Actions Committee shall consist of four or more committee members as is designated in the articles of associations of the bar association or the Japan Federation of Bar Associations.

Article 66-2. (The committee members of a Disciplinary Actions Committee)

1. The committee members of a Disciplinary Actions Committee of a bar association shall be individually appointed by the president of the bar association from among practicing attorneys, judges, public prosecutors and academic experts. In this case, the committee members who are judges or public prosecutors shall be appointed based on the recommendations from the High Court or the District Court or by the superintendent public prosecutor of the High Public Prosecutors' Office or the chief public prosecutor of the District Public Prosecutors' Office, being located within the same jurisdiction, and other members shall be appointed based on a resolution adopted at a general meeting of the bar association.
2. The committee members of the Disciplinary Actions Committee of the Japan Federation of Bar Associations shall be individually appointed by the President of the Japan Federation of Bar Associations from among practicing attorneys, judges, public prosecutors and academic experts. In this case, the committee members who are judges or public prosecutors shall be appointed based on the recommendations from the Supreme Court or the Secretary General of the Public Prosecutor's Office, and other members shall be appointed based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.
3. The term of committee members of a Disciplinary Actions Committee shall be two years; provided that the term of a substituting committee member shall be the remaining term of his/her predecessor.
4. In the application of criminal punishments stipulated under the Criminal Law or other laws, the committee members of a Disciplinary Actions Committee shall be deemed to be officials engaging in public duties under the provisions of laws and ordinances.

Article 66-3. (The chairman of a Disciplinary Actions Committee)

1. A Disciplinary Actions Committee shall have a chairman, who shall be elected from among its members.
2. The chairman shall preside over all affairs of the committee.

3. When the chairman is unable to carry out his/her duties due to an accident, another member of the committee designated pursuant to the order determined in advance by the Disciplinary Actions Committee shall fulfill the duties of the chairman.
4. The provision of Paragraph 4 of the preceding Article shall apply *mutatis mutandis* to the chairman.

Article 66-4. (Reserve committee members of a Disciplinary Actions Committee)

1. A Disciplinary Actions Committee shall include four or more reserve committee members as is designated in the articles of associations of the bar association or the Japan Federation of Bar Associations.
2. When a committee member is unable to carry out his/her duties due to an accident or a committee member is no longer available, the president of the bar association or the Japan Federation of Bar Associations shall designate a person from among the reserve committee members having the same qualification as that member to act as his/her proxy.
3. The provision of Article 66-2 shall apply *mutatis mutandis* to reserve committee members.

Article 66-5. (Sub-committees of a Disciplinary Actions Committee)

1. A Disciplinary Actions Committee may establish sub-committees to examine a given case as is necessary.
2. A sub-committee shall consist of one or more sub-committee member(s) who is/are practicing attorney(s), judge(s), public prosecutor(s) or academic expert(s) and is/are designated by the chairman.
3. A sub-committee shall have a chairman, who shall be elected from among the sub-committee members.
4. Where the chairman of the sub-committee is unable to carry out his/her duties due to an accident, another sub-committee member designated pursuant to the order determined in advance by the sub-committee shall fulfill the duties of the chairman of the sub-committee.
5. A Disciplinary Actions Committee may treat a resolution adopted by a sub-committee as a resolution of the Disciplinary Actions Committee with respect to a given case that the sub-committee has examined, as stipulated by the Committee.

Article 67. (Examination Procedures of Disciplinary Actions Committee)

1. When a Disciplinary Actions Committee has been requested to conduct an examination, it shall, without delay, fix the date

- of the examination and give notice to the Accused Attorney, Etc. who is the subject of the examination of that fact.
2. The practicing attorney or the partner of the Legal Profession Corporation who is the subject of an examination may appear before the Committee on the date of inquiry and make a statement. In this case, the said practicing attorney or the partner of the Legal Profession Corporation shall obey the proper orders of the chairman of the Disciplinary Actions Committee.
 3. When it is necessary for the inquiry, the Disciplinary Actions Committee may require the Accused Attorney, Etc., the Discipline Requesting Party, concerned parties or public offices to make statements or to submit explanations or information.

Article 67-2. (The minutes of Disciplinary Actions Committee)

When adopting any resolution, the Disciplinary Actions Committee shall immediately produce the minutes thereof describing the reason for the resolution.

Article 68. (Suspension of disciplinary procedures)

A Disciplinary Actions Committee may suspend the disciplinary proceedings while a criminal action is pending in respect to the same cause.

Article 69. (Provisions that apply *mutatis mutandis* to sub-committees of Disciplinary Actions Committee)

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

Section 4. The Discipline Maintenance Committee

Article 70. (Establishment of a Discipline Maintenance Committee)

1. A Discipline Maintenance Committee shall be established in each bar association and the Japan Federation of Bar Associations, respectively.
2. A Discipline Maintenance Committee of a bar association shall conduct investigations mentioned in Article 58, Paragraph 2 and Article 71-6, Paragraph 2 and shall handle other matters relating to the discipline maintenance of practicing attorneys and Legal Profession Corporations belonging to that bar association.
3. The Discipline Maintenance Committee of the Japan Federation of Bar Associations shall conduct investigations mentioned

in Article 60, Paragraph 2 and Article 71-6, Paragraph 2 as well as the examination of oppositions mentioned in Article 64-2, Paragraph 1, and shall handle other matters relating to the discipline maintenance of practicing attorneys and Legal Profession Corporations.

Article 70-2. (Composition of a Discipline Maintenance Committee)

A Discipline Maintenance Committee shall consist of four or more committee members as is designated in the articles of association of the bar association or the Japan Federation of Bar Associations.

Article 70-3. (The committee members of a Discipline Maintenance Committee)

1. The committee members of a Discipline Maintenance Committee of a bar association shall be individually appointed by the president of the bar association from among practicing attorneys, judges, public prosecutors and academic experts. In this case, the provisions of the latter sentence of Article 66-2, Paragraph 1 shall apply *mutatis mutandis*.
2. The committee members of the Discipline Maintenance Committee of the Japan Federation of Bar Associations shall be individually appointed by the President of the Japan Federation of Bar Associations from among practicing attorneys, judges, public prosecutors and academic experts. In this case, the provisions of the latter sentence of Article 66-2, Paragraph 2 shall apply *mutatis mutandis*.
3. The term of committee members of a Discipline Maintenance Committee shall be two years; provided that the term of a substituting committee member shall be the remaining term of his/her predecessor.
4. In the application of criminal punishments stipulated under the Criminal Law or other laws, the committee members of a Discipline Maintenance Committee shall be deemed to be officials engaging in public duties under the provisions of laws and ordinances.

Article 70-4. (The chairman of a Discipline Maintenance Committee)

1. A Discipline Maintenance Committee shall have a chairman, who shall be elected from among its members.
2. The chairman shall preside over all affairs of the committee.
3. When the chairman is unable to carry out his/her duties due to an accident, another member of the committee designated pursuant to the order determined in advance by the Discipline Maintenance Committee shall fulfill the duties of the chairman.

4. The provision of Paragraph 4 of the preceding Article shall apply *mutatis mutandis* to the chairman.

Article 70-5. (Reserve committee members of a Discipline Maintenance Committee)

1. A Discipline Maintenance Committee shall include four or more reserve committee members as is designated in the articles of association of the bar association or the Japan Federation of Bar Associations.
2. When a committee member is unable to carry out his/her duties due to an accident or a committee member is no longer available, the president of the bar association or the Japan Federation of Bar Associations shall designate a person from among the reserve committee members having the same qualification as that member to act as his/her proxy.
3. The provision of Article 70-3 shall apply *mutatis mutandis* to reserve committee members.

Article 70-6. (Sub-committees of Discipline Maintenance Committee)

1. A Discipline Maintenance Committee may establish sub-committees to investigate or examine a given case as is necessary.
2. A sub-committee shall consist of one or more sub-committee member(s) who is/are practicing attorney(s), court judge(s), public prosecutor(s) or academic expert(s) and is/are designated by the chairman.
3. A sub-committee shall have a chairman, who shall be elected from among the sub-committee members.
4. Where the chairman of the sub-committee is unable to carry out his/her duties due to an accident, another sub-committee member designated pursuant to the order determined in advance by the sub-committee shall fulfill the duties of the chairman of the sub-committee.
5. A Discipline Maintenance Committee may treat a resolution adopted by a sub-committee as a resolution of the Discipline Maintenance Committee with respect to a given case that the sub-committee has investigated, as stipulated by the Committee.

Article 70-7. (Requirement of statements, etc. by a Discipline Maintenance Committee)

When it is necessary for the investigation or the examination, the Discipline Maintenance Committee may require the Accused Attorney, Etc., the Discipline Requesting Party, concerned parties or public offices to make statements or to submit explanations or information.

Article 70-8. (The minutes of the Discipline Maintenance Committee)

When adopting any resolution, the Discipline Maintenance Committee shall immediately produce the minutes thereof describing the reason for the resolution.

Article 70-9. (Provisions that apply *mutatis mutandis* to sub-committees of Discipline Maintenance Committee)

The provisions of the preceding two Articles shall apply *mutatis mutandis* to the sub-committees of a Discipline Maintenance Committee.

Section 5. The Board of Discipline Review

Article 71. (Establishment of the Board of Discipline Review)

1. The Board of Discipline Review shall be established in the Japan Federation of Bar Associations.
2. The Board of Discipline Review shall conduct discipline reviews as is necessary to ensure the due process of disciplinary procedures by reflecting public opinion when such review is applied for by the Discipline Requesting Party in cases where the bar association issued a ruling not to discipline the Accused Attorney, Etc. pursuant to the provision of Article 58, Paragraph 4, and the Japan Federation of Bar Associations issued a ruling to dismiss or reject the opposition that was filed by the Discipline Requesting Party.

Article 71-2. (Composition of the Board of Discipline Review)

The Board of Discipline Review shall consist of eleven board members.

Article 71-3. (The board members of the Board of Discipline Review)

1. The board members of the Board of Discipline Review shall be appointed by the President of the Japan Federation of Bar Associations from among academic experts (excluding practicing attorneys, judges, public prosecutors and persons who formerly served as those professions) based on a resolution adopted at a general meeting of the Japan Federation of Bar Associations.
2. The term of the board members of the Board of Discipline Review shall be two years; provided that the term of a substituting committee member shall be the remaining term of his/her predecessor.
3. In the application of criminal punishments stipulated under the Criminal Law or other laws, the board members shall be

deemed to be officials engaging in public duties under the provisions of laws and ordinances.

Article 71-4. (The chairman of the Board of Discipline Review)

1. The Board of Discipline Review shall have a chairman, who shall be elected from among the board members.
2. The chairman shall preside over all affairs of the board.
3. When the chairman is unable to carry out his/her duties due to an accident, another board member designated pursuant to the order determined in advance by the Board of Discipline Review shall fulfill the duties of the chairman.
4. The provision of Paragraph 3 of the preceding Article shall apply *mutatis mutandis* to the chairman.

Article 71-5. (Reserve board members of the Board of Discipline Review)

1. The Board of Discipline Review shall include reserve board members the number of which is designated in the articles of association of the Japan Federation of Bar Associations.
2. When a board member is unable to carry out his/her duties due to an accident or a board member is no longer available, the President of the Japan Federation of Bar Associations shall designate a person from among the reserve board members having the same qualification as that member to act as his/her proxy.
3. The provision of Article 71-3 shall apply *mutatis mutandis* to reserve board members.

Article 71-6. (Requirement of statements, etc. by the Board of Discipline Review)

1. When it is necessary for a discipline review, the Board of Discipline Review may require the Accused Attorney, Etc., the Discipline Requesting Party, concerned parties or public offices to make statements or to submit explanations or information.
2. When it is necessary for a discipline review, the Board of Discipline Review may request the Discipline Maintenance Committee of the bar association to which the Accused Attorney, Etc. belongs or the Discipline Maintenance Committee of the Japan Federation of Bar Associations to conduct a necessary investigation.

Article 71-7. (The minutes of the Board of Discipline Review)

When adopting any resolution, the Board of Discipline Review shall immediately produce the minutes thereof describing the reason for the resolution.

Chapter IX. Control of the Practice of Law

Article 72. (Prohibition of the practice of law by non-lawyers)

A person other than a practicing attorney shall not, for payment, and as an occupation, engage in the practice of law by giving legal advice, providing legal representation, arbitrating, settling disputes amicably, or performing any like acts in respect of lawsuits, non-contentious matters, or appeals filed with administrative agencies such as requests for investigation, the raising of objections, requests for the review of dispositions, or similar matters, or act as an intermediary in such matters as are specified in this Article as constituting the practice of law; provided, however, that this shall not apply in such cases as otherwise specified in this Law or other laws.

Article 73. (Prohibition against the enforcement of assigned rights)

No person shall engage in the business of obtaining the transfer to himself of the rights of any other person and enforcing such rights through a lawsuit, mediation, conciliation or any other method.

Article 74. (Prohibition against false indications by non-lawyers)

1. No person who is not a practicing attorney or Legal Profession Corporation shall use the name or reference of "practicing attorney" or "law office."
2. No person who is not a practicing attorney shall, for gain, indicate that he/she gives legal advice or handles other legal matters.
3. No person who is not a Legal Profession Corporation shall use the name "legal profession corporation" or any other similar name in his/her or its name.

Chapter X. Penalties

Article 75. (The offence of false registration)

1. When a person who does not possess the required qualifications to be a practicing attorney has had his/her name registered in the roll of practicing attorneys by a false declaration to the Japan Federation of Bar Associations, such person shall be punished by rigorous imprisonment of not more than two years or by a fine of not more than one million yen.
2. The same rule as the preceding paragraph shall apply to a person who, in the application pursuant to the provisions of Article 5-2, Paragraph 1, caused the Minister of Justice

to render the certification mentioned in Article 5 by making a false declaration with respect to the period of having assumed particular positions as prescribed in Article 5, Item (1) or (3), the period of having discharged particular duties as prescribed in Item (2) of the Article, the contents of the duties of the same item, or any other material matters.

3. Any attempt to commit the offences specified in the preceding two paragraphs shall be punishable.

Article 76. (Offence of corruption)

Any person who violates the provisions of Article 26 or 30-20 shall be punished through rigorous imprisonment of not more than three years.

Article 77. (Offence of acting together with persons who are non-lawyers, etc.)

A person who comes under any of the following items shall be punished through rigorous imprisonment of not more than two years or a fine of not more than three million yen:

- (1) A person who has violated Article 27 (including that article applied *mutatis mutandis* as specified in Article 30-21);
- (2) A person who has violated Article 28 (including that article applied *mutatis mutandis* as specified in Article 30-21);
- (3) A person who has violated Article 72; or
- (4) A person who has violated Article 73.

Article 77-2. (Offence of false indications, etc.)

Any person who violates the provisions of Article 74 shall be punished by a fine of not more than one million yen.

Article 77-3.

Any person who, in violation of the provisions of Article 955, Paragraph 1 of the Corporation Law as it applies *mutatis mutandis* under Article 30-28, Paragraph 6 (including cases where the provisions apply by way of Article 43, Paragraph 3), does not list as provided by Ministry of Justice Ordinance with regard to the electronic public notice examination stipulated in the same paragraph in the examination books, etc. stipulated in the same paragraph, or who does not record the same, or who makes a false listing or recording, or who does not retain the same examination books, etc., shall be punished by a fine of not more than three hundred thousand yen.

Article 78. (Double punishment)

1. Where the Partners, etc. of a Legal Profession Corporation violate the following provisions in connection with the legal practice of said corporation, the aforementioned

persons shall be punished, and in addition the said corporation shall be punished by the imposition of the fine specified below:

- (1) A fine of not more than three million yen for the violation of Article 76 (to the extent that it relates to the provisions of Article 30-20); or
 - (2) The fine set forth in Article 77 for the violation of Article 77, Item (1) (to the extent that it relates to the provisions of Article 27 as applied *mutatis mutandis* in Article 30-21) or Article 77, Item (2) (to the extent that it relates to the provisions of Article 28 as applied *mutatis mutandis* to Article 30-21).
2. Where the representative of a juristic person or the agent, employee, or other worker of a juristic or natural person violates the provisions of Article 77, Item (3) or (4), Article 77-2 or the preceding article in connection with the business of said juristic or natural person, the aforementioned persons shall be punished, and in addition the said juristic or natural person shall be punished by the imposition of the fine stipulated in this article.

Article 79. (Non-penal fine)

Any person shall be punished by a non-penal fine of not more than one million yen in the following cases:

- (1) A person who fails to make the report required by the provisions of Article 946, Paragraph 3 of the Corporation Law as it applies *mutatis mutandis* under Article 30-28, Paragraph 6 (includes in this subparagraph and (2) below cases where such provisions apply by way of Article 43, Paragraph 3), or who falsifies such report.
- (2) A person who, without good cause, rejects claims made under the provisions of each Item of Article 951, Paragraph 2 and Article 955, Paragraph 2 of the Corporation Law as it applies *mutatis mutandis* under Article 30-28, Paragraph 6.

Article 79-2.

The partners or liquidator of a Legal Profession Corporation shall be punished by a non-penal fine of not more than three hundred thousand yen in the following cases:

- (1) Failure to make registration pursuant to the provisions of a Cabinet Order issued under this Law;
- (2) A merger in breach of the provisions of Article 30-28, Paragraph 2 or 5;

- (3) Failure to request for an investigation in breach of the provisions of Article 941 of the Corporation Law, as applied *mutatis mutandis* under Article 30-27, Paragraph 6;
- (4) Failure to make required statements or entries in, or the falsification of, the articles of incorporation or the account books required by Article 615, Paragraph 1 of the Corporation Law as applied *mutatis mutandis* under Article 30-30, Paragraph 1 or balance sheet required by Article 617, Paragraph 1 or 2 of the Corporation Law as applied *mutatis mutandis* under Article 30-30, Paragraph 1;
- (5) Failure to apply for an adjudication of bankruptcy pursuant to the provisions of Article 656, Paragraph 1 of the Corporation Law as applied *mutatis mutandis* under Article 30-30, Paragraph 2;;
- (6) The distribution of the corporation's property in breach of the provisions of Article 664 of the Corporation Law Code as applied *mutatis mutandis* under Article 30-30, Paragraph 2; or
- (7) The disposal of the corporation's property in breach of the provisions of Article 670, Paragraph 2 or 5 of the Corporation Law Code as applied *mutatis mutandis* under Article 30-30, Paragraph 2

Supplements

Article 80. (Effective date)

This Law shall come into force on and from September 1, 1949.

Article 81. (Qualification under the old provisions)

With respect to the application of this Law, a person qualified as a practicing attorney under the old provisions shall be deemed to have completed the course for a legal apprentice when the said person obtained such qualification.

Article 82. (Exceptions for probationary practicing attorney)

When a person who has been a probationary practicing attorney (*Bengoshi-shiho*), at the time of enforcement of this Law, has completed the practical training for more than one year and a half and passed the examination under the old Practicing Attorney Law, such person is deemed to have completed the course for a legal apprentice when such person passed the said examination.

Article 83. (Application of grounds for disqualification of a practicing attorney)

In applying Article 7, a person who has been prohibited from practicing under the old Accountant Law (*Keirishi-ho*, Law No. 31 of 1927) shall be deemed to have been revoked his/her registration as a certified public accountant from the register of certified public accountants as a result of such disciplinary action, a person who was revoked his/her license under the old Tax Accountants Law (*Zeimu-dairishi-ho*, Law No. 46 of 1942) shall be deemed to have been revoked his/her registration as a tax accountant as a result of such disciplinary action and a person who has been dismissed from his/her office as a government official under the Ordinance concerning Disciplinary Action against Governmental Officials (*Kanri-chokai-rei*, Imperial Command No. 63 of 1899) shall be deemed to have been discharged from his/her office as a public employee as a result of such disciplinary action.

Article 84. (Registration in the old roll)

Registration in the old roll under the old provisions shall be deemed as registration in the roll under this Law.

Article 85. (Request for registration or change of registration)

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

Article 86. (Law office)

The law office which was reported by a practicing attorney to the Head of the Bureau of Legal Affairs under the old provisions shall be deemed as the law office reported under this Law by such practicing attorney.

Article 87. (Delivery of old roll, etc.)

The Bureau of Legal Affairs (*Home-fu*) shall deliver, upon request, the old roll and any other documents concerning practicing attorneys and bar associations which have been kept at the Bureau to the Japan Federation of Bar Associations.

Article 88. (Existing bar associations and federation of bar associations)

1. Any bar association or federation of bar associations existing in the district of jurisdiction of each high court at the time of the enforcement of this Law, shall be deemed to be a bar association or federation of bar associations under this Law.

2. The bar association or federation of bar associations described in the preceding paragraph shall promptly obtain the approval of the Japan Federation of Bar Associations with respect to their articles of association or rules and, with respect to the bar association, it is required to make registration of incorporation.
3. Paragraph 2 and Paragraphs 4 through 6 of Article 34 shall apply *mutatis mutandis* to the registration under the preceding paragraph.

Article 89. (Special provision for bar associations within the same jurisdictional district)

1. Notwithstanding the provisions of Article 32, two or more bar associations existing within the jurisdiction of the same district court may continue to exist as heretofore even after the enforcement of this Law.
2. Any bar association described in the preceding paragraph may at any time be merged with each other or dissolved.
3. In case of merger or dissolution under the preceding paragraph, Paragraphs 2 through 6 of Article 43 shall apply *mutatis mutandis*.

Article 90. (Preparatory procedures for establishment of the Japan Federation of Bar Associations)

Any preparatory procedures necessary for the incorporation of the Japan Federation of Bar Associations may be commenced before the date set forth in Article 80.

Article 91. (Application of Law concerning Exceptions to the Qualification of Practicing Attorney and Probationary Practicing Attorney)

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

Article 92. (Abolition of the Law for Control over the Handling of Legal Matters)

The Law for Control over the Handling of Legal Matters (Law No. 54 of 1933) shall be abolished; provided, however, that penal provisions under the said Law shall apply as before to any act committed before the abolition of the said Law.

