

Act on the Science Council of Japan

(Act No. 121 of July 10, 1948)

The Science Council of Japan, standing upon the assurance that science is the foundation of a cultured nation, and under the consensus of the entire scientific community, with the missions of contributing to the peaceful revitalization of Japan, the welfare of human society, and to academic progress, in coordination with global academic communities, is established by this Act.

Chapter I Establishment and Purpose

Article 1 (1) By this Act, the Science Council of Japan is established and this Act is termed as the Act on the Science Council of Japan.

(2) The Science Council of Japan is under the jurisdiction of the Prime Minister.

(3) Expenditures related to the Science Council of Japan will be borne by the national treasury.

Article 2 The Science Council of Japan, as the organization representing the scientists of Japan towards domestic and international society, has the purpose of promoting and enhancing science and ensuring science is reflected and disseminated in government administration, industry and people's everyday lives.

Chapter II Duties and Authorities

Article 3 The Science Council of Japan independently performs the following duties:

- (i) Deliberating important issues concerning science and helping to implement them
- (ii) Promoting and improving the efficiency of coordination of scientific research.

Article 4 The government may consult with the Science Council of Japan concerning the following issues:

- (i) The subsidy of scientific research and tests etc., and matters related to the budgeting and distribution of the subsidies, grants etc. funded by government for the purpose of the promotion of science
- (ii) Policy for preparing the budget concerning research institutes, laboratories and expenditures etc. for sponsored research under government control

- (iii) Important policies that require special examination by expert scientists
- (iv) Other issues that are appropriate for consultation with the Science Council of Japan

Article 5 The Science Council of Japan may recommend the following issues to the government:

- (i) Policy concerning the promotion of science and the progress of technology
- (ii) Policy concerning the implementation of the results of scientific research
- (iii) Policy concerning the education of scientists
- (iv) Policy to have science reflected in government administration
- (v) Policy to promote the dissemination of science into industry and people's everyday lives
- (vi) Other issues whose performance is appropriate for the aims of the Science Council of Japan

Article 6 The government may, in accordance with the requirements of the Science Council of Japan, submit materials, or disclose or explain its opinions.

Article 6-2 (1) In order to accomplish the assignment specified in Article 3, item (ii), the Science Council of Japan may join international academic organizations.

(2) In accordance with the provisions of the preceding paragraph, in the case of joining an international academic organization, creating new obligations for the government, the prior approval by the Prime Minister is to be obtained.

Chapter III Organization

Article 7 (1) The Science Council of Japan will consist of the 210 Council members of the Science Council of Japan (hereinafter referred to as "the members").

(2) On the basis of the recommendation specified in the provisions of Article 17, the members will be appointed by the Prime Minister.

(3) The term of a member is 6 years and half the members are appointed every 3 years.

(4) The term for the substitute of a member is the remaining term of the predecessor.

(5) A member may not be reappointed. However, a member substitute may be reappointed only once

(6) A member will resign when reaching the age of 70.

(7) Members are to be provided with allowances to be separately specified.

(8) Members are not precluded from simultaneously being Diet members

Article 8 (1) The Science Council of Japan establishes one President and three vice-Presidents.

(2) The president is to be elected from among the members.

(3) The president will appoint the vice-presidents from among the members by obtaining the consent of the General Assembly.

(4) The term of the president is 3 years. However, reelection is allowed.

(5) The term of the vice-presidents is 3 years. However, reelection is allowed.

(6) The term for the substituted president or vice-presidents is the remaining term of the predecessor.

Article 9 (1) The president comprehensively manages the affairs of the Council and represents the Science Council of Japan.

(2) The vice-presidents assist the president and in the case that the president has an accident, through nomination by the president, either one of the vice-presidents acts as a substitute to carry out the duties of the President.

Article 10 (1) The Science Council of Japan establishes the following three sections:

Section I

Section II

Section III

Article 11 (1) Section I consists of members having a record of excellent research or accomplishments, especially in the field of Humanities, and administers affairs relevant to the field among the duties and authorities of the Science Council of Japan, as specified in the provisions of the preceding Chapter.

(2) Section II consists of members having a record of excellent research or accomplishments, especially in the field of Life Sciences, and administers the affairs relevant to the field among the duties and authorities of the Science Council of Japan, as specified in the provisions of the preceding Chapter.

(3) Section III consists of such members having a record of excellent research or accomplishments, especially in the field of Physical Sciences and Engineering, and administers affairs in the relevant field among the duties and authorities of the Science Council of Japan, as specified in the provisions of the previous Chapter.

(4) The members belong to either one of the sections listed in the preceding Articles.

Article 12 (1) Each section establishes one chairperson, one vice-chairperson and two secretaries.

- (2) The chairperson is to be elected from among the members belonging to the particular section.
- (3) The vice-chairperson and secretaries shall be nominated by the chairperson out of the members who belong to the particular section by obtaining the consent of the section members
- (4) Provisions of Article 8, paragraphs (4) and (6) apply mutatis mutandis to the chairperson and the same Article, paragraphs (5) and (6) to the vice-chairperson and secretaries correspondingly.

Article 13 (1) The chairperson administers the affairs of the section.

- (2) The vice-chairperson assists the chairperson and in the case the chairperson has an accident, the vice-chairperson as a substitute to carry out the duties of the chairperson.
- (3) The secretaries, by the order of the chairperson, engage in the affairs of the section.

Article 14 (1) The Science Council of Japan establishes an Executive Board in order to deliberate on affairs concerning its operation.

- (2) The Executive Board is organized by the president, the vice-presidents, the chairpersons, the vice-chairpersons and the secretaries.
- (3) In accordance with the provisions stipulated in Article 28 (hereinafter termed "rules" in this and the following Chapters), the Science Council of Japan may delegate part of the assignment and authority of the Science Council of Japan to the Executive Board as specified in the previous chapter.

Article 15 (1) In order to coordinate with the members and administer part of the duties, which is specified by rules and specified in the provisions of Article 3, the Science Council of Japan establishes the position of Associate Member of the Science Council of Japan (hereinafter referred to as "the associate members".)

- (2) The associate members are to be appointed by the president from among the scientists who have a record of excellent research or accomplishments.
- (3) The associate members will be on a part-time basis.
- (4) Besides the details specified in the preceding 3 paragraphs, the required matters concerning the associate members are to be specified by a Cabinet Order.

Article 15-2 In accordance with the rules, The Science Council of Japan may establish a permanent or a temporary committee, which is organized by the members or the associate members.

Article 16 (1) The Science Council of Japan establishes a Secretariat and the Science Council of Japan has it administer issues concerning the Science Council of Japan.

(2) The Secretariat establishes a Director General and other necessary staff members.

(3) The appointment and dismissal of staff members, as described in the preceding Clause, shall be made by the Prime Minister by taking the proposal of the president into consideration.

Chapter IV The Recommendation of the Members (Totally amended by the Act No. 65 of 1983)

Article 17 In accordance with rules, the Science Council of Japan, selects member candidates from among the scientists who have a record of excellent research or accomplishments, and subsequently, recommends them to the Prime Minister, in accordance with the Cabinet Office Order.

Articles 18 through 22 deleted

Chapter V Conference

Article 23 (1) The conferences of the Science Council of Japan comprises the General Assembly, a Section Meeting and a Joint Section Meeting.

(2) The General Assembly is the supreme decision-making body of the Science Council of Japan and the president convenes it twice a year. However, in the case of necessity, it may be convened on an ad hoc basis.

(3) The Section Meeting deliberates the issues relevant to each section and the chairperson convenes it.

(4) The Joint Section Meeting deliberates the issues relevant to more than two sections and the relevant chairpersons convene it jointly.

Article 24 (1) The General Assembly may not convene without the presence of more than half of the members.

(2) The resolution of the General Assembly is to be made by a majority of attending members.

(3) As for the Section Meeting and the Joint Section Meeting, the provisions of the preceding two paragraphs are to be applied mutatis mutandis.

Chapter VI Miscellaneous Provisions (In Act No. 65 of 1983, the old Chapter VII was upwardly aligned.)

Article 25 The Prime Minister may approve the resignation of a member, in case the resignation is due to sickness or other unavoidable reasons, by obtaining the consent of the Science Council of Japan.

Article 26 The Prime Minister may have a member resign, in case the member has committed any inappropriate act as a member, based upon the filing by the Science Council of Japan.

Article 27 deleted

Article 28 Through the resolution of the General Assembly, the president may, specify rules relating to issues specified by this Act or others relevant to the administration of the Science Council of Japan

Supplementary Provisions [Extract]

Article 29 Out of this Act, the provisions of Articles 34 and 35 are to come into force from the date of promulgation of this Act and other provisions are to come into force from January 20, 1949.

Article 30 The Rules for the Japan Academy (Imperial Ordinance No. 149 of 1906), System for the Institution of Academic Research Members (Imperial Ordinance No. 297 of 1920) and the Treatment concerning the Member of the Japan Academy (Imperial Ordinance No. 258 of 1914) will be abolished.

Supplementary Provisions [Act No. 133 of May 31, 1949]

This Act is to be enforced from June 1, 1949.

Supplementary Provisions [Act No. 252 of December 12, 1949] [Extract]

(1) This Act is to come into force from the date of promulgation.

Supplementary Provisions [Act No. 4 of March 7, 1950]

This Act is to come into force from the date of promulgation

Supplementary Provisions [Act No. 21 of March 23, 1956]

This Act is to come into force from April 1, 1956.

Supplementary Provisions [Act No. 27 of March 24, 1956] [Extract]

(The date of enforcement)

- (1) This Act is to come into force from April 1, 1956.

Supplementary Provisions [Act No. 145 of June 17, 1961] [Extract]

This Act is to come into force from the date of enforcement of the partial amendment of the School Education Act [Act No. 144 of 1961]

Supplementary Provisions [Act No. 110 of June 19, 1964] [Extract]

(The date of enforcement)

- (1) This Act is to come into force from the date of promulgation.

**Supplementary Provisions [Act No. 65 of November 28, 1983 Extract]
[Extract]**

(The date of enforcement)

- (1) This Act is to come into force from the date established by a Cabinet Order within a period not exceeding one year, as counted from the date of promulgation. However, the amended provisions for Articles 7, 25 and 26 and the provisions of the Supplementary Provisions of Article 7 are to come into force from the date established by a Cabinet Order within a period not exceeding one year and six months, as counted from January 20, 1984. The amended provisions of Article 27 is to come into force from January 20, 1984 and the following rule is to come into force from the date of promulgation.

(Transitional measures)

- (2) The term of the members of the Science Council of Japan as of January 19, 1984 actually (hereinafter referred to as "the member") is to be until one day before the date specified by a Cabinet Order of the proviso of the preceding Article, irrespective of the provisions of Article 7, paragraph (2) and Article 27, paragraph (2) of the Act on the Science Council of Japan.
- (3) The fixed number of members of each section who are actually members at the time when this Act is enforced, irrespective of the provisions of Article 11 of the Act on the Science Council of Japan as amended (hereinafter referred to as "New Act"), is to be in accordance with the previous examples.
- (4) The provisions of Article 15 of the New Act is to be applied from the date specified by Cabinet Order in the proviso of paragraph (1) of the Supplementary Provisions, except for the portion concerning rules stipulated in

paragraph (1) of the same Article.

- (5) When persons are actually members at the time when this Act is enforced, the provisions of Article 17 of the New Act are not applied to them during their term in office.
- (6) Until the date specified by a Cabinet Order in the proviso of paragraph (1) of the Supplementary Provisions, concerning the application of the provisions of Articles 18 and 22 of the New Act, "the research communicating committee" in these rules is to be interpreted as "the research communicating committee, which is stipulated as established by the rule of Article 15, paragraph (1)".

Supplementary Provisions [Act No. 102 of Jul. 16, 1999] [Extract]

(The date of enforcement)

Article 1 This Act shall come into force from the date when the partial amendment of the Cabinet Act (Act No. 88 of 1999) come into force. However, the provisions set forth in the following items are to come into force from the date specified in each relevant item.

(i) Omitted

(ii) The provisions of Article 10, paragraphs (1) and (5), Articles (14), paragraph (3), Article 23, 28 and 30 of the Supplementary Provisions: the date of promulgation

(The transitional measure which is specified separately)

Article 30 Besides the rules specified in Article 2 to the preceding Articles, transitional measures that become necessary in accordance with the enforcement of this Act are specified separately by the Act.

Supplementary Provisions [Act No. 29 of Apr. 14, 2004] [Extract]

(The date of enforcement)

Article 1 This Act shall come into force from Oct. 1, 2005. However, the provisions set forth in the following items are to come into force from the date specified in each relevant item.

(i) The amended provisions from Articles 18 to 22, the amended provisions which delete Article 22-2 and Article 22-3, and from Articles 2 to 4, the provisions of Article 5, paragraph (1) (except the portion concerning the recommendation to the Prime Minister) and paragraph (2) and Article 8 of the Supplementary Provisions: the date of promulgation

(ii) The amended provisions of Article 1, paragraph (2), Article 6-2, paragraph (2) and Article 16, paragraph (3) and Article 5, paragraph (1) of the Supplementary Provisions (limited to the portion concerning the

recommendation to the Prime Minister), the provisions from Articles 7 and 9 to Article 11; Apr. 1, 2005

(Transitional measures)

Article 2 Regarding the application of the provisions of Article 7, paragraph (2) and Article 15, paragraph (2) of the Act on the Science Council of Japan, during the period from the date of enforcement set up in the provisions of item (i) of the preceding Article (hereinafter referred to as "Partially enforced date") to the date of enforcement of this Act (hereinafter referred to as "the date of enforcement"), "Article 22" in these provisions is to be "the Article 22 before the amendment by the Act amending the part of the Act on the Science Council of Japan (Act No. 29 of 2004)".

Article 3 On the previous day before the date of enforcement, the term of the member of the Science Council of Japan (hereinafter referred to as "the member") or the committee member of the research communicating committee is to expire, irrespective of Article 7, paragraph (3) (including the case where applicable mutatis mutandis in Article 15, paragraph (3) of the old act) of the Act on the Science Council of Japan before the amendment (hereinafter referred to as "the old Act").

Article 4 (1) During the period from the partial enforcement date to the day before the enforcement, in order to have the Science Council of Japan select and recommend candidates for members who will be appointed as initial members after the date of the enforcement (hereinafter referred to as "new members"), a selection committee for candidate members of the Science Council of Japan (hereinafter referred to as "the committee") is established.

(2) The committee consists of a number of committee members that is not to exceed the number specified by a Cabinet Order.

(3) The committee members are to be appointed by the President of the Science Council of Japan from among academic experts, upon conferring with the persons listed below.

(i) A person who is nominated by the Chairman of the Council for Science and Technology Policy from among the members of the Council for Science and Technology Policy set up in Article 29, paragraph (1), item (vi) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999)

(ii) The President of the Japan Academy

(4) In the committee, an expert member may added in order to have them investigate specialized issues.

(5) The expert member is to be appointed by the President of the Science Council of Japan from academic experts.

- (6) The committee members and expert members are to be on a part-time basis.
- (7) Beside the rules in each of the preceding paragraphs, the required issues related to the committee are to be specified by Cabinet Order.

Article 5 (1) in accordance with what has been specified, the committee selects candidates for new members from among scientists who have a record of excellent research or accomplishments, and recommends these candidates to the Prime Minister in accordance with the details specified in the Cabinet Office Order.

- (2) When selecting new candidate members in accordance with the provisions of the preceding paragraph, the committee individually selects the new candidate members, whose term is three years in accordance with the provisions of paragraph (2) of the following Article, and whose term is six years in accordance with the provisions of Article 7, paragraph (3) of the amended Act on the Science Council of Japan (hereinafter referred to as "the new Act").

Article 6 (1) Irrespective of the provisions of Article 7, paragraph (2) of the new Act, based upon the recommendation specified by the provisions of paragraph (1) of the preceding Article, the new members are to be appointed by the Prime Minister.

- (2) The term of half the new members is three years, irrespective of the provisions of Article 7, paragraph (3) of the new Act.
- (3) The provisions of Article 7, paragraph (5) of the new Act are to be applied from the new members onwards (except those whose term is three years, in accordance with the provisions of the preceding paragraph).

Article 7 At the time when the provisions set up in Article 1, item (ii) of the Supplementary Provisions come into force, the Science Council of Japan, which is set up as a special organization in the Ministry of Internal Affairs and Communications, as specified in Article 8-3 of the National Government Organization Act (Act No. 120 of 1948) and the president, members and other staff are to become the Science Council of Japan, which is set up as a special organization under the headquarters of the Cabinet Office, as specified in Article 40 of the Act for Establishment of the Cabinet Office, and is to continuously exist by having the same identity

Article 8 Besides the details specified from Article 2 to the preceding Article of the Supplementary Provisions, the necessary transitional measures with respect to the implementation of this Act are to be specified by a Cabinet Order.