

Public Records and Archives Management Act

(Act No. 66 of July 1, 2009)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, to endeavor towards proper management of administrative documents and appropriate preservation, use, etc. of historical public records and archives, by providing for the basic particulars concerning management of public records and archives, taking into consideration that public records and archives as records of historical facts and various activities of the State and Incorporated Administrative Agencies, etc. should be available for independent use by the citizens, who have popular sovereignty, as an intellectual resource to be shared by the people in supporting the basis of sound democracy, in accordance with the principle of sovereignty of the people, thereby enabling administration to be managed properly and efficiently, and also ensuring accountability of the State and Incorporated Administrative Agencies, etc. to the public for their various activities in both the present and future.

(Definitions)

Article 2 (1) The term "Administrative Organ" as used in this Act means the following organs:

- (i) Organs within the Cabinet (excluding the Cabinet Office) or organs under the jurisdiction of the Cabinet that were established pursuant to the provisions of Acts;

- (ii) The Cabinet Office, the Imperial Household Agency, and organs prescribed in Article 49, paragraphs (1) and (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) (when those organs establish the organ designated by Cabinet Order set forth in item (iv), the organ designated by that Cabinet Order is excluded);
 - (iii) Organs prescribed in Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948) (when those organs establish the organ designated by the Cabinet Order set forth in item (v), the organ designated by that Cabinet Order is excluded);
 - (iv) Organs set forth in Articles 39 and 55 of the Act for Establishment of the Cabinet Office and in Article 16, paragraph (2) of the Imperial Household Agency Act (Act No. 70 of 1947), and special organs set forth in Articles 40 and 56 of the Act for Establishment of the Cabinet Office (including cases where it is applied mutatis mutandis pursuant to Article 18, paragraph (1) of the Imperial Household Agency Act), that are designated by Cabinet Order;
 - (v) Facilities and other organs set forth in Article 8-2 of the National Government Organization Act, and special organs set forth in Article 8-3 of the same Act, that are designated by Cabinet Order;
 - (vi) The Board of Audit.
- (2) The term "Incorporated Administrative Agencies, etc." as used in this Act means incorporated administrative agencies prescribed in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999) and corporations listed in Appended Table 1.
- (3) The term "the National Archives of Japan, etc." as used in this Act means the following facilities:
- (i) Archives established by the National Archives of Japan, Incorporated Administrative Agency (hereinafter referred to as "the National Archives of Japan");
 - (ii) Facilities of Administrative Organs and Incorporated Administrative Agencies, etc., that are designated by Cabinet Order as possessing functions similar to those listed in the preceding item.
- (4) The term "Administrative Document" as used in this Act means a document (including pictures and electromagnetic records (a record created in electronic form, magnetic form, or any other form that is impossible to perceive by the human senses; the same applies hereinafter excluding Article 19) that, having been prepared or obtained by an employee of an Administrative Organ in the course of their duties, is held by the Administrative Organ concerned for organizational use by its employees; provided, however, that the following items are excluded:
- (i) Items published for the purpose of selling to several unspecified persons, such as official gazettes, white papers, newspapers, magazines, and books;

- (ii) Specified historical public records and archives; or
 - (iii) Items that are, pursuant to Cabinet Order provisions, specially managed as either historical or cultural materials, or as materials for academic research in research institutes or other facilities designated by Cabinet Order (excluding those listed in the preceding item).
- (5) The term "Corporate Document" as used in this Act means a document that, having been prepared or obtained by an officer or an employee of an Incorporated Administrative Agency, etc. in the course of their duties, is held by the Incorporated Administrative Agency, etc. concerned for organizational use by its officers or employees; provided, however, that the following items are excluded:
- (i) Items published for the purpose of selling to several unspecified persons, such as official gazettes, white papers, newspapers, magazines, and books;
 - (ii) Specified historical public records and archives;
 - (iii) Items that are, pursuant to Cabinet Order provisions, specially managed as either historical or cultural materials, or as materials for academic research in museums or other facilities designated by Cabinet Order (excluding those listed in the preceding item); or
 - (iv) Documents held by the Incorporated Administrative Agencies, etc. listed in the left side column of Appended Table 2 that are, pursuant to Cabinet Order provisions, distinguished from those pertaining to business other than the business listed in the right side column of said Table, as pertaining exclusively to the business listed in said column.
- (6) The term "Historical Public Records and Archives" as used in this Act means official documents and other records that are important as historical materials.
- (7) The term "Specified Historical Public Records and Archives" as used in this Act, among Historical Public Records and Archives, means those listed below:
- (i) Those transferred to the National Archives of Japan, etc., pursuant to the provisions of Article 8, paragraph (1);
 - (ii) Those transferred to the National Archives of Japan, etc., pursuant to the provisions of Article 11, paragraph (4);
 - (iii) Those transferred to the archives established by the National Archives of Japan, pursuant to the provisions of Article 14, paragraph (4);
 - (iv) Those donated or deposited to the National Archives of Japan, etc., by a corporation or other organizations (excluding the State and Incorporated Administrative Agencies, etc.; hereinafter referred to as a "Corporation, etc.") or individuals.
- (8) The term "Public Records and Archives" as used in this Act means the following:
- (i) Administrative Documents;
 - (ii) Corporate Documents;

(iii) Specified Historical Public Records and Archives.

(Relationship with Other Laws and Regulations)

Article 3 The management of Public Records and Archives is governed by the provisions of this Act, except as otherwise provided for by other Acts or orders based on them.

Chapter II Management of Administrative Documents

Section 1 Preparation of Documents

Article 4 Employees of an Administrative Organ are required to, for the purpose of contributing to the achievement of the purpose specified in Article 1, prepare documents concerning the following and other particulars to enable decision-making processes including their background in said Administrative Organ and performance of the affairs and business of said Administrative Organ to be inquired into or observed logically, except when a case pertaining to processing is minor:

- (i) Enactment, revision or abolition of laws and regulations, and the background thereof;
- (ii) In addition to what is provided for in the preceding item, decisions or agreements made at a Cabinet meeting, a meeting consisting of the heads of relevant Administrative Organs or a Ministry meeting (including those equivalent thereto), and the background thereof;
- (iii) Agreements between/among several Administrative Organs or the establishment of standards to be indicated to other Administrative Organs or local public entities, and the background thereof;
- (iv) Acquisition or loss of rights and obligations of an individual or a corporation, and the background thereof;
- (v) Personnel affairs related to employees.

Section 2 Arrangement, etc. of Administrative Documents

(Arrangement)

Article 5 (1) When an employee of an Administrative Organ has prepared or obtained an Administrative Document, the head of said Administrative Organ is required to, pursuant to Cabinet Order provisions, classify and title said Administrative Document, and set the retention period and the date on which said retention period expires.

(2) The head of an Administrative Organ is required to keep together Administrative Documents that are mutually closely related (limited to those for which it is appropriate to be given the same retention period), excluding

Administrative Documents for which separate management is deemed appropriate, and combine them into a single collection (hereinafter referred to as an "Administrative Document File") in a timely manner, in order to contribute to the efficient processing of affairs or business and the appropriate preservation of Administrative Documents.

- (3) In the case referred to in the preceding paragraph, the head of an Administrative Organ is required to, pursuant to Cabinet Order provisions, classify and title said Administrative Document File, and set the retention period and the date on which said retention period expires.
- (4) The head of an Administrative Organ may extend the retention period and the date on which said retention period expires, as provided for in the provisions of paragraph (1) and the preceding paragraph, pursuant to Cabinet Order provisions.
- (5) The head of an Administrative Organ is required to, as soon as possible before expiration of the retention period (or, in cases where this has been extended, of the extended retention period; the same applies hereinafter), prescribe that measures for transfer of Administrative Document File and Administrative Documents which are managed separately (hereinafter referred to as "Administrative Document Files, etc.") to the National Archives of Japan, etc., pursuant to Cabinet Order provisions, should be taken when falling under Historical Public Records and Archives, and that measures for disposal should be taken in other cases, as measures to be taken when the retention periods have expired.

(Preservation)

- Article 6 (1) The head of an Administrative Organ is required to preserve Administrative Document Files, etc., until the expiration date of the retention period of said Administrative Document Files, etc., in a location necessary for ensuring their appropriate preservation and use, in accordance with the content thereof, the passage of time, the status of use, etc., after taking measures to facilitate identification by using an appropriate recording medium.
- (2) In the cases referred to in the preceding paragraph, the head of an Administrative Organ is required to endeavor to promote centralized management of said Administrative Document Files, etc.

(Administrative Document File Management Registers)

- Article 7 (1) To ensure appropriate management of Administrative Document Files, etc., the head of an Administrative Organ is required to, pursuant to Cabinet Order provisions, record the classification, the title, the retention period, the expiration date of the retention period, the measures to be taken upon expiration of the retention period, the preservation location and other

necessary particulars (excluding those falling under Non-Disclosure Information as provided for in Article 5 of the Act on Access to Information Held by Administrative Organs [Act No. 42 of 1999; hereinafter referred to as "the Administrative Organs Information Disclosure Act"]) of an Administrative Document File, etc., in a register (hereinafter referred to as an "Administrative Document File Management Register"); provided, however, that this does not apply to an Administrative Document File, etc., for which a retention period less than the period prescribed by Cabinet Order has been set.

- (2) The head of an Administrative Organ is required to, pursuant to Cabinet Order provisions, keep an Administrative Document File Management Register in an office of said Administrative Organ and provide it for public inspection, and is also required to publicize it by means of an electronic data processing system or by means of other information and communications technology.

(Transfer or Disposal)

Article 8 (1) The head of an Administrative Organ is required to, pursuant to the provisions of Article 5, paragraph (5), transfer to the National Archives of Japan, etc. or dispose of Administrative Document Files, etc. whose retention periods have expired.

- (2) The head of an Administrative Organ (excluding the Board of Audit; hereinafter the same applies in this paragraph, paragraph (4), paragraph (3) of the following Article, Article 10, paragraph (3), Article 30 and Article 31) is required to, when they intend to dispose of an Administrative Document File, etc., whose retention period has expired pursuant to the provisions of the preceding paragraph, consult with the Prime Minister in advance and obtain their consent. In this case, when the consent of the Prime Minister is not obtained, the head of said Administrative Organ is required to establish a new retention period and the expiration date of the retention period for said Administrative Document File, etc.

- (3) The head of an Administrative Organ is required to, when finding it appropriate to restrict the use in the National Archives of Japan, etc. of Administrative Document Files, etc., which are to be transferred to the National Archives of Japan, etc. pursuant to the provisions of paragraph (1), as those that fall under cases specified in Article 16, paragraph (1), item (i), attach their opinion to that effect.

- (4) The Prime Minister may, when they find it particularly necessary to preserve an Administrative Document File, etc., request the head of the Administrative Organ who possesses said Administrative Document File, etc., not to take measures for disposing of said Administrative Document File, etc.

(Reports, etc. on the State of Management)

- Article 9 (1) Each year, the head of an Administrative Organ is required to report to the Prime Minister the status of entries in the Administrative Document File Management Register or the state of other management of Administrative Documents.
- (2) Each year, the Prime Minister is required to compile the reports set forth in the preceding paragraph and publicize their outline.
- (3) In addition to what is prescribed in paragraph (1), the Prime Minister may, when they find it necessary to ensure the proper management of Administrative Documents, request the head of an Administrative Organ to submit reports or materials on the state of management of Administrative Documents, or have an employee thereof conduct an inspection.
- (4) The Prime Minister may, when they find it necessary to ensure the appropriate transfer of Historical Public Records and Archives, in the case referred to in the preceding paragraph, have the National Archives of Japan request submission of said reports or materials, or conduct an inspection.

(Rules for the Management of Administrative Documents)

- Article 10 (1) The head of an Administrative Organ is required to establish rules concerning the management of Administrative Documents (hereinafter referred to as "Rules for the Management of Administrative Documents") to ensure that Administrative Documents are managed properly pursuant to the provisions of Article 4 to the preceding Article inclusive.
- (2) The Rules for the Management of Administrative Documents are required to include the following particulars concerning Administrative Documents:
- (i) Particulars concerning preparation;
 - (ii) Particulars concerning arrangement;
 - (iii) Particulars concerning preservation;
 - (iv) Particulars concerning Administrative Document File Management Registers;
 - (v) Particulars concerning transfer or disposal;
 - (vi) Particulars concerning reports on the state of management;
 - (vii) Other particulars prescribed by Cabinet Order.
- (3) The head of an Administrative Organ is required to, when they intend to establish Rules for the Management of Administrative Documents, consults with the Prime Minister in advance and obtain their consent. The same applies when they intend to revise these Rules.
- (4) The head of an Administrative Organ is required to, when they have established Rules for the Management of Administrative Documents, publicize them without delay. The same applies if the head revises these Rules.

Chapter III Management of Corporate Documents

(Principles for the Management of Corporate Documents)

Article 11 (1) Incorporated Administrative Agencies, etc. are required to manage Corporate Documents properly, in accordance with the provisions of Articles 4 to 6 inclusive.

- (2) To ensure the appropriate management of Corporate Document Files, etc. (meaning Corporate Documents that are managed individually, as well as those that are mutually closely related and are combined in a single collection to contribute to the efficient processing of affairs or business and the appropriate preservation of Corporate Documents; the same applies hereinafter), Incorporated Administrative Agencies, etc. are required to, pursuant to Cabinet Order provisions, record the classification, the title, the retention period, the expiration date of the retention period, measures to be taken upon expiration of the retention period, the preservation location and other necessary particulars (excluding those falling under Non-Disclosure Information as provided for in Article 5 of the Act on Access to Information Held by Incorporated Administrative Agencies (Act No. 140 of 2001; hereinafter referred to as "the Incorporated Administrative Agencies, etc. Information Disclosure Act")) of Corporate Document Files, etc in a register (hereinafter referred to as a "Corporate Document File Management Register"); provided, however, that this does not apply to Corporate Document Files, etc., for which a retention period less than the period prescribed by Cabinet Order has been set.
- (3) An Incorporated Administrative Agency, etc. is required to, pursuant to Cabinet Order provisions, keep a Corporate Document File Management Register in an office of said Incorporated Administrative Agency, etc., and provide it for public inspection, and is also required to publicize it by means of an electronic data processing system or by means of other information and communications technology.
- (4) With regard to a Corporate Document File, etc. whose retention period has expired, an Incorporated Administrative Agency, etc. is required to, pursuant to Cabinet Order provisions, transfer it to the National Archives of Japan, etc., when it falls under the category of Historical Public Records and Archives, or dispose of it in all other cases.
- (5) An Incorporated Administrative Agency, etc. is required to, when it finds it appropriate to restrict use in the National Archives of Japan, etc. of Corporate Document Files, etc., which are to be transferred to the National Archives of Japan, etc. pursuant to the provisions of the preceding paragraph as those that fall under cases specified in Article 16, paragraph (1), item (ii), attach its opinion to that effect.

(Reports on the State of Management, etc.)

Article 12 (1) Each year, an Incorporated Administrative Agency, etc. is required to report to the Prime Minister the status of entries in a Corporate Document File Management Register or the state of other management of Corporate Documents.

(2) Each year, the Prime Minister is required to compile the reports set forth in the preceding paragraph and publicize their outline.

(Rules for the Management of Corporate Documents)

Article 13 (1) An Incorporated Administrative Agency, etc. is required to establish rules concerning the management of Corporate Documents (hereinafter referred to as "Rules for the Management of Corporate Documents"), by taking into consideration the provisions of Article 10, paragraph (2), to ensure that Corporate Documents are managed properly pursuant to the provisions of the preceding two Articles.

(2) An Incorporated Administrative Agency, etc. is required to, when it has established the Rules for the Management of Corporate Documents, publicize them without delay. The same applies if it revises these Rules.

Chapter IV Preservation, Use, etc. of Historical Public Records and Archives

(Preservation and Transfer of Historical Public Records and Archives in the Possession of National Organs Other Than Administrative Organs)

Article 14 (1) A national organ (excluding Administrative Organs; hereinafter the same applies in this Article) is to, in consultation with the Prime Minister, take necessary measures for the appropriate preservation of Historical Public Records and Archives in the possession of said national organ.

(2) The Prime Minister may, when they find it necessary to preserve Historical Public Records and Archives in the National Archives of Japan, based on a decision reached through the consultation specified in the preceding paragraph, accept the transfer of said Historical Public Records and Archives by agreement with the national organ that possesses them.

(3) In the case referred to in the preceding paragraph, the Prime Minister may, when they find it necessary, hear the opinion of the National Archives of Japan in advance.

(4) The Prime Minister is to transfer the Historical Public Records and Archives accepted pursuant to the provisions of paragraph (2) to the archives established by the National Archives of Japan.

(Preservation, etc. of Specified Historical Public Records and Archives)

Article 15 (1) The head of the National Archives of Japan, etc. (meaning, in cases where the National Archives of Japan, etc. refers to a facility of an Administrative Organ, the head of the Administrative Organ to which it belongs, or in cases where the National Archives of Japan, etc. refers to a facility of an Incorporated Administrative Agency, etc., the Incorporated Administrative Agency, etc. that established said facility; the same applies hereinafter) is required to permanently preserve Specified Historical Public Records and Archives except in cases where they are to be disposed of pursuant to the provisions of Article 25.

(2) The head of the National Archives of Japan, etc. is required to preserve Specified Historical Public Records and Archives in a location necessary to ensure that they are preserved and used appropriately, in accordance with the content thereof, the preservation status, the passage of time, and the status of use, etc., after taking measures to facilitate identification by using an appropriate recording medium.

(3) The head of the National Archives of Japan, etc. is required to, when personal information (information about a living individual which can identify the specific individual by name, date of birth or other description contained within said information [including that which makes reference to other information, thereby enabling identification of the specific individual]) is recorded in Specified Historical Public Records and Archives, take necessary measures to prevent said personal information from being divulged.

(4) The head of the National Archives of Japan, etc. is required to, pursuant to Cabinet Order provisions, prepare and publicize a catalog describing the classifications, the titles, the names of those who have transferred, donated or deposited Specified Historical Public Records and Archives, the time of said transfers, donations or deposits, the preservation locations and other particulars necessary to contribute to the appropriate preservation and use of Specified Historical Public Records and Archives.

(Requests for the Use of Specified Historical Public Records and Archives and the Handling Thereof)

Article 16 (1) The head of the National Archives of Japan, etc. is required to, when receiving a request for the use of Specified Historical Public Records and Archives preserved in said National Archives of Japan, etc. in accordance with descriptions on the catalog set forth in paragraph (4) of the preceding Article, permit the use thereof, except in the following cases:

(i) When the following information is recorded in said Specified Historical Public Records and Archives which have been transferred from the head of an Administrative Organ:

(a) Information listed in Article 5, item (i) of the Administrative Organs

- Information Disclosure Act;
- (b) Information listed in Article 5, items (ii) or (vi) (a) or (e) of the Administrative Organs Information Disclosure Act;
 - (c) Information for which there are reasonable grounds for the head of an Administrative Organ that has transferred said Specified Historical Public Records and Archives to find that disclosure is likely to cause harm to national security, cause damage to the relationship of mutual trust with another country or international organization, or create a disadvantage in negotiations with another country or international organization; or
 - (d) Information for which there are reasonable grounds for the head of an Administrative Organ that has transferred said Specified Historical Public Records and Archives to find that disclosure is likely to hinder the prevention, controlling or investigation of crimes, the continuation of prosecution, the execution of punishment, and other matters concerning the continuation of public safety and public order;
- (ii) When the following information is recorded in said Specified Historical Public Records and Archives which have been transferred from Incorporated Administrative Agencies, etc.:
 - (a) Information listed in Article 5, item (i) of the Incorporated Administrative Agencies, etc. Information Disclosure Act; or
 - (b) Information listed in Article 5, items (ii) or (iv) (a) to (c) inclusive, or (g) of the Incorporated Administrative Agencies, etc. Information Disclosure Act;
 - (iii) When said Specified Historical Public Records and Archives have been transferred from a national organ (excluding Administrative Organs) and the use thereof has been restricted by the agreement with said national organ;
 - (iv) When said Specified Historical Public Records and Archives have been donated or deposited by a Corporation, etc. or an individual on condition that all or part thereof will not be disclosed for a certain period, and when said period has not yet elapsed; or
 - (v) When providing the originals of said Specified Historical Public Records and Archives for use is likely to result in the damage or defacement of said originals, or when said originals are currently being used in the National Archives of Japan, etc. where said Specified Historical Public Records and Archives are preserved.
- (2) The head of the National Archives of Japan, etc. is required to, when judging whether or not Specified Historical Public Records and Archives pertaining to a request for use as provided for in the preceding paragraph (hereinafter referred to as "Request for Use") fall under items (i) or (ii) of said paragraph, consider the passage of time since said Specified Historical Public Records and Archives were prepared or obtained as Administrative Documents or Corporate

Documents, and is also required to, when an opinion has been attached to said Specified Historical Public Records and Archives pursuant to the provisions of Article 8, paragraph (3) or Article 11, paragraph (5), take into consideration said opinion.

- (3) The head of the National Archives of Japan, etc. is required to, even in the cases set forth in paragraph (1), items (i) to (iv) inclusive, when it is possible to easily divide and exclude the portion in which the information listed in items (i) (a) to (d) inclusive or item (ii) (a) or (b) of said paragraph, or the information pertaining to the restriction specified in item (iii) of said paragraph, or the conditions specified in item (iv) of said paragraph is recorded, permit the person who has made a Request for Use to use the portion other than the excluded portion; provided, however, that this does not apply when it is found that no meaningful information is recorded in said portion other than the excluded portion.

(Handling of the Personal Information of Individuals Concerned)

Article 17 Notwithstanding the provisions of paragraph (1), items (i) (a) and (ii) (a) of the preceding Article, the head of the National Archives of Japan, etc. is required to, when receiving a Request for Use from a specific individual identified by the information listed in said provisions (hereinafter referred to as an "Individual Concerned" in this Article) for the use of Specified Historical Public Records and Archives in which said information is recorded, permit the use of the portion of said Specified Historical Public Records and Archives in which the information listed in these provisions is recorded, on condition that a document to indicate that they are the Individual Concerned is presented or submitted pursuant to Cabinet Order provisions, except when information that is likely to cause harm to the life, health, livelihood or property of the Individual Concerned is recorded therein.

(Granting a Third Party an Opportunity to Submit a Written Opinion, etc.)

Article 18 (1) When information concerning a person other than the State, an Incorporated Administrative Agency, etc., a local public entity, a Local Incorporated Administrative Agency, and a person who has made a Request for Use (hereinafter referred to as a "Third Party" in this Article) is recorded in the Specified Historical Public Records and Archives pertaining to the Request for Use, the head of the National Archives of Japan, etc., when deciding whether or not to permit the use of said Specified Historical Public Records and Archives, may notify the Third Party pertaining to said information of the title of the Specified Historical Public Records and Archives pertaining to the Request for Use and other particulars designated by Cabinet Order, and may grant an opportunity to submit a written opinion.

- (2) The head of the National Archives of Japan, etc. is required to, when permitting the use of Specified Historical Public Records and Archives in which information concerning the Third Party is recorded, and when it is found that said information falls under the category of information as prescribed in Article 5, item (i) (b) or the proviso of item (ii) of the same Article of the Administrative Organs Information Disclosure Act, or the information prescribed in Article 5, item (i) (b) or the proviso of item (ii) of the same Article of the Incorporated Administrative Agencies, etc. Information Disclosure Act, notify the Third Party in writing of the title of the Specified Historical Public Records and Archives pertaining to the Request for Use and other particulars designated by Cabinet Order, before making a decision to permit said use, and is required to grant them an opportunity to submit a written opinion; provided, however, that this does not apply in cases when the Third Party's location is unknown.
- (3) The head of the National Archives of Japan, etc. is required to, when making a decision to permit the use of Specified Historical Public Records and Archives to which opinions are attached pursuant to the provisions of Article 8, paragraph (3), which fall under cases specified in Article 16, paragraph (1), item (i) (c) or (d), notify the head of an Administrative Organ that transferred said Specified Historical Public Records and Archives in advance and in writing of the title of the Specified Historical Public Records and Archives pertaining to the Request for Use and other particulars designated by Cabinet Order, and is required to grant an opportunity to submit a written opinion.
- (4) In cases where the Third Party who was granted an opportunity to submit a written opinion pursuant to the provisions of paragraphs (1) or (2) submits a written opinion manifesting the intention of opposition to the use of said Specified Historical Public Records and Archives, the head of the National Archives of Japan, etc. is required to, when making a decision to permit the use of said Specified Historical Public Records and Archives, place at least two weeks between the day of decision and the day of permitted use. In this case, upon making a decision the head of the National Archives of Japan, etc. is required to immediately notify the Third Party who submitted the written opinion (referred to as a "Written Opposition Opinion" in Article 21, paragraph (2), item (ii)), in writing to the effect that a decision to permit use was made, the grounds for its decision, and the date of permitting said use.

(Method of Use)

Article 19 When the head of the National Archives of Japan, etc. permits the use of Specified Historical Public Records and Archives, this is given through allowing the inspection of or delivering copies of documents or pictures, and for Electromagnetic Records by means designated by Cabinet Order which take

into consideration details such as the type of the record and the state of development of information technology; provided, however, that, when permission for the use of Specified Historical Public Records and Archives is to be given by means of allowing for inspection, if it is found that said inspection is likely to hinder the preservation of said Specified Historical Public Records and Archives, or for other justifiable grounds, a copy thereof may be provided for inspection.

(Fees)

Article 20 (1) Persons who use Specified Historical Public Records and Archives through receiving the delivery of copies are required to pay a fee pursuant to Cabinet Order provisions.

(2) The amount of fees set forth in the preceding paragraph are to be determined by the head of the National Archives of Japan, etc. within the scope of actual costs, taking into consideration that said amount is to be made as affordable as possible.

(Filing Objections and Consulting the Public Records and Archives Management Commission)

Article 21 (1) Any person who is dissatisfied with a disposition on a Request for Use or with inaction pertaining to said Request for Use may file an objection with the head of the National Archives of Japan, etc. pursuant to the provisions of the Administrative Appeal Act (Act No. 160 of 1962).

(2) When an objection set forth in the preceding paragraph is filed, the head of the National Archives of Japan, etc. who receives said objection is required to, except in cases that fall under any of the following items, consult the Public Records and Archives Management Commission:

(i) When the objection is unlawful and is to be dismissed; or

(ii) When, by a decision, the disposition on the Request for Use pertaining to an objection is rescinded or altered, and the use of all the Specified Historical Public Records and Archives pertaining to said objection is to be permitted; provided, however, that this excludes cases in which a Written Opposition Opinion regarding the use of the Specified Historical Public Records and Archives pertaining to said objection has been submitted.

(Application of the Incorporated Administrative Agencies, etc. Information Disclosure Act and the Act for Establishment of the Information Disclosure and Personal Information Protection Review Board)

Article 22 The provisions of Articles 19 and 20 of the Incorporated Administrative Agencies, etc. Information Disclosure Act and Articles 9 to 16 inclusive of the Act for Establishment of the Information Disclosure and

Personal Information Protection Review Board (Act No. 60 of 2003) apply mutatis mutandis to the filing of objections pursuant to the provisions of the preceding Article. In this case, the term "paragraph (2) of the preceding Article" in Article 19 of the Incorporated Administrative Agencies, etc. Information Disclosure Act is deemed to be replaced with "Article 21, paragraph (2) of the Public Records and Archives Management Act (hereinafter referred to as the "Archives Management Act")", the term "Incorporated Administrative Agencies, etc." in said Article is deemed to be replaced with "the head of the National Archives of Japan, etc. as provided for in Article 15, paragraph (1) of the Archives Management Act"; the term "the Disclosure Requester" in item (ii) of said Article is deemed to be replaced with "the person making a Request for Use (meaning a Request for Use as provided for in Article 16, paragraph (2) of the Archives Management Act; the same applies hereinafter); the term "a Written Opposition Opinion regarding the Disclosure Decision, etc." in item (iii) of said Article is deemed to be replaced with "a Written Opposition Opinion to a disposition on a Request for Use, as provided for in Article 18, paragraph (4) of the Archives Management Act"; the term "Article 14, paragraph (3)" in Article 20 of the Incorporated Administrative Agencies, etc. Information Disclosure Act is deemed to be replaced with "Article 18, paragraph (4) of the Archives Management Act"; the term "a Disclosure Decision" in item (i) of said Article is deemed to be replaced with "a decision to permit use"; the term "a Disclosure Decision, etc." in item (ii) of said Article is deemed to be replaced with "a disposition on a Request for Use"; the term "disclosing Corporate Documents" is deemed to be replaced with "permitting the use of Specified Historical Public Records and Archives (meaning Specified Historical Public Records and Archives as provided for in Article 2, paragraph (7) of the Archives Management Act; hereinafter the same applies in this item)"; the term "the disclosure of the Corporate Documents" is deemed to be replaced with "permitting the use of Specified Historical Public Records and Archives"; the term "the Review Board" in the provisions of Articles 9 to 16 inclusive of the Act for Establishment of the Information Disclosure and Personal Information Protection Review Board is deemed to be replaced with "the Public Records and Archives Management Commission"; the term "the consulting agency" in Article 9, paragraph (1) of said Act is deemed to be replaced with "the consulting agency (meaning the head of the National Archives of Japan, etc. as provided for in Article 15, paragraph (1) of the Public Records and Archives Management Act (hereinafter referred to as "the Archives Management Act") to be consulted pursuant to the provisions of Article 21, paragraph (2) of the Archives Management Act; hereinafter the same applies in this Article)"; the term "presentation of Administrative Documents, etc. or personal information held" is deemed to be replaced with

"presentation of Specified Historical Public Records and Archives (meaning Specified Historical Public Records and Archives as provided for in Article 2, paragraph (7) of the Archives Management Act; the same applies hereinafter)"; the term "disclosure of Administrative Documents, etc. or personal information held" is deemed to be replaced with "disclosure of Specified Historical Public Records and Archives"; the term "information recorded in Administrative Documents, etc. or information included in personal information held" in paragraph (3) of said Article is deemed to be replaced with "information recorded in Specified Historical Public Records and Archives"; the term "filing of an appeal" in paragraph (4) of said Article is deemed to be replaced with "filing an objection"; the term "an appellant" in said paragraph is deemed to be replaced with "an objector"; the term "an appellant, etc." in said paragraph is deemed to be replaced with "an objector, etc."; the term "an appellant, etc." in the provisions of Articles 10 to 13 inclusive of said Act is deemed to be replaced with "an objector, etc."; the term "an appellant" in Article 10, paragraph (2) and Article 16 of said Act is deemed to be replaced with "an objector"; and "Administrative Documents, etc. or personal information held" in Article 12 of said Act is deemed to be replaced with "Specified Historical Public Records and Archives."

(Promotion of Use)

Article 23 The head of the National Archives of Japan, etc. is required to actively endeavor to provide Specified Historical Public Records and Archives (limited to those whose use may be permitted pursuant to the provisions of Article 16) for public use through exhibitions or other means.

(Special Provisions for Use by Transferring Administrative Organs, etc.)

Article 24 When the head of an Administrative Organ or of an Incorporated Administrative Agency, etc. that has transferred Specified Historical Public Records and Archives makes a Request for the Use of said Specified Historical Public Records and Archives to the head of the National Archives of Japan, etc. as they are necessary for the execution of the affairs under its jurisdiction or its business, the provisions of Article 16, paragraph (1), items (i) and (ii) do not apply.

(Disposal of Specified Historical Public Records and Archives)

Article 25 The head of the National Archives of Japan, etc., when they find that records preserved as Specified Historical Public Records and Archives are no longer important as historical material, consult with the Prime Minister, and upon obtaining their consent, may dispose of said records.

(Reports, etc. on the State of Preservation and Use)

- Article 26 (1) Each year, the head of the National Archives of Japan, etc. is required to report to the Prime Minister on the state of preservation and use of Specified Historical Public Records and Archives.
- (2) Each year, the Prime Minister is required to compile the reports set forth in the preceding paragraph and publicize their outline.

(Rules for Use, etc.)

- Article 27 (1) The head of the National Archives of Japan, etc. is required to establish rules concerning the preservation, use and disposal of Specified Historical Public Records and Archives (hereinafter referred to as "Rules for Use, etc."), to ensure that the preservation, use and disposal of Specified Historical Public Records and Archives are carried out appropriately pursuant to the provisions of Articles 15 to 20 inclusive and the provisions of Articles 23 to the preceding Article inclusive.
- (2) The following particulars concerning Specified Historical Public Records and Archives are required to be included in Rules for Use, etc.:
- (i) Particulars related to preservation;
 - (ii) Particulars related to fees prescribed in Article 20 and other particulars related to public use;
 - (iii) Particulars related to the use of Specified Historical Public Records and Archives by the heads of Administrative Organs or Incorporated Administrative Agencies, etc., that have transferred said Specified Historical Public Records and Archives;
 - (iv) Particulars related to disposal; and
 - (v) Particulars related to reports on the state of preservation and use.
- (3) The head of the National Archives of Japan, etc. is required to, when intending to establish the Rules for Use, etc., consult with the Prime Minister in advance and obtain their consent. The same applies when the head intends to revise these Rules.
- (4) The head of the National Archives of Japan, etc. is required to, when establishing the Rules for Use, etc., publicize the Rules without delay. The same applies if the head revises these Rules.

Chapter V Public Records and Archives Management Commission

(Establishment of the Commission)

- Article 28 (1) The Public Records and Archives Management Commission (hereinafter referred to as "the Commission") is established in the Cabinet Office.
- (2) The Commission deals with matters under the authority thereof pursuant to

the provisions of this Act.

(3) Members of the Commission are appointed by the Prime Minister from among persons who have excellent knowledge and experience of the management of Public Records and Archives.

(4) In addition to what is provided for in this Act, necessary particulars concerning the organization and operation of the Commission are prescribed by Cabinet Order.

(Consulting the Commission)

Article 29 The Prime Minister is required to consult the Commission in the following cases:

(i) When intending to enact, revise or abolish the Cabinet Order under the provisions of Article 2, paragraph (1), items (iv) or (v), paragraph (3), item (ii), paragraph (4), item (iii), paragraph (5), items (iii) or (iv), Article 5, paragraph (1) or paragraphs (3) to (5) inclusive, Article 7, Article 10, paragraph (2), item (vii), Article 11, paragraphs (2) to (4) inclusive, Article 15, paragraph (4), Article 17, Article 18, paragraphs (1) to (3) inclusive, Article 19, or Article 20, paragraph (1);

(ii) When intending to give consent pursuant to the provisions of Article 10, paragraph (3), Article 25, or Article 27, paragraph (3); or

(iii) When intending to make recommendations pursuant to the provisions of Article 31.

(Request for Submission of Materials, etc.)

Article 30 The Commission may, when it finds it necessary for carrying out business under its jurisdiction, request the heads of relevant Administrative Organs or the head of the National Archives of Japan, etc. to submit materials, state their opinions, provide explanations, and request other required cooperation.

Chapter VI Miscellaneous Provisions

(Recommendations by the Prime Minister)

Article 31 The Prime Minister may, when they find it particularly necessary for the enforcement of this Act, recommend that the heads of Administrative Organs improve their management of Public Records and Archives and request reports on measures taken as a result of said recommendation.

(Training)

Article 32 (1) The heads of Administrative Organs and Incorporated Administrative Agencies, etc. are to respectively provide the employees of said

Administrative Organs or said Incorporated Administrative Agencies, etc. with training to acquire and improve the knowledge and skills necessary for appropriate and effective management of Public Records and Archives.

- (2) The National Archives of Japan is to provide the employees of Administrative Organs and Incorporated Administrative Agencies, etc. with training to acquire and improve knowledge and skills necessary to ensure appropriate and effective preservation and transfer of Historical Public Records and Archives.

(Measures for Proper Management of Administrative Documents, etc.
Accompanying Organizational Reform)

Article 33 (1) The head of an Administrative Organ is required to, when said Administrative Organ is subject to consolidation, disestablishment or other organizational reforms, take necessary measures to ensure the proper management of Administrative Documents under its management, in accordance with the provisions of this Act, even after its consolidation, disestablishment or other organizational reforms.

- (2) An Incorporated Administrative Agency, etc. is required to, when said Incorporated Administrative Agency, etc., is subject to privatization or other organizational reforms, take necessary measures to ensure the proper management of Corporate Documents under its management, in accordance with the provisions of this Act, even after its privatization or other organizational reforms.

(Management of Documents by Local Public Entities)

Article 34 In accordance with the purpose of this Act, a local public entity is required to endeavor to formulate and implement measures necessary for the proper management of documents in its possession.

Supplementary Provisions

(Effective Date)

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

- (i) The provisions of Chapter 5 (excluding Article 29, items (ii) and (iii)), the provisions in Article 10 of the Supplementary Provisions to revise the table in Article 37, paragraph (2) of the Act for Establishment of the Cabinet Office, and the provisions of Article 11, paragraph (3) of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year from the day of promulgation;

(ii) The provisions of Article 9 of the Supplementary Provisions: the day of promulgation of the Act on the Arrangement, etc. of Related Acts that Accompany the Enforcement of the Administrative Appeal Act (Act No. of 2009) or the day of promulgation of this Act, whichever comes later.

(Transitional Measures Concerning Specified Historical Public Records and Archives)

Article 2 Historical Public Records and Archives being preserved in the National Archives of Japan, etc. at the time when this Act comes into effect are deemed as Specified Historical Public Records and Archives.

(Transitional Measures Concerning the Preservation and Transfer of Historical Public Records and Archives in the Possession of National Organs Other than Administrative Organs)

Article 3 Decisions which are made prior to the enforcement of this Act based on consultations between a national organ (excluding Administrative Organs) and the Prime Minister pursuant to the provisions of Article 15, paragraph (1) of the National Archives Act (Act No. 79 of 1999) prior to revision by the following Article are deemed as decisions based on consultations pursuant to the provisions of Article 14, paragraph (1).

(Review)

Article 13 (1) Approximately five years after the enforcement of this Act, the Government is to review the scope of Administrative Documents and Corporate Documents as well as other particulars, taking into consideration the state of enforcement of this Act, and, when it finds it necessary, is to take necessary measures based on the findings of said review.

(2) Management of the documents of the Diet and the courts is to be subject to review, in consideration of the purpose of this Act, as well as the status, power, etc. of the Diet and the courts.

Appended Table 1 (Re: Article 2)

Name	Governing Act
Okinawa Development Finance Corporation	Okinawa Development Finance Corporation Act (Act No. 31 of 1972)
Japan Finance Corporation	Japan Finance Corporation Act (Act No. 57 of 2007)
Kansai International Airport Co., Ltd.	Kansai International Airport Co., Ltd. Act (Act No. 53 of 1984)
National University Corporations	National University Corporation Act (Act No. 112 of 2003)

Inter-University Research Institute Corporations	National University Corporation Act
Bank of Japan	Bank of Japan Act (Act No. 89 of 1997)
Japan Legal Support Center	Comprehensive Legal Support Act (Act No. 74 of 2004)
Promotion and Mutual Aid Corporation for Private Schools of Japan	Act on the Promotion and Mutual Aid Corporation for Private Schools of Japan (Act No. 48 of 1997)
Japan Racing Association	Japan Racing Association Act (Act No. 205 of 1954)
Japan Pension Service	Japan Pension Organization Act (Act No. 109 of 2007)
Agricultural and Fishery Cooperation Savings Insurance Corporation	Agricultural and Fishery Cooperation Savings Insurance Act (Act No. 53 of 1973)
The Open University of Japan	Act on the Open University of Japan (Act No. 156 of 2002)
Deposit Insurance Corporation	Deposit Insurance Act (Act No. 34 of 1971)

Appended Table 2 (Re: Article 2)

Kansai International Airport Co., Ltd.	(1) Activities pertaining to the affairs of the establishment of facilities (excluding those pertaining to the construction thereof) provided for in Article 6, paragraph (1), item (ii) of the Kansai International Airport and Kansai International Airport Co., Ltd. Act (hereinafter referred to as "the Company Act" in this paragraph) and of the management thereof;
	(2) Activities pertaining to the affairs of the management of the facilities specified by a Cabinet Order set forth in Article 6, paragraph (1), item (iii) of the Company Act and the facilities provided for in item (iv) of said paragraph;
	(3) Activities pertaining to the affairs incidental to the affairs provided for in the preceding two items;
	(4) Activities pertaining to the affairs listed in Article 6, paragraph (1), item (vi) of the Company Act pertaining to the affairs provided for in the preceding three items; and
	(5) Activities pertaining to the affairs provided for in Article 6, paragraph (2) of the Company Act

Promotion and Mutual Aid Corporation for Private Schools of Japan	(1) Activities listed in Article 23, paragraph (1), items (vi) to (viii) inclusive of the Act on the Promotion and Mutual Aid Corporation for Private Schools of Japan (hereinafter referred to as "the Corporation Act" in this paragraph);
	(2) Activities provided for in Article 23, paragraph (2) of the Corporation Act; and
	(3) Activities listed in Article 23, paragraph (3), items (i) and (ii) of the Corporation Act