

Act on Improving the Capacity, and the Efficient Promotion of Research and Development through Promotion of Research and Development System Reform is promulgated herein.

# **Act on Improving the Capacity, and the Efficient Promotion of Research and Development through Promotion of Research and Development System Reform**

(Act No. 63 of June 11, 2008)

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**Chapter I General Provisions**

(Purpose)

Article 1 The purpose of this Act is to contributing to intensifying the international competitiveness and the stability of peoples' lives, by establishing the basic principle concerning the improvement of the research and development capacity while efficiently promoting research and development by reinforcing research and development system reforms; by clarifying the responsibility of national and local governments, research and development agencies, universities, and businesses; and by defining the items necessary to improve research and development capacity and to efficiently promote research and development, in consideration of the urgent need to improve the research and development capacity and efficiently promote research and development in response to the changing conditions concerning international competition, and the socioeconomic situations with the rapidly declining birth rate and the aging population.

(Definitions)

- Article 2 (1) The term "Research and Development" as used in this Act means any research or studies on science and technology (excluding studies and research on humanities only. The same applies hereinafter excluding Article 15-2, paragraph (1)) or science and technology development.
- (2) The term "Research and Development, etc." as used in this Act means Research and Development, and the popularization and practical usage of Research and Development results.
- (3) The term "Research and Development Capacity" as used in this Act means the capacity to conduct Research and Development, etc.
- (4) The term "Research and Development System" as used in this Act means the general framework where infrastructure is established to promote Research and Development, etc. budget on science and technology, human resources and other resources necessary to promote science and technology (hereinafter simply referred to as "Resources Necessary to Promote Science and Technology") are invested, Research and Development are conducted, and the results are popularized and put to practical usage.
- (5) The term "Developing Innovation" as used in this Act means creating new values and creating a major change in economic society by developing or producing new products, developing or providing a new service, introducing a

new method of producing or sales of products, introducing a new method of providing service, or introducing new management methods.

- (6) The term "Universities, etc." as used in this Act means universities and inter-university research institute corporations.
- (7) The term "Research Institution, etc." as used in this Act means the following organizations that conduct scientific and technological studies and research (hereinafter simply referred to as "Research" excluding Article 15-2, paragraph (1)), specified by Cabinet Order:
- (i) organizations provided for in Article 39 or Article 55 of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), Article 16, paragraph (2) of the Imperial Household Agency Act (Act No. 70 of 1947), and Article 8-2 of the National Government Organization Act (Act No. 120 of 1948);
  - (ii) special organizations provided for in Article 40 and Article 56 of the Act for Establishment of the Cabinet Office and Article 8-3 of the National Government Organization Act, or laboratories, research institutes and any similar organization that are established by the organization;
  - (iii) laboratories, research institutes and any similar organizations that are established by local branch bureaus and departments provided for in Article 43 and Article 57 of the Act for Establishment of the Cabinet Office (including cases where applied mutatis mutandis in 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
  - (iv) an Agency Engaged in Administrative Execution (an Agency Engaged in Administrative Execution provided for in Article 2, paragraph (4) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999); the same applies hereinafter.).
- (8) The term "Research and Development Agencies" as used in this Act means incorporated administrative agencies provided for in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (hereinafter simply referred to as "Incorporated Administrative Agencies") that are engaged in research and development through public invitation, as well as the dissemination and sharing of knowledge concerning science and technology. Annex Table 1 lists their typical operations.
- (9) The term "National University Corporation, etc." as used in this Act means National University Corporations, etc. provided for in Article 2, paragraph (5) of the Act of National University Corporations (Act No. 112 of 2003).
- (10) The term "Researcher, etc." as used in this Act means a science and technology researcher or engineer (including personnel who assist in Research and Development).

- (11) The term "Government-Employed Researcher" as used in this Act means the following national public officers who work for Research Institutions, etc.:
- (i) among the officials to whom Annex Table 7, Research Service Salary Schedule (referred to as "Annex Table 7" in the following item) of the Act applies based on the provisions of Article 6, paragraph (1) of the Act on Remuneration of Officials in the Regular Service (Act No. 95 of 1950); officials to whom Annex Table 6, Educational Service Salary Schedule (i) of the Act (referred to as "Annex Table 6" in the following item) applies based on the provisions of the paragraph; officials to whom Annex Table 8, Medical Service Salary Schedule (i) of the Act (referred to as "Annex Table 8" in the following item) applies based on the provisions of the paragraph; and officials to whom the Salary Schedule referred to in the paragraph (referred to as "Salary Schedule for Officials with Fixed Term of Office" in the following item) based on the provisions of Article 7, paragraph (1) of the Act on Special Measures of Employment and Remuneration of Officials with Fixed Term of Office in Regular Service (Act No. 125 of 2000), the persons designated as Researchers by Cabinet Order, and the officials to whom the Salary Schedule referred to in the provisions (referred to as "Salary Schedule for Researchers with Fixed Term of Office" in the following item) applies based on Article 6, paragraphs (1) or (2) of the Act on Special Measures of Employment, Remuneration and Working Hours of Researchers with Fixed Term of Office in Regular Service (where Act No. 65 of 1997 applies) (referred to as "officials to whom Salary Schedule for Researchers with Fixed Term of Office applies" in Article 14, paragraph (2));
  - (ii) officials who receive the amount of salary provided for in Annex Table 7 based on the provisions of Article 4, paragraph (1) of the Act on Remuneration of the Ministry of Defense (Act No. 266 of 1952); officials who receive the amount of salary provided for in Annex Table 6 or Annex Table 8 based on the provisions of the paragraph; officials who receive the amount of salary provided for in Salary Schedule for Officials with Fixed Term of Office based on the provisions of paragraph (2) of the Article; the persons designated as Researchers by Cabinet Order and officials who receive the amount of salary provided for in Salary Schedule for Researchers with Fixed Term of Office based on the provisions of Article 4, paragraph (3) of the Act on Remuneration of the Ministry of Defense, among Self-Defense Force officials provided for in Article 37 of the Act for Establishment of the Ministry of Defense (Act No. 164 of 1954); and
  - (iii) officials who work for an Agency Engaged in Administrative Execution specified by Article 2 of the National Public Service Act (Act No. 120 of 1947) in Regular Service, and the persons designated as Researchers by Cabinet Order (Act No. 99 of 2013, Act No. 67 of 2014, partially revised)

(Basic Principles)

Article 3 (1) Improved Research and Development Capacity and efficient advancement of Research and Development ,etc. through promotion of reforms to the Research and Development System are to be achieved by strengthening the foundations for promoting Research and Development, etc. while ensuring the Resources Necessary to Promote Science and Technology to be utilized flexibly and enabling organizations that conduct Research and Development, etc. (hereinafter individually referred to as a" Research and Development Organization") and Researchers, etc. to maximize the use of accumulated Research and Development results while also using their Research and Development Capacity to its fullest in carrying out Research and Development, etc. ,in sprit of raising the standard of science and technology in Japan, and promoting the Development of Innovation.

(2) Research and Development Capacity must be improved by reinforcing Research and Development System Reform, and Research and Development, etc. must be efficiently promoted in line with policy regarding the promotion of science and technology provided for in Article 2 of the Basic Act on Science and Technology (Act No. 130 of 1995), and in consideration of consistency with the basic policies of administrative reform by the government.

(Responsibilities of the National Government)

Article 4 The national government is responsible for formulating and implementing comprehensive measures to improve the Research and Development Capacity and to efficiently promote Research and Development, etc. through promotion of Research and Development System reform, etc. in line with the basic principles of the preceding Article (hereinafter referred to as "Basic Principles").

(Responsibilities of the Local Governments)

Article 5 The local governments are responsible for formulating and implementing measures that follow measures of the national government, and independent measures that reflect the regional characteristics of the local government in order to improve Research and Development Capacity and efficiently promote Research and Development, etc. through promotion of Research and Development System reform, etc. in line with the Basic Principles.

(Responsibilities of Research and Development Agencies)

Article 6 (1) Research and Development Agencies, Universities, etc. and businesses must strive to improve the Research and Development Capacity as

well as to efficiently promote Research and Development, etc. in line with the Basic Principles.

(2) The national government and local governments must establish measures for Universities, etc. concerning the improvement of Research and Development Capacity through promotion of Research and Development System reform, etc., and concerning efficient promotion of Research and Development, etc.. through promotion of Research and Development, etc.;in implementing these measures ,they must endeavor to revitalize research activity in Universities, etc. ,as well as considering the characteristics of Research such as respect for the self-initiative of Researchers, etc. at each University, etc.

(Strengthening the Coordination Between Parties)

Article 7 The Research and Development Capacity will be improved and Research and Development, etc... efficiently promoted when the National Government, national and local governments, Research and Development Agencies, Universities, etc. and businesses mutually coordinate and cooperate. Thus, measures should be taken to improve cooperation among the parties concerned.

(Legislative Measures)

Article 8 The government must make legal, financial, or monetary efforts in order to implement the measures to improve Research and Development Capacity and efficiently promote Research and Development, etc. by reinforcing Research and Development System Reforms.

## **Chapter II Improvement of the Foundation to Promote Research and Development**

### **Section 1 Improvement of the Standard of Education concerning Science and Technology**

(Improvement of the Standard of Education Concerning Science and Technology)

Article 9 Raising the educational standard on science and technology and fostering excellent Researchers are essential in order to improve the Research and Development Capacity. Based on this view, the National Government must raise the educational standard on science and technology by improving the capacity of teachers engaging in science and technology education and utilizing the Researchers in science and technology education, and take measures to support pioneering science and technology education and the fostering of excellent Researchers.

(Promoting the Acquisition of Knowledge on Science and Technology Management)

Article 10 In order to promote the practical application of Research and Development results and develop innovation, the National Government is to promote Researchers to acquire knowledge about science and technology management (referring to the effective utilization of Research and Development results in combination with the funding, facility, other resources, and systematic development of Research and Development for prospective use in the future), and take measures to help Researchers improve their capacity to explain the content of Research and Development and the usefulness of the results.

(Support for Securing Human Resources with Expert Knowledge and Capacity Concerning the Administration and Management of Research and Development)

Article 10-2 In order to improve the Research and Development Capacity, the National Government is to take measures to secure human resources with expert knowledge and capacity concerning the administration and management of Research and Development, etc., such as planning, securing funding, acquiring and utilizing intellectual property rights, and other operations, as well as measures to support these efforts.

(Support for Fostering Human Resources with the Capacity Necessary for Developing Innovation)

Article 10-3 The National Government is to take measures to support the fostering of human resources with the capacity necessary for Developing Innovation.

(Effective Utilization and Succession of Skills and Knowledge)

Article 11 Effectively utilizing and passing on the skills and knowledge of Researchers (including former Researchers) are essential in order to improve the Research and Development Capacity. Based on this view, the National Government is to take measures to effectively utilize and ensure the succession of the skills and knowledge.

## **Section 2 Utilization of the Capacity of Young Researchers**

(Utilization of the Capacity of Young Researchers)

Article 12 (1) Utilizing the capacity of youth, women, and foreign nationals (meaning those not having Japanese nationality; the same applies hereinafter) when promoting Research and Development, etc. is essential in order to

improve the Research and Development Capacity. Based on this view, the National Government is to utilize the capacity of young Researchers when promoting Research and Development, etc. backed by government funding (including funding provided by Japan for Research and Development Agencies and other funding from the government; the same applies hereinafter), and take measures in order to encourage Research and Development Agencies, Universities, etc. and businesses to utilize the capacity of young Researchers.

(2) The Research and Development Agencies, Universities, etc. and businesses are to strive to utilize the capacity of young Researchers for promoting Research and Development, etc.

(Securing Excellent Researchers)

Article 13 (1) The need to secure excellent Researchers as part of the regional economy is becoming increasingly important in Asia and other regions. Based on this view, the National Government is to eliminate negative factors that unreasonably hinder the smooth invitation of excellent Researchers from abroad, and take measures to secure excellent Researchers.

(2) Research and Development Agencies, Universities, etc. and businesses are to consider the working conditions of excellent Researchers overseas, and offer incentives in remuneratory form for excellent Researchers as needed, relative to the remuneration level of other officials, in order to secure excellent Researchers.

(Employment of Foreign Nationals as Government-Employed Researchers)

Article 14 (1) A person with the power of appointment pursuant to Article 55, paragraph (1) of the National Public Service Act and based on the provisions of other acts (in cases where the power is assigned to someone other than the person designated above in line with paragraph (2) of the Article; hereinafter referred to as "Appointer") may assign a foreign national as a Government-Employed Researcher (excluding those specified in Article 2, paragraph (11), item (ii)); provided, however, that this does not apply to the following officials:

(i) officials serving as the heads of a Research Institutions, etc.;

(ii) officials who support the heads of a Research Institutions, etc. and organize the operation of the Researchinstitutions, etc., or similar officials designated by Cabinet Order; and

(iii) officials serving as the heads of a branch office of a Research and Development Institutes, etc. or other organizations designated by Cabinet Order.

(2) The Appointer may, when appointing a foreign national in line with the provisions of the previous paragraph as a Government-Employed Researcher (limited to officials specified by Article 2, paragraph (11), items (i) and (iii)



(Officials with a Fixed Term of Office and Officials to whom Salary Schedule for Researchers with a Fixed Term of Office applies as specified by Article 5, paragraph (1) of the Act on Special Measures of Employment and Remuneration of Officials with Fixed Term of Office in Regular Service and those specified by the item, excluding officials employed with a fixed term of office provided for in Article 3, paragraph (1) of the Act on Special Measures of Employment, Remuneration and Working Hours of Researchers with a Fixed Term of Office in Regular Service); the same applies in Article 16), determine the term of office in case it is necessary for appointing the foreign national.

### **Section 3 Promotion of Personnel Exchanges**

(Promotion of Personnel Exchanges)

Article 15 (1) In order to improve the Research and Development Capacity of Researchers, etc. by promoting personnel exchanges concerning Research and Development, etc. the national government is to take measures necessary for the promotion of personnel exchanges between Research and Development Agencies and National University Corporations, etc. and other personnel exchanges concerning Research and Development, etc.

(2) The Research and Development Agencies and National University Corporations, etc. are to consider, as needed, introducing a leave system, for Researchers, etc. who conduct the practical usage of Research and Development results in collaboration with the businesses; if a Researcher changes jobs between a Research and Development Agency and a National University Corporation, etc., aggregating the total tenure of office at each corporation in determining the tenure of office, which functions as the basis of calculating retirement benefits, ; dividing and paying the amount equivalent to the amount of retirement benefits to the Researchers, etc. every year or every month in advance; and other measures for the promotion of personnel exchanges concerning Research and Development, etc., and are to take necessary measures based on the consideration results. Through these efforts, the Research and Development Agencies and National University Corporations, etc. are to strive to promote personnel exchanges concerning Research and Development, etc.

(Special Provisions Concerning the Labor Contract Act)

Article 15-2 (1) With regard to application of the provisions of Article 18, paragraph (1) of the Labor Contract Act (Act No. 128 of 2007) concerning labor contracts as specified in each of the following items according to the person set forth respectively in these items, "five years" in the paragraph is interpreted to mean "ten years.":

- (i) a Researcher or engineer engaging in science and technology (including human resources who assist in studies, research or development concerning science and technology; the same applies in item (iii)) who signed a labor contract with the person who established the Research and Development Agency or University, etc. for a specific period (hereinafter referred to as "labor contract with a specific period" in this Article);
  - (ii) a person who engages in planning concerning the popularization or practical application of the results, securing funding, acquiring and utilizing intellectual property rights concerning a science and technology studies, research or science and technology development; or administration and management concerning the popularization or practical application of the results (limited to those requiring expert knowledge and capability), and signed a labor contract with a specific period with the person who established the Research and Development Agency or University, etc.;
  - (iii) a person other than a Research Institutions, etc., Research and Development Agency, or University, etc. who signed an agreement or other contract with a Research Institutions, etc., Research and Development Agency or University, etc. concerning a joint science and technology studies, research, science and technology development, or the popularization or practical application of the results (referred to as "joint research and development, etc." in the following item), and who is a Researcher or engineer exclusively engaged in science and technology, and signed a labor contract with a specific period with the party other than the Research institutions, etc., Research and Development Agency or University, etc.; and
  - (iv) a person who is exclusively engaged in the administration and management concerning the planning of a joint research and development, securing funding, acquiring and utilizing intellectual property rights, and other operations concerning joint research and development (limited to those requiring expert knowledge and capability), and signed a labor contract with a specific period with a party other than the Research Institutions, etc., Research and Development Agency, or University, etc. that conducts the joint research and development
- (2) Of those specified in items (i) and (ii) of the previous paragraph (excluding university students), concerning application of the provisions of Article 18, paragraph (1) of the Labor Contract Act which relates to labor contracts of items (i) and (ii) of the previous paragraph to those who signed a labor contract with a specific period while still at university with the person who established the Research and Development Agency or University, etc. (limited to cases where the period of the labor contract with a specific period includes enrollment at the university), the period of enrollment at the university is not to be included in the total contract period specified by the paragraph.

(Employment that Defines the Term of Office of a Government-Employed Researcher)

Article 16 The Appointer may decide the term of office concerning the employment of a Government-Employed Researcher in line with the provisions of the Act on the Salaries of Public Prosecutors, based on the National Public Service Act; provided, however, that this does not apply in cases where the provisions of Article 14 apply.

(Special Provisions of the National Public Officers Retirement Allowance Act Concerning Government-Employed Researchers)

Article 17 (1) When a Government-Employed Researcher takes leave as provided for in the provisions of Article 79 of the National Public Service Act or Article 43 of the Self-Defense Forces Act (Act No. 165 of 1954) in order to engage in joint research conducted by other than the National Government or an Agency Engaged in Administrative Execution in the name of the National Government (the Agency Engaged in Administrative Execution if the Government-Employed Researcher is an official of an Agency Engaged in Administrative Execution; same applies hereafter in this Article), or in research consigned by the National Government (hereinafter referred to as "joint research" in this paragraph), and if the work for the joint research falls under a requirement specified by Cabinet Order as efficient implementation of the joint research, the period of the leave is not to fall under a period that does not require the actual performance of work, as specified by Article 6-4, paragraph (1) of the Act with regard to the application of the provisions of Article 6-4, paragraph (1) and Article 7, paragraph (4) of the National Public Officers Retirement Allowance Act concerning government-employed researchers (Act No. 182 of 1953).

(2) The provisions of the preceding paragraph do not apply in cases where a Government-Employed Researcher received payment from a party other than the National Government as a benefit equivalent to retirement allowances specified by the provisions of the National Public Officers Retirement Allowance Act.

(3) Beyond what is provided for in the preceding paragraph, a Cabinet Order is to specify necessary particulars concerning application of the provisions of paragraph (1).

(Participation in Research Meetings)

Article 18 When a Government-Employed Researcher applies for participation in research meetings concerning science and technology (including participation in preparation and other clerical work concerning the research meetings), the

Appointer may approve such participation, provided that it contributes to the exchange concerning research between the National Government and parties other than the National Government, as well as exchange between an Agency Engaged in Administrative Execution and parties other than an Agency Engaged in Administrative Execution, is considered closely related to the performance of the Government-Employed Researcher, and does not cause any trouble in the operation of the Research Institutions, etc. to which the Government-Employed Researcher belongs.

#### **Section 4 Promotion of International Exchanges**

(Development and Improvement of an Internationally Excellent Research and Development Center)

Article 19 In order to improve Research and Development Capacity from a global perspective, the National Government is to take measures to invite excellent foreign researchers to engage in Research and Development, etc. funded by the government, develop an environment for internationally excellent Research and Development, etc. utilize the Research and Development Capacity of Researchers from different Research and Development Organizations, and take other necessary measures for the development and improvement of an internationally excellent Research and Development center.

(Consideration Given to Promotion of International Exchange)

Article 20 In order to promote international exchange concerning Research and Development, etc. funded by the government, the National Government is to give sufficient consideration to the duties of sincerely keeping international promises, maintaining international peace and security, and ensuring the global competitiveness of our country.

(Patent and Invention Concerning Global Joint Research Executed by the National Government)

Article 21 Concerning the national right for a patent and utility model of the result of research jointly conducted with a foreign country, foreign public organization, or international organization (excluding studies and research concerning basic technology provided for in the provisions of Article 4 of the Act on Facilitating Research and Development in Basic Technology (Act No. 65 of 1985)) as specified by Cabinet Order, the National Government may grant a license for free or set the price of the license lower than the current market price when licensing the right to the patent and utility model and those specified by the Cabinet Order.

(Treatment of Patent Right on Result of Global Joint Research Consigned by the National Government)

Article 22 The National Government may treat the result of consigned joint research conducted by a Japanese corporation and a foreign corporation, foreign country, foreign public organization or international organization (collectively referred to as "foreign corporation, etc." in item (iii)) in the following manner, beyond the treatment specified by Article 19, paragraph (1) of the Industrial Technology Enhancement Act (Act No. 44 of 2000):

- (i) the National Government may receive part of the patent right, utility model right, right to obtain a patent or right to obtain utility model registration concerning the result, as specified by Cabinet Order pursuant to the provisions thereof;
- (ii) with regard to a shared possession of the patent right or utility model right concerning the result as specified by Cabinet Order by the National Government and a party other than the National Government, which is also specified by the Cabinet Order, when the party other than the National Government executes the patent, invention or registered utility model, the National Government may not receive the price at all, or may receive a price lower than the current market price; or
- (iii) concerning the national patent right or utility model right of the result specified by Cabinet Order, the National Government may offer a regular license for free or at a price lower than the current market price to a Japanese corporation, foreign corporation, etc. or other organization (as specified by the Cabinet Order) to which the person who made the invention claimed in the patent or the device of the utility model registration belongs.

(Waiver of the Right to Claim Compensation for Damages Concerning Global Joint Research Conducted by the National Government)

Article 23 Concerning research jointly conducted with a foreign country, foreign public organization or international organization, and as specified by Cabinet Order, for the foreign country, foreign public organization, international organization and other parties specified by the Cabinet Order (hereinafter referred to as "foreign country, etc." in this Article), the National Government may waive the right to claim national compensation for damages as follows:

- (i) national right to claim compensation from a foreign country, etc. for loss or damages caused in the period of the research by the research activity to a national facility, equipment, machinery, tools and materials; or
- (ii) right to claim compensation for damages from a foreign country, etc. as provided based on the provisions of Article 6, paragraph (1) of the National Public Officers' Accident Compensation Act (including cases where applied mutatis mutandis in Article 27, paragraph (1) of the Act on Remuneration of

the Ministry of Defense) when the National Government provides compensation based on the provisions of Article 10, Article 12, Article 13, Article 15, and Article 18 of the National Public Officers' Accident Compensation Act (including cases where applied mutatis mutandis in Article 27, paragraph (1) of the Act on Remuneration of the Ministry of Defense) for any accident that occurred in the line of public duty due to the research activity in the period of the research involving officials specified by the provisions of Article 1, paragraph (1) of the National Public Officers' Accident Compensation Act (Act No. 191 of 1951) or Article 1 of the Act on Remuneration of the Ministry of Defense

### **Section 5 Policy on the Utilization of Personnel by Research and Development agencies**

- Article 24 (1) Research and Development Agencies must prepare a policy regarding the utilization of human resources (hereinafter referred to as "policy on the utilization of personnel" in this Article) in compliance with the criteria established by the Prime Minister, so as to improve the foundation on which to promote Research and Development, etc.
- (2) The following defines the policy on the utilization of personnel. :
- (i) utilization of the capacity of young researchers for facilitating Research and Development, etc.;
  - (ii) securing excellent researchers;
  - (iii) promotion of personnel exchanges concerning Research and Development, etc.; and
  - (iv) key issues for the utilization of human resources to improve the foundation on which to promote Research and Development, etc.
- (3) Research and Development Agencies must promptly publish the policy on the utilization of personnel after preparing it. The same applies to any change in the policy.
- (4) Research and Development Agencies are to improve the foundation on which to promote Research and Development, etc. for the utilization of human resources, as per the policy on the utilization of personnel.
- (5) National University Corporations , etc. are to respect the independence of Researchers, consider the characteristics of research at individual Universities, etc. and strive to improve the foundation on which to promote Research and Development for the utilization of human resources, by referring to the improvement of the foundation on which to promote Research and Development for the utilization of human resources in Research and Development Agencies in the provisions of previous paragraphs if necessary.

### **Chapter III Promotion of Competition**

(Promotion of Competition)

Article 25 In order to promote competition concerning Research and Development, etc., the National Government is to take measures necessary to promote fair competition among Research and Development Organizations and among researchers, through further utilization of research and development through public invitation (meaning, Research and Development funded by the government, and those publicly invited. The same applies hereinafter).

(Development of Criteria for Systematic Use of Funds for Research and Development Through Public Invitation)

Article 26 In order to efficiently promote Research and Development through public invitation, the National Government is to develop, wherever possible, the criteria for systematic use of funds for different kinds of Research and Development through public invitation.

(Transfer of Operations to Incorporated Administrative Agencies)

Article 27 (1) In order to efficiently promote research and development through public invitation, the National Government is to transfer the operations to incorporated administrative agencies, wherever possible, in cases where transferring all or part of the operations concerning research and development through public invitation to incorporated administrative agencies is considered contributing to the efficient promotion of research and development through public invitation.

(2) Incorporated administrative agencies conducting operations concerning research and development through public invitation are to strive to promote the efficient use of funds for research and development through public invitation in cases where contracting research and development through public invitation takes several years to complete, by signing a contract with the consignee that allows the consignee to engage in the Research and Development for several years wherever possible.

### **Chapter IV Efficient Promotion of Research and Development by Government Funding**

#### **Section 1 Flexible Distribution of Resources Necessary to Promote Science and Technology**

(Flexible Distribution of Resources Necessary to Promote Science and Technology)

Article 28 (1) In order to improve the Research and Development Capacity, the

National Government is to, in light of the importance of enhancing the international competitiveness of Japan, execute flexible and adaptable distribution of Resources Necessary to Promote Science and Technology in consideration of efficiency based on domestic and global trends in science and technology, and global standards of Research and Development in various fields.

- (2) Beyond what is provided for in the preceding paragraph, the National Government is to distribute resources necessary for Research and Development, etc. concerning the security of Japan and people, and for innovative Research and Development that may realize very important innovation when the results thereof are put to practical application, even if such results are difficult to achieve, in considering the importance of promoting the Research and Development.
- (3) In the case described in paragraph (1) and with regard to science and technology that serves the security of Japan and Japanese citizens, and as part of the foundation of a viable economic society, the National Government must strive to foster human resources for science and technology and improve the level thereof from a long-term standpoint, and make careful arrangements to ensure a stable distribution of Resources Necessary to Promote Science and Technology.
- (4) In the case described in paragraph (1), the National Government is to understand the roles of research and development through public invitation and other Research and Development funded by the government, and must ensure a harmonious distribution of Resources Necessary to Promote Science and Technology so that such Research and Development activities supplement one another, Research and Development capacity is improved, and Research and Development, etc. funded by the government is efficiently promoted.

(Proper Utilization of the Accounting System)

Article 29 In order to efficiently promote Research and Development, etc. funded by the government, the National Government, Research and Development Agencies and National University Corporations, etc. are to carry over the expenses of Research and Development funded by the government to the next fiscal year, promote proper utilization of the accounting system, and strive to streamline the accounting work.

(Prevention of Unauthorized Use of National Government Funding)

Article 30 Given the fact that preventing the unauthorized use of national government funding for Research and Development, etc. is very important in terms of efficiently promoting Research and Development, etc. the National Government is to take necessary measures to strengthen the systems for



preventing such unauthorized use.

## **Section 2 Improvement of Research and Development Capacity of Research and Development Agencies and Universities**

(Facilitation of Acceptance of Funds from Businesses)

Article 31 (1) In order to improve the Research and Development Capacity by cooperating with Research and Development Agencies, Universities, etc., businesses, and to promote such efforts for management, the National Government is to make necessary arrangements to improve the capacity of Research and Development jointly conducted with businesses, consigned Research and Development, etc. funded by businesses or other operators (except those funded by the government; hereinafter simply referred to as "funds from businesses" in this Article), and Research and Development, etc. funded by the national government, and is to take the necessary measures to promote funding from these operators and Research and Development, etc. funded by businesses.

(2) Research and Development Agencies and Universities, etc. are to make the necessary arrangements to improve the capacity of Research and Development, etc. funded by businesses, as well as Research and Development, etc. funded by the national government, and is to take the measures necessary to promote funding from businesses and Research and Development funded by businesses.

(Improvement of Independency, Flexibility and Competitiveness of Research and Development Agencies)

Article 32 (1) Given the fact that Research and Development Agencies serve as a very important foundation on which to improve Research and Development Capacity, efficiently promote Research and Development, etc. funded by the government, and develop innovation, and the securing of excellent Researchers becomes extremely important for Research and Development Agencies, the National Government is to take measures to promote the efficient management of Research and Development Agencies, flexibly and adaptably secure the Resources Necessary to Promote Science and Technology, further improve independency, flexibility and competitiveness, and proactively use the capability for promoting Research and Development, etc. funded by the national government.

(2) As it is a given fact that Universities, etc. serve as a very important foundation on which to improve Research and Development Capacity, efficiently promote Research and Development, etc. funded by the national government, develop innovation, and the securing of excellent researchers has become extremely important for Universities, etc. the National Government is

to take measures to flexibly and adaptably secure the Resources Necessary to Promote Science and Technology necessary for Universities, etc. and proactively utilize the capability for Research and Development, etc. funded by the government.

(Prompt and Effective Procurement of Articles and Services)

Article 32-2 In order to improve the Research and Development capacity of Research and Development Agencies and Universities, etc. the National Government is to take measures for Research and Development corporations and Universities, etc. to promptly and effectively procure articles and services based on an understanding of the characteristics of Research and Development.

(Consideration for Execution of Laws concerning Promotion of Administrative Reform in order to Realize a Simple and Efficient Government)

Article 33 For executing the provisions of Article 53, paragraph (1) of the Act on the Promotion of Administrative Reform to Realize Simple and Efficient Government (Act No. 47 of 2006) with regard to the researchers of Research and Development Agencies, the National Government is to promote more efficient management of Research and Development Agencies based on the Basic Principles of the Act, and must make arrangements to improve Research and Development Capacity and efficiently promote Research and Development, etc. funded by the national government.

### **Section 3 Proper Evaluation of Research and Development**

(Act No. 99 of 2013, renamed)

Article 34 (1) Given the fact that the proper evaluation of Research and Development, etc. funded by the national government is extremely important to improve Research and Development Capacity and efficiently promote Research and Development, etc., the National Government is to make the necessary arrangements to prevent clerical work from overburdening researchers, understand international standards of the Research and Development, etc. conduct a proper evaluation based on the level of novelty and innovativeness, and reflect the results in the distribution of Resources Necessary to Promote Science and Technology and in the promotion of Research and Development, etc. funded by the national government.

(2) Given the fact that the proper evaluation of Research and Development, etc. funded by the national government is very important to improve Research and Development Capacity and efficiently promote the Research and Development, etc. the National Government is to take the necessary measures to secure human resources who are highly capable of evaluating Research and

Development, etc. and are to support other efforts.

- (3) Research and Development Agencies and National University Corporations, etc. are to make the necessary arrangement to prevent clerical work from overburdening Researchers, and strive to properly evaluate Research and Development Capacity, as well as the researchers engaged in Research and Development, etc.

**Chapter V Promotion of Application of Research and Development Results**  
**Section 1 Promotion of Shared Use of Research and Development**  
**Facilities**

(Promotion of Shared Use of Research and Development Facilities)

Article 35 (1) In order to promote the shared use of facilities and equipment concerning Research and Development (hereinafter referred to as "research and development facilities" in this Article), and the shared use of research materials, the standards of measurement, science and technology information, and things that form the intellectual foundation on which to promote Research and Development (hereinafter referred to as "intellectual foundation" in this Article), the National Government is to provide the information necessary for Researchers to use research development facilities and the intellectual foundation, and is to take necessary measures in order for Researchers to widely use research development facilities and the intellectual foundation owned by Research and Development Agencies and National University Corporations, etc.

- (2) Research and Development Agencies and National University Corporations, etc. are to strive to ensure the widespread use of their research and development facilities and intellectual foundation by Researchers, etc. wherever possible.

(Use of National Facilities)

Article 36 (1) In order to improve the Research and Development capacity of businesses, pursuant to the provisions of the Cabinet Order, the National Government may set the price for using national research facility lower than the current market price, provided that the research is closely related to research being conducted by the National Government, and that the researcher engages in research particularly beneficial for the efficient promotion of the research and promise to provide the National Government with records, data and other results of research that uses Research Institutions, etc., and other research facilities owned by national organizations specified by Cabinet Order under conditions specified by the Cabinet Order, in exchange for use of these facilities.

(2) In order to improve the Research and Development capacity of businesses, pursuant to the provisions of the Cabinet Order, for a party other than the National Government who builds a facility necessary for research jointly conducted with a Research Institutions, etc. or other national organization specified by Cabinet Order on the premises of the organization, conducts research in the facility, and provides the National Government with records, data and other results of research conducted at the facility under conditions specified by Cabinet Order, the National Government may set the price lower than the current market price for the use of land on which the facility is built.

(Special Provisions for Conditions of Using National Facilities)

Article 37 (1) The head of a national administrative organ is to give public notice in an Official Gazette concerning studies and research organizations and other national organizations specified by Cabinet Order, and the progress of research in a specific field conducted by the national organization, provided that all of the following conditions are met:

- (i) the relevant national organization has engaged in extensive exchange with parties other than the National Government concerning research in a specific field, and further promotion of such exchange is considered to largely contribute to the efficient promotion of research in the specific field; and
- (ii) with the relevant national organization as its core, a considerable number of facilities owned by parties other than the National Government that conduct research related to the research in the specific field conducted by the national organization is expected to accumulate.

(2) With regard to an application of the provisions of the previous Article to the core research organization (meaning a national organization specified by public notice in the previous paragraph), "the National Government" in the Article, paragraph (1) is replaced with "core research organization," "closely related and particularly beneficial for the efficient promotion of the research" is replaced with "related," "Research Institutions, etc. and other national organizations specified by Cabinet Order" is replaced with "core research organizations," and "provide" is replaced with "provide or report to the National Government the result of research using the national research facility of the core research organization." Moreover, "research jointly conducted with Research Institutions, etc. or other national organizations specified by Cabinet Order" in the Article, paragraph (2) is replaced with "research jointly conducted with core research organizations, closely related to research being conducted by core research organizations and particularly beneficial for the efficient promotion of the research, or research utilizing the result of research conducted by core research organizations," and "provide" is replaced with "provide or report to the National Government the result of research conducted

at the facility."

## **Section 2 Resolution of Factors that Unreasonably Hinder the Application of Research and Development Results**

(Resolution of Factors that Unreasonably Hinder the Application of Research and Development Results)

Article 38 In order to promote the practical application of Research and Development results, and develop innovation through the practical application, the National Government is to investigate factors that unreasonably hinder application, and take such measures as reviewing the regulations to resolve the factors based on the investigation results.

(Effective Utilization of Income, Equipment, and Other Articles concerning Research and Development Funded by the National Government)

Article 39 In order to promote the practical application of Research and Development results, and develop innovation through the practical application, the National Government is to make the arrangements necessary for effective utilization of income, equipment, and other articles concerning Research and Development funded by the national government, in order to ensure the practical application of the Research and Development results and further promotion of Research and Development.

(Realization of International Coordination Among Patent Systems)

Article 40 (1) Given the fact that international coordination among patent systems is very important in order to properly protect Research and Development results, the National Government is to take measures to realize international coordination among patent systems.

(2) Given the fact that it is very important for businesses to exercise intellectual property rights over Research and Development results, and secure reasonable profits in order to improve Research and Development Capacity, the National Government is to give due consideration to international cooperation, and take measures to create an environment where intellectual property rights are securely protected by regulating crimes that infringe on intellectual property rights, and by other means.

(3) In order to efficiently promote their Research and Development, etc., Research and Development corporations, Universities, etc., and businesses are to strive to utilize the information on patents concerning Research and Development.

(Prevention of Research and Development Results from being Leaked from

Japan)

Article 41 (1) In order to properly protect Research and Development results, the National Government is to take measures to prevent the results of Research and Development funded by the national government from being leaked from Japan, which could hamper the maintenance of Japan's international competitiveness.

(2) Research and Development Agencies, Universities, etc. and businesses are to strive to prevent the result of Research and Development results from being leaked from Japan, which could hamper the maintenance of Japan's international competitiveness.

(Proper Response to the International Standards)

Article 42 (1) Given the fact that proper response to the international standard for Research and Development results (hereinafter referred to as "the international standard" in this Article) is very important for the practical application of Research and Development results and Developing Innovation through the practical application, the National Government is to take the measures necessary to ensure proper response to the international standard, such as the familiarization thereof, popularization of related knowledge, and participation in international organizations and other international frameworks concerning the international standard.

(2) Research and Development Agencies, Universities, etc., and businesses are to secure and foster human resources having expert knowledge about the international standard, as necessary, incorporate the specifications of Research and Development results into the international standard, proactively utilize the international standard when facilitating Research and Development, etc. and take other measures in order to ensure proper response to the international standard.

(Proactive Utilization of Unused Results)

Article 43 (1) In order to promote the practical application of Research and Development results and develop innovation through the practical application, the National Government is to take the necessary measures for the proactive utilization of any unused results of Research and Development conducted by the National Government, Research and Development corporations, Universities, etc., and businesses (referred to as "unused results" in the following paragraph).

(2) Research and Development Agencies, Universities, etc., and businesses are to strive to proactively utilize the unused results.

(Contribution by Research and Development Agencies)

Article 43-2 In order to promote the practical application of Research and Development results and Developing Innovation through the practical application, Research and Development Agencies that own Research and Development results deemed to require practical application and Developing Innovation through the practical application (as listed in Annex Table 2) may offer contributions, personnel, and technical aid as specified by the provisions of Article 1, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies and under relevant individual laws for a person who intends to utilize the Research and Development results achieved by the Research and Development corporation in a business activity.

(Promotion of Innovative Research and Development of Small and Medium-Sized Enterprises and Other Businesses)

Article 44 (1) Given the fact that small and medium-sized enterprises and other businesses play a very important role in improving Research and Development Capacity, efficiently promoting Research and Development, etc. and Developing Innovation, the national government is to take measures to promote their innovative Research and Development.

(2) Research and Development Agencies and National University Corporations, etc. are to, when signing a contract whereby a Research and Development Agency or National University Corporations, etc. is a party and the Research and Development Agency or National University Corporation, etc. is to pay for the provision of service or delivery of an article, strive to increase the opportunities for small and medium-sized enterprises engaging in innovative Research and Development to get more orders, while giving consideration to the proper use of the budget.

(Promotion of Business that Supports Research and Development)

Article 45 Given the fact that businesses who support Research and Development, etc. play a very important role in efficiently promoting Research and Development, etc., the national government is to take the necessary measures to promote the businesses.

(Transfer of Patent Right for Results of Research Consigned to the National Government)

Article 46 The national government may, pursuant to the provisions of Cabinet Order, transfer the partial patent right or utility model right owned by the national government for the results of Research consigned by a party other than the national government, to the party other than the national government.

## **Chapter VI Investigation and Survey on Domestic and Foreign Trends in**

## **Research and Development System Reform**

Article 47 The national government is to conduct an investigation and survey on domestic and foreign trends in Research and Development System reform, the international standards of Research and Development in various fields, a comparison of the importance of Research and Development, etc. in various fields by comparing cost and benefit of Research and Development, etc. and other methods, the impact of Research and Development, etc. funded by the national government on Developing Innovation, the ideal promotion of Research and Development, etc. that has conspicuous novelty or targets an extremely creative field and its practical usage of results may lead to very important innovation, and Research and Development, etc. in the application of natural science to social science or management methods, and then are to reflect the relevant results in the ideal promotion of Research and Development System and Research and Development, etc. funded by the national government.

### **Chapter VII Request from the Competent Minister to Research and Development Agencies**

Article 48 (1) The competent minister (specified by the provisions of Article 68 of the Act on General Rules for Incorporated Administrative Agencies; the same applies hereinafter in this Article) may request Research and Development Agencies to take measures when necessary in order for Japan to sincerely implement treaties and other international promises concerning Research and Development, etc. in case a disaster or other urgent situation occurs, or may occur, or in case of an urgent necessity to protect the lives, well-being and assets of people, as well as when the minister is allowed to request Research and Development Agencies to take necessary measures based on individual laws specified by provisions of Article 1, paragraph (1) of the Act.

(2) Research and Development Agencies must respond to the request from the competent minister specified by the previous paragraph.

### **Chapter VIII Creation of New System for Research and Development Agencies**

Article 49 (1) While giving sufficient consideration to the progress of reviewing the systems and organizations of incorporated administrative agencies, in order to create a new system that enables corporations engaging in Research and Development, etc. to achieve the world's highest level of Research and Development, etc. and run management that realizes the maximum results



- (hereinafter referred to as "the new system"), the National Government is to promptly take necessary legislative measures based on the following issues.
- (i) the main purpose of establishing an agency to engage in Research and Development, etc. in the new system (hereinafter referred to as "a new agency") is to realize the maximum result from the relevant Research and Development.
  - (ii) an important task of a new agency is to address problems that Universities, etc. or private companies find difficult to address, based on the national policy on Research and Development, etc.
  - (iii) a new agency can secure human resources possessing high international competitiveness.
  - (iv) an expert evaluation must be made on Research and Development, etc. conducted by a new agency based on the international standard.
  - (v) a council concerning Research and Development, etc. must be established under the relevant ministry that has jurisdiction over a new agency. In this case, a foreign national may be appointed as a member of the council.
  - (vi) new agencies are allowed to plan for a longer period of business.
  - (vii) in order to maximize the results of Research and Development conducted by a new agency, operation of the new system must be based on the characteristics of the Research and Development, etc.
- (2) The new system must have a framework that facilitates a review of the remuneration levels of researchers and engineers at a new agency, reconsideration of the ideal goal of efficient business operation, improvement of the framework concerning contracts on the procurement of articles and services for Research and Development, etc. conducted by a new agency, a review of the framework for income earned by a new corporation from its activity, and a flexible framework for carrying over the expenses for Research and Development, etc. conducted by a new agency.

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

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within six months from the date of promulgation; provided, however, that the provisions of Article 7 of the Supplementary Provisions comes into effect as of the date of promulgation of this Act or the date of promulgation of the Act on Incorporated Administrative Agency Meteorological Research Institute (Act No. of 2008), whichever comes later. The provisions of Article 8 of the Supplementary Provisions comes into effect as of the date of promulgation of this Act or the date of promulgation of the Act on Incorporated Administrative Agency engaging in Research on Highly-Specialized Medicine (Act No. 93 of

2008), whichever comes later.

(Abolition of the Act for Facilitating Government Research Exchange)

Article 2 The Act for Facilitating Governmental Research Exchange (Act No. 57 of 1986) is to be abolished.

(Transitional Measures)

Article 3 Dispositions, procedures, and other acts performed pursuant to the provisions of the preceding Article of the Act for Facilitating Governmental Research Exchange prior to the repeal before this Act came into effect (hereinafter referred to as "the former Act")(except for Article 6; same applies hereafter in this Article) or performed pursuant to provisions equivalent to orders based on the former Act being a deemed disposition, procedure, and other acts performed pursuant to the provisions of this Act, or provisions equivalent to orders based on this Act.

Article 4 For a Government-Employed Researcher specified by Article 2, paragraph (3) of the former Act who has received a disposition of administrative leave pursuant to the provisions of Article 79 of the National Public Service Act or Article 43 of the Self-Defense Forces Act, in order to engage in joint research specified by Article 6, paragraph (1) of the former Act before this Act comes into effect, the provisions of Article 6 of the former Act remains effective.

Article 5 Any public announcement made pursuant to the provisions of Article 12, paragraph (1) of the former Act before this Act comes into effect, and which remains effective when this Act comes into effect is deemed a public announcement made pursuant to the provisions of Article 37, paragraph (1).

(Review)

Article 6 Within three years after this Act comes into effect and based on the result of a review at the Council for Science and Technology Policy on ideal Research and Development System from the standpoints of further improving Research and Development Capacity and efficiently promoting Research and Development, etc. the National Government is to consider the execution progress of this Act and any changes in domestic and global trends concerning Research and Development System Reform, review the provisions of this Act, and take any measures deemed necessary based on the result.

**Supplementary Provisions [Excerpts Act No. 93 dated December 19, 2008]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2010; provided, however, that the provisions specified in each of the following items come into effect as of the day specified by the items.

(i) provisions as of the date of promulgation of Article 27, Article 3, Article 8, Article 19, Article 20, and Article 25 of the Supplementary Provisions

(Delegation by Cabinet Order)

Article 25 Beyond what is provided for in Articles 3 to 10, Article 13, and Article 15 of the Supplementary Provisions, transitional measures necessary in line with the establishment of a highly specialized national medical research center and other transitional measures necessary in line with promulgation of this Act are to be provided by Cabinet Order.

**Supplementary Provisions [Excerpts Act No. 76 dated July 10, 2009]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date provided by Cabinet Order within three years starting from the date of promulgation.

**Supplementary Provisions [Excerpts Act No. 99 dated December 13, 2013]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect on the date of promulgation; provided, however, that the provisions for revision in Article 2 of the Improving the Capacity and the Efficient Promotion of Research and Development through Research and Development System Reform in Article 1, the provisions for revision to add an article after Article 15 of the Act, the provisions for revision to add an article after Article 43 of the Act, the provisions for revision to replace Annex Table with Annex Table 1, and adding a table next to the table in the Act, the provisions of Article 2, and the provisions of Articles 4 to 8 of the Supplementary Provisions is to come into effect as of April 1, 2014.

(Review)

Article 2 (1) Taking into account the enforcement progress of the revised Improving the Capacity and the Efficient Promotion of Research and Development through Research and Development System Reform provided by the provisions of Article 1 (hereinafter referred to as "the new Act on

Improvement of Research and Development Capacity") and the revised Act on Term of Office of University Teachers, etc. (hereinafter referred to as "the new Act on Term of Office of University Teachers") provided by the provisions of Article 2, the National Government is to review the state of employment of those specified in items of Article 15-2, paragraph (1) of the new Act on Improvement of Research and Development Capacity, and teachers specified by Article 7, paragraph (1) of the new Act on Terms of Office of University Teachers, and is to take the necessary measures based on the result.

- (2) Special provisions for those provided by Article 15-2, paragraph (1), items (iii) and (iv) of the new Act on Improvement of Research and Development Capacity are provided for those employed by businesses, especially from the standpoint of improving Research and Development Capacity. Taking into account the fact that some seek employment status without a limited term, and from the standpoint of promptly improving the research environment through the stable employment of Researchers, the National Government is to consider it important for Researchers to improve their capability through mutual competition, and then review and take necessary measures based on the results.

Article 3 (1) Given the ongoing operation of Research and Development Agencies (referring to Research and Development Agencies provided by Article 2, paragraph (8) of the new Act on Improvement of Research and Development Capacity; same applies hereinafter), the National Government is to review the appropriateness of how Research and Development Agencies provide contributions, personnel, and technical aid as specified by the provisions of Article 43-2 of the new Act on Improvement of Research and Development Capacity, and then are to take the measures deemed necessary based on the results.

- (2) Given the importance of relevant organizations cooperating for the practical application of research and development results (refers to Research and Development provided by Article 2, paragraph (1) of the new Act on Improvement of Research and Development Capacity) and Developing Innovation through the practical application (refers to Developing Innovation provided by the Article, paragraph (5)), the National Government is to promptly review the development of a collaboration system between relevant ministries and agencies and with other relevant organizations and the private sector, and is to then take the necessary measures based on the results.

(Transitional Measures in line with the Partial Revision of the Act on Improving the Capacity and the Efficient Promotion of Research and Development through Research and Development System Reform)

Article 4 (1) With regard to the application for signing a labor contract without a limited term provided by the relevant paragraph concerning those provided by items of Article 15-2, paragraph (1) of the new Act on Improvement of Research and Development Capacity where the total contract term specified by Article 18, paragraph (1) of the Labor Contract Act (Act No. 128 of 2007) exceeds five years before the date specified by the provisions of Article 1, Proviso of Supplementary Provisions (hereinafter referred to as "The Date of Partial Promulgation"), the provisions then in force will remain applicable.

(2) The provisions of Article 15-2, paragraph (2) of the new Act on Improvement of Research and Development Capacity applies to the period of enrollment of the person at the university with the first day of the contract term falling in the period from the date of promulgation specified by the Supplementary Provisions, paragraph (1), The Amendment for the Labor Contract Act (Act No. 56 of 2012) to the day before partial promulgation under the labor contract with a specific period (limited to cases where the labor contract with a specific period includes the period of enrollment at the university).

**Supplementary Provisions [Excerpts Act No. 38 dated May 21, 2014]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date provided by Cabinet Order within one year from the date of promulgation.

**Supplementary Provisions [Excerpts Act No. 49 dated May 30, 2014]  
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Excerpts Act No. 67 dated June 13, 2014]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Amendment for the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014; hereinafter referred to as the "Act for the Amendment for the Act on General Rules") comes into effect; provided, however, that the provisions provided by the following items come into effect as of the date provided by the items.

(i) provisions and the date of promulgation of Article 14, paragraph (2), Article

18, and Article 30 of the Supplementary Provisions

(Transitional Measures in line with the Amendment for the Act on Improving the Capacity and the Efficient Promotion of Research and Development through Research and Development System Reform)

Article 19 For a Government-Employed Researcher specified by the provisions of Article 2, paragraph (11) of the former Act on Improvement of Research and Development Capacity who has received a disposition of administrative leave pursuant to the provisions of Article 79 of the National Public Service Act or Article 43 of the Self-Defense Forces Act, in order to engage in joint research concerning a specific incorporated administrative agency specified by Article 17, paragraph (1) of the Act on Improving the Capacity and the Efficient Promotion of Research and Development through Research and Development System Reform (hereinafter referred to as the "Former Act on Improvement of Research and Development Capacity " in this Article) before the revision specified by Article 99 before this Act comes into effect, with regard to an application of the provisions to the period that does not fall under the period of the leave when no actual operation is specified by the provisions of Article 6-4, paragraph (1) of the National Government Employees, etc. Retirement Allowance Act based on the provisions of Article 17, paragraph (1) of the former Act on Improvement of Research and Development Capacity, the provisions then in force remain applicable.

(Effects of Disposition)

Article 28 Dispositions, procedures, and any other acts performed or to be performed pursuant to the provisions of individual laws prior to revision by this Act (including a Cabinet Order based on this Act) before this Act comes into effect, which has comparable provisions in individual laws revised by this Act (including orders based on this Act; hereinafter referred to as "New Law" in this Article), is deemed a disposition, procedure, and other act performed or to be performed pursuant to the comparable provisions of the New Law (including a Cabinet Order based on this Act ), with the exception of items otherwise stipulated in the law.

(Delegation of Other Transitional Measures by Cabinet Order)

Article 30 Beyond what is provided for in Article 3 to the preceding Article of the Supplementary Provisions, the transitional measures necessary to enforce this Act (including those pertaining to penal provisions) are specified by Cabinet Order (with the Act on the Salaries of Public Prosecutors delegating the jurisdiction of national personnel authority).

Appended Table 1 (Re: Article 2)

1. Japan Agency for Medical Research and Development
2. National Institute of Information and Communications Technology
3. National Research Institute of Brewing
4. National Museum of Nature and Science
5. National Institute for Materials Science
6. National Research Institute for Earth Science and Disaster Prevention
7. National Institute of Radiological Sciences
8. Japan Science and Technology Agency
9. Japan Society for the Promotion of Science
10. RIKEN
11. Japan Aerospace Exploration Agency
12. Japan Agency for Marine-Earth Science and Technology
13. Japan Atomic Energy Agency
14. Deleted
15. National Institute of Occupational Safety and Health
16. National Institute of Biomedical Innovation, Health and Nutrition
17. National Cancer Center
18. National Cerebral and Cardiovascular Center
19. National Center of Neurology and Psychiatry
20. National Center for Global Health and Medicine
21. National Center for Child Health and Development
22. National Center for Geriatrics and Gerontology
23. National Agriculture and Food Research Organization
24. National Institute of Agrobiological Sciences
25. National Institute for Agro-Environmental Sciences
26. Japan International Research Center for Agricultural Science
27. Forestry and Forest Products Research Institute
28. Fisheries Research Agency
29. National Institute of Advanced Industrial Science and Technology
30. Japan Oil, Gas and Metals National Corporation
31. New Energy and Industrial Technology Development Organization
32. Public Works Research Institute
33. Building Research Institute
34. National Traffic Safety and Environment Laboratory
35. National Maritime Research Institute
36. Port and Airport Research Institute
37. Electronic Navigation Research Institute
38. National Institute for Environmental Studies

Appended Table 2 (Re: Article 43-2)

1. Japan Science and Technology Agency
2. National Institute of Advanced Industrial Science and Technology
3. New Energy and Industrial Technology Development Organization