

Pardon Act

(Act No. 20 of March 28, 1947)

(Types of pardon)

Article 1 General pardon, special pardon, commutation of the sentence, remission of execution of the sentence and restoration of rights shall be governed by the provisions of this Act.

(General pardon)

Article 2 A general pardon shall be granted for the types of crimes so specified by a Cabinet Order.

(Effect of general pardon)

Article 3 Except as otherwise specially provided for by the Cabinet Order of the preceding Article, general pardon shall have the following effect with respect to crimes for which general pardon has been granted:

- (i) In the case of a person against whom a judgment of conviction has been rendered, the rendition thereof shall cease to have effect.
- (ii) In the case of a person against whom a judgment of conviction has not yet been rendered, the power to prosecute shall be extinguished.

(Special pardon)

Article 4 A special pardon shall be granted with respect to a specific person against whom a judgment of conviction has been rendered.

(Effect of special pardon)

Article 5 A special pardon shall have the effect of making the rendition of the judgment of conviction ineffective.

(Commutation of sentence)

Article 6 Commutation of the sentence shall be granted to persons against whom a sentence has been rendered with respect to the types of crimes or punishments specified by a Cabinet Order, or with respect to a specific person against whom a sentence has been rendered.

(Effect of commutation of sentence)

Article 7 (1) Commutation of the sentence granted by a Cabinet Order shall reduce the sentence except as otherwise specially provided for by the Cabinet Order.

- (2) Commutation of the sentence granted to a specific person shall reduce the sentence or execution of the sentence.
- (3) Notwithstanding the provisions of the preceding paragraph, with respect to a person to whom the judgment of suspension of execution of sentence has been rendered and for whom the period of such suspension has not yet expired, only such reduction as reduces the sentence shall be granted, but at the same time the period of suspension may be shortened.

(Remission of execution of sentence)

Article 8 Remission of execution of the sentence shall be granted with respect to a specific person against whom a sentence has been rendered; provided however, that it shall not be granted with respect to a person to whom the judgment of suspension of execution of sentence has been rendered but for whom the period of suspension has not yet expired.

(Restoration of rights)

Article 9 Restoration of rights shall be granted to a person who, owing to a judgment of conviction being rendered, has been deprived of his or her capacity or had it suspended, with necessary conditions being prescribed by a Cabinet Order, or to a specific person; provided however, that it shall not be granted with respect to persons whose execution of the sentence has not yet been completed, or for whom remission of execution of the sentence has not been granted.

(Effect of restoration of rights and privileges)

Article 10 (1) Restoration of rights shall have the effect of restoring capacity.
(2) Restoration of rights may be granted with respect to specific types of capacity.

(Pardon and established effect)

Article 11 The effect already established upon a judgment of conviction being rendered shall not be affected by the granting of a general pardon, special pardon, commutation of sentence, remission of execution of sentence or restoration of rights.

(Pardon for a specific person)

Article 12 A special pardon, commutation of sentence with respect to a specific person, remission of execution of sentence or restoration of rights with respect to a specific person shall be granted to persons subject to a recommendation from the National Offenders Rehabilitation Commission.

(Issuance of certificates of pardon)

Article 13 When a special pardon, commutation of sentence with respect to a specific person, remission of execution of sentence or restoration of rights with respect to a specific person has been granted, the Minister of Justice shall issue to such person a certificate of special pardon, commutation of sentence, remission of execution of sentence or restoration of rights.

(Added entries to the original of the judgment)

Article 14 When a general pardon, special pardon, commutation of sentence, remission of execution of sentence or restoration of rights has been granted, the public prosecutor shall insert added entries to that effect in the original of the judgment.

(Delegation of authority to ordinance)

Article 15 Matters necessary for the enforcement of this Act shall be prescribed by a Ministry of Justice ordinance.

Supplementary Provisions [Extract]

(1) This Act shall enter into force from the date of the Constitution of Japan entering into force.