

# National Government Organization Act

(Act No. 120 of July 10, 1948)

## (Purpose)

Article 1 The purpose of this Act is to establish the standards for the organization of the administrative organs under the control and jurisdiction of the Cabinet excluding the Cabinet Office and the Digital Agency (referred to below as the "administrative organs of the State"), and to arrange the organization of national government which is necessary for the efficient execution of the administrative matters of the State.

## (Structure of the Organization)

Article 2 (1) The organization of national government must be, under the control and jurisdiction of the Cabinet and in conjunction with the organization of the Cabinet Office and the Digital Agency, systematically organized by all administrative organs, that have duties and a clearly defined scope of affairs under their jurisdiction which are necessary for accomplishing these duties.

(2) The administrative organs of the State must, under the control and jurisdiction of the Cabinet, conduct self-evaluation, plan and draft their own policies, and promote mutual coordination and liaison among the administrative organs of the State regarding their policies, to ensure they function as unified entity. The same applies to coordination and liaison of their policies with the Cabinet Office and the Digital Agency.

## (Establishment, Abolition, Duties and Affairs under Jurisdiction of Administrative Organs)

Article 3 (1) The organization of the administrative organs of the State is prescribed by this Act.

(2) The administrative organs of the State, which are established for the organization of the government are ministries, commissions and agencies; their establishment and abolition is separately prescribed by law.

(3) A ministry is to be established as an organ that oversees administrative matters which a minister is responsible for and manages pursuant to the provisions of Article 5, paragraph (1) and administrative matters controlled by the minister pursuant to the provisions of paragraph (2) of the relevant Article under the control and jurisdiction of the Cabinet, a commission and an agency are established as external organs of the ministry.

(4) The organs to be established as administrative organs of the State as stated in paragraph (2) are those listed in the appended table 1.

Article 4 The duties of the administrative organs of the State and the scope of the affairs under jurisdiction that are necessary for accomplishing these duties as stated in the preceding Article are separately prescribed by law.

(Heads of Administrative Organs)

Article 5 (1) The head of each ministry will be a minister who is responsible for and manages the relevant administrative matters as the competent minister referred to under the Cabinet Act (Act No. 5 of 1947).

(2) In addition to managing administrative matters pursuant to the provisions of the preceding paragraph, with respect to specific important policies of the Cabinet that are related to the administrative affairs that the minister is responsible for and manages, each minister is responsible for and manages the tasks related to planning, drafting and overall coordination needed to ensure uniformity in the measures of administrative branches, on the basis of basic policies decided upon at the cabinet meetings concerning the relevant important policy.

(3) Each minister is appointed by the Prime Minister from among the Ministers of State; provided, however, that this does not preclude the Prime Minister from assuming such a position.

Article 6 The head of a commission will be referred to as a chairperson, and the head of an agency will be referred to as the director-general.

(Internal Bureaus and Departments)

Article 7 (1) A ministry establishes a secretariat and bureaus to accomplish the affairs under its jurisdiction.

(2) The secretariat and bureaus stated in the preceding paragraph may, when particularly necessary, establish departments.

(3) An agency may establish a secretariat and departments to accomplish the affairs under its jurisdiction.

(4) The establishment of secretariats, bureaus and departments and the scope of the affairs under their jurisdiction are specified by Cabinet Order.

(5) An agency, secretariat, bureau, and department (excluding those stated in appended table 2 as agency whose primary affairs under jurisdiction are related to policy implementation (referred to below as an "implementing agency") and a secretariat and departments to be established in an implementing agency) may establish divisions and offices equivalent to these; the establishment and the scope of the affairs under the jurisdiction of these organs are specified by Cabinet Order.

(6) An implementing agency, along with a secretariat and departments

established within it, may, within the limits of the number specified by Cabinet Order, establish divisions and offices equivalent to these; the establishment and the scope of the affairs under the jurisdiction of these organs are specified by Ministerial Order.

(7) A commission may establish an executive office as provided for by law. The provisions of paragraphs (3) through (5) apply *mutatis mutandis* to the internal organization of an executive office.

(8) A commission may, when particularly necessary, establish a general executive office as provided for by law.

#### (Councils)

Article 8 An administrative organ of the State as stated in Article 3 may, within the scope of the affairs under its jurisdiction as prescribed by law, establish an organ with a council system to oversee the study and deliberation of important matters, administrative review or other affairs deemed suitable for processing through consultation among persons with relevant expertise, as provided for by law or Cabinet Order.

#### (Organs Such as Facilities)

Article 8-2 An administrative organ of the State as stated in Article 3 may, within the scope of the affairs under its jurisdiction as prescribed by law, establish testing and research laboratories, inspection and certification institutes, educational and training facilities (including organs and facilities similar to these), medical and rehabilitation facilities, reformatory detention facilities, and work facilities, as provided for by law or Cabinet Order.

#### (Special Organs)

Article 8-3 An administrative organ of the State as stated in Article 3 may, when particularly necessary, establish special organs in addition to those organs that are prescribed in the preceding two Articles, within the scope of the affairs under its jurisdiction as prescribed by law, as provided for by law.

#### (Local Branch Bureaus and Departments)

Article 9 An administrative organ of the State as stated in Article 3 may, establish local branch offices and departments when it is necessary to delegate affairs under its jurisdiction, as provided for by law.

#### (Authority of Heads of Administrative Organs)

Article 10 A minister, the chairperson of a commission, or the director-general of an agency oversees the affairs of their respective ministry, commission or agency, and supervises the public service provided by its employees.

Article 11 When a minister finds it necessary to establish, amend, or abolish a law or Cabinet Order regarding administrative affairs under their responsibility, they must prepare a proposal, submit it to the Prime Minister, and request a cabinet meeting regarding this.

Article 12 (1) In order to enforce a law or Cabinet Order regarding administrative affairs under their jurisdiction, or based on a special delegation under a law or Cabinet Order, a minister may issue Ministerial Order as an order from the ministry.

(2) The head of an external organ may, regarding the affairs under the jurisdiction of the external organ, prepare a proposal and request the competent minister to issue Ministerial Order regarding this.

(3) Without delegation under law, no penal provisions or any provisions that impose obligations on or restrict the rights of citizens may be established in Ministerial Orders.

Article 13 (1) A commission or the director-general of an agency may, as separately prescribed by law, issue rules and any other special orders other than Cabinet Orders and Ministerial Orders by itself.

(2) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to an order stated in the preceding paragraph.

Article 14 (1) A minister, a commission, or the director-general of an agency may issue a public notification concerning the affairs under the jurisdiction of the ministry, the commission, or the agency, when it is necessary to issue a public notice.

(2) A minister, a commission, or the director-general of an agency may issue an instruction or a circular notice to the competent organs and their personnel, for giving an order or direction about the affairs under the jurisdiction of the ministry, the commission or the agency.

Article 15 A minister, a commission or the director-general of an agency may, when they find it necessary for coordinating with other administrative organs about policies to fulfill the duties of the ministry, the commission, or the agency (for ministry, limited to the duties related to the administrative affairs which the minister is responsible for and manages as the competent minister), request the submission of and explanation for necessary materials from the heads of the relevant administrative organs, after clarifying such necessity, and express their view on the policies of these relevant administrative organs.

Article 15-2 (1) When a minister finds it necessary to accomplish the affairs prescribed in Article 5, paragraph (2), the minister may request the submission of and explanation for necessary materials from the heads of the relevant administrative organs.

(2) When a minister finds it particularly necessary to accomplish the affairs prescribed in Article 5, paragraph (2), the minister may give a recommendation to the heads of the relevant administrative organs.

(3) If a minister has given a recommendation to the heads of the relevant administrative organs pursuant to the provisions of the preceding paragraph, the minister may request the heads of the relevant administrative organs to report on the measures taken based on that recommendation.

(4) When a minister finds it particularly necessary to do so regarding the matters they recommended pursuant to the provisions of paragraph (2), the minister may submit an opinion to the Prime Minister, suggesting that measures under the provisions of Article 6 of the Cabinet Act be implemented for these matters.

(Senior Vice-Ministers)

Article 16 (1) Each ministry establishes senior vice-ministers.

(2) The fixed number of senior vice-ministers is as prescribed respectively in the column of the fixed number of senior vice-ministers in the appended table 3.

(3) A senior vice-minister, under the direction of the minister who is the head of the relevant ministry, is responsible for policies and planning and handles state affairs, and under the prior direction from the minister who is the head of the relevant ministry, the senior vice-minister assumes the minister's duties in the minister's absence.

(4) In a ministry which has two senior vice-ministers, the scope of duties each vice-minister is to perform, as stated in the preceding paragraph, and the order of performing duties on behalf of the minister, are specified by the minister who is the head of the relevant ministry.

(5) The appointment and dismissal of a senior vice-minister are effected by the Cabinet upon the proposal from the minister who is the head of the ministry, and certified by the Emperor.

(6) The senior vice-ministers, in the case of the general resignation of the Cabinet, forfeit their positions simultaneously when the Prime Minister and all other Ministers of State relinquish their positions.

(Parliamentary Secretaries)

Article 17 (1) Each ministry establishes parliamentary secretaries.

(2) The fixed number of parliamentary secretaries is as prescribed respectively in the column of the fixed number of parliamentary secretaries in the appended table 3.

- (3) A parliamentary secretary assists the minister, who is the head of the relevant ministry, participates in specified policies and planning, and handles state affairs.
- (4) The scope of the duties stated in the preceding paragraph to be carried out by each parliamentary secretary is as specified by the minister who is the head of the relevant ministry.
- (5) The appointment and dismissal of a parliamentary secretary are effected by the Cabinet upon the proposal from the minister who is the head of the relevant ministry.
- (6) The provisions of paragraph (6) of the preceding Article apply *mutatis mutandis* to parliamentary secretaries.

(Special Advisors to the Minister)

Article 17-2 (1) When particularly necessary, each ministry may establish one special advisor to the minister.

- (2) A special advisor to the minister, under the direction of the minister who is the head of the relevant ministry, assists the same minister in planning, drafting, and conducting state affairs related to a specific policy.
- (3) The appointment and dismissal of a special advisor to the minister are effected by the Cabinet upon the proposal from the minister who is the head of the relevant ministry.
- (4) A special advisor to the minister may serve on a part-time basis.
- (5) The provisions of Article 96, paragraph (1), Article 98, paragraph (1), Article 99, and Article 100, paragraphs (1) and (2) of the National Public Service Act (Act No. 120 of 1947) apply *mutatis mutandis* to the public service offered by a special advisor to the minister.
- (6) A special advisor to the minister who serves on a full-time basis, during their term of service, must not engage in other roles with remuneration, conduct business for profit, or pursue any other profit-oriented activities, unless they have received authorization from the minister who is the head of the relevant ministry.

(Administrative Vice-Ministers and Deputy Directors-General of Agencies)

Article 18 (1) Each ministry establishes one administrative vice-minister.

- (2) An administrative vice-minister assists the minister, who is the head of the relevant ministry, coordinates the affairs of the ministry, and supervises the affairs of the relevant bureaus, departments and organs.
- (3) Each agency, when particularly necessary, may establish positions of deputy directors-general to assist the director-general and coordinate the affairs of the agency; the establishment of these positions and their fixed number are specified by Cabinet Order.

- (4) A ministry or an agency may, when particularly necessary, establish positions to collectively coordinate part of the affairs under its jurisdiction; the establishment, duties and fixed number of these positions are specified by law (or Cabinet Order in the case of an Agency).

(Private Secretaries)

Article 19 (1) Each ministry establishes private secretaries.

(2) The fixed number of private secretaries is specified by Cabinet Order.

(3) A private secretary, under the direction of the relevant minister, manages the affairs concerning confidential matters, or assist with the affairs of the relevant bureaus and departments upon receiving temporary order from the minister.

(Positions That Handle Affairs That Do Not Fall under the Jurisdiction of the Secretariat and Bureaus)

Article 20 (1) In order to efficiently execute affairs that do not fall under the jurisdiction of the secretariat and bureaus, a ministry may, when particularly necessary, establish positions which have jurisdiction over these affairs and are equivalent to those of directors-general. The establishment, duties, and fixed number of these positions are specified by Cabinet Order.

(2) In order to efficiently execute affairs that do not fall under the jurisdiction of the secretariat and bureaus, an agency may, when particularly necessary, establish positions which have jurisdiction over these affairs and are equivalent to those of directors-general of departments. The establishment, duties, and fixed number of these positions are specified by Cabinet Order.

(3) A ministry and an agency (excluding an implementing agency) may, when particularly necessary, establish positions which are equivalent to those of directors of divisions and assist in carrying out all or part of the duties overseen by the positions stated in the preceding two paragraphs. The establishment, duties and fixed number of these positions are specified by Cabinet Order.

(4) An implementing agency may, when particularly necessary, establish positions which are equivalent to those of directors of divisions and assist in carrying out all or part of the duties managed by the positions stated in paragraph (2), within the limits of the number specified by Cabinet Order. The establishment, duties, and fixed number of these positions are specified by Ministerial Order.

(Positions in Internal Bureaus and Departments)

Article 21 (1) The executive office of a commission, bureau, department, division and division-equivalent office establishes a director of the executive office, a

bureau director-general, a department director-general, a division director and an office director, respectively.

(2) A secretariat may establish a head, and the establishment and the duties in that regard are specified by Cabinet Order.

(3) A bureau, a department or the executive office of a commission may establish deputy directors, and the establishment, their duties, and their fixed number are specified by Cabinet Order.

(4) A secretariat, a bureau or a department (excluding a secretariat or department established in an implementing agency) or the executive office of a commission may establish positions that oversee and coordinate part of the affairs under its jurisdiction, or positions which have jurisdiction over affairs that do not fall under the jurisdiction of its divisions (including offices equivalent to divisions), which are equivalent to those of directors of divisions, for the efficient performance of these affairs, and the establishment, duties, and fixed number of these positions are specified by Cabinet Order. The same applies when an agency (excluding an implementing agency) that does not have a secretariat or departments establishes positions equivalent to those positions.

(5) Within the limits of the number specified by Cabinet Order, the secretariat or departments within an implementing agency may establish positions which oversee and coordinate part of the affairs under its jurisdiction, or positions which have jurisdiction over affairs that do not fall under the jurisdiction of its divisions (including offices equivalent to the divisions), which are equivalent to those of directors of divisions, for the efficient performance of these affairs, and the establishment, duties and fixed number of these positions are specified by Cabinet Order. The same applies when an implementing agency that does not have a secretariat or departments establishes positions equivalent to those positions.

Article 22 Deleted

(Number of Secretariats and Bureaus)

Article 23 The number of secretariats and bureaus to be established under the provisions of Article 7, paragraph (1), combined with the number of secretariats and bureaus to be established under the provisions of Article 17, paragraph (1) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), are 97 or less.

Article 24 Deleted

(Reports to the Diet)

Article 25 (1) When the government has newly established, amended, or



abolished any organization established by Cabinet Order pursuant to the provisions of Article 7, paragraph (4) (including as applied mutatis mutandis pursuant to paragraph (7) of the same Article), Article 8, Article 8-2, Article 18, paragraph (3) or paragraph (4), Article 20, paragraph (1) or paragraph (2) or Article 21, paragraph (2) or paragraph (3) or any other major organization equivalent to these, it must report the relevant circumstances to the following session of the Diet.

- (2) The government is to give public notice of a list of organization structure of the administrative organs of the State in an official gazette at least once a year.

### **Supplementary Provisions**

Article 26 This Act comes into effect as of June 1, 1949; provided, however, that the provisions of Article 27 take effect from the date of promulgation.

Article 27 Unless otherwise provided for, Cabinet Order prescribes details necessary for the enforcement of this Act.

Appended Table 1 (Re: Article 3)

Ministry	Commission	Agency
Ministry of Internal Affairs and Communications	Environmental Disputes Coordination Commission	Fire and Disaster Management Agency
Ministry of Justice	Public Security Examination Commission	Immigration Services Agency Public Security Intelligence Agency
Ministry of Foreign Affairs		
Ministry of Finance		National Tax Agency
Ministry of Education, Culture, Sports, Science and Technology		Japan Sports Agency Agency for Cultural Affairs
Ministry of Health, Labour and Welfare	Central Labour Relations Commission	
Ministry of Agriculture, Forestry and Fisheries		Forestry Agency Fisheries Agency
Ministry of Economy, Trade and Industry		Agency for Natural Resources and Energy Japan Patent Office

		Small and Medium Enterprise Agency
Ministry of Land, Infrastructure, Transport and Tourism	Japan Transport Safety Board	Japan Tourism Agency  Japan Meteorological Agency Japan Coast Guard
Ministry of the Environment	Nuclear Regulation Authority	
Ministry of Defense		Acquisition, Technology & Logistics Agency

Appended Table 2 (Re: Article 7)

Public Security Intelligence Agency National Tax Agency Japan Patent Office Japan Meteorological Agency Japan Coast Guard
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Appended Table 3 (Re: Article 16 and 17)

Ministry	Fixed number of Senior Vice-Ministers	Fixed number of Parliamentary Secretaries
Ministry of Internal Affairs and Communications	2 persons	3 persons
Ministry of Justice	1 person	1 person
Ministry of Foreign Affairs	2 persons	3 persons
Ministry of Finance	2 persons	2 persons
Ministry of Education, Culture, Sports, Science and Technology	2 persons	2 persons
Ministry of Health, Labour and Welfare	2 persons	2 persons
Ministry of Agriculture, Forestry and Fisheries	2 persons	2 persons
Ministry of Economy, Trade and Industry	2 persons	2 persons
Ministry of Land, Infrastructure, Transport and Tourism	2 persons	3 persons
Ministry of the Environment	2 persons	2 persons
Ministry of Defense	1 person	2 persons