

State Redress Act

(Act No. 125 of October 27, 1947)

Article 1 (1) When a public employee who exercises the public authority of the State or of a public entity has, in the course of their duties, unlawfully caused loss or damage to another person intentionally or negligently, the State or public entity assumes the responsibility to compensate therefor.

(2) In the case referred to in the preceding paragraph, when there was intent or gross negligence on the part of the public employee, the State or public entity has the right to obtain reimbursement from that public employee.

Article 2 (1) When loss or damage to another person is caused because of a defect in the placement or administration of a road, river, or other public structure, the State or public entity assumes the responsibility to compensate therefor.

(2) In the case referred to in the preceding paragraph, if there is another person who should assume responsibility for the cause of the loss or damage, the State or public entity has the right to obtain reimbursement therefrom.

Article 3 (1) In cases where the State or a public entity assumes the responsibility to compensate for loss or damage pursuant to the provisions of the preceding two Articles, when the person responsible for the appointment or supervision of public employees or the installation or administration of public structures differs from the person that bears the costs such as the public employees' salary or remuneration, or the costs of the placement or administration of public structures, the person that bears those costs also assumes the responsibility to compensate for that loss or damage.

(2) In the case referred to in the preceding paragraph, the person that compensates for the loss or damage has the right to obtain reimbursement from the person liable to compensate for that loss or damage based on internal relationships.

Article 4 The State's or a public entity's responsibility to compensate for loss or damage is, in addition to being pursuant to the preceding three Articles, pursuant to the provisions of the Civil Code.

Article 5 As to the State's or a public entity's responsibility to compensate for loss or damage, if Acts other than the Civil Code provide otherwise, those Acts takes priority.

Article 6 In cases where the victim is a foreign national, this Act applies only when a mutual guarantee exists.