

Government Policy Evaluations Act

(Act No. 86 of June 29, 2001)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote the objective and rigorous implementation of policy evaluations and to reflect the results of these evaluations in the planning and development of policy, and to make information on the evaluation of policy public by providing for basic matters regarding the evaluation of policy by administrative organs, with a view to promoting effective and efficient administration and ensuring that the government's responsibility to remain accountable to the people for its activities is being properly discharged.

(Definitions)

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

- (i) the Cabinet Office as the organization in charge of the functions prescribed in Article 4, paragraph (3) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) (excluding organs set forth in the following item);
- (ii) the Imperial Household Agency and organs prescribed in Article 49, paragraph (1) of the Act for Establishment of the Cabinet Office (in the case of the National Public Safety Commission, excluding the National Police Agency) as organs in charge of the functions prescribed in Article 4, paragraph (3) of the same Act and the National Police Agency;
- (iii) the Digital Agency as the organization in charge of the functions prescribed in Article 4, paragraph (2) of the Act for Establishment of the Digital Agency (Act No. 36 of 2021);

- (iv) the ministries (the ministries as the organizations in charge of the administrative functions that ministers take charge of and manage pursuant to the provisions of Article 5, paragraph (1) of the National Government Organization Act (Act No. 120 of 1948); as it concerns the Ministry of Internal Affairs and Communications, this excludes the organization set forth in the following item, and as it concerns the Ministry of the Environment, this excludes the organization set forth in item (vi));
 - (v) the Environmental Dispute Coordination Commission;
 - (vi) the Nuclear Regulation Authority.
- (2) The term "policy" as used in this Act means the policies, measures, and other things similar to these which concern a set of administrative actions that an administrative organ plans and formulates in order to realize a certain objective within the scope of its duties or the functions under its jurisdiction.

(Principles of Policy Evaluation)

- Article 3 (1) An administrative organ must assess the effects of policy under its jurisdiction (meaning the effects that a set of administrative actions it has carried out or seeks to carry out has or is expected to have on the lives of the people, on society, and on the economy; the same applies hereinafter) at the appropriate time, and on the basis of that assessment, make its own evaluation from the standpoint of necessity, efficiency, or effectiveness, or from any other standpoint that is necessary as a function of the special characteristics of the policy in question, and appropriately reflect the results of its evaluation in the planning and development of its policy.
- (2) An evaluation based on the provisions of the preceding paragraph (hereinafter referred to as a "policy evaluation") must be conducted in accordance with the following in order to ensure its objective and rigorous implementation:
- (i) the administrative organ is to assess the effects of the policy as quantitatively as possible, using a rational means properly suited to the special characteristics of the policy;
 - (ii) the administrative organ is to utilize the findings of persons with relevant expertise in keeping with the special characteristics of the policy.

(Handling of the Results of Policy Evaluations)

Article 4 In addition to handling the results of policy evaluations as prescribed in paragraph (1) of the preceding Article, the government is to endeavor to appropriately utilize the results of policy evaluations in preparing budgets and planning and formulating policies that have bearing on the jurisdiction of two or more administrative organs and that it is necessary to help promote comprehensively.

Chapter II Basic Guidelines for Implementing Policy Evaluations

Article 5 (1) The government must establish Basic Guidelines for Implementing Policy Evaluations (hereinafter referred to as "Basic Guidelines") in order to help systematically and steadily promote the implementation of policy evaluations.

(2) The Basic Guidelines are to establish the guiding principles for the basic plans referred to in paragraph (1) of the following Article, covering the following:

- (i) basic guidelines on implementing policy evaluations;
- (ii) basic matters relevant to the standpoints from which policy is evaluated;
- (iii) basic matters relevant to assessing the effects of policy;
- (iv) basic matters relevant to implementing ex-ante evaluations (meaning policy evaluations that are conducted before the policy is established; the same applies hereinafter);
- (v) basic matters relevant to implementing ex-post evaluations (meaning policy evaluations that are conducted after the policy has been established; the same applies hereinafter);
- (vi) basic matters relevant to utilizing the findings of persons with relevant expertise;
- (vii) basic matters relevant to reflecting the results of policy evaluations in policy planning and formulation;
- (viii) basic matters relevant to publicizing information related to policy evaluations via the Internet and by other such means;
- (ix) other important matters relevant to policy evaluations.

(3) In addition to what is set forth in the preceding paragraph, in the Basic Guidelines, the government is to provide for matters relevant to measures that it has implemented or seeks to implement pursuant to the provisions of Article 20 through Article 22, and for other measures that are necessary for the smooth and steady implementation of policy evaluations.

(4) The Minister of Internal Affairs and Communications must prepare a draft of the Basic Guidelines after hearing the opinions of a council (meaning an organ provided for in Article 8 of the National Government Organization Act and to be determined by Cabinet Order), and request a Cabinet decision affirming it.

(5) When a Cabinet decision under the preceding paragraph is made, the Minister of Internal Affairs and Communications must make the Basic Guidelines public without delay.

(6) The provisions of the preceding two paragraphs apply mutatis mutandis to the revision of the Basic Guidelines.

Chapter III Policy Evaluations by Administrative Organs

(Basic Plans)

Article 6 (1) At intervals of at least three and no more than five years, the head of an administrative organ (or the commission or authority itself, in the case of the Fair Trade Commission, National Public Safety Commission, Personal Information Protection Commission, Casino Regulatory Commission, Environmental Dispute Coordination Commission, or Nuclear Regulation Authority; the same applies hereinafter) must establish a basic plan for policy evaluations (hereinafter referred to as a "basic plan") based on the Basic Guidelines that covers policies under the jurisdiction of that administrative organ.

(2) In a basic plan, the head of the administrative organ is to establish the following:

- (i) the term of the plan;
- (ii) guidelines for the implementation of policy evaluations;
- (iii) matters relevant to the standpoints from which policy is evaluated;
- (iv) matters relevant to assessing the effects of policy;
- (v) matters relevant to implementing ex-ante evaluations;
- (vi) the policies that the head of the administrative organ seeks to make the subject of such ex-post evaluations during the term of the plan and matters relevant to implementing ex-post evaluations;
- (vii) matters relevant to utilizing the findings of persons with relevant expertise;
- (viii) matters relevant to reflecting the results of policy evaluations in policy planning and formulation;
- (ix) matters relevant to publicizing information related to policy evaluations via the Internet and by other such means;
- (x) matters relevant to the mechanisms for implementing policy evaluations within the administrative organ;
- (xi) other necessary matters relevant to implementing policy evaluations.

(3) The head of an administrative organ is to establish policies that are connected with the principal organizational objectives that the organ is to realize in response to social, economic, and other circumstances in order to achieve its organizational missions, as the policies referred to in item (vi) of the preceding paragraph.

(4) When the head of an administrative organ has established a basic plan, they must notify the Minister of Internal Affairs and Communications of the plan and make it public without delay.

(5) The provisions of the preceding two paragraphs apply mutatis mutandis to the revision of the basic plan.

(Implementation Plan for Ex-post Evaluations)

Article 7 (1) Each year, the head of an administrative organ must establish a plan for implementing ex-post evaluations (hereinafter referred to as "implementation plan").

- (2) In an implementation plan, the head of the administrative organ must establish the term of the plan, the following policies, and the specific means of conducting an ex-post evaluation for each of those policies:
- (i) those of the policies referred to in paragraph (2), item (vi) of the preceding Article that the head of the administrative organ seeks to make the subject of an ex-post evaluation during the term of the plan;
 - (ii) policies that will meet any of the following requirements during the term of the plan:
 - (a) activities essential to producing the effects that the policy was aiming to bring about have not been undertaken during the period of at least 5 but no more than 10 years after the policy was decided that Cabinet Order specifies in keeping with the special characteristics of the policy in question;
 - (b) the effects that the policy was aiming to bring about have not been produced after the end of the period arrived at when the period of at least 5 years but no more than 10 years that Cabinet Order specifies is added to the period provided for in (a) that Cabinet Order specifies in keeping with the special characteristics of the policy in question;
 - (iii) policies that the head of the administrative organ seeks to make the subject of ex-post evaluations during the term of the plan, other than those set forth in the preceding two items.
- (3) When the head of an administrative organ has established an implementation plan or revised it, they must notify the Minister of Internal Affairs and Communications of the plan and make it public without delay.

(Implementation of Ex-post Evaluations)

Article 8 An administrative organ must conduct ex-post evaluations based on the basic plan and the implementation plan.

(Implementation of Ex-ante Evaluations)

Article 9 An administrative organ must conduct ex-ante evaluations in connection with affairs under its jurisdiction before seeking to establish either a policy aimed at implementing an individual research and development project, public works, or official development assistance, or any other such policy, if it is one that Cabinet Order prescribes as meeting the following requirements:

- (i) the implementation of a set of administrative actions based on the policy is

expected to have a considerable impact on people's lives, society, or the economy; or a large amount of expenses are expected to be required before the effects that the policy aims to bring about are achieved;

- (ii) a method of assessing the effects of policy and other such ex-ante evaluation methodology that is needed to conduct an ex-ante evaluation have been developed.

(Evaluation Reports)

Article 10 (1) When the head of an administrative organ has conducted a policy evaluation, they must prepare a report including the following:

- (i) the policy subject to the policy evaluation;
- (ii) the department or organization responsible for the policy evaluation and the timing at which it implemented it;
- (iii) the standpoints from which the policy was evaluated;
- (iv) the method employed to assess the effects of the policy and the results of that assessment;
- (v) matters relevant to utilizing the findings of persons with relevant expertise;
- (vi) matters relevant to materials and other such information used in the course of conducting the policy evaluation;
- (vii) the results of the policy evaluation.

(2) When the head of an administrative organ has prepared an evaluation report pursuant to the provisions of the preceding paragraph, they must promptly send it to the Minister of Internal Affairs and Communications and make the report and a summary of it public.

(Notifying the Competent Minister of How the Results of Policy Evaluations Have Been Reflected in Policies and Making This Public)

Article 11 At least once a year, the head of an administrative organ must notify the Minister of Internal Affairs and Communications of how the results of policy evaluations have been reflected in policies at the administrative organ, as well as making this information public.

Chapter IV Evaluation of Policy by the Ministry of Internal Affairs and Communications

(Evaluation of Policy by the Ministry of Internal Affairs and Communications)

Article 12 (1) The Ministry of Internal Affairs and Communications is to conduct evaluations to ensure cohesiveness for each of the policies that are common to two or more administrative organs and that are found to need evaluating from the perspective of ensuring their government-wide cohesiveness; and is to conduct evaluations to ensure comprehensiveness for policies that have a

bearing on the jurisdiction of two or more administrative organs and that are found to need evaluating from the perspective of helping to promote them comprehensively.

- (2) The Ministry of Internal Affairs and Communications is to conduct an evaluation of an administrative agency's policy in order to guarantee the objective and rigorous implementation of policy evaluations if the administrative organ needs to redo a policy evaluation or needs to conduct a policy evaluation in order to properly respond to changes in societal or economic conditions but the Ministry finds that, in light of the status of an administrative organ's implementation of policy evaluations, its implementation of that policy evaluation cannot be ensured; or if the Ministry receives a request from an administrative agency and finds that it is necessary to conduct an evaluation together with that administrative organ.
- (3) In an evaluation under the provisions of the preceding two paragraphs, the Ministry of Internal Affairs and Communications is to assess the effects of the policy subject to the evaluation, and with this as a foundation, is to conduct the evaluation from the standpoint of necessity, efficiency, or effectiveness, or from any other standpoint that is necessary as a function of the special characteristics of the policy in question.

(Plan for the Evaluation of Policy by the Ministry of Internal Affairs and Communications)

- Article 13 (1) Each fiscal year, the Minister of Internal Affairs and Communications must establish a plan for evaluations under the provisions of paragraphs (1) and (2) of the preceding Article in the three-year period beginning in that fiscal year.
- (2) The Minister of Internal Affairs and Communications must establish the following in the plan referred to in the preceding paragraph:
 - (i) basic guidelines on implementing evaluations under the provisions of paragraphs (1) and (2) of the preceding Article;
 - (ii) policies that the Minister seeks to make the subject of evaluations under the provisions of paragraph (1) of the preceding Article during the term of the plan;
 - (iii) policies that the Minister seeks to make the subject of evaluations under the provisions of paragraph (1) of the preceding Article in that fiscal year;
 - (iv) other important matters related to the implementation of evaluations under the provisions of paragraphs (1) and (2) of the preceding Article.
 - (3) When the Minister of Internal Affairs and Communications has established the plan referred to in paragraph (1) or revised it, the Minister must make it public without delay.

Article 14 The Ministry of Internal Affairs and Communications must implement evaluations under the provisions of Article 12, paragraphs (1) and (2) in accordance with the plan referred to in paragraph (1) of the preceding Article.

(Requests to Submit Materials; Reviews)

Article 15 (1) The Minister of Internal Affairs and Communications may ask the head of an administrative organ to submit materials and provide explanations, and may make an on-the-spot review of the operations of an administrative organ, to the extent necessary for conducting an evaluation under the provisions of Article 12, paragraphs (1) and (2).

(2) The Minister of Internal Affairs and Communications may make a documentary review or on-the-spot review of the following operations in connection with an evaluation under the provisions of Article 12, paragraphs (1) and (2). In such a case, the person subject to the review must not refuse to undergo it:

(i) the operations of an Incorporated Administrative Agency (meaning an Incorporated Administrative Agency provided for in Article 2, paragraph (1) of the Act on General Rules of Incorporated Administrative Agencies (Act No. 103 of 1999));

(ii) the operations of a corporation established directly by an Act, or of a corporation that a special Act requires to be established by a special procedure (excluding a corporation to which the provisions of Article 4, paragraph (1), item (viii) of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999) does not apply);

(iii) the operations of a corporation established by a special Act, whose establishment requires the approval of administrative authorities (limited to corporations that have contributions from the State accounting for more than half of its capital, and that engage in operations under State assistance);

(iv) operations under State delegation or assistance.

(3) The Minister of Internal Affairs and Communications may make a documentary review or on-the-spot review of the operations of a local public entity which constitute the Item I statutory entrusted functions provided for in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947) (limited to those which need to be assessed as an integral part of the review of the operations of an administrative organ, and excluding those set forth in item (iv) of the preceding paragraph), within the minimum scope of what is necessary for achieving the objectives of the evaluation under the provisions of Article 12, paragraphs (1) and (2). Before doing so, the Minister of Internal Affairs and Communications is to ask the local public entity concerned for its opinions.

- (4) The Minister of Internal Affairs and Communications may ask a public or private organization or any other such relevant person for cooperation in connection with the submission of the necessary materials, as is necessary for implementing an evaluation under the provisions of Article 12, paragraphs (1) and (2).

(Preparation of Evaluation Reports)

- Article 16 (1) The Minister of Internal Affairs and Communications must prepare an evaluation report that includes the particulars set forth in each of the items in Article 10, paragraph (1) when the Minister has conducted an evaluation under the provisions of Article 12, paragraphs (1) and (2).
- (2) When the Minister of Internal Affairs and Communications has prepared an evaluation report pursuant to the provisions of the preceding paragraph, the Minister must promptly send the report to heads of related administrative organs with the necessary opinions attached, and make the report, its summary and the opinions public.

(Recommendations)

- Article 17 (1) The Minister of Internal Affairs and Communications must recommend that the head of a related administrative organ take the necessary measures to reflect the results of the relevant evaluation in the relevant policy if the Minister finds this to be necessary as a result of the evaluation under the provisions of Article 12, paragraphs (1) and (2); and must also make those recommendations public.
- (2) If the Minister of Internal Affairs and Communications has made a recommendation under the provisions of the preceding paragraph, the Minister may ask the head of the relevant administrative organ to report on measures taken based on the recommendation.
- (3) If the Minister of Internal Affairs and Communications finds it to be particularly necessary to do so in order for the results of an evaluation under the provisions of Article 12, paragraphs (1) and (2) to be reflected in the policy in question, the Minister is to offer an opinion to the Prime Minister expressing that the measures under the provisions of Article 6 of the Cabinet Act (Act No. 5 of 1947) should be taken to reflect the results of that evaluation in the policy.

(Ensuring Coordination with Other Evaluation and Monitoring)

- Article 18 When the Minister of Internal Affairs and Communications conducts an evaluation under the provisions of Article 12, paragraphs (1) and (2), the Minister must endeavor to ensure coordination with the evaluation and monitoring under the provisions of Article 4, paragraph (1), item (xi) of the Act

for Establishment of the Ministry of Internal Affairs and Communications.

Chapter V Miscellaneous Provisions

(Reporting to the Diet)

Article 19 Each year, the government must prepare a report on the status of implementation for policy evaluations and for evaluations under the provisions of Article 12, paragraphs (1) and (2) (hereinafter individually referred to as a "policy evaluation or evaluation by the Ministry") and on how the results of these evaluations have been reflected in the policies, and must submit the report to the Diet and make it public.

(Promoting Research and Studies on Methods Used for Policy Evaluations and Evaluations by the Ministry)

Article 20 The government must facilitate studies, research, and development relevant to the methods of assessing the effects of policy and into things such as the methods used for policy evaluations and evaluations by the Ministry, and must implement the necessary training and take other such measures to secure the human resources that constitute personnel engaged in policy evaluations and evaluations by the Ministry and to enhance their capabilities.

(Utilization of Information Related to Policy Evaluations and Evaluations by the Ministry)

Article 21 The Minister of Internal Affairs and Communications is to take the necessary measures to facilitate the use of the information needed to implement policy evaluations and evaluations by the Ministry which takes place among administrative organs, in order to contribute to the efficient and smooth implementation of policy evaluations and evaluations by the Ministry.

(Provision of Information on the Location of Information)

Article 22 The Minister of Internal Affairs and Communications is to take the necessary measures to provide information on the location of the results of policy evaluations and other such information on policy evaluations and evaluations by the Ministry, in order to help make things more convenient for persons seeking to obtain it.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2002; provided, however, that the provisions of Article 5 come into effect on the date specified by Cabinet Order

within a period not exceeding six months from the date of promulgation.

(Reviews)

Article 2 Three years after this Act comes into effect, the government is to review the extent to which this Act is in effect, and is to take the necessary measures based upon the results of its review.

(Transitional Measures Relevant to Implementation Plans for Ex-post Evaluations)

Article 3 To apply the provisions of Article 7, paragraph (1) to an implementation plan established by the National Public Safety Commission, the Director of the Financial Services Agency, or the Director of the National Police Agency for the first time after the Act comes into effect, the phrase "Each year..." in that paragraph is deemed to be replaced with "... with a plan term of less than one year that is specified by the National Public Safety Commission, the Director of the Financial Services Agency, or the Director of the National Police Agency".

(Transitional Measures Relevant to the Implementation of Ex-post Evaluations)

Article 4 The provisions of Article 7, paragraph (2) (limited to the part pertaining to item (ii)) also apply to policies that have been established before this Act comes into effect but for which the period prescribed in (a) or (b) of the item has passed on or after the effective date of this Act.

Supplementary Provisions [Act No. 23 of April 9, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date of promulgation.

Article 3 Beyond what is provided for in the preceding Article, Cabinet Order prescribes the necessary transitional measures relevant to this Act's entry into effect.

Supplementary Provisions [Act No. 47 of June 27, 2012] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within three months from the date of promulgation.

Supplementary Provisions [Act No. 28 of May 31, 2013] [Extract]

This Act comes into effect on the effective date of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures; provided, however, that the provisions set forth in the following items come into effect on the dates prescribed in those items:

- (ii) the provisions of Article 3, Article 28, Article 29 (limited to the provisions amending Article 12 of the Act on the Use of Information and Communications Technology in Administrative Procedures), and Article 44 (excluding the provisions adding one item after Article 4, paragraph (3), item (xli) of the Act for Establishment of the Cabinet Office): the effective date of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures.

Supplementary Provisions [Act No. 65 of September 9, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within two years from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect on the dates prescribed in those items.

- (ii) the provisions of Article 1, and Article 4, and the provisions of Article 5, Article 6, Article 7, paragraph (1) and (3), Article 8, Article 9, Article 13, Article 22, Articles 25 to 27, Article 30, Article 32, Article 34, and Article 37 of the Supplementary Provisions: January 1, 2016.

Supplementary Provisions [Act No. 66 of September 11, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2016.

Supplementary Provisions [Act No. 80 of July 27, 2018] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within three years from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect on the dates prescribed in those items:

- (iii) the provisions of Chapter 11, Article 235, Article 239, paragraph (1) (limited to the part pertaining to item (xliv)), Article 243, paragraph (1) (limited to the part pertaining to item (iv) (limited to the part pertaining to

Article 239, paragraph (1), item (xliv))) and paragraph (3), Article 251, and the provisions of Article 5, Article 7 through Article 10, Article 12, Article 14 (limited to the provisions amending Article 19, paragraph (2) of the Act on Promotion of Development of Specified Integrated Resort Districts), Article 15 and Article 16 of the Supplementary Provisions: the date specified by Cabinet Order within one year and six months from the date of promulgation.

Supplementary Provisions [Act No. 36 of May 19, 2021] [Extract]

(Effective Date)

Article 1 This Act comes into effect on September 1, 2021; provided, however, that the provisions of Article 60 of the Supplementary Provisions come into effect on the date of promulgation.