

# **Act for Establishment of the Japan Atomic Energy Commission**

(Act No. 188 of December 19, 1955)

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## **Chapter I General Provisions**

(Purpose and Establishment)

Article 1 The Japan Atomic Energy Commission in the Cabinet Office (referred to as "the Commission" below) is to be established for the purpose of achieving democratic administration concerning the research, development, and utilization of nuclear energy (referred to as "utilization of nuclear energy" below).

## **Chapter II Duties Under the Jurisdiction and Organization**

(Duties Under the Jurisdiction)

Article 2 The Commission plans, deliberates, and decides on the matters stated in the following items (excluding those related to the implementation of measures to ensure safety):

- (i) matters related to policies on the utilization of nuclear energy;
- (ii) matters related to the coordination of duties concerning the utilization of nuclear energy by relevant administrative organs;
- (iii) matters related to the collection and research of data concerning the utilization of nuclear energy; and
- (iv) beyond what is stated in the preceding three items, matters related to duties assigned to the Commission based on laws (including orders issued under these laws) and other important matters concerning the utilization of nuclear energy.

(Organization)

- Article 3 (1) The Commission consists of a chairperson and two members.  
(2) One of the members may serve on a part-time basis.

(Chairperson)

- Article 4 (1) The chairperson presides over the affairs of the Commission and represents it.  
(2) The chairperson must designate, in advance, a person from among the full-time committee members to represent the chairperson in the event that the chairperson is unable to perform their duties.

(Appointment of the Chairperson and Members)

- Article 5 (1) The chairperson and members of the Commission are appointed by the Prime Minister with the consent of both Houses of the Diet.  
(2) Notwithstanding the provisions of the preceding paragraph, if the term of a chairperson or a member expires or a vacancy occurs at a time when the consent of both Houses of the Diet cannot be obtained due to the closing of the Diet or the dissolution of the House of Representatives, the Prime Minister may appoint a chairperson or a member.  
(3) In the case referred to in the preceding paragraph, approval of both Houses of the Diet must be obtained at the first session of the Diet after the appointment. If, in such a case, subsequent approval from both Houses of the Diet cannot be obtained, the Prime Minister must immediately dismiss the chairperson or members.

(Term of Office of the Chairperson and Members)

- Article 6 (1) The term of office of the Chairperson and members is three years; provided, however, that a chairperson or member appointed to fill a vacancy serves for the remainder of the predecessor's term.  
(2) The chairperson and members of the Commission may be reappointed.  
(3) Notwithstanding the provisions of paragraph (1), the chairperson and members of the Commission remain in office until their successors are appointed, even if their terms of office have expired.

(Dismissal of the Chairperson and Members)

- Article 7 The Prime Minister may, with the consent of both Houses of the Diet, dismiss the chairperson or a member if the Chairperson or a member is unable to perform their duties due to a mental or physical disorder, or if the chairperson or a member has committed a violation of their official obligations in the course of their duties, or engaged in other unsuitable misconduct.

(Meetings)

Article 8 (1) The Commission is to be convened by the chairperson.

(2) The Commission may not hold a meeting or make any resolution without the attendance of the chairperson and at least one member.

(3) The agenda of the Commission is to be decided with the affirmative votes of two or more of the chairperson and members present.

(4) If the chairperson is unable to perform their duties, the person acting in place of the chairperson, as prescribed in Article 4, paragraph (2), is to perform the duties of the chairperson. With respect to the application of the provisions of paragraph (2), the person is deemed to be the chairperson.

(Salary of the Chairperson and Members)

Article 9 The salary of the chairperson and members of the Commission is provided for separately by law.

(Duties of the Chairperson and Members)

Article 10 The chairperson and members must not reveal any confidential information that may have come to their knowledge in the course of their duties. This obligation continues even after they have left their position.

Article 11 (1) The chairperson and full-time members must not engage in any act falling under any of the following items while in office:

(i) becoming an officer of a political party or other political organization, or actively engaging in political movements; or

(ii) except when permitted by the Prime Minister, engaging in other duties for remuneration, operating a business for profit, or conducting any other business with the purpose of gaining profit.

(2) A part-time member must not engage in an act that falls under item (i) of the preceding paragraph while in office.

Article 12 Deleted

**Chapter III Deleted**

Articles 13 through 22 Deleted

**Chapter IV Relationship Between the Commission and the Relevant Administrative Organ**

Article 23 Deleted

(Recommendations)

Article 24 When the Commission finds it necessary in relation to its duties under its jurisdiction, it may make recommendations to the relevant administrative organs through the Prime Minister.

(Reports)

Article 25 The Commission may, when it finds it necessary to perform its duties under its jurisdiction, request the head of a relevant administrative organ to submit a report. It may also request the submission of materials, the provision of opinions and explanations, and other necessary cooperation.

(Notification to the Nuclear Regulation Authority)

Article 26 (1) When the Commission has planned or deliberated on any of the matters listed in the items of Article 2 related to ensuring safety in the utilization of nuclear energy, it must notify the Nuclear Regulation Authority of the fact and the content of the deliberation.  
(2) When the Commission intends to make a decision on any of the matters listed in the items of Article 2 related to ensuring safety in the utilization of nuclear energy, it must seek the opinion of the Nuclear Regulation Authority in advance.

## **Chapter V Auxiliary Provisions**

(Delegation of Authority to Cabinet Order)

Article 27 Beyond what is provided for in this Act, any necessary matters concerning the Commission are specified by Cabinet Order.

### **Supplementary Provisions [Extract]**

(1) This Act comes into effect on January 1, 1956; provided, however, that the portion of Article 8, paragraph (1) that requires consent from both Houses of the Diet is to come into effect on the date of promulgation.

### **Supplementary Provisions [Act No. 49 of March 31, 1956] [Extract]**

(Effective Date)

(1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding two months from the date of promulgation.

### **Supplementary Provisions [Act No. 79 of May 10, 1960] [Extract]**

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

**Supplementary Provisions [Act No. 69 of April 25, 1961]**

This Act comes into effect on the date of promulgation.

**Supplementary Provisions [Act No. 91 of April 28, 1962]**

This Act comes into effect on the date of promulgation.

**Supplementary Provisions [Act No. 2 of January 16, 1976] [Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 86 of July 5, 1978] [Extract]**

(Effective Date)

Article 1 This Act comes into effect according to the categories specified in the following items on the dates stated in those items:

- (i) the provisions of Article 22 (limited to the portion related to obtaining the consent of both Houses of the Diet for the appointment of Commission members as specified in the provisions of Article 5, paragraph (1), as applied *mutatis mutandis* pursuant to Article 22), among the provisions in Article 2 that amend the Act for Establishment of the Japan Atomic Energy Commission by changing Article 15 to Article 12 and adding two Chapters and Chapter titles after Article 12, as well as the provisions of paragraphs (1) and (3) of the following Article: the date of promulgation.
- (ii) the provisions of Article 1; the provisions of Article 2 (excluding the provisions in that Article mentioned in the preceding item); Article 3 (including the provisions amending Article 4, paragraph (2) of the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors); the provisions amending Article 14, paragraph (2) of that Act; the provisions adding one paragraph to Article 23 of that Act; the provisions amending Article 24, paragraph (2) of that Act (excluding the portion amending the term "Prime Minister" to "competent minister"); and the provisions of paragraph (2) of the following Article, Articles 5 through 7, and Article 9 of the supplementary provisions: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(Transitional Measure)

- Article 2 (1) The term of office of the two persons designated by the Prime Minister from among the members of the Japan Atomic Energy Commission on the day preceding the day stated in item (ii) of the preceding Article expires on that day, notwithstanding the provisions of Article 9, paragraph (1) of the Act for Establishment of the Japan Atomic Energy Commission prior to its amendment by the provisions of Article 2 (referred to as "the Former Act for Establishment" in paragraph (3)).
- (2) Notwithstanding the provisions of Article 6, paragraph (1) of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission, as applied mutatis mutandis pursuant to Article 22 of that Act, the term of office of the members of the Nuclear Safety Commission who are appointed for the first time after the enforcement of that Act is one year and six months for two members, three years for three members, as designated by the Prime Minister.
- (3) The term of office of a person who is a review committee member of the Reactor Safety Examination Committee of the Japan Atomic Energy Commission on the day preceding the day stated in item (ii) of the preceding Article expires on that day, notwithstanding the provisions of Article 14-3, paragraph (4) of the Former Act for Establishment.

#### **Supplementary Provisions [Act No. 78 of December 2, 1983]**

- (1) This Act (excluding Article 1) comes into effect on July 1, 1984.
- (2) A transitional measure necessary for an organ, etc. that has been established pursuant to the provisions of an Act on the day preceding the date on which this Act comes into effect, and that is to be established, on or after the date this Act comes into effect, pursuant to the provisions of the National Government Organization Act or a related Cabinet Order based on the provisions of a related Act as amended by this Act (referred to as "related Cabinet Order" below), or a transitional measure necessary for the enactment, amendment, or repeal of a related Cabinet Order in connection with the enforcement of this Act, may be specified by Cabinet Order.

#### **Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]**

(Effective Date)

- Article 1 This Act comes into effect on the date on which the Act partially amending the Cabinet Act (Act No. 88 of 1999) comes into effect; provided, however, that the provisions stated in the following items come into effect on the dates specified in those items:
- (i) omitted;

- (ii) the provisions of Article 10, paragraphs (1) and (5), Article 14, paragraph (3), Article 23, Article 28, and Article 30 of the supplementary provisions: the date of promulgation.

(Transitional Measures Following the Partial Amendment of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission)

- Article 10 (1) The acts necessary for the appointment of the chairperson and members of the Japan Atomic Energy Commission under the provisions of Article 5, paragraph (1) of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission, as amended by the provisions of Article 16 (referred to as "Act for Establishment of Two New Commissions" in this Article below) may be performed even prior to the enforcement of this Act.
- (2) Notwithstanding the provisions of Article 5, paragraph (1) of the Act for Establishment of Two New Commissions, the Prime Minister may, on the date of enforcement of this Act, appoint members of the Japan Atomic Energy Commission of the Cabinet Office, without obtaining the consent of both Houses of the Diet, from among those who are serving as members of the Japan Atomic Energy Commission of the former Prime Minister's Office on the day preceding the date of enforcement of this Act. In this case, the term of office of the members, notwithstanding the provisions of Article 6, paragraph (1) of the Act for Establishment of Two New Commissions, is to be the same as the remaining term of their office had they continued to be members of the Japan Atomic Energy Commission of the former Prime Minister's Office on the date of enforcement.
- (3) A person serving as a member of the Nuclear Safety Commission of the former Prime Minister's Office at the time of the enforcement of this Act is deemed to have been appointed as a member of the Nuclear Safety Commission of the Cabinet Office on the date of the enforcement of this Act, pursuant to the provisions of Article 5, paragraph (1) of the Act for Establishment of Two New Commissions, as applied *mutatis mutandis* pursuant to Article 22 of the same Act. In this case, notwithstanding the provisions of Article 6, paragraph (1) of the Act for Establishment of Two New Commissions, as applied *mutatis mutandis* under Article 22 of the same Act, the term of office of the person deemed to have been appointed is to be the same as the remaining term of their office as a member of the Nuclear Safety Commission of the former Prime Minister's Office.
- (4) A person serving as the chairperson of the Nuclear Safety Commission of the former Prime Minister's Office at the time of the enforcement of this Act is to be deemed to have been designated as the chairperson of the Nuclear Safety

Commission of the Cabinet Office, pursuant to the provisions of Article 15, paragraph (1) of the Act for Establishment of Two New Commissions, on the date of the enforcement of this Act.

- (5) Notwithstanding the provisions of Article 17, paragraph (3) of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission prior to the revision by the provisions of Article 16 (including as applied *mutatis mutandis* pursuant to Article 20 of the same Act) and Article 20-2, paragraph (3) of the same Act, the term of office of a person who, as of the day preceding the day on which this Act comes into effect, has been appointed from among persons with relevant knowledge and experience and is a member of the review committee of the Reactor Safety Examination Committee and the Nuclear Fuel Safety Examination Committee of the Nuclear Safety Commission or a member of the investigation committee for emergency response measures expires on that day.

(Transitional Measures Concerning the Term of Office of Committee Members)

Article 28 The term of office of a person serving as the chairperson, a member, or any other official of any of the following former councils or other organizations (excluding a person whose term of office is not fixed) on the day preceding the date of the enactment of this Act expires on that day, notwithstanding the provisions of the respective Acts that specify the term of office of the chairperson, member, or other official:

(i) through (vii) omitted;

(viii) the Japan Atomic Energy Commission.

(Transitional Measures to Be Specified Separately)

Article 30 Beyond what is provided for in Article 2 through the preceding Article, transitional measures that become necessary as a result of the enforcement of this Act are provided for separately by law.

### **Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]**

(Effective Date)

Article 1 This Act comes into effect on April 1, 2000.

(Transitional Measures)

Article 3 Regarding the application of the provisions amended by this Act concerning a Quasi-Incompetent and their curator, for whom the provisions then in force remain applicable pursuant to the provisions of Article 3, paragraph (3) of the supplementary provisions of the Act for Partial Amendment of the Civil Code (Act No. 149 of 1999), the provisions then in force



remain applicable, except for the following amended provisions:

(i) through (v) omitted;

(vi) the provisions for amending Article 23-13 of the Horse Racing Act, Article 13 of the Japan Racing Association Act, Article 5, paragraph (4) of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission, Article 7, paragraph (4) of the Act for Establishment of the Council for Science and Technology, Article 7, paragraph (4) of the Act for Establishment of the Space Activities Commission, Article 78, paragraph (4) of the City Planning Act, Article 11 of the Northern Territories Issue Association Act, Article 15, paragraph (4) of the Public Notice of Land Prices Act, Article 6, paragraph (4) of the Act for Establishment of the Aircraft Accidents Investigation Commission, and Article 39, paragraph (5) of the National Land Use Planning Act.

#### **Supplementary Provisions [Act No. 156 of December 17, 1999] [Extract]**

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the dates specified in those items.

(i) omitted;

(ii) the provisions of Article 7, paragraph (2); Article 12, paragraph (2); the row of Article 21 in the table of Article 28, paragraph (1); Article 37; and Articles 7, 13, and 14 of the supplementary provisions: the date of promulgation of this Act.

#### **Supplementary Provisions [Act No. 178 of December 18, 2002] [Extract]**

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

#### **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 a period not exceeding three months from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the dates specified in those items:

(i) the provisions of Article 7, paragraph (1) (limited to the portion related to

obtaining the consent of both Houses of the Diet); the provisions of Article 2, paragraph (3) (limited to the portion related to obtaining the consent of both Houses of the Diet); Article 5; Article 6; Article 14, paragraph (1); Article 34; and Article 87 of the supplementary provisions: the date of promulgation.

(Transitional Measures upon Partial Amendment of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission)

Article 14 (1) Notwithstanding the provisions of Article 6, paragraph (1) of the Act for Establishment of the Japan Atomic Energy Commission and the Nuclear Safety Commission, prior to the amendment by the provisions of the preceding Article as applied mutatis mutandis pursuant to Article 22 of the same Act, Article 17, paragraph (3) of the same Act (including as applied mutatis mutandis pursuant to Article 20 of the same Act), and Article 20-2, paragraph (3) of the same Act, the term of office of a person who is a member of the Nuclear Safety Commission, an investigation committee member of the Reactor Safety Examination Committee or the Nuclear Fuel Safety Examination Committee, or an Emergency Response Measures Investigation Committee member of the Nuclear Safety Commission, is to expire on the day preceding the date of enforcement of this Act.

(2) The obligation of a person who was a member of the Nuclear Safety Commission not to reveal any confidential information that came to their knowledge in the course of their duties continues even after the date of enforcement of this Act, and the provisions then in force remain applicable.

(Delegation of Authority to Cabinet Order for Certain Transitional Measures)

Article 87 Beyond what is provided for in these supplementary provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

### **Supplementary Provisions [Act No. 87 of June 27, 2014]**

(Effective Date)

(1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Transitional Measures)

(2) Notwithstanding the provisions of Article 6, paragraph (1) of the Act for Establishment of the Japan Atomic Energy Commission, the term of office of any person who is the chairperson or a member of the Japan Atomic Energy Commission is to expire on the day preceding the date of enforcement of this

Act.

- (3) Notwithstanding the provisions of Article 6, paragraph (1) of the Act for Establishment of the Japan Atomic Energy Commission, the term of office of the two members of the Atomic Energy Commission who are appointed for the first time after the enforcement of this Act is one year and six months for one member and three years for the other, as designated by the Prime Minister.