

# Basic Consumer Act

(Act No. 78 of May 30, 1968)

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## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote comprehensive policies relating to the protection and promotion of the interests of consumers, thereby ensuring stabilization and improvement in consumption by citizens, taking into account the discrepancy in the quality and quantity of information and in bargaining power between business operators and consumers, by prescribing respect for the rights of consumers, support for their self-reliance and other fundamental principles, while clarifying the responsibilities of the State, local governments and business operators and prescribing matters which will be the foundation of those policies.

(Fundamental Principles)

Article 2 (1) When implementing comprehensive policies (hereinafter referred to as "Consumer Policies") with regard to the protection and advancement of the interests of consumers, the satisfaction of the basic demands of consumers, a healthy living environment, consumer safety, and the opportunity for consumers to make autonomous and reasonable choices about products and services shall be guaranteed, the opportunity for consumers to receive the necessary information and education shall be provided, the opinions of consumers shall be reflected in the Consumer Policies, and when consumers suffer damage, such damage shall be appropriately and promptly relieved, the Consumer Policies shall be undertaken on the basis of supporting the self-reliance of consumers so that they are able to autonomously and reasonably act to protect and advance their own interests.

(2) With regard to support for the self-reliance of consumers, consideration must be given to consumers' ages and other characteristics while endeavoring to ensure appropriate business activities by business operators in relation to

ensuring the safety of consumers.

- (3) The promotion of Consumer Policies shall be undertaken with attention to the appropriate response to the development of an advanced information and communication society.
- (4) The promotion of Consumer Policies shall be undertaken while ensuring international coordination, with attention to the development of the internationalization of consumption.
- (5) The promotion of Consumer Policies shall be undertaken with attention to the protection of the environment.

(Responsibilities of the State)

Article 3 The State has the responsibility to promote Consumer Policies based on respect for the rights of consumers, support for their self-reliance and other fundamental principles in response to the development of the economy and society.

(Responsibilities of Local Governments)

Article 4 Local governments have the responsibility to promote Consumer Policies in accordance with the social and economic conditions of their local areas while taking measures in compliance with the measures of the State based on respect for the rights of consumers, support for their self-reliance and the other fundamental principles under Article 2.

(Responsibilities, etc. of Business Operators)

Article 5 (1) Business operators shall have the following duties when providing their goods and services with respect to the rights of consumers, support for their self-reliance and other fundamental principles under Article 2.

- (i) Duty to secure the safety of consumers and fairness in transactions with consumers.
  - (ii) Duty to provide necessary information to consumers in clear and simple terms.
  - (iii) Duty to consider the state of consumers' knowledge, experience and the status of their assets, etc. in dealings with consumers.
  - (iv) Duty to endeavor to establish systems necessary to appropriately and promptly process complaints by consumers, and to appropriately process said complaints.
  - (v) Duty to cooperate with the Consumer Policies implemented by the State and local governments.
- (2) The business operator shall give consideration to the protection of the environment in connection with the goods and services it provides, shall improve the quality, etc. of said goods and services, and shall endeavor to

secure the trust of consumers by preparing standards that the business operator must observe, etc.

Article 6 Trade associations shall, while respecting the voluntary efforts of business operators, endeavor to engage in voluntary activities to support the establishment of systems to process complaints which arise between business operators and consumers, to prepare standards that business operators must observe in relation to their business activities and to otherwise secure the trust of consumers.

Article 7 (1) Consumers shall, on their own initiative, endeavor to act autonomously and reasonably in relation to consumption by acquiring necessary knowledge and by collecting necessary information, etc.  
(2) Consumers shall endeavor to give consideration to the appropriate protection of the environment and intellectual property rights, etc. in relation to consumption.

Article 8 Consumer organizations shall endeavor to engage in activities to collect and provide information relating to consumption and to express opinions, to educate and improve the awareness of consumers, to prevent and remedy harm to consumers and to otherwise engage in sound and voluntary activities to promote stability and improvement in consumption by consumers.

(Basic Plan for Consumers)

Article 9 (1) In order to achieve the planned promotion of Consumer Policies, the government shall prescribe a basic plan (hereinafter referred to as the "Basic Plan for Consumers") relating to the promotion of Consumer Policies.  
(2) The Basic Plan for Consumers shall prescribe the following matters.  
(i) Broad outline of Consumer Policies to be pursued on a long-term basis  
(ii) In addition to the matters listed in the preceding item, matters necessary to achieve the planned promotion of Consumer Policies  
(3) The Prime Minister shall seek a cabinet decision on the draft Basic Plan for Consumers.  
(4) The Prime Minister shall publicize the Basic Plan for Consumers without delay once the Cabinet has made its decision in accordance with the provisions of the preceding paragraph.  
(5) The provisions of the preceding two paragraphs shall apply mutatis mutandis to revision of the Basic Plan for Consumers.

(Legislative Measures, etc.)

Article 10 (1) The State, in order to achieve the purposes of this Act, shall

undertake the establishment and revision of necessary and applicable Acts and ordinances.

(2) The government, in order to achieve the purposes of this Act, shall take the necessary fiscal measures.

## **Chapter II Basic Measures**

(Securing Safety)

Article 11 The State shall take the necessary measures to secure safety in consumption by citizens, in such ways as preparing and ensuring necessary standards concerning goods and services, promoting the recall by business operators of goods which may be detrimental to safety and collecting and providing information relating to goods and services which may be detrimental to safety.

(Appropriate Consumer Contracts, etc.)

Article 12 The State, in order to secure appropriate transactions between consumers and business operators, shall take the necessary measures such as ensuring the appropriateness of information provision and of solicitation by business operators at the time of the conclusion of contracts with consumers, and that the provisions of such contracts are fair, etc.

(Appropriate Measurements)

Article 13 The State shall take necessary measures to secure the appropriate execution of measurements concerning goods and services so that consumers do not suffer a disadvantage in measurements in transactions between business operators and consumers.

(Appropriate Standards)

Article 14 (1) The State, in order to contribute to improvement of the quality of goods and rationalization of consumption by citizens, shall take necessary measures to prepare appropriate standards concerning goods and services and to seek the dissemination of those standards, etc.

(2) The preparation of the standards pursuant to the preceding paragraph shall be undertaken in accordance with the progress of technology and improvements in consumption, etc.

(Appropriateness of Advertisements and other Labeling)

Article 15 The State shall take necessary measures to prepare systems relating to advertisements and other labeling relating to quality, etc. and to regulate false or misleading advertisements and other labeling, etc. so that consumers

do not make mistakes when choosing goods or services to purchase or use,

(Promotion of Fair and Free Competition)

Article 16 (1) The State shall take necessary measures to promote fair and free competition in order to expand opportunities for consumers to make autonomous and reasonable choices concerning goods and services,.

(2) With regard to the decisions, authorizations and other measures of the State required with respect to price formation, etc. for goods and services which have a high degree of importance in consumption by citizens, the State shall endeavor to give sufficient consideration to the impact on consumers when taking these measures.

(Promotion of Public Awareness Activities and Education)

Article 17 (1) The State shall promote public awareness activities with respect to consumers such as the provision of information and the dissemination of knowledge relating to consumption, and in light of the fact that consumers widely seek opportunities to learn about consumption throughout their lives, shall take necessary measures, such as improving education relating to consumption in schools, localities, homes, work and various other venues, in order to support the self-reliance of consumers.

(2) Local governments shall endeavor to take measures in accordance with the social and economic conditions of their respective localities corresponding to the measures of the State under the preceding paragraph.

(Reflecting Opinions and Securing Transparency)

Article 18 The State shall, in order to contribute to the promotion of appropriate Consumer Policies, take necessary measures such as developing a system to reflect the opinions, etc. of consumers relating to consumption and to secure a degree of transparency in the formulation of such policies.

(Promotion of Complaint Processing and Dispute Resolution)

Article 19 (1) Local governments shall endeavor to engage in activities such as the mediation of complaint processing so that complaints relating to goods and services which arise between business operators and consumers are appropriately and promptly processed based on expert knowledge. In this case, prefectures shall, while seeking coordination with municipalities (including special wards), engage in the mediation, etc. of complaint processing, primarily that which requires high-levels of expertise or consideration of points of view from a widespread area and shall endeavor to respond flexibly and adaptively to various complaints.

(2) The State and prefectures shall, endeavor to secure and improve the quality

of their human resources and shall take other necessary measures (excluding, with respect to prefectures, the matters prescribed in preceding paragraph) so that complaints relating to goods and services which arise between business operators and consumers are appropriately and promptly processed based on expert knowledge.

- (3) The State and prefectures shall take necessary measures so that disputes relating to goods and services which arise between business operators and consumers are appropriately and promptly resolved based on expert knowledge.

(Appropriate Responses to the Development of the Advanced Information and Communications Society)

Article 20 The State shall, while giving consideration to the ages and other characteristics of consumers, take necessary measures in order to appropriately respond to the development of the advanced information communications society when securing appropriate transactions between business operators and consumers, promoting public awareness activities and education with respect to consumers and when promoting complaint processing and dispute resolution, etc.

(Ensuring International Coordination)

Article 21 The State shall, in order to appropriately respond to the development of internationalization in consumption, take necessary measures such as ensuring international coordination when ensuring the safety of consumption by citizens and the appropriateness of transactions between business operators and consumers and when promoting complaint processing and dispute resolution, etc.

(Attention to the Protection of the Environment)

Article 22 The State shall take necessary measures to give attention to the protection of the environment when ensuring the appropriateness of advertisements and other labeling relating to the quality, etc. of goods and services and when promoting public awareness activities and education with respect to consumers.

(Preparation, etc. of Test and Inspection, etc. Facilities)

Article 23 The State shall, in order to secure the effectiveness of Consumer Policies, prepare facilities to undertake tests and inspections, etc. of goods, and research and studies, etc. concerning services, and shall take necessary measures as needed, such as the public announcement of the results of tests, inspections, research and studies, etc.

### **Chapter III Administrative Organs, etc.**

(Development of Administrative Structures and Improvement in Administrative Operations)

Article 24 The State and local governments shall endeavor to develop administrative structures and improve administrative operations from a comprehensive viewpoint with respect to the promotion of Consumer Policies.

(Role of the National Consumer Affairs Center)

Article 25 The National Consumer Affairs Center of Japan, an Incorporated Administrative Agency, shall coordinate with the State and related agencies of local governments and consumer organizations, etc. and shall play a proactive role as a core institution in the collection and provision of information relating to consumption by citizens, the mediation of complaint processing between business operators and consumers and in consultations pertaining to said complaints, the resolution by agreement of disputes arising between business operators and consumers, the testing and inspection, etc. of goods and the research and study, etc. of services relating to complaints, etc. from consumers, and the public awareness and education, etc. of consumers.

(Promotion of the Voluntary Activities of Consumer Organizations)

Article 26 The State shall take necessary measures so that sound and voluntary activities by consumer organizations may be promoted in order to promote the stabilization and improvement of consumption by citizens.

### **Chapter IV Consumer Policy Council, etc.**

(Consumer Policy Council)

Article 27 (1) The Consumer Policy Council (hereinafter referred to as the "Council") shall be established under the Cabinet Office.

(2) The Council shall take charge of the following affairs.

(i) Creating the draft of the Basic Plan for Consumers.

(ii) In addition to what is listed in the preceding item, deliberating plans for basic matters relating to the promotion of Consumer Policies, promoting the implementation of Consumer Policies and verifying, assessing and monitoring the state of their implementation.

(3) In the cases of the following, the Council shall hear the opinions of the Consumer Committee.

(i) When preparing the draft of the Basic Plan for Consumers.

(ii) When compiling the results of the verification, assessment and monitoring under item (ii) of the preceding paragraph.

- Article 28 (1) The Council shall be composed of a chairperson and council members.
- (2) The Prime Minister shall serve as chairperson.
- (3) The following persons shall serve as council members.
- (i) The minister of state for a particular field appointed under the provisions of Article 11-2 of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999)
- (ii) The Chief Cabinet Secretary, the heads of relevant administrative organs and the ministers of state for particular fields (excluding the minister of state for a particular field under the preceding item) prescribed in Article 9, paragraph (1) of the Act for Establishment of the Cabinet Office as designated by the Prime Minister.
- (4) A director shall be appointed to the Council.
- (5) The director shall be appointed by the Prime Minister from among officials of relevant administrative organs.
- (6) The director shall assist the chairperson and council members with the affairs under the jurisdiction of the Council.
- (7) In addition to the provisions of each of the preceding paragraphs, necessary matters relating to the organization and operations of the Council shall be prescribed in a Cabinet Order.

(Consumer Committee)

Article 29 The study and deliberation of basic matters relating to the promotion of Consumer Policies shall be undertaken by the Consumer Committee pursuant to the provisions of Article 6 of the Act for the Establishment of the Consumer Affairs Agency and the Consumer Committee (Act No. 48 of 2009) in addition to the provisions of this Act.

### **Supplementary Provisions [Extract]**

- (1) This Act shall come into force as of the day of its promulgation.

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

- (1) This Act (excluding Article 1) shall come into force on July 1, 1984.
- (2) Transitional measures necessary for an organ, etc. that has been put in place pursuant to the provisions of any Act as of the day before the date of enforcement of this Act and that, on or after the date of enforcement of this Act, will become an organ, etc. that is in place pursuant to the provisions of the National Government Organization Act or pursuant to a Cabinet Order that

was enacted based on the provisions of an Act that has been revised by this Act (hereinafter referred to as the "Relevant Cabinet Order"), or other transitional measures necessary for the enactment, revision or abolition of the Relevant Cabinet Order accompanying the enforcement of this Act, may be specified by Cabinet Order.

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

(Effective Date)

Article 1 This Act shall come into force as of the date of enforcement of the Act on the Partial Revision of the Cabinet Act (Act No. 88 of 1999); provided, however, that the provisions listed in the following items shall come into force as of the dates prescribed respectively therein.

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

(Succession of the Status of Employee)

Article 3 A person who is an official (excluding, however, the chairperson and members of the Council, etc. under Article 8 of the National Government Organization Act (Act No. 120 of 1948), the members of the Central Disaster Prevention Council, the chairperson and members of the Japanese Industrial Standards Committee, and those specified by Cabinet Order as similar persons) of the former Prime Minister's Office, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Education, the Ministry of Health and Welfare, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of International Trade and Industry, the Ministry of Transport, the Ministry of Posts and Telecommunications, the Ministry of Labour, the Ministry of Construction or the Ministry of Home Affairs (hereinafter referred to as the "Former Office or Ministry" in this Article) at the time of enforcement of this Act shall, unless an appointment is announced separately, become a corresponding official of the Cabinet Office, the Ministry of Internal Affairs and Communications, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Education, Culture, Sports, Science and Technology, the Ministry of Health, Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Economy, Trade and Industry, the Ministry of Land, Infrastructure, Transport and Tourism, or the Ministry of the Environment after the enforcement of this Act (hereinafter referred to as the "New Office or Ministry" in this Article) or a department or organization established thereunder, which is specified by Cabinet Order as the New Office or Ministry or the department or organization

established thereunder that corresponds to the Former Office or Ministry or the department or organization established thereunder to which said official belongs at the time of enforcement of this Act, with the same working conditions.

(Transitional Measures Specified Separately)

Article 30 In addition to what is provided in Article 2 of the preceding Article, the necessary transitional measures pertaining to the enforcement of this Act shall be separately prescribed by an Act.

**Supplementary Provisions [Act No. 70 of June 2, 2004] [Extract]**

(Effective Date)

(1) This Act shall come into force as of the day of its promulgation.

(Review)

(2) With regard to the status of Consumer Policies, approximately five years after this Act comes into force, a review shall be conducted taking into consideration the status of the enforcement of this Act, and necessary measures shall be taken based on the results thereof.

**Supplementary Provisions [Act No. 27 of May 2, 2008] [Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 49 of June 5, 2009] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as of the date of enforcement of the Act for the Establishment of the Consumer Affairs Agency and the Consumer Committee (Act No. 48 of 2009); provided, however, that the provisions listed in the following items shall come into force as of the dates prescribed respectively therein.

(i) The provisions of Article 9 of the Supplementary Provisions: the day of promulgation of this Act

(Transitional Measures Concerning the Application of Penal Provisions)

Article 8 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act as well as any acts committed

after the enforcement of this Act in cases where the provisions then in force shall remain applicable pursuant to the Supplementary Provisions of this Act, the provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 9 In addition to what is provided for in these Supplementary Provisions from Article 2 to the preceding Article, transitional measures necessary for enforcing this Act (including transitional measures concerning penal provisions) shall be prescribed by Cabinet Order.