

Act on the Peace and Independence of Japan and Maintenance of the Security of the Nation and the People in Armed Attack Situations, etc., is hereby promulgated.

## **Act on the Peace and Independence of Japan and Maintenance of the Security of the Nation and the People in Armed Attack Situations, etc., and Survival-Threatening Situations**

(Act No. 79 of June 13, 2003)

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### **Chapter I General Provisions**

#### (Purpose)

Article 1 The purpose of this Act is to establish a system for responding to armed attack situations, etc. (meaning armed attack situations and anticipated armed attack situations; the same applies below) and survival-threatening situations, by providing for the basic principles, responsibilities of the national government, local governments, etc., cooperation of the people and other basic matters, thereby contributing to the peace and independence of Japan and the maintenance of the security of the nation and the people.

#### (Definitions)

Article 2 In this Act (excluding item (iv) and item (viii), (c), 1. with regard to the terms listed in item (i)), the terms listed in the following items have the meanings provided respectively in those items:

(i) "armed attack" means an armed attack against Japan;

(ii) "armed attack situation" means a situation in which an armed attack has occurred or a situation in which it is recognized that clear danger of an armed attack against Japan is imminent;

(iii) "anticipated armed attack situation" means a situation which is not yet an armed attack situation, but in which the circumstances are critical and an

- armed attack is anticipated;
- (iv) "survival-threatening situation" means a situation in which an armed attack against a foreign country that has a close relationship with Japan occurs, and as a result, threatens Japan's survival and poses a clear danger of fundamentally overturning people's right to life, liberty and pursuit of happiness;
- (v) "designated administrative organs" means any of the following organs prescribed by Cabinet Order:
- (a) the Cabinet Office, the Imperial Household Agency and organs prescribed in Article 49, paragraphs (1) and (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), the Digital Agency, and organs prescribed in Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948);
  - (b) organs prescribed in Articles 37 and 54 of the Act for Establishment of the Cabinet Office, in Article 16, paragraph (1) of the Imperial Household Agency Act (Act No. 70 of 1947), and in Article 8 of the National Government Organization Act;
  - (c) organs prescribed in Articles 39 and 55 of the Act for Establishment of the Cabinet Office, in Article 16, paragraph (2) of the Imperial Household Agency Act, and in Article 8-2 of the National Government Organization Act;
  - (d) organs prescribed in Articles 40 and 56 of the Act for Establishment of the Cabinet Office and in Article 8-3 of the National Government Organization Act;
- (vi) "designated local administrative organ" means local branch offices of designated administrative organs (referring to local branch offices prescribed in Articles 43 and 57 of the Act for Establishment of the Cabinet Office (including as applied mutatis mutandis pursuant to Article 18, paragraph (1) of the Imperial Household Agency Act), Article 17, paragraph (1) of the Imperial Household Agency Act and Article 9 of the National Government Organization Act), and any other local administrative organs of the national government prescribed by Cabinet Order;
- (vii) "designated public institutions" means incorporated administrative agencies (referring to incorporated administrative agencies prescribed in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999)), the Bank of Japan, the Japanese Red Cross Society, the Nippon Hoso Kyokai (Japan Broadcasting Corporation), and other public institutions, as well as corporations engaged in public welfare undertakings such as providing electricity, gas, transportation and telecommunications services prescribed by Cabinet Order;

(viii) "response measures" means the following measures implemented by a designated administrative organ, local government, or designated public institution under the provisions of laws during the period from the formulation until the repeal of the basic response plan in Article 9, paragraph (1):

(a) the following measures that are to be taken in order to terminate armed attack situations, etc., in accordance with the developments in the situation:

1. use of force, deployment of units or other personnel, and other actions taken by the Self-Defense Forces that are necessary to repel armed attacks;
2. the provision of goods, facilities or services or any other measures that are to be implemented so that the activities of the Self-Defense Forces listed in item 1. above, the activities necessary to repel armed attacks to be carried out by the armed forces of the United States of America in accordance with the Treaty of Mutual Cooperation and Security between Japan and the United States of America (referred to below as the "Japan-U.S. Security Treaty"), and other activities necessary to repel armed attacks that are to be carried out by the armed forces of foreign countries in cooperation with the Self-Defense Forces are conducted smoothly and effectively.
3. beyond what is provided in sub-items 1. and 2., diplomatic and other measures;

(b) the following measures that are to be implemented in accordance with the developments in armed attack situations, etc. in order to protect the lives, bodies, and properties of the people from armed attacks, or to minimize the impact in cases where armed attacks affect the lives of the people and the national economy:

1. issuance of warnings, instructions for evacuation, rescue of disaster victims, emergency restoration of facilities and equipment, and other measures;
2. price stabilization, distribution, and other measures for goods related to daily living, etc.;

(c) the following measures that are to be implemented in order to terminate a survival-threatening situation, in accordance with the developments in the situation.

1. Use of force, deployment of units or other personnel, and other actions taken by the Self-Defense Forces necessary to repel armed attacks against a foreign country that has a close relationship with Japan, which threatens Japan's survival and poses a clear danger of fundamentally overturning people's right to life, liberty, and pursuit of

- happiness (referred to below as "survival-threatening armed attack");
2. the provision of goods, facilities or services or any other necessary measures that are to be implemented so that the activities of the Self-Defense Forces listed in sub-item 1. and the activities conducted by the armed forces of foreign countries in cooperation with the Self-Defense Forces necessary for repelling survival-threatening armed attacks against Japan are conducted smoothly and effectively;
  3. beyond what is provided in sub-items 1. and 2., diplomatic and other measures;
- (d) measures for the security of public facilities, stable supply of goods related to daily living, etc., and other necessary measures that are to be taken in accordance with the changes in the survival-threatening situation for the purpose of protecting the lives, bodies, and properties of the people from serious and significant impacts of survival-threatening armed attacks, or for the purpose of minimizing the impacts in cases where survival-threatening armed attacks affect the lives of the people and the national economy.

(Basic Principles Concerning Responses to Armed Attack Situations, etc. and Survival-Threatening Situations)

- Article 3 (1) When responding to armed attack situations, etc. and survival-threatening situations, the national government, local governments, and designated public institutions must coordinate and cooperate with each other and take all possible measures, while obtaining the cooperation of the people.
- (2) In an anticipated armed attack situation, the occurrence of an armed attack must be avoided.
  - (3) In an armed attack situation, preparations must be made for the occurrence of an armed attack, and if an armed attack occurs, efforts must be made to promptly terminate it while repelling it; provided, however, that in repelling an armed attack that has occurred, the use of force must be limited to the extent considered reasonably necessary in accordance with the situation.
  - (4) In a survival-threatening situation, efforts must be made to promptly terminate the situation while repelling a survival-threatening armed attack; provided, however, that in a repelling survival-threatening armed attack, the use of force must be limited to the extent considered reasonably necessary in accordance with the situation.
  - (5) In responding to armed attack situations, etc. and survival-threatening situations, the freedom and rights of the people guaranteed by the Constitution of Japan must be respected, and even if restrictions are imposed on these rights, the restrictions must be limited to the minimum necessary for responding to armed attack situations, etc. and survival-threatening situations,

and must be implemented under fair and proper procedures. In this case, the provisions of Article 14, Article 18, Article 19, Article 21 and other provisions concerning fundamental human rights of the Constitution of Japan must be respected to the maximum extent.

(6) In armed attack situations, etc. and survival-threatening situations, information regarding the status of these situations and the responses to them must be disclosed to the public in a timely and appropriate manner.

(7) In responding to armed attack situations, etc. and survival-threatening situations, in addition to cooperating closely with the United States of America under the Japan-U. S. Security Treaty, the State must work to gain the understanding and cooperative action of the international community, including the United Nations, while cooperating closely with relevant foreign countries.

#### (Responsibilities of the National Government)

Article 4 (1) In order to protect the peace and independence of Japan and maintain the security of the nation and its people, the national government has the mission to defend Japan and protect the national land as well as the lives, bodies and properties of the people in armed attack situations, etc. and survival-threatening situations. Therefore, in accordance with the basic principles stated in the preceding Article, the national government has the responsibility to respond to armed attack situations, etc. and survival-threatening situations with all of its organizations and functions, and ensure that all possible measures are taken by the whole nation.

(2) In order to fulfill the responsibilities in the preceding paragraph, the national government is to implement measures that contribute to ensuring close coordination and cooperation among relevant organizations, such as drills conducted by relevant organizations to deal with armed attack situations, etc. and survival-threatening situations, in order to enable smooth and effective responses to these situations.

#### (Responsibilities of Local Governments)

Article 5 Local governments have the responsibility for implementing necessary measures concerning responses to armed attack situations, etc. in mutual cooperation with the national government, other local governments, and other organizations, in view of their mission to protect the lives, bodies, and properties of their areas and the local residents.

#### (Responsibilities of Designated Public Institutions)

Article 6 Designated public institutions have the responsibility to implement necessary measures for their operations concerning responses to armed attack

situations, etc. in mutual cooperation with the national government, local governments, and other organizations.

(Division of Roles Between the National Government and Local Governments)

Article 7 In light of the nature of responses to armed attack situations, etc., it is fundamental for the national government to play a major role in responding to Armed Attack Situations, etc., and for local governments to play an appropriate role in protecting the lives, bodies, and properties of local residents in armed attack situations, etc., including the implementation of measures based on national policy.

(Cooperation of the People)

Article 8 In light of the importance of ensuring the security of the nation and the people, the people are to endeavor to provide necessary cooperation when a designated administrative organ, local government, or designated public institution implements the response measures in armed attack situations, etc.

## **Chapter II Procedures, etc. for Responding to Armed Attack Situations, etc., and Survival-Threatening Situations**

(Basic Response Plan)

Article 9 (1) When the government confirms an armed attack situation, etc. or a survival-threatening situation, the government is to establish a basic policy concerning responses to the armed attack situation, etc. or the survival-threatening situation (referred to below as the "basic response plan").

(2) The matters to be specified in the basic response plan are as follows.

(i) the following matters concerning the situation to be handled:

(a) sequence of events of the situation, the confirmation that the situation should be regarded as an armed attack situation, an anticipated armed attack situation, or a survival-threatening situation, and the facts based on which the government has made the confirmation;

(b) if the situation is confirmed as an armed attack situation or a survival-threatening situation, the reasons for determining that there are no other appropriate means to ensure the survival of the State and protect the people, and that the use of force is necessary to response to the situation;

(ii) the general policy concerning responses to armed attack situations, etc., and survival-threatening situations.

(iii) important matters concerning response measures;

(3) In armed attack situations or a survival-threatening situations, as the matters specified in item (iii) of the preceding paragraph, if the Prime Minister's approval in the following items is to be given, such fact must be

stated in the basic response plan:

- (i) the approval granted by the Prime Minister pursuant to the provisions of Article 70, paragraph (1) or (8) of the Self-Defense Forces Act (Act No. 165 of 1954) with regard to a defense call-up order issued by the Minister of Defense based on the provisions of paragraph (1) or (8) of that Article under a written defense call-up order provided for in paragraph (1), item (i) of that Article;
  - (ii) the approval granted by the Prime Minister pursuant to the provisions of Article 75-4, paragraph (1) or paragraph (6) of the Self-Defense Forces Act with regard to a defense call-up order issued by the Minister of Defense based on the provisions of paragraph (1) or paragraph (6) of that Article under a written defense call-up order provided for in paragraph (1), item (i) of that Article;
  - (iii) the approval granted by the Prime Minister pursuant to the provisions of Article 77 of the Self-Defense Forces Act with regard to an alert order for defense operations issued by the Minister of Defense based on the provisions of that Article;
  - (iv) the approval granted by the Prime Minister pursuant to the provisions of Article 77-2 of the Self-Defense Forces Act with regard to the measures for construction of defense facilities ordered by the Minister of Defense based on the provisions of that Article;
  - (v) the approval granted by the Prime Minister pursuant to the provisions of Article 10, paragraph (3) of the Act Regarding Measures to be Taken by Japan in Relation to Activities of the Armed Forces of the U.S., etc. in Armed Attack Situations, etc. and Survival-Threatening Situations (Act No. 113 of 2004) with regard to the provision of services as action-related measures ordered by the Minister of Defense that will be implemented based on the provisions of that paragraph;
  - (vi) the approval granted by the Prime Minister pursuant to the provisions of Article 4 of the Act on the Restriction of Maritime Transportation of Foreign Military Supplies in Armed Attack Situations and Survival-Threatening Situations (Act No. 116 of 2004) for measures ordered by the Minister of Defense based on the provisions of Chapter IV of that Act.
- (4) In armed attack situations or survival-threatening situations, beyond what is provided for in the preceding paragraph, the basic response plan must contain the matters provided for item (iii) of paragraph (2), a statement to that effect if a request for the approval of the National Diet by the Prime Minister as stated in item (i) (when the House of Representatives has been dissolved, the approval of House of Councilors by an emergency meeting as provided for in Article 54 of the Constitution of Japan; the same applies below in this Article) will be made, and a statement to that effect if the Prime Minister orders defense operations

as stated in item (ii); provided, however, that a statement to the effect that defense operations will be ordered as stated in item (ii) may not be conducted unless there is a particularly urgent necessity and there is no time to obtain the approval of the National Diet in advance:

- (i) Request by the Prime Minister for approval of the National Diet to issue a defense operations order based on the provisions of Article 76, paragraph (1) of the Self-Defense Forces Act;
  - (ii) defense operations ordered by the Prime Minister based on the provisions of Article 76, paragraph (1) of the Self-Defense Forces Act.
- (5) In an anticipated armed attack situation, if the Prime Minister's approval stated in the following items will be given as the matters specified in paragraph (2), item (iii), that fact must be stated in the basic response plan.
- (i) the approval granted by the Prime Minister pursuant to the provisions of Article 70, paragraph (1) or paragraph (8) of the Self-Defense Forces Act with regard to a defense call-up order issued by the Minister of Defense based on the provisions of paragraph (1) or paragraph (8) of that Act under a written defense call-up order provided for in Article 70, paragraph (1), item (i) of that Act (limited to a defense call-up order issued when the situation becomes tense and it is expected that a defense operation order under the provisions of Article 76, paragraph (1) of that Act will be issued);
  - (ii) the approval granted by the Prime Minister pursuant to the provisions of Article 75-4, paragraph (1) or (6) of the Self-Defense Forces Act with regard to a defense call-up order issued by the Minister of Defense based on the provisions of Article 75-4, paragraph (1) or (6) of that Act under a written defense call-up order provided for in Article 75-4, paragraph (1), item (i) of that Act (limited to a defense call-up order issued when the situation becomes tense and it is expected that a defense operation order will be issued under the provisions of Article 76, paragraph (1) of the that Act).
  - (iii) the approval granted by the Prime Minister pursuant to the provisions of Article 77 of the Self-Defense Forces Act with regard to an alert order for defense operations issued by the Minister of Defense based on the provisions of that Article;
  - (iv) the approval granted by the Prime Minister pursuant to the provisions of Article 77-2 of the Self-Defense Forces Act with regard to the measures for construction of defense facilities ordered by the Minister of Defense based on the provisions of that Article;
  - (v) the approval given by the Prime Minister pursuant to the provisions of Article 10, paragraph (3) of the Act Regarding Measures to be Taken by Japan in Relation to Activities of the Armed Forces of the U.S., etc. in Armed Attack Situations, etc. and Survival-Threatening Situations with regard to the provision of services as action-related measures ordered by the Minister



- of Defense will be implemented based on the provisions of that paragraph.
- (6) The Prime Minister must prepare a draft of the basic response plan and seek a cabinet decision.
  - (7) When the cabinet decision stated in the preceding paragraph has been made, the Prime Minister must immediately seek the approval of the National Diet with regard to the basic response plan (excluding the part concerning the request for the approval of the National Diet prescribed in paragraph (4), item (i)).
  - (8) When a cabinet decision as referred to in paragraph (6) has been made, the Prime Minister must immediately issue a public notice of the basic response plan and announce it.
  - (9) When the basic response plan has been approved based on the provisions of paragraph (7), the Prime Minister must immediately make a public notice to that effect.
  - (10) When the National Diet's approval has been obtained for a request for approval of a defense operation order as prescribed in paragraph (4), item (i), the basic response plan is to be amended to state that a defense operations order related to the approval will be issued.
  - (11) When a resolution of disapproval has been made with respect to the request for approval of the basic response plan based on the provisions of paragraph (7), response measures written in the basic response plan must be promptly terminated. In this case, the Prime Minister must immediately order the withdrawal of the Self-Defense Forces that have been ordered to engage in defense operations prescribed in paragraph (4), item (ii).
  - (12) In implementing the response measures, the Prime Minister represents the Cabinet in exercising control and supervision over administrative branches based on the basic response plan.
  - (13) The provisions of paragraphs (6) through (9) and paragraph (11) apply *mutatis mutandis* to an amendment to the basic response plan; provided, however, that the provisions of paragraphs (7), (9), and (11) do not apply to a change based on the provisions of paragraph (10) and a change for the termination of measures constituting the response measures.
  - (14) When the Prime Minister finds that it is no longer necessary to implement the response measures or when the National Diet has decided that the response measures should be terminated, the Prime Minister must seek a cabinet decision on the repeal of the basic response plan.
  - (15) When the cabinet decision stated in the preceding paragraph has been made, the Prime Minister must promptly report to the National Diet the fact that the basic response plan has been repealed and the results of the response measures provided for in the basic response plan and must issue a public notice of the results.

(Establishment of Crisis Management Headquarters)

- Article 10 (1) When the basic response plan has been established, notwithstanding the provisions of Article 12 paragraph (4) of the Cabinet Act (Act No. 5 of 1947), the Prime Minister is to temporarily establish the crisis management headquarters (referred to below as the "the crisis management headquarters") within the Cabinet after deliberation in a cabinet meeting, in order to promote the implementation of the response measures related to the basic response plan.
- (2) When the Prime Minister establishes the crisis management headquarters, the Prime Minister must report the name, location, and period of establishment of the crisis management headquarters to the National Diet and issue a public notice of these matters.

(Organization of the Crisis Management Headquarters)

- Article 11 (1) The crisis management headquarters is headed by a chairperson (referred to below as "the chairperson of the Headquarters"), and the Prime Minister (or in the case the Prime Minister is incapacitated, a Minister of State designated by the Minister in advance) serves as chairperson.
- (2) The chairperson of the headquarters is to take overall control of the affairs of the headquarters and direct and supervise the relevant officials.
- (3) The vice-chairperson of the crisis management headquarters (referred to below as "the vice-chairperson of the Headquarters"), the members of the crisis management headquarters (referred to below as "members of the headquarters"), and other officials are assigned to the crisis management headquarters.
- (4) The Minister of State serves as the vice-chairperson of the headquarters.
- (5) The vice-chairperson assists the chairperson of the headquarters and performs duties on behalf of the chairperson in the event that the chairperson is incapacitated. In the event that there are two or more vice-chairpersons, they act on behalf of the chairperson of the headquarters in the order determined by the chairperson in advance.
- (6) All of the Ministers of State other than the chairperson and the vice-chairperson of the headquarters serve as the members of the headquarters. In this case, when the Minister of State is absent, a Senior Vice-Minister (including the Deputy Chief Cabinet Secretary) who has been designated in advance by the Minister of State may perform the duties on behalf of the Minister of State.
- (7) The personnel of the headquarters other than the vice-chairperson and members of the Headquarters are appointed by the Prime Minister from among the officials of the Cabinet Secretariat, the heads (excluding the Ministers of

State) and other officials of designated administrative organs, or the heads and other officials of the relevant designated local administrative organs.

(Functions under the Jurisdiction of the Headquarters)

Article 12 The headquarters takes charge of the following affairs:

- (i) matters concerning the comprehensive promotion based on the basic response plan on the response measures implemented by designated administrative organs, local governments, and designated public institutions;
- (ii) beyond what is provided for in the preceding item, affairs that belong to its authority pursuant to the provisions of laws and regulations.

(Delegation of Authority of the Chief of a Designated Administrative Organ)

Article 13 (1) When the Crisis Management Headquarters has been established, the chief of a designated administrative organ (when the relevant designated administrative organ is a commission prescribed in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office or Article 3, paragraph (2) of the National Government Organization Act, an organ stated in item (v), sub-item (b), or an organ stated in sub-item (d) of the same item that is based on a council system, the designated administrative organ; the same applies in the following paragraph) may delegate all or part of the authority necessary to implement response measures to the officials of the designated administrative organ who are officials of the Headquarters, or to the chief or officials of the designated local administrative organ.

- (2) When the chief of a designated administrative organ has delegated authority under the preceding paragraph, the chief must immediately make a public notice to that effect.

(Authority of the Chairperson of the Headquarters)

Article 14 (1) When the chairperson of the Headquarters finds it necessary for the accurate and prompt implementation of response measures, the chairperson of the Headquarters may conduct overall coordination regarding the response measures implemented by the designated administrative organs, relevant local governments, and relevant designated public institutions, based on the basic response plan, for the chief of the designated administrative organ, the chief of the relevant designated local administrative organ, officials of the relevant designated administrative organ and officials of the relevant designated local administrative organ to whom the authority has been delegated pursuant to the provisions of the preceding Article, the chief of the relevant local government or any other executive agency, and the relevant designated public institution.

- (2) In the case referred to in the preceding paragraph, the chief of the local

government, other executive agency, and the designated public institution (referred to as the "chief of a local government, etc." in the following Article and Article 16) may offer their opinions to the chairperson of the Headquarters with regard to the overall coordination conducted by the chairperson of the Headquarters regarding the response measures taken by the local government or the designated public institution.

(Authority of the Prime Minister)

Article 15 (1) In cases where the Prime Minister finds it particularly necessary because of an obstacle to the protection of the lives, bodies, or property of the people or to repelling an armed attack, and where the required response measures based on the comprehensive coordination stated in paragraph (1) of the preceding Article are not implemented, the Prime Minister may instruct the chief of the relevant local government, etc. to implement the relevant response measures at the request of the chairperson of the Headquarters as provided for separately by law.

(2) In the following cases, the Prime Minister may, at the request of the chairperson of the Headquarters and as provided for separately by law, after giving notice to the chief of the relevant local government, etc., direct themselves or the ministers who have jurisdiction over the affairs concerning the response measures to implement or direct the implementation of the response measures to be implemented by the local governments or the designated public institutions:

- (i) if the necessary response measures based on the instructions referred to in the preceding paragraph are not implemented;
- (ii) when it is recognized to be particularly necessary because of an obstacle to the protection of the lives, bodies, or property of the people or to repelling an armed attack, and when it is recognized to be urgent in light of the situation.

(Financial Measures for Losses)

Article 16 If, pursuant to the provisions of paragraph (1) of Article 14 or paragraph (1) of the preceding Article, overall coordination has been implemented for the chief of the relevant local government, etc. or instructions have been given to them with regard to the implementation of the response measures, and a local government or designated public institution has incurred any loss as a result of the implementation of the measures based on the overall coordination or instructions, the government is to take necessary financial measures for the loss.

(Ensuring Safety)

Article 17 The government must make considerations for ensuring safety with

regard to the response measures taken by a local government and designated public institution, in accordance with the content of the measures.

(Report to the United Nations Security Council)

Article 18 The government must immediately report to the United Nations Security Council on the measures taken by Japan to repel an armed attack or a survival-threatening armed attack, in accordance with the provisions of Article 51 of the Charter of the United Nations (or the provisions of that Article and Article 5, paragraph (2) of the Japan-U.S. Security Treaty for the measures taken by Japan to repel an armed attack).

(Closure of the Crisis Management Headquarters)

Article 19 (1) The Crisis Management Headquarters is to be closed when the basic response plan is repealed.

(2) If the Crisis Management Headquarters is closed, the Prime Minister must immediately make a public announcement to that effect.

(Competent Minister)

Article 20 With regard to matters related to the Crisis Management Headquarters, the Prime Minister is to be the competent minister as prescribed in the Cabinet Act.

### **Chapter III Measures to Deal with Emergency Response Situations and Other Emergencies**

(Other Measures for Dealing with Emergency Situations)

Article 21 (1) In order to ensure the peace and independence of Japan and the security of the nation and the people, beyond what is provided for in the following Article through Article 24, the government is to respond accurately and promptly to emergencies other than armed attack situations, etc. and survival-threatening situations that seriously affect the security of Japan and the people.

(2) In order to achieve the purpose stated in the preceding paragraph, the government is to promptly take the following measures and other necessary measures in light of the changes in circumstances surrounding Japan, such as the appearance of armed unidentified vessels and the occurrence of large-scale terrorist incident.

(i) enhancement of preparedness for consolidating the information and conducting analysis and assessment of the situation;

(ii) preparations for the formulation of response policies in response to various situations;

- (iii) Strengthening of coordination between the police, the Japan Coast Guard, etc. and the Self-Defense Force

(Response Plan for Emergency Response Situations)

- Article 22 (1) In the event of an emergency response situation (meaning a situation that requires the national government to take urgent measures for incidents in which many people are killed or injured by means similar to an armed attack or situations in which people face a clear danger of such a situation occurring (including a situation that will be confirmed as an armed attack situation under the basic response plan at a later date); the same applies below), the government is to formulate a response plan concerning the emergency response situation (referred to below as the "response plan for emergency response situation").
- (2) The matters to be specified in a response plan for emergency response situation are as follows:
    - (i) the confirmation of the emergency response situation and the facts on which the confirmation was based;
    - (ii) the general policy concerning responses to that emergency response situation;
    - (iii) important matters concerning emergency response measures;
  - (3) Emergency response measures as referred to in item (iii) of the preceding paragraph means the following measures implemented by a designated administrative organ, local government, or designated public institution based on the provisions of an Act during the period from the formulation until the repeal of the response plan for emergency response situation.
    - (i) measures to prevent or suppress an attack or any other measures in an emergency response situation to be taken in order to terminate the emergency response situation, in accordance with the developments in the situation;
    - (ii) issuance of warnings, instructions of evacuation, rescue of disaster victims, emergency restoration of facilities and equipment, and other measures to be implemented in accordance with the changes in the emergency response situation in order to protect the lives, bodies, and properties of the people from attacks occurring during the emergency response situation, or to minimize the impact in cases where attacks in the emergency response situation affect the lives of the people and national economy;
  - (4) The Prime Minister must prepare a draft of the response plan for emergency response situation and seek a cabinet decision.
  - (5) When the cabinet decision stated in the preceding paragraph has been made, the Prime Minister must submit the matter to the National Diet within twenty days from the day on which the decision was made, and request its approval for

the response plan for emergency response situation; provided, however, that if the National Diet is not in session or the House of Representatives is dissolved, the Prime Minister must promptly request its approval at the first session of the National Diet convened afterwards.

- (6) When a cabinet decision under paragraph (4) has been made, the Prime Minister must immediately issue a public notice on the response plan for emergency response situation and announce it.
- (7) When the response plan for emergency response situation has been approved pursuant to the provisions of paragraph (5), the Prime Minister must immediately make a public notice to that effect.
- (8) When a resolution of disapproval is made with respect to the request for approval of the response plan for emergency response situation pursuant to the provisions of paragraph (5), the emergency response measures related to the resolution must be promptly terminated.
- (9) In implementing the emergency response measures, the Prime Minister represents the Cabinet in exercising control and supervision over the administrative branches, based on the response plan for emergency response situation.
- (10) The provisions of paragraphs (4) through (8) apply mutatis mutandis to an amendment to the response plan for emergency response situation; provided, however, that the provisions of paragraphs (5), (7), and (8) do not apply to a change for the termination of measures constituting emergency response measures.
- (11) When the Prime Minister finds that it is no longer necessary to implement the emergency response measures or when the National Diet has decided that the emergency response measures should be terminated, the Prime Minister must seek a cabinet decision on the repeal of the response plan for emergency response situation.
- (12) When the cabinet decision stated in the preceding paragraph has been made, the Prime Minister must promptly report to the National Diet the fact that the response plan for emergency response situation has been repealed and the results of the emergency response measures provided for in the response plan for emergency response situation and must issue a public notice of the results.

(Establishment of Emergency Response Headquarters)

Article 23 (1) When the response plan for emergency response situation has been established, notwithstanding the provisions of Article 12 paragraph (4) of the Cabinet Act, the Prime Minister is to temporarily establish an emergency response headquarters within the Cabinet after deliberation in a cabinet meeting, in order to promote the implementation of the emergency response measures related to the response plan for emergency response situation.

- (2) When the Prime Minister establishes an emergency response headquarters, the Prime Minister must report the name, location, and period of establishment of the emergency response headquarters to the National Diet and issue a public notice of these matters.

(Application Mutatis Mutandis)

Article 24 The provisions of Article 3 (excluding paragraph (2), the proviso to paragraph (3), paragraphs (4) and (7)), Articles 4 through 8, Articles 11 through 13, Article 17, Article 19, and Article 20 apply mutatis mutandis to emergency response situation and the emergency response headquarters. In this case, the term "an armed attack" in Article 3, paragraph (3) is deemed to be replaced with "an attack in an emergency response situation," the term "to defend Japan" in Article 4, paragraph (1) is deemed to be replaced with "to maintain public safety and order," the term "response measures" in Article 8, Article 13, paragraph (1), and Article 17 is deemed to be replaced with "emergency response measures," the term "the basic response plan on the response measures" in Article 12, item (i) is deemed to be replaced with "response plan for emergency response situation on emergency response measures," and the term "the basic response plan" in Article 19, paragraph (1) is deemed to be replaced with "response plan for emergency response situation".

### **Supplementary Provisions**

- (1) This Act comes into effect on the date of promulgation; provided, however, that the provisions of Articles 14 through 16 come into effect on the date of enforcement of the Act concerning the Measures for Protection of the People in Armed Attack Situations etc. (Act No. 112 of 2004).
- (2) The government is to review the appropriate status of organizations that contribute to more accurate and prompt responses to emergencies that seriously affect the security of the nation and the people.

### **Supplementary Provisions [Act No. 112 of June 18, 2004 Extract] [Extract]**

(Effective Date)

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

### **Supplementary Provisions [Act No. 113 of June 18, 2004 Extract] [Extract]**



(Effective Date)

Article 1 This Act comes into effect on the date on which the Agreement Amending the Agreement Between the Government of Japan and the Government of the United States of America Concerning Reciprocal Provision of Logistic Support, Supplies and Services Between the Self-Defense Forces of Japan and the Armed Forces of the United States of America comes into effect.

**Supplementary Provisions [Act No. 116 of June 18, 2004 Extract]  
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 118 of December 22, 2006 Extract]  
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 76 of September 30, 2015 Extract]  
[Extract]**

(Effective Date)

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

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

(Transitional Measure Concerning Dispositions)

Article 57 (1) After this Act comes into effect, unless otherwise provided for in laws and regulations, a disposition such as certification that has been reached or any other such action that has been taken by a former national government organ pursuant to the provisions of one of the relevant Acts (including orders

based on the relevant Acts; referred to below as "former Act Order" in this Article and the following Article) before its amendment by this Act before this Act comes into effect is deemed to be a disposition such as certification that has been reached or any other such action that has been taken by the corresponding national government organ pursuant to the corresponding provisions of the relevant Act after its amendment by this Acts(including orders based on those provisions; referred to below as "new Act Order" in this Article and the following Article).

- (2) After the enforcement of this Act, an application, notification or any other act which, at the time of the enforcement of this Act, has been actually filed with a former organ of the national government pursuant to the provisions of the former Act Order, is deemed to be an application, notification or any other act filed with the corresponding organ of the national government pursuant to the corresponding provisions of a new Act Order, unless otherwise provided for in laws and regulations.
- (3) With regard to matters for which applications, notifications, or any other procedures must be made to the former organs of the national government pursuant to the provisions of the former Act Order before the enforcement of this Act, for which the procedures have not been made to the former organs of the State before the date of enforcement of this Act, the provisions of new Act Order apply after the enforcement of this Act, deeming that the procedures have not been made to the corresponding organs of the national government pursuant to the corresponding provisions of new Act Order, unless otherwise provided for in laws and regulations.

#### (Transitional Measure Concerning Effects of Orders)

Article 58 The Cabinet Office Order stated in Article 7, paragraph (3) of the Act for Establishment of the Cabinet Office or the Ministerial Order stated in Article 12, paragraph (1) of National Government Organization Act that has been issued pursuant to the provisions of the former Act Order is to remain in force as the corresponding Order of the Digital Agency stated in Article 7, paragraph (3) or the Ministerial Order stated in Article 12, paragraph (1) of National Government Organization Act that has been issued based on the corresponding provisions of the new Act Order after the enforcement of this Act, unless otherwise provided for in laws and regulations.

#### (Delegation to Cabinet Order)

Article 60 Beyond what is provided for in Article 15, Article 16, Article 51 and the preceding three Articles of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are to be provided for by Cabinet Order.