

Act on Asbestos Health Damage Relief

(Act No. 4 of February 10, 2006)

Chapter I Common Provisions

(Purpose)

Article 1 The purpose of this Act is to provide prompt relief to persons who sustain health damage from asbestos and to bereaved families, in view of the specificity of asbestos health damage, by taking measures to pay medical care expenses, etc.

(Definitions)

- Article 2 (1) The term a "designated disease" as used in this Act means mesothelioma, malignant neoplasm of a bronchial tube or lung, or any other disease caused by inhaling asbestos, which is designated by Cabinet Order.
- (2) The term a "deceased worker, etc." as used in this Act means a worker who engages in a business in which the relationship between the insured business and the labor insurance pertaining to the workers' accident insurance has been established (hereinafter referred to as "workers' accident insurance") prescribed in Article 3 of the Act on the Collection of Insurance Premiums of Labor Insurance (Act No. 84 of 1969; hereinafter referred to as the "Collection Act") (hereinafter referred to as a "business in which the relationship between the insured business and the workers' accident insurance has been established") or a worker engages in a business which forms insurance relationship for workers' accident insurance pursuant to the provisions of Article 34, paragraph 1, item (i); Article 35, paragraph 1, item (iii); or Article 36, paragraph 1, item (i) of the Workers' Accident Compensation Insurance Act (Act No. 50 of 1947: hereinafter referred to as the "Industrial Accident Compensation Insurance Act"), and who develops a designated disease or any other disease prescribed in Order of the Ministry of Health, Labour and Welfare while engaged in business activities in which the workers were exposed to asbestos and died of the relevant disease (limited to a person who has developed the designated disease or any other disease prescribed in Order of the Ministry of Health, Labour and Welfare, on or after September 1, 1947 and died from the day five years ago to the day before this Act comes into effect (hereinafter referred to as "the effective date").
- (3) The Minister of the Environment must hear the opinions of the Central Environment Council when the minister formulates a plan to enact, amend or abolish Cabinet Order set forth in paragraph 1.

Chapter II Relief Benefits

Section 1 Payments

(Types of Relief Benefits)

Article 3 The benefits paid to the victims to relieve their health damage from asbestos (hereinafter referred to as "the relief benefits") include those prescribed below, and the Environmental Restoration and Conservation Agency of Japan (hereafter referred to as "the Agency") pays the relief benefits pursuant to the provisions of this Chapter.

- (i) medical expenses
- (ii) medical treatment allowance
- (iii) funeral service fee
- (iv) special condolence money for bereaved family
- (v) special funeral service fee
- (vi) adjustment money for relief benefit

(Payments and Certification of Medical Expenses)

Article 4 (1) The agency pays medical expenses to a person who has developed a designated disease as a result of inhaling asbestos in Japan, based on their claim.

(2) The certification referred to in the preceding paragraph (hereinafter referred to as "the certification" in this Article through Article 17) is issued by the agency based on a claim filed by the person wishing to receive medical expenses.

(3) When the agency certifies a person, the agency issues an asbestos health damage medical certificate to the person who has obtained the certification (hereinafter referred to as a "certified person").

(4) The certification becomes effective retroactive to the date on which the claim is filed.

Article 5 (1) In the case where a person who filed a request for certification dies without obtaining certification even though the deceased person was eligible for certification, the agency, based on a claim filed by the spouse (including a person who did not register the marriage but has been in a de fact marital relationship with the deceased person; hereinafter the same applies), a child, a parent, a grandchild, a grandparent or a sibling of the deceased person who makes a living together with the deceased person when that person died or who holds a funeral for the deceased person, is to determine that the deceased person was eligible for certification.

(2) The request referred to in the preceding paragraph may be filed within six

months from the date on which the deceased person prescribed in that paragraph dies.

- (3) When the agency makes the determination referred to in paragraph 1, the relief benefits are paid to the deceased person pertaining to the relevant determination on the assumption that the person had been a certified person during the period from the date on which the request for certification was filed to the date on which the person dies.

(Validity Period of Certification)

Article 6 (1) The certification remains valid only during the period prescribed in the Cabinet Order which depends on the types of designated diseases (hereinafter referred to as the "validity period").

- (2) In the case where the agency finds that the certified person who has developed designated disease pertaining to the certification is unlikely to recover before the validity period expires when it grants the certification, it may determine the validity period of the certification separately, notwithstanding the provisions of the preceding paragraph.

(Renewal of Certification)

Article 7 (1) In the case where the certified person who has developed designated disease pertaining to the certification is unlikely to recover before the validity period determined pursuant to the provisions of paragraph 1 or 2 of the preceding Article expires, the certified person may file a request for renewal of the certification with the agency.

- (2) In the case where the request under the provisions of the preceding paragraph is filed, if the agency finds that the certified person continues to have the designated disease pertaining to the request after the validity period expires, the agency is to renew the certification pertaining to the designated disease.
- (3) The provisions of the preceding Article apply mutatis mutandis to the certification renewed pursuant to the provisions of the preceding paragraph.

Article 8 (1) In the case where a person who is eligible to file a request under the provisions of paragraph 1 of the preceding Article fails to file the request before the validity period of the certification pertaining to the request expires due to a disaster or other unavoidable grounds, the person may file a request for renewal of the certification only within two months from the date on which the person does not have the grounds for this.

- (2) In the case where a request is filed pursuant to the provisions of the preceding paragraph, if the agency finds the certified person continues to have the designated disease pertaining to the request thereafter, it is to renew the

certification pertaining to the certification. In this case, the renewed certification becomes effective retroactive to the date after the expiration date of the validity period prescribed in that paragraph.

- (3) The provisions of Article 6 apply mutatis mutandis to the certification renewed pursuant to the provisions of the preceding paragraph. In this case, the term "during the period prescribed in the Cabinet Order (hereinafter referred to as 'the validity period')" in paragraph 1 of that Article is deemed to be replaced with "during the period prescribed in Cabinet Order from the day after the expiration date of the validity period prescribed in Article 8, paragraph 1."

(Revocation of Certification)

Article 9 In the case where the agency finds the certified person who has developed designated disease is recovered, it is to revoke the certification.

(Request for Judgment)

Article 10 (1) The agency is to request that the Minister of the Environment renders a judgment concerning the matters requiring clinical judgment when it intends to grant a certification; to make a decision under the provisions of Article 5, paragraph 1; to set the validity period under the provisions of Article 6, paragraph 2 (including as applied mutatis mutandis pursuant to the provisions of Article 7, paragraph 3 or Article 8, paragraph 3); to renew a certification pursuant to the provisions of Article 7, paragraph 2, or Article 8, paragraph 2; or to revoke the certification under the provisions of the preceding Article.

- (2) When a request for judgment is made pursuant to the provisions of the preceding paragraph, the Minister of the Environment hears the opinions of the Central Environment Council, and makes a judgment and is to notify the agency of the result.

(Requirements to Receive Medical Expenses and Payments Coverage)

Article 11 When a certified person receives any of the following medical treatment for the designated disease pertaining to the certification by a medical institution providing services covered by health insurance or a pharmacy providing services covered by health insurance, and a hospital or clinic prescribed in Article 63, paragraph 3, item (i) of the Health Insurance Act (Act No. 70 of 1922) (including those equivalent thereto) or a pharmacy prescribed in Order of the Ministry of the Environment (excluding those whose founder notifies to the agency that they do not use the method prescribed in Article 13, paragraph 1 when billing medical service fees and making payments)(hereinafter referred to as "medical institution, etc. providing

services covered by health insurance"), the agency, based on the claim filed by the certified person, pays medical expenses to the certified person. In this case, in the case where the certified person is other than the deceased person pertaining to the decision referred to in Article 5, paragraph 1, medical expenses are paid only when the relevant certified person receives medical services by presenting a asbestos health damage medical certificate.

- (i) examination
- (ii) provision of medicines or medical treatment materials
- (iii) medical procedure, surgery or other treatments
- (iv) medical management of housebound certified persons and care or other nursing service for them
- (v) Hospitalization of certified persons in a hospital or clinic, or care or other nursing service for them
- (vi) transport services

(Amount of Medical Expenses)

Article 12 (1) The amount of medical expenses to be paid pursuant to the provisions of the preceding Article is the amount obtained by deducting the amount of medical payments which the certified person receives or was eligible to receive pursuant to the provisions of the Health Insurance Act and other Acts prescribed in Cabinet Order (hereinafter referred to as "Health Insurance Act, etc.") for the designated disease pertaining to the certification, from the amount required for the relevant medical services.

(2) The amount of expenses required for medical services referred to in the preceding paragraph is calculated using the method for calculating the amount of expenses required for medical treatment covered by health insurance, provided, however, that the amount of expenses may not exceed the amount of the actual costs.

(Payments of Medical Expenses to Medical Institutions Providing Services Covered by Health Insurance)

Article 13 (1) In the case where a certified person received a medical treatment provided by a medical institution, etc. providing services covered by health insurance for the designated disease pertaining to the certification by presenting an asbestos health damage medical certificate, the agency may pay the expenses to be paid by the certified person for the medical service to the medical institution, etc. providing services covered by health insurance in lieu of the certified person, to the maximum amount to be paid to the certified person as medical expenses.

(2) When the payment under the provisions of the preceding paragraph is made, the certified person is deemed to have received medical expenses.

(3) In the case where an insured person or a partner under the provisions of the Health Insurance Act, etc., who is a certified person, receives a medical treatment provided by a medical institution, etc. providing services covered by health insurance for the designated disease pertaining to the certification, the insured person does not need to pay the copayment to the medical institution, etc. providing services covered by health insurance pursuant to the provisions of the Health Insurance Act, etc. notwithstanding the provisions of the Health Insurance Act, etc., until the agency makes a determination that the agency will not make the payment under the provisions of paragraph 1 for the relevant medical treatment.

Article 14 (1) When the Agency determines the amounts to pay under the provisions of paragraph 1 of the preceding Article, the agency must hear the opinions of the Examination Committee prescribed in the Act on Social Insurance Medical Fee Payment Fund (Act No. 129 of 1958), the National Health Insurance Medical Fee Examination Committee prescribed in the National Health Insurance Act (Act No. 192 of 1958), and other examination organizations related to medical treatments prescribed in Cabinet Order.

(2) The agency may entrust the services concerning the payments under the provisions of paragraph 1 of the preceding Article to the Social Insurance Medical Fee Payment Fund, the Federation of National Health Insurance Associations, and other persons prescribed in Order of the Ministry of the Environment.

(Special Provisions for the Payments of Medical Expense in Emergency Cases)

Article 15 (1) In the case where a certified person receives any of the medical treatments prescribed in the items of Article 11 provided by any other hospital, clinic, pharmacy or person than the medical institution, etc. providing serviced covered by health insurance in emergency situations or for any unavoidable reason, the agency may pay medical expenses to the certified person based on their claim, notwithstanding the provisions of that Article, when the agency finds it necessary to do so.

(2) In the case where a certified person other than the deceased person pertaining to the decision referred to in Article 5, paragraph 1, receives any of the medical treatment prescribed in the items of Article 11 provided by a medical institution, etc. providing serviced covered by health insurance without presenting an asbestos health damage medical certificate, if the agency finds that the certified person did not present the asbestos health damage medical certificate in emergency situations or for any other unavoidable reason, the agency may pay a medical expense to the certified person based on their claim, notwithstanding the provisions of that Article.

- (3) The provisions of Article 12 apply mutatis mutandis to the calculation of amounts of medical fees referred to in the preceding two paragraphs.
- (4) The claim for payments of medical expenses referred to in paragraphs 1 and 2 may not be filed if two years have passed since the certified person was eligible to file the claim.

(Payments of Medical Treatment Allowance)

Article 16 (1) The agency pays the medical treatment allowance for the amount prescribed in Cabinet Order to a certified person based on their claim.

- (2) The medical treatment allowance is paid month by month, and the payment starts from the month after the month in which the claim is filed and ends in the month in which the agency does not have the reason to pay.
- (3) The medical treatment allowance is paid for six terms in each year; February, April, June, August, October and December, respectively, to pay the amounts of allowance for the previous month and the month before the previous month; provided, however, that the medical treatment allowance that should have been paid in the previous month or the medical treatment allowance in the term in which the agency does not have the reason to pay, is to be paid even if the month is not the month for which the payment is to be made.

(Claims for Payments of Medical Expenses)

Article 17 (1) The claim for payment of medical expenses and medical treatment allowance (hereinafter referred to as "medical expenses, etc.") may be filed even if the certification is not granted yet, if the request for certification has been filed.

- (2) The disposition stating that medical expenses, etc. is to be paid becomes effective retroactive to the date on which the claim was filed.

(Medical Expenses Remaining Unpaid)

Article 18 (1) In the case where a person is eligible to receive medical expenses, etc. dies, if an amount of medical expenses, etc. yet remaining to be paid to the deceased person, their spouse, child, parent, grandchild, grandparent or sibling who makes a living together with the deceased person when that person died may claim the payment in their own name and receive the payment of the medical expenses, etc.

- (2) The order of the persons who may receive the payment of medical expenses, etc. pursuant to the provisions of the preceding paragraph depends on priority prescribed in that paragraph.
- (3) In the case where there are two or more persons who are eligible to receive the payment of medical expenses, etc. pursuant to the provisions of paragraph 1, the claim filed by one of them is deemed to have been filed for the amount on

behalf of all the persons, and the payment made to one of the persons is deemed to have been made to all the persons.

(Payments of Funeral Service Fees)

Article 19 (1) When a certified person dies as a result of the designated disease pertaining to the certification, the agency pays the funeral service fee for the amount prescribed in Cabinet Order to the person who holds the funeral, based on their claim.

(2) The claim for payment of the funeral service fee referred to in the preceding paragraph may not be filed when two years have passed since the certified person died.

(Payments of Special Condolence Money for Bereaved Families)

Article 20 (1) Special condolence money for bereaved family and a special funeral service fee are paid to the bereaved family (excluding the person who is eligible to receive the payment of the special survivors benefits prescribed in Article 59, paragraph 1) of a person who developed a designated disease as a result of inhaling asbestos in Japan and died of the designated disease before the effective date (hereinafter referred to as a "person who died prior to the enforcement date").

(2) The amount of the special condolence money for bereaved family referred to in the preceding paragraph is the amount prescribed in Cabinet Order for a single payment considering the expenses of the medical treatments for the designated disease and the amount of the medical treatment allowance referred to in Article 16, paragraph 1.

(3) The amount of the special condolence money for bereaved family referred to in the preceding paragraph is the amount same as the funeral service fee referred to in paragraph 1 of the preceding Article.

(Coverage and Order of Bereaved Family Members Eligible to Receive the Payment of Special Condolence Money for Bereaved Family)

Article 21 (1) The bereaved family members eligible to receive the payment of the special condolence money for bereaved family and special funeral service fee (hereinafter referred to as "special survivors condolence money, etc.") set forth in paragraph 1 of the preceding Article is the spouse, child, parent, grandchild, grandparent or sibling of the person who died prior to the enforcement date who makes a living together with the person who died prior to the enforcement date when that person died.

(2) The provisions of Article 18, paragraphs 2 and 3, apply mutatis mutandis to the bereaved family members eligible to receive the payment of the special survivors condolence money, etc.

(Certification of Special Condolence Money for Bereaved Families)

Article 22 (1) The agency certifies a person eligible to receive the payment of special survivors condolence money, etc. based on the claim for payment, and pay the special survivor condolence money, etc. to the person who obtained the certification.

(2) The claim for payment of the special survivors condolence money, etc. referred to in the preceding paragraph may not be filed when three years have passed since this Act came into effect.

(Payments of Adjustment Money for Relief Benefits)

Article 23 (1) In the case when a certified person who has developed the designated disease pertaining to the certification referred to in Article 4, paragraph 1, before the effective date dies of the designated disease within two years from the effective date, if the total amount of medical expenses and the medical treatment allowances paid to the designated disease is less than the amount of special survivors condolence money, the amount obtained by deducting the total amount from the amount of special survivors condolence money is paid to the bereaved family members of the deceased person as adjustment money for relief benefits.

(2) The agency pays the adjustment money for relief benefits referred to in the preceding paragraph (hereinafter referred to as the "adjustment money for relief benefits") based on the claim filed by the surviving family prescribed in the preceding paragraph.

(3) The provisions of Article 19, paragraph 2 apply mutatis mutandis to the claim for payment of adjustment money for relief benefits, and the provisions of Article 21 apply mutatis mutandis to the surviving family members eligible to receive the payment of adjustment money for relief benefits.

(Request for Judgment)

Article 24 (1) The agency may request that the Minister of the Environment makes judgment on matters requiring medical judgment when the agency intends to certify the payment of funeral service fee under the provisions of Article 19, paragraph 1, and to grant certification pursuant to the provisions of Article 22, paragraph 1.

(2) The provisions of Article 10, paragraph 2 apply mutatis mutandis when the judgment under the provision of the preceding paragraph is requested.

(Exemption from Paying Relief Benefits)

Article 25 In the case where damage a person eligible to receive relief benefits has suffered is compensated for the same reason, the agency is exempted from

the obligation to pay the relief benefits up to the amount of the compensation.

(Adjustments with the Benefits Governed by Other Laws and Regulations)

Article 26 (1) In the case where the payment for any medical treatments should be made pursuant to the provisions of any other law or regulation (including prefectural or municipal ordinance) than the Health Insurance Act to a certified person for the designated disease pertaining to the certification, medical expenses are not paid up to the amount of the benefits.

(2) In the case where any benefits prescribed in Cabinet Order should be paid for the same reason among the benefits under the Industrial Accident Compensation Insurance Act and other laws and regulations to a person eligible to receive the payment of medical treatment allowance, funeral service fee, special survivors condolence money or adjustment money for relief benefits, the amounts up to the amount equivalent to the payments of the benefits calculated pursuant to the provisions of Cabinet Order are not paid.

(Collection of Illegal Gains)

Article 27 (1) In the case where a person receives payment of the relief benefits by deception or other wrongful means, the agency may collect the amount equivalent to the cost for the payment of the relief benefits in whole or in part from the person, which is governed by the same rules for national tax collection.

(2) The order of the statutory lien on the money to be collected under the provisions of the preceding paragraph comes after national tax and local tax.

(Protection of Rights to Receive Relief Benefits)

Article 28 A right to receive payment of the relief benefits may not be transferred, put up as collateral or seized.

(Prohibition of Public Charges)

Article 29 A tax and other public charge may not be imposed on the money and goods received as a payment for the relief benefits based on the amount.

(Provisions Governed by Order of the Ministry of the Environment)

Article 30 Beyond what is set forth in this Section, the matters necessary for the request for the certification referred to in Article 4, paragraph 1, and Article 22, paragraph 1, and for the other procedures concerning the relief benefits are prescribed in Order of the Ministry of the Environment.

Section 2 Expenses

Subsection 1 Funds

(Fuuds)

Article 31 (1) The agency establishes an asbestos health damage relief fund to be appropriated for the expenses required for the payments for the relief benefits (excluding the expenses required to perform the affairs of the payments).

(2) The amount obtained by deducting the amount equivalent to the expenses required for the affairs performed by the agency pursuant to the provisions of this Act from the amount equivalent to the gross amount of the fund granted by the government pursuant to the provisions of paragraph 1 of the following Article; the fund contributed by local governments pursuant to the provisions of paragraph 2 of that Article; the general contributions collected from ship owners pursuant to the provisions of Article 35, paragraph 2; the amount of money granted by the Minister of Health, Labour and Welfare pursuant to the provisions of Article 36; the special contributions collected pursuant to the provisions of Article 47, paragraph 1; the amount of money collected pursuant to the provisions of Article 27, paragraph 1; and the interest accrued from the operation of the asbestos health damage relief fund and other incomes are appropriated for the asbestos health damage relief fund referred to in the preceding paragraph .

(Grants)

Article 32 (1) The government may grant the fund to be appropriated for the expenses required for the payments of the relief benefits (including the expenses required to perform the affairs of the payments; hereinafter the same applies, excluding the following paragraph) to the agency within the limits of the budget.

(2) Local governments may contribute the funds to appropriate for the expenses required for the payments of the relief benefits to the agency within the limits of the budget.

(Special Provisions for Local Government Bonds)

Article 33 The expenses required for the contributions from local governments to the agency under the provisions of paragraph 2 of the preceding Article may be financed by the relevant local government bonds, notwithstanding the provisions of Article 5 of the Local Government Finance Act (Act No. 109 of 1948).

(Costs Borne by the National Treasury)

Article 34 The national treasury partially bears the expenses required to collect general contributions referred to in paragraph 1 of the following Article within the limits of the budget in each fiscal year.

Subsection 2 General Contributions

(Collection of General Contributions and Obligation to Pay)

- Article 35 (1) The Minister of Health, Labour and Welfare collects general contributions in each fiscal year from persons in control of the business in which the relationship between the insured business and the the workers' accident insurance has been established (principal contractors in the case where the original contractors are defined as person in control of the business pursuant to the provisions of Article 8, paragraph 1 or 2 of the Collection Act: hereinafter referred to as "persons in control of business covered by the industrial accident compensation insurance") for appropriation to the expense required for the payment of the relief benefits.
- (2) The agency collects general contributions in each fiscal year from the ship owners prescribed in Article 60, paragraph 1 of the Mariners Insurance Act (Act No. 73 of 1939) (hereinafter referred to as "the ship owners") to appropriate for the expenses required for the payments of the relief benefits.
- (3) The persons in control of business covered by the workers' accident compensation insurance and ship owners are obliged to pay the general contribution.

(Grants Provided to the Agency)

- Article 36 The Minister of Health, Labour and Welfare grants the amount equivalent to the amount obtained by deducting the amount calculated as prescribed in Cabinet Order as the amount of expenses required to collect the general contributions from the collected amount, to the agency, when the minister collects the general contributions pursuant to the provisions of paragraph 1 of the preceding Article.

(Amount of General Contributions)

- Article 37 (1) The amount of the general contributions collected from persons in control of business covered by the workers' accident compensation insurance pursuant to the provisions of Article 35, paragraph 1 (hereinafter referred to as the "general contributions under paragraph 1) is the amount obtained by multiplying the total wages as the basis of calculation of general insurance premiums referred to in Article 10, paragraph 2, item (i) of the Collection Act by the general contribution rate.
- (2) The amount of the general contributions collected from the ship owners pursuant to the provisions of Article 35, paragraph 2 (hereinafter referred to as the "general contributions under paragraph 2") is the amount obtained by multiplying the total wages paid to all the mariners employed by the ship

owners in the previous fiscal year (if the total amount includes a fraction of less than one thousand yen, the fraction is round off) by the general contribution rate.

- (3) The general contribution rate referred to in the preceding two paragraphs is determined by the Minister of the Environment after consultation with the Minister of Health, Labour and Welfare and the competent minister for the business pursuant to the provisions of Cabinet Order, considering the estimated amount of expenses required for the payments of the relief benefits; the grant under the provisions of Article 32, paragraph 1; the amount of contributions under the provisions of paragraph 2 of that Article, if any; and the occurrence of designated diseases and other situations.
- (4) The Minister of the Environment must hear the opinions of the Central Environment Council, when the minister formulates the plan to enact, amend or abolish Cabinet Order referred to in the preceding paragraph.

(Method to Collect General Contributions under Paragraph 1)

Article 38 (1) The provisions of Article 19 (excluding paragraph 1, items (ii) and (iii) and paragraph 2, items (ii) and (iii)), Article 21, Article 21-2, Articles 26 through 29, Article 36-2, Article 38, Articles 41 through 43, and Article 45-2 of the Collection Act apply mutatis mutandis to the general contributions under paragraph 1. In this case, the original terms in the middle column of the following table under the provisions of the Collection Act in the left column of that table is deemed to be replaced with the terms in the right column of that table, and the other necessary replacement of technical terms is prescribed in Cabinet Order.

Paragraph 1 of Article 19	the next	that
	the date on which the relationship between the insured business and the insurance is vanished (the day when the approval of Paragraph 1, Article 34 of the Accident Insu	the date on which the relationship between the insured business and the insurance is extinguished
	employed in the insurance year	employed in the insurance year immediately before the insurance year
	total amount of wages	total amount of wages (if the amount includes a fraction of less than one thousand yen, round off the fraction; the same applies hereinafter)

	the general insurance premium calculated by multiplying ... by the general insurance rate	the general contribution under paragraph 1 referred to in paragraph 1 of Article 36 of the Act on Asbestos Health Damage Relief" (hereinafter referred to as "Asbestos Re
Paragraph 2 of Article 19	the day when the insurance relation vanished (the day when the approval of Paragraph 1, Article 34 of the Accident Insurance Act was rescinded for the class 1 spe	the day the insurance relation vanished
	the general insurance premium calculated by multiplying ... by the general insurance rate	the general contribution under paragraph 1 calculated by multiplying ... by the general contribution rate
Paragraph 3 of Article 19	the shortage when the amount of the paid labor insurance premium falls short of the labor insurance premium set forth in the preceding two paragraphs, or the labor insurance premium set forth	general contribution under paragraph 1 set forth in the preceding two paragraphs
	the next	that
Article 42	the enforcement of this Act	the collection of the general contribution under paragraph 1
Paragraph 1 of Article 43		
Article 45-2	to this Act	to the Act on Asbestos Health Damage Relief and this Act, as applied mutatis mutandis pursuant to Paragraph 1 of Article 38 of the Act on Asbestos Health Damage Relief
	the enforcement of this Act	the collection of general contribution under paragraph 1

(2) A Labor Insurance Affairs Association referred to in Article 33, paragraph 3 of the Collection Act may handle the payments for general contributions under paragraph 1 and the other matters concerning general contributions under paragraph 1 (hereinafter referred to as "general contribution affairs under paragraph 1" when the affairs referred to in paragraph 1 of that Article are

entrusted to it.

- (3) The provisions of Article 34, Article 35 (excluding paragraph 4) and Article 36 of the Collection Act, and the provisions of Article 23 of the Act on the Partial Amendment to the Unemployment Insurance Act and the Industrial Accident Compensation Insurance Act and the Act on the Collection of the Insurance Premiums of Labor Insurance (Act No. 85 of 1969) apply mutatis mutandis to general contribution affairs under paragraph 1 and to the general contributions under paragraph 1. In this case, the term "laws and regulations relevant to labor insurance" in Article 34 of the Collection Act is deemed to be replaced with "the Act on Asbestos Health Damage Relief (hereinafter referred to as the "Asbestos Health Damage Relief Act"), and this Act as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 1 of the Asbestos Relief Act, and the orders under these Acts;" the term "laws and regulations relevant to labor insurance" in Article 35, paragraphs 1 and 2 of the Collection Act is deemed to be replaced with "the Asbestos Relief Act, and this Act as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 1 of the Asbestos Relief Act, and orders under these Acts;" and the term "Article 26, paragraph 3 (including as applied mutatis mutandis pursuant to the provisions of Article 12-3, paragraph 3 and Article 31, paragraph 4 of the Industrial Accident Compensation Insurance Act, and Article 10-4, paragraph 3 of the Employment Insurance Act)" in paragraph 3 of that Article is deemed to be replaced with "Article 26, paragraph 3 as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 1 of the Asbestos Relief Act."

(Payments for General Contributions under Paragraph 2)

- Article 39 (1) A ship owners must pay general contribution under paragraph 2 in each fiscal year to the agency within 50 days from the first day of the fiscal year, together with a report stating the particulars prescribed in Order of the Ministry of the Environment.
- (2) In the case where a ship owner fails to submit the report set forth in the preceding paragraph within the period prescribed in that paragraph or if the agency finds any erroneous description of the particulars prescribed in Order of the Ministry of the Environment, the agency determines the amount of general contribution under paragraph 2 and notify it to the ship owner.
- (3) The ship owner who receives the notice under the preceding paragraph must pay the entire amount of the general contribution under paragraph 2 determined by the agency pursuant to the provisions of that paragraph within 15 days from the date on which they received the notice, if the ship owner has not paid the general contribution under paragraph 2, or must pay the balance within 15 days from the date on which they received the notice, if the amount

paid for general contribution under paragraph 2 is less than the amount of the general contribution under paragraph 2 determined by the agency.

- (4) In the case where the amount of the general contribution under paragraph 2 paid by a ship owner exceeds the amount of the general contribution under paragraph 2 determined by the agency pursuant to the provisions of paragraph 2, the agency must appropriate the excess payment for the unpaid general contribution under paragraph 2 or other money to be collected pursuant to the provisions of this Subsection (limited to those related to the ship owners; hereinafter the same applies in this Subsection), if any, and refund the balance, if any, or must refund the excess payment if there is no unpaid money to be collected.

(Deferred Payment for General Contribution under Paragraph 2)

Article 40 The agency may allow a ship owner to defer the payment for general contribution under paragraph 2 at the request of the ship owner.

(Demands and Disposition of Delinquencies)

- Article 41 (1) If a ship owner does not pay the general contribution under paragraph 2 or any money to be collected pursuant to the provisions of this Subsection, the agency must demand the payment, specifying the due date.
- (2) When the agency presses a ship owner to pay pursuant to the provisions of the preceding paragraph, it must issue a demand notice to the person obliged to pay.
- (3) The due date under paragraph 1 designated by the demand notice set forth in the preceding paragraph must be a day on which more than 10 days have elapsed from the issue date on which the demand notice is issued.
- (4) In the case where the ship owner who has received the demand notice pursuant to the provisions of paragraph 1 fails to pay the general contribution under paragraph 2 in full or any other money to be collected pursuant to the provisions of this Subsection by the designated due date, the agency may implement disposition of delinquency in payment by applying the same rules for disposition of national tax delinquency, with the approval of the Minister of the Environment.

(Delinquent Charges)

Article 42 (1) When the agency presses for the payment of general contribution under paragraph 2 pursuant to the provisions of paragraph 1 of the preceding Article, the agency must collect delinquent charge at a rate of 14.6% per annum on the amount of the general contribution under paragraph 2 pertaining to the demand calculated based on the number of days from the day after the due date of payment to the day before the date on which the general

contribution is paid off or property is seized; provided, however, that this does not apply if the amount of the general contribution under paragraph 2 pertaining to the demand is less than one thousand yen.

- (2) In the case referred to in the preceding paragraph, when the amount of the general contribution under paragraph 2 is paid in part, the amount of the general contribution under paragraph 2 which forms the basis of the amount of delinquent charge for the period after the payment date is the amount obtained by deducting the amount paid for the general contribution under paragraph 2.
- (3) In calculating delinquency charge, if the amount of general contribution under paragraph 2 set forth in the preceding two paragraphs includes a fraction of less than one thousand yen, the fraction is round off.
- (4) If the amount of delinquent charge calculated pursuant to the provisions of the preceding three paragraphs includes a fraction of less than one hundred yen, the fraction is round off.
- (5) If the delinquency charge falls under any of the following items, it is not collected; provided, however, that in the case of item (iv), the delinquency charge is only imposed on the amount to be paid for the period in which the execution is suspended or extended.
 - (i) when general contribution under paragraph 2 is paid off by the due date specified in the demand notice.
 - (ii) since the address or residence of the person obliged to pay is unknown, when the person is pressed through service by publication.
 - (iii) if the amount of delinquency charge is less than one hundred yen.
 - (iv) when the implementation of disposition of delinquency in payment of general contribution under paragraph 2 is suspended or extended.
 - (v) when it is obvious that they have unavoidable reason for not paying the general contribution under paragraph 2.

(Order of Statutory Lien)

Article 43 The order of the statutory lien for the general contribution under paragraph 2 and other money to be collected pursuant to the provisions of this Subsection is to come after national tax and local tax.

(Collection Procedure for Money to Be Collected)

Article 44 The general contribution under paragraph 2 and other money to be collected pursuant to the provisions of this Subsection is collected, which is governed by the same rules for national tax, unless otherwise prescribed in this Subsection.

(Collection of Reports from Ship Owners)

Article 45 (1) The agency may order a ship owner to report or submit a document

or have its official enter the office of the ship owner and ask relevant persons questions or inspect books and documents (including electronic or magnetic records (meaning a record prepared in an electronic form, magnetic form or any other form not recognizable to human perception, which is used for data processing by electronic computers) when the electronic or magnetic records are prepared or stored instead of books and documents); the same applies hereinafter) if the agency finds it necessary for the collection of the general contributions under paragraph 2.

- (2) The official who enters and inspects pursuant to the provisions of the preceding paragraph must carry an identification card and present it to the concerned people.
- (3) The authority for an on-site inspection under the provision of paragraph 1 must not be interpreted as having been granted for criminal investigation.

(Provisions Governed by Order of the Ministry of the Environment)

Article 46 Beyond what is set forth in this Subsection, the particulars necessary for the general contributions under paragraph 2 and other money to be collected pursuant to the provisions of this Subsection are prescribed in Order of the Ministry of the Environment.

Subsection 3 Special Contributions

(Collection of Special Contributions and the Obligation to Pay)

Article 47 (1) The agency collects special contributions in each fiscal year from the person in control of business falling under the requirements prescribed in Cabinet Order that are determined considering the usage of asbestos, the occurrence of designated diseases and other situations (hereinafter referred to as "special employers") to appropriate it for the expenses required for the payment of the relief benefits.

- (2) The special employer is obliged to pay the special contributions.

(Method to Calculate the Amounts of Special Contributions)

Article 48 (1) The method to calculate the amounts of special contributions to be collected from the special employers is prescribed in Cabinet Order, considering the usage of asbestos, occurrence of designated diseases and other situations.

- (2) The Minister of the Environment must hear the opinions of the Central Environment Council when the minister formulates the plan to enact, amend or abolish Cabinet Order set forth in the preceding paragraph.

(Decision and Notice on the Amounts of Special Contributions)

Article 49 (1) The agency must determine the amount of the special contribution to be paid by a special employee according to the method to calculate the amounts of special contributions prescribed in Cabinet Order set forth in paragraph 1 of the preceding Article, and notify the special employee of the amount of special contribution to be paid by that person, the payment due date and other necessary matters.

(2) In the case where the need to change the amount of special contribution arises after the amount of special contribution has been determined pursuant to the provisions of the preceding paragraph, the agency must change the amount of special contribution to be paid by the special employer and notify the relevant special employer of the amount of special contribution after the change.

(3) In the case where the amount of special contribution paid by a special employer is less than the amount of special contribution after the change under the provisions of the preceding paragraph, the agency must give notice to the special employer of the shortage, the relevant payment due date and other necessary matters together with the notice referred to in that paragraph, and in the case where it exceeds the amount of special contribution after the change under the provisions of that paragraph, the agency must appropriate the excess to the unpaid special contribution and other money to be collected under the provisions of this Subsection, if any, and return the balance, if any, or must refund the remaining balance if any, and there is no unpaid money to be collected.

(Mutatis Mutandis Application)

Article 50 The provisions of Articles 40 through Article 45 apply mutatis mutandis to the special contributions.

(Provisions Governed by Order of the Ministry of the Environment)

Article 51 Beyond what is set forth in this Subsection, the matters necessary for the special contributions and other money to be collected under the provisions of this Subsection are prescribed in Order of the Ministry of the Environment.

Section 3 Miscellaneous Provisions

(Collection of Reports from Qualified Persons)

Article 52 The agency may request a person who has obtained the certification under the provisions of Article 4, paragraph 1, or Article 22, paragraph 1 (hereinafter simply referred to as "certification," excluding the following Article), or who has been receiving the relief benefits or is going to receive it, to report or submit a document or any other items when it finds it necessary for

the enforcement of the provisions of this Chapter.

(Order to Undergo Diagnosis)

Article 53 The agency may order the certified person or a person who is going to be certified to undergo diagnosis by a doctor designated by the agency, when it finds it necessary for the certification of Article 4, paragraph 1 (including its renewal and rescission).

(Temporary Suspension of Payments of Relief Benefits)

Article 54 In the case where a person who is eligible to receive the relief benefits fails to report, or to submit a document or any other items without reasonable grounds when the person is requested to do so pursuant to the provisions of Article 52, or submits a false report or submits a document containing false entries, or does not obey the order under the provisions of the preceding Article without reasonable grounds, the agency may suspend the payment of the relief benefits to that person on a temporary basis.

(Collection of Reports from Medical Institutions Providing Services Covered by Health Insurance)

Article 55 (1) The agency may request the manager of the medical institution providing services covered by health insurance, etc. to make a necessary report or have its official conduct on-site inspection of the medical records and other books and documents of the medical institution providing services covered by health insurance, etc., with the consent of the manager, when it finds it necessary for the payment of medical expenses to the relevant medical institution providing services covered by health insurance, etc. pursuant to the provisions of Article 13, paragraph 1.

(2) The provisions of Article 45, paragraph 2 apply mutatis mutandis to the inspection under the provisions of the preceding paragraph, and the provisions of paragraph 3 of that Article to the authority under the provisions of the preceding paragraph.

(3) In the case where the manager of an medical institution providing services covered by health insurance, etc. fails to comply with the request under the provisions of paragraph 1 without reasonable grounds, or makes a false report or refuses to give its consent without reasonable grounds, the agency may suspend the payment of medical expenses to the medical institution providing services covered by health insurance, etc. on a temporary basis

(Collection of Reports from the Persons Who Provides Medical Care)

Article 56 (1) The agency may request a person who performed the diagnosis pertaining to the request for the certification or the medical care concerning

the relief benefits, the provision of medicines, or medical care, or a person that hires the former to report or submit a medical record or any other items concerning the diagnosis, medical care performed by, medicines provided by the relevant person, or have its official ask the person questions, when it finds it necessary for the certification or payment of the relief benefits.

- (2) The provisions of Article 45, paragraph 2 apply mutatis mutandis to the questions under the provisions of the preceding paragraph, and the provisions of paragraph 3 of that Article to the authority under the provision of the preceding paragraph.

(Requests to Submit Materials)

Article 57 The Minister of the Environment may request an employer covered by the workers' accident compensation insurance, ship owner or special employer to submit necessary materials and to give an explanation when the minister finds it necessary for the enforcement of the provisions of this Chapter..

(Duty of Confidentiality)

Article 58 The directors, officials or the agency, or who were its directors or officials must not divulge confidential information they came to know concerning the certification and payment of the relief benefits.

Chapter III Special Survivors Benefits

Section 1 Payments

(Special Survivors Benefits)

- Article 59 (1) The Minister of Health, Labour and Welfare pays the special survivors benefits to the bereaved family member of a deceased worker, etc., whose right to receive the survivors' compensation under the provisions of the Industrial Accident Compensation Insurance Act lapses due to prescription, based on the claim.
- (2) The special survivors benefits set forth in the preceding paragraph (hereinafter referred to as the "special survivor benefit") is either special survivor pension or special lump-sum benefit for bereaved family.
- (3) The amount of the special survivor pension is the amount prescribed in Cabinet Order classified according to the number of the survivor having the right to receive the special survivor pension and the surviving family members eligible to receive the special survivor pension who make a living together with the survivor, considering the amount of the survivor compensation pension, etc. under the provisions of the Industrial Accident Compensation Insurance Act.
- (4) The amount of the special lump-sum benefit for bereaved family is the amount prescribed in Cabinet Order prescribed according to the classes

referred to in the items of Article 62, considering the lump-sum compensation for the surviving family, etc. pursuant to the provisions of the Industrial Accident Compensation Insurance Act.

- (5) The claim for the payment of the special survivor pension or the special lump-sum benefit for surviving family may not be filed when three years have passed from the effective date (when three years have passed since the statutory right of the survivor to receive the special survivor pension was extinguished, if the special survivor pension to be paid pursuant to the provisions of the second sentence of Article 61, paragraph 1, or when three years have passed since the right of the survivor to receive the special survivor pension was extinguished, if the special lump-sum benefit for surviving family to be paid pursuant to the provisions of item (ii) of Article 62).

(Coverage of Special Survivor Pension Recipients)

Article 60 (1) The surviving family members eligible to receive the special survivor pension is the spouse, child, parent, grandchild, grandparent or sibling of the deceased worker, etc. who falls under all of the requirements prescribed in the following items.

- (i) the surviving family member maintains their livelihood on the income of the deceased worker, etc. when the deceased worker, etc. died.
- (ii) if the survivor is any other person than the wife (including a person who did not register the marriage but has been in a de fact marital relationship with the deceased person), the person falls under any of the following (a) through (d) when the deceased worker, etc. died.
 - (a) the husband (including a person who did not register the marriage but has been in a de fact marital relationship with the deceased person), parent or grandparent is 55 years old or older.
 - (b) a child or grandchild who is between their 18th birthday and the first March 31 after that day.
 - (c) a sibling who is between their 18th birthday and the first March 31 after that day or is 55 years old or older.
 - (d) the husband, child, parent, grandchild, grandparent or sibling who does not fall under the requirements of (a) through (c), with a disability prescribed in Order of the Ministry of Health, Labour and Welfare.
- (iii) the survivor does not fall under any of the following (a) through (e) during the period from the date on which the deceased worker, etc. died to the effective date.
 - (a) the survivor is married to the deceased worker (including a person who did not register the marriage but has been in a de fact marital relationship with the deceased person).
 - (b) the survivor became an adopted child of the person other than a linear

relative by blood or a linear relative by affinity (including a person who did not register the adoption but has been in a de fact adoptive parent-child relationship).

- (c) the relative relation with the deceased worker, etc. terminated due to divorce.
 - (d) if the survivor is a child, grandchild or sibling, the first March 31 after their 18th birthday has passed (excluding the case of the survivor with disability prescribed in Order of the Ministry of Health, Labour and Welfare set forth in (d) of the preceding item since the deceased worker, etc. died).
 - (e) if the survivor is the husband, child, parent, grandchild, grandparent or sibling with disability prescribed in Order of the Ministry of Health, Labour and Welfare set forth in (d) of the preceding item, they are no longer disabled (excluding a case where the husband, parent or grandparent is 55 years or older when the deceased person, etc. died, a case where the child or grandchild is between their 18th birthday and the first March 31 after that day, and a case where the sibling is between their 18th birthday and the first March 31 after that day or is 55 years old or older when the deceased worker, etc. died).
- (2) The surviving family members receive the special survivor pension according to the order, from the spouse, child, parent, grandchild, grandparent to the sibling.
- (3) If there are two or more persons having the right to receive the special survivor pension, the amount thereof is the amount obtained by dividing the amount prescribed in Cabinet Order set forth in paragraph 3 of the preceding Article by the number of persons, notwithstanding the provisions of that paragraph.

(Extiguishment of Rights to Receive Special Survivor Pension)

Article 61 (1) A right to receive the special survivor pension extinguishes when the survivor having the right falls under any of the following items. In this case, if there is no survivor listed in the same priority as the survivor having the right and there is a following survivor, the special survivor pension is paid to the following survivor.

- (i) when the survivor dies.
 - (ii) when the survivor falls under any of the requirements prescribed in (a) through (e) of paragraph 1, item (iii) of the preceding Article.
- (2) When the survivor who is eligible to receive the special survivor pension falls under any of the items of the preceding paragraph, the survivor is no longer the survivor eligible to receive the special survivor pension.

(Special Lump-sum Benefits for Surviving Families)

Article 62 The special lump-sum benefit for surviving family is paid in any of the following cases.

- (i) There is no survivor eligible to receive the special survivor pension on the effective date.
- (ii) when the right of the person eligible to receive the special survivor pension extinguishes, if there is no other survivor eligible to receive the special survivor pension, and the total amount of the special survivor pension paid for the death of the deceased worker, etc. is less than the special lump-sum benefit for surviving family to be paid when the person falls under the case set forth in the preceding item on the date on which the right extinguishes.

(Coverage of the Recipients of Special Lump-sum Benefits for Surviving Families)

Article 63 (1) The surviving family members eligible to receive the special lump-sum benefit for surviving family are those prescribed below.

- (i) the spouse
 - (ii) the child, parent, grandchild and grandparent whose livelihood depended on the income of the deceased worker, etc. when the deceased worker, etc. died
 - (iii) the child, parent, grandchild and grandparent and sibling who does not fall under the preceding item
- (2) The order of survivors who should receive the special lump-sum benefit for surviving family is as per the order referred to in the items of the preceding paragraph, and the order of those set forth in items (ii) and (iii) of that paragraph is as per the order referred to in items of that paragraph.
- (3) The provisions of Article 60, paragraph 3 apply mutatis mutandis to the special lump-sum benefit for surviving family. In this case, the term "paragraph 3 of the preceding Article" in that paragraph is deemed to be replaced with "paragraph 4 of the preceding Article."

(Mutatis Mutandis Application of the Industrial Accident Compensation Insurance Act for the Special Survivors Benefits)

Article 64 (1) The provisions of Article 11 (excluding paragraph 2), Article 12-7, and Article 16-9, paragraph 1 of the Industrial Accident Compensation Insurance Act apply mutatis mutandis to the special survivor benefit. In this case, the term "another survivor eligible to receive the compensation pension for surviving family in the case of the compensation pension for surviving family, or another survivor eligible to receive the survivor pension in the case of the survivor pension)" Article 11, paragraph 1 of the Industrial Accident Compensation Insurance Act is deemed to be replaced with "another surviving

family member eligible to receive the special survivor pension in the case of the special survivor pension);" the term "the order prescribed in paragraph 1 (the order prescribed in Article 16-2, paragraph 3 as applied mutatis mutandis to the survivor compensation pension, or the order prescribed in Article 16-2 paragraph 3 as applied mutatis mutandis pursuant to Article 22-4, paragraph 3 for the survivor pension)" in paragraph 3 of that Article, is deemed to be replaced with "the order prescribed in paragraph 1;" the term "the government" in Article 12-7 of the Industrial Accident Compensation Insurance Act is deemed to be replaced with the "Minister of Health, Labour and Welfare;" and the term "a worker" in Article 16-9, paragraph 1 of the Industrial Accident Compensation Insurance Act is deemed to be replaced with "a deceased worker, etc."

(2) The provisions of Article 9; Article 12, paragraph 1; Article 12-2; Article 16-2, paragraph 2; Article 16-5, paragraphs 1 and 2; and Article 16-9, paragraphs 2 and 4 of the Industrial Accident Compensation Insurance Act apply mutatis mutandis to the special survivor pension. In this case, "the month in which the reason for payment occurs" in Article 9, paragraph 1 of the Industrial Accident Compensation Insurance Act is deemed to be replaced with "the month in which the claim for payment is filed;" the term the "payment for insurance proceeds" in Article 12-1 of the Industrial Accident Compensation Insurance Act, is deemed to be replaced with "the special survivor benefit to be paid;" the term "the relevant payment for insurance proceeds" is deemed to be replaced with "the relevant special survivor benefit;" the term "a worker" in Article 16-2, paragraph 2 of the Industrial Accident Compensation Insurance Act is deemed to be replaced with "a deceased worker, etc.;" the term the " preceding paragraph," is deemed to be replaced with "Article 60, paragraph 1 of the Act on Asbestos Health Damage Relief;" the term "a worker" in Article 16-9, paragraph 2 of the Industrial Accident Compensation Insurance Act is deemed to be replaced with a "deceased worker, etc.;" and the term "extinguishes" in paragraph 4 of that Article is deemed to be replaced with "extinguishes, and if there is no survivor listed in the same priority as the survivor having the right and there is a following survivor, the special survivor pension is paid to the following survivor."

(3) The provisions of Article 16-9, paragraph 3 of the Industrial Accident Compensation Insurance Act apply mutatis mutandis to the surviving family member eligible to receive the special lump-sum benefit for surviving family. In this case, the term "the survivor compensation pension" in that paragraph is deemed to be replaced with "the special survivor pension," and the term a "worker," in that paragraph is deemed to be replaced with a "deceased worker, etc."

(Measures for the Adjustment between the Special Survivors Benefits and Compensation for Damages)

Article 65 In the case where the survivor of a deceased worker, etc. may receive compensation for damages from the employer covered by the workers' accident compensation insurance who employed the deceased worker, etc. under the Civil Act (Act No. 89 of 1896) or any other Act, and receives the compensation for damages under the Civil Act or any other Act when the survivor should receive the special survivor benefit for the same reason, the Minister of Health, Labour and Welfare may refrain from paying the special survivor benefit within the limits of the insured value, according to the standard established by the minister.

(Collection of Costs from Persons who Commit Benefit Fraud)

- Article 66 (1) If there is a person who receives payment of the special survivor benefit by deception or other wrongful means, the Minister of Health, Labour and Welfare may collect the amount in whole or in part equivalent to the costs of the payment of the special survivor benefit from the relevant person.
- (2) In the case referred to in the preceding paragraph, if the payment is made based on a false report or certification granted by an employer covered by the workers' accident compensation insurance, the Minister of Health, Labour and Welfare may order the employer covered by the workers' accident compensation insurance to pay the money to be collected of that paragraph jointly and severally with the person who received the payment.
- (3) A Labor Insurance Affairs Association referred to in Article 33, paragraph 3 of the Collection Act is deemed to be an employer covered by the workers' accident compensation insurance with regard to the application of the provisions of the preceding paragraph.
- (4) The provisions of Articles 26, 28, 29 and 41 of the Collection Act apply mutatis mutandis to the money to be collected pursuant to the provisions of paragraphs 1 and 2. In this case, the term the "government" in Article 26 and Article 41, paragraph 2 of the Collection Act is deemed to be replaced with the "Minister of Health, Labour and Welfare."

(Mutatis Mutandis Application Concerning the Protection of Benefit Receiving Right)

Article 67 The provisions of Articles 28 and 29 apply mutatis mutandis to the special survivor benefit.

(Provisions Governed by Order of the Minister of the Ministry of Health, Labour and Welfare)

Article 68 Beyond what is set forth in this Section, the necessary matters for the

payment of the special survivor benefit are prescribed in Order of the Ministry of Health, Labour and Welfare.

Section 2 Costs

- Article 69 (1) The costs required for the payments of the special survivor benefit are deemed to be the costs for the labor insurance activities prescribed in Article 10, paragraph 1 of the Collection Act, and the labor insurance premiums prescribed in paragraph 2 of that Article (excluding the stamp insurance premiums set forth in item (iv) of that paragraph; the same applies hereinafter) are collected to appropriate it for the costs.
- (2) The provisions of the Collection Act (excluding the provisions of Article 4 and Articles 22 through 25) apply to the collection of the labor insurance premiums under the provisions of the preceding paragraph. In this case, the term "and labor welfare services" in Article 12, paragraph 2 of the Collection Act is deemed to be replaced with ", labor welfare services and the payment of the special survivor benefit set forth in Article 59, paragraph 1 (hereinafter referred to as the "special survivor benefit") of the Act on Asbestos Health Damage Relief (hereinafter referred to as the "Act on Asbestos Health Damage Relief");" the term "the amount of the costs," is deemed to be replaced with "the amount of the costs, the amount of the costs required for the payments of the special survivors benefits;" the term "is ... ;the same applies in Article 20, paragraph 1)" in paragraph 3 of that Article is deemed to be replaced with "is ... ; the same applies to Article 20, paragraph 1) and the amount of the special survivor benefit (the special lump sum benefit for surviving family paid in the case of Article 62, item (ii) of the Asbestos Relief Act, the special survivor benefit pertaining to a person who developed any of the diseases by performing specific activities for long period of time which is prescribed in Order of the Ministry of Health, Labour and Welfare (limited to persons prescribed in Order of the Ministry of Health, Labour and Welfare and designated for each business category prescribed in Order of the Ministry of Health, Labour and Welfare, considering the employment period, etc. in the relevant business) (referred to as the "special survivor benefit for a person who developed a specified disease" in this paragraph), and the amount of the special survivor benefit for to the Class 3 special insured person) (the amount of the special survivor pension set forth in Article 59, paragraph 2 of the Asbestos Relief Act is to be calculated as prescribed in Order of the Ministry of Health, Labour and Welfare);" and the term ", the costs required for the payment of insurance proceeds to a person who developed a specified disease," is deemed to be replaced with ", the costs required for the insurance benefit pertaining to a person who developed a specified disease, the costs required for the payment of

the special survivor pension referred to in Article 59, paragraph 2 of the Act on Asbestos Health Damage Relief, the costs required for the payment of the special survivor benefit for a person who developed a specified disease," and the other necessary replacement of technical terms is prescribed in Cabinet Order.

- (3) The costs required for the payment of the special survivor benefit are deemed to be the costs of the payment of insurance proceeds of workers' accident compensation insurance activities under the Industrial Accident Compensation Insurance Act, and the provisions of the Labor Insurance Special Account Act (Act No. 18 of 1972) apply to the relevant costs. In this case, the term "the costs of insurance proceeds of workers' accident insurance activities" in Article 4, paragraph 2, item (i) of that Act is deemed to be replaced with the "costs of insurance proceeds of workers' accident insurance activities (including the costs required for the payment of the special survivor benefit set forth in Article 59, paragraph 1 of the Act on Asbestos Health Damage Relief which is deemed as the costs of insurance proceeds of workers' accident insurance activities pursuant to the provisions of Paragraph 3, Article 69, paragraph 3 of that Act)," and the other necessary replacement of technical terms is prescribed in Cabinet Order.

Section 3 Miscellaneous Provisions

(Collection of Reports from Recipients of Special Survivors Benefits)

Article 70 The Minister of Health, Labour and Welfare may request survivors pertaining to the payment of the special survivor benefit to report or to submit a document or any other items or to appear, when the minister finds it necessary for the payment of the special survivor benefit.

(Order to Undergo Diagnosis)

Article 71 The Minister of Health, Labour and Welfare may order survivor pertaining to the payment of the special survivor benefit to undergo diagnosis by a doctor designated by the Minister of Health, Labour and Welfare, when the minister finds it necessary for the payment of the special survivor benefit.

(Temporary Suspension of Payments of Special Survivor Pension)

Article 72 In the case where a person having the right to receive the special survivor pension fails to report, or submit a document or any other item, or fails to appear without reasonable grounds when the person is requested to do so pursuant to the provisions of Article 70, or makes a false report or submits a document containing false entries, or does not obey the order pursuant to the provisions of the preceding Article without reasonable grounds, or fails to give

notice under the provisions of Article 12-7 of the Industrial Accident Compensation Insurance Act as applied mutatis mutandis pursuant to the provisions of Article 64, paragraph 1 or fails to submit a document or any other item without reasonable grounds when the person is requested to do so, the Minister of Health, Labour and Welfare may temporarily suspend the payment of the special survivor pension to the relevant person.

(Collection of Reports from Employers)

Article 73 (1) The Minister of Health, Labour and Welfare may request employers covered by the workers' accident insurance, or each Labor Insurance Affairs Association of Article 33, paragraph 3 of the Collection Act, or organizations prescribed in Article 35, paragraph 1 of the Industrial Accident Compensation Insurance Act to report, or to submit a document, or to appear, when the minister finds it necessary for the payment of the special survivor benefit.

(2) The Minister of Health, Labour and Welfare may have its official enter a workplace of the business in which the relationship between the insured business and the workers' accident insurance has been established, or an office of Labor Insurance Affairs Association, etc. to question the person concerned or have the official inspect the books and documents and other items, when the minister finds it necessary for the payment of the special survivor benefit.

(3) The Minister of Health, Labour and Welfare may request a worker engaged in the business in which the relationship between the insured business and the workers' accident insurance has been established (including a person deemed as a worker engaged in the business in which the relationship between the insured business and the workers' accident insurance has been established pursuant to the provisions of Article 34, paragraph 1, item (i), Article 35, paragraph 1, item (iii) or Article 36, paragraph 1, item (i) of the Industrial Accident Compensation Insurance Act) to report, or to submit a document or any other item, when the minister finds it necessary for the payment of the special survivor benefit.

(4) The provisions of Article 45, paragraph 2 apply mutatis mutandis to the on-site inspection under the provision of paragraph 2, and the provisions of paragraph 3 of that Article apply mutatis mutandis to the authority under the provisions of paragraph 2.

(Collection Reports from Persons Who Performed Medical Care)

Article 74 (1) The Ministry of Health, Labour and Welfare may request a person who performed or the diagnosis or medical care of a survivor pertaining to the payment of the special survivor benefit or the provision of medicines or medical treatment to report or to show a medical record or any other item concerning

the performed diagnosis, medical care, provision of medicines or medical treatment, or may have its official question the persons concerned, when the minister finds it necessary for the payment of the special survivor benefit.

- (2) The provisions of Article 45, paragraph 2 apply mutatis mutandis to the questions under the provision of the preceding paragraph, and the provisions of paragraph 3 of that Article apply mutatis mutandis to the authority under the provisions of the preceding paragraph.

Chapter IV Appeal

(Requests for Administrative Reviews)

Article 75 (1) With regard to the disposition implemented by the agency under this Act, a request for administrative review may be filed with the persons specified in the following items according to the categories prescribed therein.

(i) the request for administrative review on the disposition pertaining to the certification or the payment of the relief benefits: Pollution-related Health Damage Compensation Complaint Review Board

(ii) the request for administrative review on the disposition pertaining to the collection of general contributions under paragraph 2 and special contributions: the Minister of the Environment

- (2) With regard to the application of the provisions of Article 31 of the Administrative Complaint Review Act (Act No. 160 of 1962) to the request for administrative review set forth in item (i) of the preceding paragraph, the term an "official of the Agency" in that Article is deemed to be replaced with an "examiner or expert advisor."

- (3) The provisions of Article 106, paragraph 3 and Articles 131, 133 and 134 of the Act on Compensation for Pollution-related Health Damage (Act No. 111 of 1973; hereinafter referred to as the "Pollution-related Health Damage Compensation Act) apply mutatis mutandis to the request for administrative review set forth in item (i) of paragraph 1. In this case, the term "compensation benefit" in Article 131 of the Pollution-related Health Damage Compensation Act is deemed to be replaced with the "relief benefits prescribed in Article 3 of the Act on Asbestos Health Damage Relief" (hereinafter referred to as the "Act on Asbestos Health Damage Relief"), and the term "this subsection" in Article 134 of the Pollution-related Health Damage Compensation Act is deemed to be replaced with "Article 131 as applied mutatis mutandis pursuant to Article 75, paragraph 3 of the Act on Asbestos Health Damage Relief following the deemed replacement of terms."

(Filing of Objections)

Article 76 An employer covered by the workers' accident insurance may file an

objection when the employer is dissatisfied with the disposition under the provisions of Article 19, paragraph 4 of the Collection Act as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 1.

(Relationship between Administrative Appeal and Lawsuit)

Article 77 An action for revocation of original administrative disposition implemented by the agency under this Act or of the disposition prescribed in the preceding Article may not be filed until the administrative determination by the Pollution-related Health Damage Compensation Complaint Review Board or the Minister of the Environment on the request for administrative review of the disposition implemented by the agency, or the decision made by the Minister of Health, Labour and Welfare on the filing of an objection against the disposition prescribed in that Article, or the administrative determination by the Minister of Health, Labour and Welfare on the request for administrative review of the disposition prescribed in that Article.

(Request for Administrative Review of the Special Survivors Benefits)

Article 78 The decision on the special survivor benefit is deemed as the decision on the payment of insurance proceeds based on the Industrial Accident Compensation Insurance Act, and the provisions of Articles 38 through 40 of the Industrial Accident Compensation Insurance Act apply.

(Mutatis Mutandis Application)

Article 79 The provisions of Article 38 of the Collection Act apply to the money to be collected under the provisions of Article 66, paragraphs 1 and 2.

Chapter V Miscellaneous Provisions

(Researches and Studies)

Article 80 The State must endeavor to promote researches and studies on the prevention of health damage from asbestos.

(Inquiries to Public Offices)

Article 81 The Minister of Health, Labour and Welfare and the agency may request public offices, or public or private organizations to report necessary matters, when the minister and the agency find it necessary for the enforcement of this Act.

(Computation of a Period of Time)

Article 82 The provisions regarding the computation of a period of time under the Civil Code apply mutatis mutandis to the computation of a period of time

prescribed in this Act or in Orders under this Act.

(Free Certification of Family Registers)

Article 83 A mayor of municipal government (mayor of a special ward or designated city prescribed in Article 252-19, paragraph 1 of the Local Autonomy Act (Act No. 67 of 1947)) may certify the family register of a person who is going to receive the payment of the relief benefits or the special survivor benefit or a surviving family member of a deceased worker, etc. other than those at no charge, as prescribed in the municipal ordinance of the relevant city (including a special ward), for the Minister of Health, Labour and Welfare, the agency or the person who is going to receive the payment of the relief benefits or the special survivor benefit.

(Transitional Measures Governed by Orders)

Article 84 In the case where an order is enacted, amended or abolished under this Act, a necessary transitional measure (including a transitional measure for penal provisions) may be provided for by order to the extent considered reasonably necessary for its enactment, amendment or abolition.

(Delegation of Authority)

Article 85 (1) The authority of the Minister of Health, Labour and Welfare prescribed in this Act may be partially delegated to the director general of the relevant Prefectural Labor Bureau.

(2) The authority delegated to the director general of the relevant Prefectural Labor Bureau pursuant to the provisions of the preceding paragraph may be delegated to the chief of the relevant Labor Standards Inspection Office as prescribed in Order of the Ministry of Health, Labour and Welfare.

(Provisions Governed by Orders)

Article 86 Beyond what is set forth in this Act, the necessary matters for the enforcement of this Act are prescribed in Orders.

Chapter VI Penal Provisions

Article 87 Any person who violates the provisions of Article 58 is punished by imprisonment with labor of not more than one year or a fine of not more than 500,000 yen.

Article 88 (1) If an employer covered by the workers' accident insurance falls under any of the following items, the employer is punished by imprisonment with labor of not more than six months or a fine of not more than 300,000 yen.

If a Labor Insurance Affairs Association, etc. falls under any of these items, the same applies to the representative, agent, employee or any other worker of the Labor Insurance Affairs Association, etc. who engaged in the illegal conduct.

- (i) a person who fails to report in violation of the order under the provisions of Article 42 of the Collection Act as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 1, or make a false report, or fails to submit a document, or submits a document containing false entries.
 - (ii) a person who fails to answer the questions asked by the official under the provisions of Article 43, paragraph 1 of the Collection Act as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 1 or gives a false answer, or refuses, disturbs or challenges the inspection.
 - (iii) a person who was requested to report or to submit a document or any other item pursuant to the provisions of Article 73, paragraph 1 fails to comply with the request, or makes a false report or submits a document containing false entries.
 - (iv) a person fails to answer the questions asked by the official under the provisions of Article 73, paragraph 2 or gives a false answer, or refuses, disturbs or challenges the inspection.
- (2) In the case where a Labor Insurance Affairs Association referred to in Article 33, paragraph 3 of the Collection Act fails to keep the book in violation of the provisions of Article 36 of the Collection Act as applied mutatis mutandis pursuant to the provisions of Article 38, paragraph 3 or fails to make the entries concerning the general contribution affair under paragraph 1 in the book, or makes false entries, the representative, agent, employee or any other worker of the Labor Insurance Affairs Association who engaged in the illegal conduct is punished by imprisonment with labor of not more than six months or a fine of not more than 300,000 yen.
- (3) A person who fails to report in violation of the order under the provisions of Article 45, paragraph 1 (including as applied mutatis mutandis pursuant to the provisions of Article 50), or makes a false report, or fails to submit a document, or submits a document containing false entries, or fails to answer the questions asked by the official under the provisions of that paragraph, or gives a false answer, or refuses, disturbs or challenges the inspection is punished by imprisonment with labor of not more than six months or a fine of not more than 300,000 yen.

Article 89 (1) A person who falls under any of the following items is punished by imprisonment with labor of not more than six months or a fine of not more than 200,000 yen.

- (i) a person who was requested to report or to submit a document or any other item pursuant to the provisions of Article 52 fails to comply with the request,

- or makes a false report, or submits a document containing false entries.
- (ii) a person who was requested to report or to show a medical record or any other item pursuant to the provisions of Article 56, paragraph 1 fails to comply with the request, or makes a false report, or fails to answer the questions under the provisions of that paragraph, or gives a false answer.
- (2) A person other than an employer covered by the workers' accident insurance, and Labor Insurance Affairs Association, etc., who falls under any of the following items, is punished by imprisonment with labor of not more than six months or a fine of not more than 200,000 yen.
- (i) a person who was requested to report or to show a document or any other item pursuant to the provisions of Article 70 or Article 73, paragraph 3 fails to comply with the request, or makes a false report, or submits a document containing false entries.
 - (ii) a person fails to answer the questions asked by the official under the provisions of Article 73, paragraph 2 or gives a false answer, or refuses, disturbs or challenges the inspection.
 - (iii) a person who was requested to report or to show a medical record or any other item pursuant to the provisions of Article 74, paragraph 1 fails to comply with the request, or makes a false report, or fails to answer the questions under the provisions of that paragraph, or gives a false answer.

Article 90 (1) In the case where the representative of a juridical person (including a Labor Insurance Affairs Association, etc. which is not a juridical person; hereinafter the same applies in this paragraph) or an agent, employee or any other worker of a juridical person or an individual engaged in illegal conduct referred to in Article 88 or the preceding Article (excluding item (i) of paragraph 1 and item (i) of paragraph 2), not only the offender is punished but also the juridical person or individual is punished by the fine prescribed in the respective Articles.

(2) In the case where a Labor Insurance Affairs Association, etc. which is not a juridical person is punished pursuant to the provisions of the preceding paragraph, the representative thereof represents the Labor Insurance Affairs Association, etc. in the procedural action, and the provisions of the Code of Criminal Procedure which are applicable to procedural actions where a juridical person is the suspect or accused apply *mutatis mutandis*.

Article 91 In the case where the approval of the Minister of the Environment is required pursuant to the provisions of Article 41, paragraph 4 (including as applied *mutatis mutandis* pursuant to the provisions of Article 50), if the approval is not acquired, the officer of the agency who engaged in the illegal conduct is punished by a civil fine of not more than 200,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the date prescribed in Cabinet Order before March 31, 2006; provided, however, that the provisions prescribed in the following items come into effect on the date prescribed in the relevant items.

(i) provisions of Chapter 1, Subsection 1, Section 2, Chapter 2, Articles 84 and 86, and Articles 2, 3, 5, 10 and 12 through 14 of the Supplementary Provisions: the date of promulgation

(ii) provisions of Section 2 (excluding Subsection 1), Chapter 2, Article 57, Article 75 (limited to the parts pertaining to item (ii) of paragraph 1), Article 76, Article 88 (excluding items (iii) and (iv) of paragraph 1), Article 90 (limited to the part pertaining to Article 88 (excluding items (iii) and (iv) of paragraph 1)) and Article 91, and Article 4 of the Supplementary Provisions: April 1, 2007

(Transitional Measure for Requests for Certification)

Article 2 (1) A person who intends to receive the certification referred to in Article 4, paragraph 1 may file a request for the certification during the period from the day a week before the effective date to the day before the effective date.

(2) When a request for the certification is filed pursuant to the provisions of the preceding paragraph, the request is deemed have has been filed pursuant to the provisions of Article 4, paragraph 2 on the effective date.

(Special Provisions for Costs Borne by the National Treasury)

Article 3 With respect to the application of the provisions of Article 34 in the fiscal year 2006, the term "in each fiscal year" in that Article is deemed to be replaced with "in the fiscal year 2006," and the term "in part" is deemed to be replaced with "in whole."

(Special Provisions for Activities Lasting for a Limited Period of Time)

Article 4 The provisions of Article 35, paragraph 1 do not apply to any activity lasting for a limited period of time prescribed in Order of the Ministry of Health, Labour and Welfare set forth in Article 20, paragraph 1 of the Collection Act, in which the relationship between the insured activity and the labor insurance pertaining to the workers' accident insurance prescribed in Article 3 of the Collection Act has been established before the day prescribed in item (ii) of Article 1 of the Supplementary Provisions.

(Preparation before Enforcement)

Article 5 For formulating a plan to enact Cabinet Orders referred to in Article 37 paragraph 3 and Article 48, paragraph 1, the Minister of the Environment may hear the opinions of the Central Environment Council even before the effective date of the provisions set forth in item (ii) of Article 1 of the Supplementary Provisions.

(Reviews)

Article 6 The government is to examine the status of enforcement of this Act within 5 years from the enforcement date of this Act, and conduct a necessary review based on the result.

(Partial Amendment to the Act on Funds for Social Insurance Medical Fee Reimbursement)

Article 7 The Act on Funds for Social Insurance Medical Fee Reimbursement is partially amended as follows.

The term "or Paragraph 3, Article 84 of the Act on the Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity (Act No. 110 of 2003)" in paragraph 2 of Article 15 is amended to read ", paragraph 3 of Article 84 of the Act on the Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity (Act No. 110 of 2003), or paragraph 1 of Article 14 of the Act on Asbestos Health Damage Relief (Act No.4 of 2006);" the term "or paragraph 4 of Article 84 of the Act on the Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity" to read ", paragraph 4 of Article 84 of the Act on the Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity or paragraph 2 of Article 14 of the Act on Asbestos Health Damage Relief;" the term "of ... or municipal government," to read "of ..., municipal government or incorporated administrative agency (meaning an incorporated administrative agency prescribed in paragraph 1 of Article 2 of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999); the same applies hereinafter);" the term "by ... or municipal government," to read "by ..., municipal government or incorporated administrative agency;" and the term "or municipal government" in paragraph 4 of that Article," to read ", municipal government or incorporated administrative agency."

(Partial Amendment to the Residential Basic Book Act)

Article 8 The Residential Basic Book Act (Act No. 81 of 1967) is partially amended as follows.

The paragraph 82 in Appended Table 1 is deleted, and the paragraph 81 is

changed to paragraph 82, paragraphs 65 through 80 are respectively changed to the next paragraph number; and the following paragraph is added next to paragraph 64.

65 Ministry of Health, Labour and Welfare	Affairs concerning the payment of the special survivor benefit of Paragraph 1 of Article 56 of the Act on Asbestos Health Damage Relief (Act No.4 of 2006) pursuant to that Act, and prescribed in Order of the Ministry of Internal Affairs and Communications
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The paragraph 120 in Appended Table 1 is changed to paragraph 121, while the paragraph 119 is changed to paragraph 120, and the following paragraph is added next to paragraph 118.

119 Environmental Restoration and Conservation Agency	Affairs concerning the payment of the relief benefits of Article 3 of the Act on Asbestos Health Damage Relief and the certification of Paragraph 1 of Article 4 or of Paragraph 1 of Article 22 of that Act, pursuant to that Act, and prescribed in Order of the Ministry of Internal Affairs and Communications
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(Partial Amendment to the Act concerning Public Consultants on Social and Labor Insurance)

Article 9 The Act on Public Consultants on Social and Labor Insurance (Act No. 89 of 1978) is partially amended as follows.

The following item (i) is added next to item (xx-xx) of Appended Table 1.

(xx)-21 Act on Asbestos Health Damage Relief (Act No.4 of 2006; limited to the provisions of Articles 38 and 59)

(Partial Amendment to the Labor Insurance Special Account Act)

Article 10 The Labor Insurance Special Account Act is partially amended as follows.

The following paragraph is added to the Supplementary Provisions.

(8) The accounting of the government for the collection of the general contributions under paragraph 1 under the provisions of the Act on Asbestos Health Damage Relief (Act No.4 of 2006) is performed in this accounting, notwithstanding the provisions of Article 1 until otherwise provided by law. In this case, the term "and the relevant miscellaneous income" in Article 6 is amended to read ", the money received from the general account under the provisions of Article 34 of the Act on Asbestos Health Damage Relief (Act No.4 of 2006), the general contributions set forth in paragraph 1 of Article 35 of that Act (hereinafter referred to as "general contributions" in this Article),

and the relevant miscellaneous income;" and the term ", the collection of labor insurance premiums and," is amended to read ", the refund money of general contributions, the grant provided to the Environmental Restoration and Conservation Agency, labor insurance premiums and the collection of general contributions, and."

(Partial Amendment to the Act on Compensation for Pollution-related Health Damage)

Article 11 (1) The Act on Compensation for Pollution-related Health Damage is partially amended as follows.

The term "of paragraph 2 of Article 106" in Article 111 is amended to read "under the provisions of paragraph 2 of Article 106 ... and Article 75, paragraph 1, item (i) of the Act on Asbestos Health Damage Relief (Act No. of 2006)."

The following Article is added next to Article 119.

(Expert Advisors)

Article 119-2 The examination board may appoint expert advisors to have them study and deliberate on the matters they are specialized in.

- (2) The expert advisors are appointed by the Minister of the Environment from among persons with relevant expertise.
- (3) The expert advisors is to be dismissed when the studies and deliberations on the matters they are specialized in are finished.
- (4) The expert advisors work on a part-time basis.

(Partial Amendment to the Basic Act on the Environment)

Article 12 The Basic Act on the Environment (Act No. 91 of 1993) is partially amended as follows.

The term "and the Act on the Prevention of Adverse Ecological Impacts Caused by Designated Invasive Alien Species (Act No. 78 of 2004)" in Article 41, paragraph 2, item (iii) is amended to read ", the Act on the Prevention of Adverse Ecological Impacts Caused by Designated Alien Species (Act No. 78 of 2004), and the Act on Asbestos Health Damage Relief (Act No.4 of 2006)."

(Partial Amendment to the Act for Establishment of the Ministry of the Environment)

Article 13 The Act for Establishment of the Ministry of the Environment (Act No. 101 of 1999) is partially amended as follows.

The item (xxiv) in Article 4 is changed to item (xxv), and items (xx) through (xxiii) are changed to the next item number respectively, while the following item is added next to item (xix).

(xx) matters concerning asbestos health damage relief (excluding the matters under the jurisdictions of other ministers)

The term "item (xxi)" of paragraph 2 of Article 12 is amended to read "item xxii)," and the term "item (xxiv)," is amended to read "item xxv)."

(Partial Amendment to the Environmental Restoration and Conservation Agency Act)

Article 14 (1) The Environmental Restoration and Conservation Agency Act (Act No. 43 of 2003) is partially amended as follows.

The term "Article 16" in the table of contents is amended to read "Article 16-2."

The term "the administration of maintenance reserve funds, etc." in Article 3 is amended to read the "administration of maintenance reserve funds, asbestos health damage relief, etc."

The term the "following Article" in Article 10, paragraph 1, item (i), (a) is amended to read "Article 11," and the item (vii) of that paragraph is changed to item (viii), while the following item is added next to item (vi).

(vii) to perform the following affairs for asbestos health damage relief.

(a) certification (meaning the certification referred to in paragraph 1 of Article 4 (including its renewal and revocation) referred to in the Act on Asbestos Health Damage Relief (Act No.4 of 2006; hereinafter referred to as the Asbestos Relief Act) and the certification referred to in paragraph 1 of Article 22)

(b) payment of the relief benefits (meaning the relief benefits referred to in Article 3 of the Act on Asbestos Health Damage Relief)

(c) collection of general contributions (meaning the general contributions set forth in paragraph 2 of Article 35 of the Act on Asbestos health Damage Relief) from ship owners (meaning the ship owners set forth in that paragraph) and the collection of special contributions (meaning the special contributions referred to in paragraph 1 of Article 47 of the Act on Asbestos Health Damage Relief) from employers (meaning the special employers set forth in that paragraph)

The following Article is added next to Article 10.

(Entrustment of Affairs)

Article 10-2 The agency may entrust its affairs prescribed in paragraph 1, item (vii), (a) of the preceding Article (limited to the affairs pertaining to request) and (b) (limited to the affairs pertaining to claims) partially to prefectural governments, cities or special wards in which a health center has been established, and the persons designated by the Minister of the Environment (referred to as "prefectures, etc." in the following paragraph).

- (2) The prefectural governments, etc. may perform the affairs entrusted by the agency pursuant to the provisions of the preceding paragraph, notwithstanding the provisions of other Acts.

The term "paragraph 1, item (ii) of the preceding Article" in Article 11 is amended to read " Article 10, paragraph 1, item (ii)."

Article 12 is amended as follows.

(Separate Accounting)

Article 12 The agency must separate the accounting for each affair prescribed in the following items and organize the accounting by establishing respective accounts title.

(i) affairs prescribed in Article 10, paragraph 1, items (i) and (ii) and affairs incidental to these affairs (hereinafter referred to as "pollution health damage compensation and prevention affairs")

(ii) affairs set forth in Article 10, paragraph 1, item (vii) and affairs incidental to these affairs (hereinafter referred to as "asbestos health damage relief affairs")

(iii) affairs other than those set forth in the preceding two items

The following Article is added next to Article 16 in Chapter 3.

(Relief Funds for Asbestos Health Damage)

Article 16-2 The agency sets up the asbestos health damage relief fund to appropriate it for the costs required for the affairs set forth in Article 10, paragraph 1, item (vii), (b), and the amount to be appropriated under the provisions of paragraph 2 of Article 31 of the Act on Asbestos Health Damage Relief is to be appropriated for it.

- (2) The provisions of Article 47 and Article 67 (limited to the part pertaining to item (iv)) of the Act on General Rules apply mutatis mutandis to the operation of the relief fund for asbestos health damage. In this case, the term "cash in trust" in item (iii) of Article 47 of the Act on General Rules is deemed to be replaced with "cash in trust with a contract clause for covering the principal."

The "paragraph 1 of the preceding Article" in item (i) of Article 17 is amended to read "paragraph 1 of Article 16."

The term "and paragraph 2 of Article 16" in item (iii) of Article 22 is amended to read ", paragraph 2 of Article 16 and Article 16-2, paragraph 2" and the term "or fund for polychlorinated biphenyl waste disposal," to read ", fund for polychlorinated biphenyl waste disposal or relief fund for asbestos health damage."

Article 29 of the Supplementary Provisions is amended as follows.

(Appropriation of the Fund for Cost of Affairs)

Article 29 The agency may use the relief fund for asbestos health damage in part and appropriate the amount equivalent to the amount used for the costs required to perform the asbestos health damage relief affairs, with the approval of the Minister of the Environment until otherwise provided for by law, notwithstanding the provisions of paragraph 2 of Article 31 and paragraph 1 of Article 16-2 of the Act on Asbestos Health Damage Relief. In this case, with respect to the amount equivalent to the amount used for the costs, the part of the amount equivalent to the amount appropriated for the costs required to perform the asbestos health damage relief affairs, from the fund granted by the government pursuant to the provisions of paragraph 1 of Article 32 of the Act on Asbestos Health Damage Relief in or after the fiscal year 2007 is to be included in the relief fund for asbestos health damage, until the amount reaches the amount equivalent to the amount used for the costs.

- (2) When the Minister of the Environment intends to grant the approval under the provisions of the preceding paragraph, the minister must consult with the Minister of Finance.

Articles 30 through 36 of the Supplementary Provisions are deleted.

(Partial Amendment to the Services and Supports for Persons with Disabilities Act)

Article 15 The Services and Supports for Persons with Disabilities Act (Act No. 123 of 2005) is partially amended as follows.

The term "paragraph 3 of Article 84 of the Act on the Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity (Act No. 110 of 2003)" in the amended provisions of paragraph 2 of Article 15 of the Act on the Fund for Social Insurance Medical Fee Reimbursement is amended to read "paragraph 1 of Article 14 of the Act on Asbestos Health Damage Relief (Act No.4 2006);" and the term "paragraph 4 of Article 84 of the Act on the Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity" to read "paragraph 2 of Article 14 of the Act on Asbestos Health Damage Relief."