

# **Act on Promotion of Support Measures for the Lives of Disaster Victims to Protect and Support Children and Other Residents Suffering Damage due to Tokyo Electric Power Company's Nuclear Accident**

(Act No. 48 of June 27, 2012)

## **(Purpose)**

Article 1 In consideration of the fact that radioactive materials released due to the accident at Tokyo Electric Power Company's Fukushima Daiichi Nuclear Power Station following the earthquake that occurred off the Pacific coast of the Tohoku region on March 11, 2011 (hereinafter referred to as the "TEPCO Nuclear Accident") have spread widely and that the risks of radiation from said radioactive materials to human health have yet to be elucidated scientifically, and that such fact has caused people who reside or did reside in areas where measured radiation doses exceed a certain level, those who were forced to evacuate under orders for evacuation issued by the national government, and those equivalent thereto (hereinafter referred to as "Disaster Victims") to suffer concerns about their health and to bear such a burden in their lives, and in light of the fact that there is a need to support such people and that special consideration is required for children when offering said support, this Act provides basic matters concerning measures to be implemented to support Disaster Victims in their lives, with due consideration to any children (hereinafter referred to as "Support Measures for the Lives of Disaster Victims"), with the aim of promoting Support Measures for the Lives of Disaster Victims for protecting and supporting them in their lives, thereby helping them shed anxiety and achieve stability in their lives.

## **(Basic Principles)**

Article 2 (1) Support Measures for the Lives of Disaster Victims must be implemented while trying to provide accurate information on the status of the disasters resulting from the TEPCO Nuclear Accident and the status of reconstruction, etc. following said disasters.

(2) Support Measures for the Lives of Disaster Victims must be implemented so as to enable each Disaster Victim to make a voluntary choice as to whether to reside in an area under the support measures set forth in Article 8, paragraph (1), to relocate to another area, or to return to the area they lived in prior to relocation, while ensuring that appropriate support is offered irrespective of their choices.

(3) Support Measures for the Lives of Disaster Victims must be such that the

utmost efforts are made to eliminate any health concerns of the Disaster Victims as regards external and internal exposure to radiation pertaining to the TEPCO Nuclear Accident at an early date.

- (4) When implementing Support Measures for the Lives of Disaster Victims, appropriate consideration must be given so as not to generate unreasonable discrimination against them.
- (5) When implementing Support Measures for the Lives of Disaster Victims, special consideration must be given to children and pregnant women, in light of the fact that children (including fetuses) are more susceptible to radiation, while ensuring all possible means of reducing radiation doses and caring for the health of such individuals from the viewpoint of preventing health hazards from affecting them.
- (6) Considering the possibility that the effect of radiation pertaining to the TEPCO Nuclear Accident may continue for a long period of time, there should be a commitment to reliably implementing Support Measures for the Lives of Disaster Victims for as long as there is a need for Disaster Victims to be supported.

(Responsibility of the National Government)

Article 3 Recognizing its responsibility to protect the lives, bodies and properties of citizens from nuclear disaster, and its social responsibility arising from having proactively promoted its nuclear energy policy, the national government is responsible for comprehensively establishing and implementing Support Measures for the Lives of Disaster Victims in line with the basic principles set forth in the preceding Article.

(Legislative Measures, etc.)

Article 4 The national government must take legislative or financial measures or other measures as necessary for implementing Support Measures for the Lives of Disaster Victims.

(Basic Framework)

- Article 5 (1) The national government must establish the Basic Framework on the Promotion of Support Measures for the Lives of Disaster Victims (hereinafter referred to as the "Basic Framework") in line with the basic principles set forth in Article 2.
- (2) The Basic Framework is to specify the following:
    - (i) Basic directions for promoting Support Measures for the Lives of Disaster Victims;
    - (ii) Matters concerning areas under major support measures as set forth in Article 8, paragraph (1);

- (iii) Basic matters concerning Support Measures for the Lives of Disaster Victims (including matters concerning plans necessary for promoting Support Measures for the Lives of Disaster Victims);
  - (iv) In addition to what is set forth in the preceding three items, important matters for promoting Support Measures for the Lives of Disaster Victims.
- (3) When intending to establish the Basic Framework, the national government is to, in advance, take measures necessary for reflecting the opinions of the residents of the areas affected by the TEPCO Nuclear Accident and of the people who have been evacuated from such areas.
- (4) When the Basic Framework has been established, the national government must report it to the Diet and publicize it, without delay.
- (5) The provisions of the preceding two paragraphs apply *mutatis mutandis* to any changes to the Basic Framework.

(Investigations, etc. of the Status of Contamination)

- Article 6 (1) In order to ensure the effective offering of support for Disaster Victims in their lives, the national government is to carry out investigations on the status of the contamination by radioactive materials pertaining to the TEPCO Nuclear Accident continuously and meticulously for each type of radioactive material that may have been released due to the TEPCO Nuclear Accident, while taking into account the attributes, etc. of such radioactive materials.
- (2) In order to help Disaster Victims make the choices as set forth in Article 2, paragraph (2), the national government is to forecast the future status of the possibility of contamination by radioactive materials based on the results of the investigations set forth in the preceding paragraph and the outcomes of studies concerning environmental transport of radioactive materials, etc.
- (3) The national government is to publicize, as needed, the results of the investigations set forth in paragraph (1) and the forecast set forth in the preceding paragraph.

(Immediate and Ongoing Implementation of Decontamination)

- Article 7 (1) Based on the results of the investigations set forth in paragraph (1) of the preceding Article, the national government is to take measures necessary for carrying out the decontamination of soil, etc. contaminated by radioactive materials and other measures immediately and on an ongoing basis.
- (2) In the case referred to in the preceding paragraph, the national government is to give the consideration necessary in order to carry out the decontamination of soil, etc. and take other measures immediately, in particular at children's homes, schools, nursery schools, and other places where children are ordinarily present (including school routes and other routes that children ordinarily use),

as well as at the homes of pregnant women and other places where pregnant women are ordinarily present.

(Support for Disaster Victims Living in Areas under Major Support Measures)

- Article 8 (1) In order to offer support to Disaster Victims who live in Areas under Major Support Measures (meaning areas where radiation doses are below the level that requires the national government to issue orders for evacuation but exceed a certain level; the same applies hereinafter), the national government is to take measures for ensuring medical care, measures for assisting children's school attendance, etc., measures for ensuring the safety and security of food at home and at school, etc., measures for supporting regional efforts to reduce radiation doses and alleviate the burden on people's lives, measures for maintaining people's physical and mental health through experiences in nature, etc., measures for supporting children who are forced to live away from their families, and other necessary measures.
- (2) The measures for assisting children's school attendance, etc. prescribed in the preceding paragraph include the provision of supplementary lessons for children whose school learning has been suspended and the offering of opportunities for outdoor exercise to children who have difficulty in enjoying outdoor exercise at school.
- (3) The measures for ensuring the safety and security of food at home and at school, etc. prescribed in paragraph (1) include support for installing equipment for the testing of radioactive materials at school lunch kitchens, etc.
- (4) The regional efforts for reducing radiation doses and alleviating the burden on people's lives as prescribed in paragraph (1) include the decontamination of soil, etc. contaminated by radioactive materials and other measures, the testing of radioactive materials in school lunches, and other efforts, to be carried out by the guardians, etc. of the children, and measures for supporting all such efforts include the dispatch of people who can provide specialist advice and information based on the latest scientific knowledge, to help with such efforts.

(Support for Disaster Victims Living in Areas Other than Areas under Major Support Measures)

- Article 9 In order to offer support to Disaster Victims who have relocated from Areas under Major Support Measures and who now live in other areas, the national government is to take measures for supporting their relocation from Areas under Major Support Measures, measures for securing houses at their destinations, measures for supporting children's learning, etc. at such destinations, measures for supporting employment at such destinations, measures for helping the relevant Disaster Victims receive services provided by

local governments at such destinations easily, measures for maintaining relationships with local governments in Areas under Major Support Measures, measures for supporting children who are forced to live away from their families, and other necessary measures.

(Support for Disaster Victims Intending to Return Home from Areas Other than Areas under Major Support Measures)

Article 10 In order to offer support to Disaster Victims as prescribed in the preceding Article who intend to return to the areas where they had resided before their relocation and other Disaster Victims equivalent thereto, the national government is to take measures for supporting their return to said areas, measures for securing houses in said areas, measures for supporting employment in said areas, measures for helping the relevant Disaster Victims receive services provided by local governments in said areas easily, measures for supporting children who are forced to live away from their families, and other necessary measures.

(Support for Disaster Victims Evacuating from Zones under Evacuation Orders)

Article 11 (1) In order to offer support to Disaster Victims who have been evacuated from zones under orders for evacuation issued by the national government, the national government is to take measures for ensuring funding (including measures concerning the handling of land, etc. in said zones), such as through promoting the payment of damages by the Specified Nuclear Operators (meaning the Nuclear Operators (meaning the Nuclear Operators prescribed in Article 2, paragraph (3) of the Act on Compensation for Nuclear Damage (Act No. 147 of 1961)) who are liable for damages caused by the TEPCO Nuclear Accident pursuant to the provisions of Article 3, paragraph (1) of said Act; the same applies in Article 19), measures for supporting children who are forced to live away from their families, and other necessary measures.

(2) In order to offer support to Disaster Victims as prescribed in the preceding Article who intend to return to the areas where they had resided before the evacuation and other Disaster Victims equivalent thereto, the national government is to take measures equivalent to those set forth in the preceding Article.

(Provision of Information concerning Measures)

Article 12 The national government is to endeavor to develop a system to provide Disaster Victims with the necessary information concerning concrete measures to be taken as set forth in Article 8 to the preceding Article.

(Research on Influence of Radiation on Human Health and Provision of Medical Care, etc.)

- Article 13 (1) In order to clarify the status of exposure due to radiation pertaining to the TEPCO Nuclear Accident, the national government is to evaluate exposure doses through examinations effective for estimating and evaluating exposure doses and take other necessary measures.
- (2) The national government is to carry out periodic health examinations for Disaster Victims and take other necessary measures with regard to research on the influence on human health of radiation pertaining to the TEPCO Nuclear Accident. In this case, the national government is to take the necessary measures to ensure that health examinations are carried out for Disaster Victims who had spent their childhoods in areas where measured radiation doses exceed a certain level (including those whose mothers had resided in said areas while they were fetuses) and other Disaster Victims equivalent thereto throughout their lifetime.
- (3) The national government is to take measures necessary for reducing the expenses for Medical Care for children and pregnant women who are Disaster Victims (meaning Medical Care excluding that for injuries or diseases not attributable to exposure due to radiation pertaining to the TEPCO Nuclear Accident) or providing an exemption therefrom and other measures as necessary for providing Medical Care to Disaster Victims.

(Reflection of Opinions, etc.)

- Article 14 In order to ensure the appropriate implementation of measures set forth in Article 8 to the preceding Article, the national government is to take measures necessary for reflecting the opinions of Disaster Victims in the detailed contents thereof and for making the process of determining said contents fully transparent to the Disaster Victims.

(Research and Studies and Dissemination of the Outcomes)

- Article 15 In order to promote research and studies, as well as technological development (hereinafter referred to as "Research and Studies"), on the influence of low-dose radiation on human health, etc., the national government is to conduct its own Research and Studies and also encourage the private sector to conduct Research and Studies, and is to take measures necessary for disseminating the outcomes thereof.

(Fostering of Human Resources for Medical Care and Research and Studies)

- Article 16 The national government is to take measures necessary for broadly fostering human resources for Medical Care for people exposed to radiation and for Research and Studies.

(International Coordination and Cooperation)

Article 17 In order to promote Research and Studies effectively and efficiently, the national government is to seek coordination and cooperation with foreign governments and international organizations that have advanced knowledge of the effect of low-dose radiation on human health, etc., and take other necessary measures.

(Understanding of Citizens)

Article 18 In order to deepen the understanding of citizens concerning radiation and the Support Measures for the Lives of Disaster Victims, the national government is to take measures for providing learning opportunities in school education and social education with regard to such matters as the effect of radiation on human health and effective radiation protection methods, and take other necessary measures.

(Adjustments with Compensation for Damages)

Article 19 The national government is to make appropriate claims for payment against the Specified Nuclear Operators with regard to a reasonable portion of the total expenses required for implementing Support Measures for the Lives of Disaster Victims.

## **Supplementary Provisions**

(Effective Date)

(1) 1. This Act will come into effect as of the date of promulgation.

(Review)

2. Based on the results of the investigations set forth in Article 6, paragraph (1) and other investigations pertaining to radiation doses, the national government is to review Areas under Major Support Measures and other zones every year. 2. Based on the results of the investigations set forth in Article 6, paragraph (1) and other investigations pertaining to radiation doses, the national government is to review Areas under Major Support Measures and other zones every year.