

Act on Compensation for Pollution-related Health Damage

(Act No. 111 of October 5, 1973)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote prompt and fair protection of victims involved in health damage and securing of their health by providing compensation to compensate for health damage due to influence of extreme air pollution or water pollution (including deterioration of water sediment; the same applies hereinafter) over a considerable area caused in connection with business activities and other human activities , and providing services necessary for the welfare of victims and for preventing health damage due to influence of air pollution.

(Designation of Area and Disease)

Article 2 (1) The term "Class I Area" as used in this Act means areas specified by Cabinet Order as those in which extreme air pollution is caused over a considerable area in connection with business activities and other human activities and in which diseases (excluding those set forth in the following paragraph) frequently occur due to influence of the air pollution.

(2) The term "Class II Area" as used in this Act means areas specified by Cabinet Order as those in which extreme air pollution or water pollution is caused over a considerable area in connection with business activities and other human activities and in which diseases, which generally have a clear relationship with substances that cause the air pollution or water pollution and are caused only by the substances, frequently occur.

(3) A Cabinet Order provided in the preceding two paragraphs must specify the diseases provided in the preceding two paragraphs.

(4) When the Minister of the Environment intends to propose the enactment, revision, or abolition of a Cabinet Order based on the provisions of the preceding three paragraphs, the Minister must hear the opinions of the Central Environment Council, relevant prefectural governors, and relevant mayors of municipalities.

Chapter II Compensation Benefits

Section 1 General Rules

(Types of Compensation Benefits)

Article 3 (1) Benefits under this Act paid to compensate for health damage set forth in Article 1 (hereinafter referred to as the "compensation benefits") are as follows:

- (i) medical treatment benefits and medical treatment expenses;
 - (ii) disability compensation;
 - (iii) compensation for surviving family;
 - (iv) lump sum compensation for surviving family;
 - (v) child compensation allowance;
 - (vi) medical treatment allowance; and
 - (vii) funeral service fee.
- (2) The compensation benefits set forth in items (ii), (iii), and (v) of the preceding paragraph are paid monthly and regularly.

(Certification)

Article 4 (1) Based on an application filed by a person who is certified to have a disease pertaining to the Class I Area specified pursuant to the provisions of Article 2, paragraph (3) and falls under any of the following items, a prefectural governor having jurisdiction over all or a part of the Class I Area certifies that the disease is caused by influence of air pollution in the Class I Area. In this case, the prefectural governor must hear the opinions of the Examination Board for Certification of Pollution-related Health Damage as to whether or not the person is certified to have the disease.

- (i) a person who has a domicile in the Class I Area at the time of application and a period during which the person has had the domicile in the Class I Area until the filing of the application (including a period during which the person who has the same disease as that pertaining to the Class I Area which is specified pursuant to the provisions of Article 2, paragraph (3) had the domicile in another Class I Area which is specified pursuant to the provisions of the same paragraph; the same applies hereinafter in this paragraph) is longer than that specified by Cabinet Order according to the type of a disease, or a period during which the person had the domicile in the Class I Area is longer than that specified by Cabinet Order according to the type of a disease in a period specified by Cabinet Order according to the type of a disease that has continued until the filing of the application;
- (ii) a person who normally spends a longer time of the day than that specified by Cabinet Order (hereinafter referred to as the "designated hours" in this Article) in the Class I Area at the time of application and a period during which the person has normally spent a longer time of the day than the designated hours in the Class I Area until the filing of the application (including a period during which the person who has the same disease as that pertaining to the Class I Area which is specified pursuant to the provisions of Article 2, paragraph (3) normally spent a longer time of the day than the designated hours in another Class I Area which is specified pursuant to the provisions of the same paragraph; the same applies

- hereinafter in this paragraph) is longer than that specified by Cabinet Order according to the type of a disease or a period during which the person normally spent longer time of the day than the designated hours in the Class I Area is longer than that specified by Cabinet Order according to the type of a disease in a period specified by Cabinet Order according to the type of a disease that has continued until the filing of the application; and
- (iii) Except for those falling under the preceding two items, any person who has a domicile in the Class I Area or normally spends longer time than the designated hours in the Class I Area at the time of application, and a period during which the person had the domicile in the Class I Area and a period during which the person normally spent longer time than the designated hours in the Class I Area are longer than a period calculated according to the type of a disease as specified by Cabinet Order.
- (2) Based on an application filed by a person who is certified to have a disease pertaining to the Class II Area specified pursuant to the provisions of Article 2, paragraph (3), a prefectural governor having jurisdiction over all or a part of the Class II Area certifies that the disease is caused by influence of air pollution or water pollution in the Class II Area. The provisions in the second sentence of the preceding paragraph apply *mutatis mutandis* to this case.
- (3) If all or a part of the Class I Area or the Class II Area is located in a city specified by Cabinet Order (including special wards; the same applies hereinafter), the authority of a prefectural governor under the provisions of paragraph (1) or the preceding paragraph with regard to the area is exercised by the mayor of the city.
- (4) When a prefectural governor (in the case of a city specified by Cabinet Order set forth in the preceding paragraph, the mayor of the city; the same applies hereinafter except for Articles 45 through 48 and Article 143) grants certification set forth in paragraph (1) or paragraph (2) (hereinafter simply referred to as the "certification" in these Rules except for paragraph (6), Article 13, paragraph (2), Article 49, paragraphs (1) and (2), Article 52, paragraph (1), Article 62, paragraph (1), and Article 119, paragraph (5)), the prefectural governor issues a pollution medical notebook to a person who has received the certification (hereinafter referred to as the "certified person" except for those certified based on an application under the provisions of Article 6).
- (5) The certification becomes effective retroactive to the date on which the application is filed.
- (6) The certified person pertaining to the Class I Area may not receive the certification set forth in paragraph (1) for the same disease in duplicate. However, if the person relocates his/her domicile to the Class I Area over which another prefectural governor has jurisdiction and the same disease is specified pursuant to the provisions of Article 2, paragraph (3) or normally spends

longer time of the day than the designated hours in the Area, and when the person notifies the relevant other prefectural governor to the effect, the certification set forth in paragraph (1) that the person has received pertaining to the disease is deemed to be the certification set forth in the same paragraph that has been granted by the relevant other prefectural governor.

- Article 5 (1) If a person filing an application for certification dies without receiving the certification and the person is entitled to receive the certification pursuant to the provisions of paragraph (1) or (2) of the preceding Article, a prefectural governor makes a decision that the deceased person was a person who was entitled to receive the certification, based on an application filed by the deceased person's surviving family set forth in Article 30, paragraph (1), a person set forth in the items of Article 35, paragraph (1), or a person who holds a funeral for the deceased person.
- (2) The application set forth in the preceding paragraph may be filed within six months from the date on which the deceased person set forth in the same paragraph dies.
- (3) When a decision provided in paragraph (1) is made, the deceased person set forth in the same paragraph is deemed to have been certified.

Article 6 If a person who is certified to have a disease specified pursuant to the provisions of Article 2, paragraph (3) (hereinafter referred to as the "designated disease") dies without filing an application for the certification pertaining to the designated disease, the terms "is certified to have" and "application filed by a person" in Article 4, paragraph (1) are deemed to be replaced with "was certified to have" and "application filed by the deceased person's surviving family set forth in Article 30, paragraph (1), a person set forth in the items of Article 35, paragraph (1), or a person who holds a funeral for the deceased person," the term "application" in the items of the same paragraph is deemed to be replaced with "death," and the terms "is certified to have" and "application filed by a person" in paragraph (2) of the same Article are deemed to be replaced with "was certified to have" and "application filed by the deceased person's surviving family set forth in Article 30, paragraph (1), a person set forth in the items of Article 35, paragraph (1), or a person who holds a funeral for the deceased person," and these provisions apply. In this case, an application for certification under these provisions may be filed within one year from the date of designation of the Class I Area or the Class II Area and within six months from the date on which the deceased person dies.

(Validity Period of Certification)

Article 7 (1) The certification is effective only within a period specified by

Cabinet Order according to the type of the designated disease; provided, however, that this does not apply to certification pertaining to the designated disease specified by Cabinet Order.

- (2) In granting certification, if a prefectural governor finds that the designated disease of the certified person for which the validity period of certification is determined is unlikely to be cured before the expiration of the validity period, the prefectural governor may determine the validity period of the certification separately based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, notwithstanding the provisions of the preceding paragraph.

(Renewal of Certification)

Article 8 (1) When the certified person's designated disease pertaining to the certification that has the validity period pursuant to the provisions of paragraph (1) or (2) of the preceding Article is unlikely to be cured before the expiration of the validity period, the certified person may file an application for renewal of the certification to the prefectural governor.

- (2) If an application under the provisions of the preceding paragraph is filed and a prefectural governor finds that the designated disease will continue even after the expiration of the validity period based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, the prefectural governor renews the certification to which the designated disease pertains.
- (3) The provisions of the preceding Article apply mutatis mutandis to the certification renewed pursuant to the provisions of the preceding paragraph.

Article 8-2 (1) When a person who may file an application under the provisions of paragraph (1) of the preceding Article cannot file the application before the expiration of the validity period of the certification pertaining to the application due to a disaster or any other unavoidable reason, the person may file an application for the renewal of the certification within two months from the date on which the reason ceases to exist.

- (2) If an application under the provisions of the preceding paragraph is filed and a prefectural governor finds that the designated disease pertaining to the application will continue thereafter based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, the prefectural governor renews the certification pertaining to the application. In this case, the renewed certification becomes effective retroactive to the day following the expiration date of the validity period set forth in the preceding paragraph.
- (3) The provisions of Article 7 apply mutatis mutandis to the certification renewed pursuant to the provisions of the preceding paragraph. In this case,

the term "within a period specified by Cabinet Order" in paragraph (1) of the same Article is deemed to be replaced with "within a period specified by Cabinet Order from the day following the expiration date of the validity period set forth in Article 8-2, paragraph (1)."

(Rescission of Certification)

Article 9 When a prefectural governor finds that the designated disease of a person pertaining to the certification of the prefectural governor has become cured based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, the prefectural governor rescinds the certification.

(Claim for Compensation Benefits)

Article 10 (1) A claim for the compensation benefits may be made after an application for the certification is filed, even before receiving the certification.
(2) The disposition to the effect that the compensation benefits are paid becomes effective retroactive to the date on which the claim is made.

(Period of Payment and Month of Payment)

Article 11 (1) Regular payment of the compensation benefits begins in the month following the month when the claim is made and ends in the month when the reason for payment ceases to exist.
(2) Regular compensation benefits are paid in the six terms of February, April, June, August, October, and December of each year, for the previous month and the month before the previous month; provided, however, that the compensation benefits that should have been paid in the previous month of payment or the compensation benefits for a term when the reason for payment ceases to exist are paid in a month even if it does not correspond to the regular month of payment.

(Unpaid Compensation Benefits)

Article 12 (1) If a person who is entitled to receive the compensation benefits dies and the compensation benefits payable to the deceased person remain, the person's spouse (including a person who has not been registered but was in a de facto marital relationship with the deceased person; the same applies hereinafter in this Chapter) , children, parents, grandchildren, grandparents, or siblings who shared living expenses with the person at the time of the person's death may make a claim for a payment of the benefits in their own name.
(2) The order of persons entitled to receive unpaid compensation benefits conforms to the order set forth in the preceding paragraph.

- (3) If there are two or more persons of the same rank who are entitled to receive unpaid compensation benefits, a claim made by one of them is deemed to have been made for the total amount for all of them, and a payment made to one of them is deemed to have been made to all of them.

(Discharge from Compensation Benefits)

Article 13 (1) If damage is compensated to a person entitled to receive the compensation benefits for the same reason (excluding cases that fall under paragraph (2) of the following Article), a prefectural governor is discharged from the obligation to pay the compensation benefits up to the limit of the value of the benefits.

- (2) When the compensation benefits, for which the prefectural governor is discharged from the payment obligation pursuant to the provisions of the preceding paragraph, pertain to the certification set forth in Article 4, paragraph (1), the Environmental Restoration and Conservation Agency (hereinafter referred to as the "Agency") may, as specified by Cabinet Order, pay all or a part of the amount equivalent to the value of the compensation benefits subject to discharge to the establisher of soot and smoke generating facilities, etc. set forth in Article 52, paragraph (1) who compensated for the damage caused by an act that caused the payment of the compensation benefits, based on a claim of the establisher.

(Coordination with Benefits by Other Laws)

Article 14 (1) If the compensation benefits are paid, a person who should pay benefits, etc. equivalent to the compensation benefits for the same reason pursuant to the provisions of laws and regulations specified by Cabinet Order is discharged from the obligation to pay the benefits, etc. up to the limit of the value of the compensation benefits paid.

- (2) If benefits, etc. equivalent to the compensation benefits are paid for the same reason pursuant to the provisions of laws and regulations specified by Cabinet Order set forth in the preceding paragraph, a prefectural governor is, as specified by Cabinet Order, discharged from the obligation to pay the compensation benefits up to the limit of the value of the benefits. In this case, the person who pays the benefits, etc. may make a claim for compensation for an amount equivalent to the value of the benefits, etc. to the prefectural governor up to the limit of the value of the compensation benefits for which the prefectural governor is discharged from the payment obligation.

(Collection of Fraudulent Gains)

Article 15 (1) When there is a person who receives the compensation benefits by deception or other wrongful means, a prefectural governor may collect all or a

part of the amount equivalent to expenses required for the payment of the compensation benefits from the person by the same rules as for national tax collection.

(2) The order of the statutory lien for the money collected under the provisions of the preceding paragraph comes after national tax and local tax.

(Protecting the Right to Receive Benefits)

Article 16 The right to receive the compensation benefits may not be transferred, pledged as collateral, or attached.

(Prohibition of Public Charges)

Article 17 Taxes and other public charges may not be imposed on money and goods provided as the compensation benefits.

(Delegation to Order of the Ministry of the Environment)

Article 18 Beyond what is provided in this Chapter, matters necessary for the application for certification and other procedures pertaining to the compensation benefits are specified by Order of the Ministry of the Environment.

Section 2 Medical Treatment Benefits and Medical Treatment Expenses

(Medical Treatment Benefits)

Article 19 (1) A prefectural governor provides the following medical treatment benefits for the designated disease of the certified person pertaining to the certification of the prefectural governor:

(i) examination;

(ii) provision of drugs or treatment materials;

(iii) medical treatment, surgery, and other treatments;

(iv) management of home treatment and care and other nursing care involved in the treatment;

(v) hospitalization in a hospital or clinic and care or other nursing care involved in treatment at the hospital or clinic; and

(vi) transfer.

(2) When the certified person intends to receive the medical treatment benefits set forth in items (i) through (v) of the preceding paragraph, the person shall present the pollution medical notebook to a pollution medical institution selected by the person among those set forth in the following Article and receive the benefits from the institution.

(Pollution Medical Institution)

Article 20 Persons who handle medical treatment benefits (hereinafter referred to as the "pollution medical institution") are those set forth in the following items (excluding those who have notified the prefectural governor that they are not the pollution medical institution):

- (i) insurance medical institutions and insurance pharmacies set forth in Article 63, paragraph (3), item (i) of the Health Insurance Act (Act No. 70 of 1922);
- (ii) designated medical institutions set forth in Article 50, paragraph (1) of the Public Assistance Act (Act No. 144 of 1950); and
- (iii) beyond what is provided in the preceding two items, hospitals or clinics (including those equivalent thereto) or pharmacies specified by Order of the Ministry of the Environment.

(Obligation of Pollution Medical Institution)

- Article 21 (1) The pollution medical institution must be in charge of medical treatment benefits as specified by the Minister of the Environment.
- (2) With regard to medical treatment benefits for the designated disease of the certified person, the pollution medical institution must comply with the guidance given by the Minister of the Environment or the prefectural governor.

(Medical Care Policy and Medical Remuneration)

Article 22 The medical policy and medical remuneration of the pollution medical institution are specified by the Minister of the Environment based on the opinions of the Central Environment Council.

(Examination and Payment of Medical Remuneration)

- Article 23 (1) When a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) receives a claim for medical remuneration from the pollution medical institution, it conducts an examination on the details of medical care and medical remuneration pertaining to the claim, determines the amount of medical remuneration, and makes a payment for the medical remuneration.
- (2) A prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) may entrust affairs pertaining to the examination or payment under the provisions of the preceding paragraph to a person specified by Cabinet Order.
- (3) A person who conducts an examination under the provisions of paragraph (1) must not divulge any secret which the person comes to know in the course of duties.

(Payment of Medical Treatment Expenses)

Article 24 (1) When a prefectural governor finds it difficult to provide medical

treatment benefits, or if the certified person receives medical care or provision of drugs or medical treatment from a hospital, clinic, pharmacy, or any other person than the pollution medical institution due to an emergency or any other unavoidable reason and when the prefectural governor finds it necessary, the prefectural governor pays medical treatment expenses in lieu of the medical treatment benefits based on a claim of the certified person.

- (2) If the certified person receives medical treatment or provision of drugs from the pollution medical institution without presenting the pollution medical notebook, and when a prefectural governor finds that failure to present the pollution medical notebook is due to an emergency or any other unavoidable reason, the prefectural governor pays medical treatment expenses in lieu of medical treatment benefits based on a claim of the certified person.
- (3) The amount of the medical treatment expenses set forth in the preceding two paragraphs is calculated by the same rules as the medical remuneration specified based on the provisions of Article 22; provided, however, that the amount of expenses may not exceed that actually required.
- (4) A claim for the payment of medical treatment expenses may not be made when two years have elapsed from the date on which the claim may be made.

Section 3 Disability Compensation

(Payment of Disability Compensation)

Article 25 (1) When the degree of disability caused by the designated disease of the certified person (excluding those who do not reach the age specified by Cabinet Order) pertaining to the certification of a prefectural governor falls under that specified by Cabinet Order, the prefectural governor pays the disability compensation according to the degree of the disability after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of the certified person.

- (2) When the Minister of the Environment intends to propose the enactment, revision, or abolition of Cabinet Order specifying the degree of disability set forth in the preceding paragraph, the Minister must hear the opinions of the Central Environment Council.

(Amount of Disability Compensation)

Article 26 (1) The amount of the disability compensation is obtained by multiplying an amount equivalent to the basic monthly amount of standard disability compensation paid to the certified person by the rate specified by Cabinet Order according to the degree of disability of the person (if the degree of disability caused by the designated disease falls under the most severe degree of disability among those specified by Cabinet Order set forth in

- paragraph (1) of the preceding Article, an amount totaling the amount for the degree and the additional amount of nursing care specified by Cabinet Order).
- (2) The basic monthly amount of standard disability compensation is specified by the Minister of the Environment as specified by Cabinet Order based on the opinions of the Central Environment Council, considering the wage level of workers and other circumstances.

(Adjustment of Tandem Payment)

Article 27 When an amount totaling the amount of the disability compensation for two or more designated diseases paid to the certified person entitled to receive the disability compensation exceeds the basic monthly amount of standard disability compensation paid to the certified person (in the case of a person entitled to receive the disability compensation for one or two or more designated diseases to which the additional amount of nursing care is added pursuant to the provisions of paragraph (1) of the preceding Article, when the amount of the disability compensation exceeds an amount totaling the basic monthly amount of standard disability compensation and the additional amount of nursing care specified by Cabinet Order set forth in the same paragraph), the disability compensation equivalent to an amount in excess is not paid as specified by Cabinet Order.

(Revision of Amount of Disability Compensation)

- Article 28 (1) A person who receives payment of the disability compensation must have an examination conducted by a prefectural governor on the degree of disability caused by the designated disease for each period specified by Cabinet Order according to the type of the designated disease. The same applies when the prefectural governor orders the person to take the examination as it is found particularly necessary for the payment of the disability compensation.
- (2) As a result of the examination set forth in the preceding paragraph, if a prefectural governor finds that the degree of disability caused by the designated disease of the certified person is different from the former degree of disability, the prefectural governor revises the amount of the disability compensation according to the degree of disability specified by Cabinet Order set forth in Article 25, paragraph (1) when the degree of new disability falls under the degree of disability specified by Cabinet Order set forth in the same paragraph, or terminates the payment of the disability compensation when the degree of new disability does not fall under the degree of disability specified by Cabinet Order set forth in the same paragraph, based on the opinions of the Examination Board for Certification of Pollution-related Health Damage.
- (3) A person who receives payment of the disability compensation may request a prefectural governor to revise the amount of the disability compensation on the

- ground that the degree of disability caused by the designated disease increases.
- (4) If a request under the provisions of the preceding paragraph is made, the prefectural governor must examine the degree of disability caused by the designated disease of the person. The provisions of paragraph (2) apply *mutatis mutandis* to this case.
 - (5) If there is a change in the basic monthly amount of standard disability compensation which serves as the basis for the calculation of the amount of the disability compensation, the amount of the disability compensation is revised.
 - (6) When the amount of the disability compensation is revised pursuant to the provisions of paragraph (2) (including cases where applied *mutatis mutandis* pursuant to paragraph (4)) or the preceding paragraph, the payment of the revised disability compensation begins from the month following the month when the amount is revised.
 - (7) When a person who receives payment of the disability compensation does not have the examination set forth in paragraph (1) without reasonable grounds, the prefectural governor may temporarily suspend the payment of the disability compensation.

Section 4 Compensation for Surviving Family and Lump Sum Compensation for Surviving Family

(Payment of Compensation for Surviving Family)

- Article 29 (1) When the certified person pertaining to the certification of a prefectural governor dies as a result of the designated disease pertaining to the certification, the prefectural governor pays the compensation for surviving family after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of the surviving family of the deceased certified person.
- (2) If a person with the designated disease dies as a result of the designated disease without applying for certification and the certification is granted based on an application under the provisions of Article 6, the provisions of the preceding paragraph also apply to cases where a request is made by the surviving family of the person.
 - (3) Payments of the compensation for surviving family are made within the period specified by Cabinet Order.
 - (4) When the certified person or a deceased person pertaining to the certification granted based on an application under the provisions of Article 6 (hereinafter referred to as the "deceased certified person") dies as a result of two or more designated diseases, a claim for the compensation for surviving family may be made only to a prefectural governor who has granted the certification pertaining to the designated disease.

- (5) The method for payment of expenses required for the payment of the compensation for surviving family pertaining to a person who dies as a result of two or more designated diseases is specified by Cabinet Order.

(Scope and Order of Surviving Family Members Who May Receive Compensation for Surviving Family)

- Article 30 (1) Surviving family members who are entitled to receive the compensation for surviving family are the spouse, children, parents, grandchildren, grandparents, and siblings of the certified person or the deceased certified person who were living by the certified person or the deceased certified person at the time of the death of the person (if there is no person who was living by the certified person or the deceased certified person at the time of the death of the person, a person who was living by the certified person or the deceased certified person at the time of the application for certification); provided, however, that in the case of a person other than a wife (including a person who has not been registered but was in a de facto marital relationship with the certified person or the deceased certified person), the person must meet the following requirements at the time of the death of the certified person or the deceased certified person:
- (i) in the case of a husband (including a person who has not been registered but was in a de facto marital relationship with the certified person or the deceased certified person), parents, or grandparents: they are 60 years of age or older; and
 - (ii) in the case of children, grandchildren, or siblings: they do not experience the first March 31 after their 18th birthday, or are 60 years of age or older.
- (2) When a child who was a fetus at the time of the death of the certified person or the deceased certified person is born, the child is deemed to be a child who would have been living by the certified person or the deceased certified person at the time of the death of the person, with regard to the application of the provisions of the preceding paragraph.
- (3) The order of surviving family members entitled to receive the compensation for surviving family is the spouse, children, parents, grandchildren, grandparents, and siblings.

(Amount of Compensation for Surviving Family)

- Article 31 (1) The amount of the compensation for surviving family is equivalent to the basic monthly amount of standard compensation for surviving family for the certified person who died or the deceased certified person.
- (2) The basic monthly amount of standard compensation for surviving family is specified by the Minister of the Environment as specified by Cabinet Order based on the opinions of the Central Environment Council, considering the

wage level of workers, expected expenses normally paid if the certified person or the deceased certified person does not die, and other circumstances.

- (3) If there are two or more surviving family members of the same rank who are entitled to receive the compensation for surviving family, the amount of the compensation for each member is obtained by dividing the amount set forth in paragraph (1) by the number of such members.

(Revision of Amount of Compensation for Surviving Family)

Article 32 (1) When there is an increase or decrease in the number of the surviving family members of the same rank who are entitled to receive the compensation for surviving family, the amount of the compensation for surviving family is revised.

- (2) The provisions of Article 28, paragraphs (5) and (6) apply mutatis mutandis to cases where the amount of the compensation for surviving family is revised pursuant to the provisions of the preceding paragraph due to a change in the basic monthly amount of standard compensation for surviving family.

(Cases Where Compensation for Surviving Family Is Not Paid)

Article 33 When a person entitled to receive the compensation for surviving family falls under any of the following items, the compensation for surviving family to the person is not paid:

- (i) when the person dies;
- (ii) when the person marries (including cases where the registration has not been made but the person is in a de facto marital relationship);
- (iii) when the person becomes an adopted child of a person other than lineal relatives by blood or lineal relatives by marriage (including cases where the registration has not been made but the person is in a de facto adoption relationship);
- (iv) when a relative relationship with the certified person who died or the deceased certified person ends due to dissolution of adoptive relation; and
- (v) in the case of children, grandchildren, or siblings, when the first March 31 after their 18th birthday ends.

(Claim for Compensation for Surviving Family from a Person Holding a Lower Rank)

Article 34 If a person holding a higher rank who is entitled to receive the compensation for surviving family dies without making a claim for the compensation, a person holding the next rank may make a claim for the compensation for surviving family. The same applies if the compensation for surviving family is not paid pursuant to the provisions of the preceding Article and there is no person holding the same rank but there is a person holding a

lower rank.

(Payment of Lump Sum Compensation for Surviving Family)

Article 35 (1) If the certified person pertaining to the certification of a prefectural governor dies as a result of the designated disease pertaining to the certification, and when there is no surviving family members entitled to receive the compensation for surviving family at the time of the death of the certified person, the prefectural governor pays the lump sum compensation for surviving family after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of the following persons:

(i) spouse;

(ii) children, parents, grandchildren, and grandparents who were living by the certified person at the time of the death of the certified person;

(iii) children, parents, grandchildren, and grandparents who were living by the certified person at the time of the application for certification filed by the certified person; and

(iv) children, parents, grandchildren, and grandparents who do not fall under the preceding two items, and siblings.

(2) The provisions of Article 29, paragraphs (2), (4), and (5) apply mutatis mutandis to the payment of the lump sum compensation for surviving family.

(3) If the compensation for surviving family is not paid to a person who has received the compensation as a result of falling under any of the items of Article 33, and when there is no other person who is entitled to receive the compensation for surviving family and the total amount of the compensation for surviving family paid due to the death of the certified person or the deceased certified person is less than that calculated pursuant to the provisions of paragraph (1) of the following Article, the lump sum compensation for surviving family is paid based on a claim of the persons set forth in the items of paragraph (1).

(4) The order of persons entitled to receive the lump sum compensation for surviving family is in the order provided in the items of paragraph (1), and in the case of the persons set forth in items (ii) through (iv) of the same paragraph, the order provided in the items applies.

(Amount of Lump Sum Compensation for Surviving Family)

Article 36 (1) The amount of the lump sum compensation for surviving family paid under the provisions of paragraph (1) of the preceding Article is equivalent to an amount obtained by multiplying an amount equivalent to the basic monthly amount of standard compensation for surviving family for the certified person who died or the deceased certified person by the number of

months specified by Cabinet Order.

- (2) The amount of the lump sum compensation for surviving family paid under the provisions of paragraph (3) of the preceding Article is equivalent to an amount obtained by deducting the total amount of the compensation for surviving family paid due to the death of the certified person or the deceased certified person from the amount calculated pursuant to the provisions of the preceding paragraph with regard to the certified person who died or the deceased certified person.
- (3) The provisions of Article 31, paragraph (3) apply mutatis mutandis to the amount of the lump sum compensation for surviving family set forth in the preceding two paragraphs.

(Time Limit for Claim for Compensation for Surviving Family)

Article 37 A claim for the payment of the compensation for surviving family or the lump sum compensation for surviving family may not be made when two years have passed since the death of the certified person or the deceased certified person (in the case of the compensation for surviving family paid based on a claim pursuant to the provisions of the second sentence of Article 34 and the lump sum compensation for surviving family paid pursuant to the provisions of Article 35, paragraph (3), since the time when a person entitled to receive the former compensation for surviving family falls under any of the items of Article 33).

(Restrictions on Payment of Compensation for Surviving Family)

- Article 38 (1) The compensation for surviving family or the lump sum compensation for surviving family is not paid to a person who intentionally caused the death of the certified person or the deceased certified person. The same applies to a person who intentionally caused the death of a person who will hold a higher rank or the same rank to receive the compensation for surviving family or the lump sum compensation for surviving family due to the death of the certified person or the deceased certified person, prior to the death of the certified person or the deceased certified person.
- (2) The compensation for surviving family is not paid thereafter to a person who intentionally caused the death of a person holding a higher rank or the same rank who is entitled to receive the compensation for surviving family.

Section 5 Child Compensation Allowance, Medical Treatment Allowance, and Funeral Service Fee

(Payment of Child Compensation Allowance)

Article 39 (1) When the certified person pertaining to the certification of a

- prefectural governor does not reach the age specified by Cabinet Order set forth in Article 25, paragraph (1) but the degree of the person's disability caused by the designated disease falls under that specified by Cabinet Order, the prefectural governor pays the child compensation allowance specified by Cabinet Order according to the degree of the disability (if the degree of disability caused by the designated disease falls under the most severe degree of disability among those specified by the Cabinet Order, an amount totaling the amount for the degree and the additional amount of nursing care specified by Cabinet Order set forth in Article 26, paragraph (1)) after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of a person who takes care of the certified person.
- (2) When the Minister of the Environment intends to propose the enactment, revision, or abolition of Cabinet Order specifying the degree of disability set forth in the preceding paragraph, the Minister must hear the opinions of the Central Environment Council.
- (3) The provisions of Article 27 and Article 28 (excluding paragraph (5)) apply mutatis mutandis to the payment of the child compensation allowance.

(Payment of Medical Treatment Allowance)

- Article 40 (1) When the certified person pertaining to the certification of a prefectural governor receives medical treatment set forth in the items of Article 19, paragraph (1) for the designated disease pertaining to the certification, and when the degree of the disease condition falls under the degree of the disease condition specified by Cabinet Order, the prefectural governor pays the medical treatment allowance specified by Cabinet Order according to the degree of the disease condition, based on a claim of the certified person.
- (2) The provisions of Article 24, paragraph (4) apply mutatis mutandis to a claim for the payment of the medical treatment allowance.

(Payment of Funeral Service Fee)

- Article 41 (1) When the certified person pertaining to the certification of a prefectural governor dies as a result of the designated disease pertaining to the certification, the prefectural governor pays the funeral service fee specified by Cabinet Order based on a claim of a person who holds the funeral.
- (2) The provisions of Article 29, paragraphs (2), (4), and (5) and Article 37 apply mutatis mutandis to the payment of and a claim for the payment of the funeral service fee.

Section 6 Limitation on Compensation Benefits

(Limitation on Compensation Benefits)

Article 42 When the certified person or a person taking care of the certified person who does not reach the age specified by Cabinet Order set forth in Article 25, paragraph (1) fails to follow instructions on medical treatment without reasonable grounds, a prefectural governor may choose not to pay all or a part of the compensation benefits.

(Consideration of Other Causes for Amount of Compensation Benefits)

Article 43 In determining or revising the amount of the compensation benefits set forth in Article 3, paragraph (1), items (ii) through (vii), when a prefectural governor finds that there are other reasons why the certified person's or the deceased certified person's disability due to the designated disease was caused, the degree of the disability increased, the designated disease has not been cured, or why the certified person or the deceased certified person died as a result of the designated disease, the prefectural governor may consider the other reasons based on the opinions of the Examination Board for Certification of Pollution-related Health Damage.

Section 7 Examination Board for Certification of Pollution-related Health Damage

(Establishment)

Article 44 The Examination Board for Certification of Pollution-related Health Damage is established in a prefecture that contains all or a part of the Class I Area or Class II Area or in a city specified by Cabinet Order set forth in Article 4, paragraph (3) in order to have the prefecture or city perform the matters placed under the authority of the Examination Board by this Act.

(Organization)

Article 45 (1) The Examination Board for Certification of Pollution-related Health Damage is composed of members appointed by a prefectural governor or the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3) from among persons who have relevant expertise concerning medical science, legal science, and compensation for health damage caused by environmental pollution.

(2) A member must not divulge any secret which the member comes to know in the course of duties. The same applies after the member has left the position.

(3) Beyond what is provided in paragraph (1), the organization and operation of the Examination Board for Certification of Pollution-related Health Damage and other matters necessary for the Examination Board are specified by Prefectural/Municipal Ordinance of a prefecture or a city specified by Cabinet

Order set forth in Article 4, paragraph (3).

Chapter III Pollution-related Health and Welfare Services

Article 46 (1) A prefectural governor or the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3) provides services related to rehabilitation and health resort therapy and other pollution-related health and welfare services specified by Cabinet Order that are necessary for promoting welfare of the certified person, such as the restoration of the person's health damaged by the designated disease and the maintenance and improvement of the person's restored health, etc., and preventing damage by the designated disease pertaining to the Class I Area or Class II Area in the Area.

(2) A prefectural governor or the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3) must obtain the approval of the Minister of the Environment when the governor or the mayor intends to provide the pollution-related health and welfare services set forth in the preceding paragraph.

Chapter IV Expenses

Section 1 Payment of Expenses and Financial Resources

(Payment of Expenses)

Article 47 A prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) pays the following expenses:

- (i) expenses required for the payment of the compensation benefits provided by a prefectural governor or the mayor of a city (including the payment for compensation under the provisions of Article 14, paragraph (2); the same applies hereinafter in this Chapter); and
- (ii) expenses required for affairs handled by a prefectural governor or the mayor of a city pursuant to the provisions of this Act or orders based on this Act.

(Payment)

Article 48 (1) A payment made by the Agency to a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) is, as specified by Cabinet Order, allocated to the expenses set forth in item (i) of the preceding Article to be paid by the prefecture or the city specified by Cabinet Order set forth in Article 4, paragraph (3) pursuant to the provisions of the preceding Article.

(2) A payment made by the Agency to a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) is, as specified by Cabinet Order, allocated to expenses equivalent to three-fourths of the expenses required for

pollution-related health and welfare services provided by the prefectural governor or the mayor of the city specified by Cabinet Order set forth in Article 4, paragraph (3) pursuant to the provisions of Article 46.

(Financial Resources for Payment)

- Article 49 (1) All of the payments under the provisions of the preceding Article that are allocated to expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (1), and two-thirds of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class I Area are appropriated by money collected as specified separately by law, in addition to the imposition on pollution load collected by the Agency pursuant to the provisions of Article 52, paragraph (1). One-third of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class I Area are appropriated by subsidies provided by the government based on the provisions of Article 51.
- (2) All of the payments under the provisions of the preceding Article that are allocated to expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (2), and two-thirds of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class II Area are appropriated by the specific imposition collected by the Agency pursuant to the provisions of Article 62, paragraph (1). One-third of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class II Area are appropriated by subsidies provided by the government based on the provisions of Article 51.
- (3) The allocation ratio of the imposition on pollution load and money collected as specified separately by law that are allocated to the payments under the provisions of the preceding Article pursuant to the provisions of paragraph (1) is specified by Cabinet Order, taking into consideration the state of emissions of substances by the establisher of soot and smoke generating facilities, etc. set forth in Article 52, paragraph (1) and other persons that cause air pollution affecting the designated disease pertaining to the Class I Area and other circumstances.

(Grant)

Article 50 As specified by Cabinet Order, the government grants expenses equivalent to half the expenses set forth in Article 47, item (ii) that are paid by a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) to the prefecture or the city pursuant to the provisions of Article 47.

(Subsidy)

Article 51 The government subsidizes the Agency with an amount equivalent to one-third of the payments under the provisions of Article 48, paragraph (2).

Section 2 Imposition on Pollution Load

(Collection and Payment Obligation of Imposition on Pollution Load)

Article 52 (1) In order to cover a part of the expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (1), those required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class I Area, those required for the payment under the provisions of Article 13, paragraph (2), and those required for affairs handled by the Agency (hereinafter referred to as the "expenses for payments of compensation benefits, etc.") that are appropriated by payments under the provisions of Article 48, the Agency collects the imposition on pollution load each fiscal year from the following enterprises that have or had established a factory or workplace in which soot and smoke generating facilities set forth in Article 2, paragraph (2) of the Air Pollution Control Act (Act No. 97 of 1968) are established (hereinafter referred to as the "establisher of soot and smoke generating facilities, etc."):

- (i) an enterprise that has soot and smoke generating facilities discharging substances specified by Cabinet Order that cause air pollution affecting the designated disease pertaining to the Class I Area and has a factory or workplace whose maximum exhaust gas amount is the same as or more than the amount specified by Cabinet Order according to the classification of areas specified by Cabinet Order on the first day of a fiscal year (meaning a period from April 1 to March 31 of the following year; the same applies hereinafter in this Chapter); and
- (ii) if the designation of the Class I Area is completely cancelled, an enterprise that has soot and smoke generating facilities discharging substances specified by Cabinet Order set forth in the preceding item (hereinafter referred to as the "target substance") on the first day of a fiscal year that

contains the day preceding the date on which the designation is cancelled (hereinafter referred to as the "reference year" and "reference date," respectively) and has a factory or workplace whose maximum exhaust gas amount is the same as or more than the amount specified by Cabinet Order set forth in the same item according to the classification of areas specified by Cabinet Order set forth in the same item on the first day of the reference year; provided, however, that this is limited to cases where there are the expenses for payments of compensation benefits, etc. for the certified person and deceased certified person pertaining to the certification set forth in Article 4, paragraph (1) that has been granted prior to the reference date (hereinafter referred to as the "previously certified person"), even after the reference date.

- (2) If the designation of the Class I Area is completely cancelled, and the reference date is after the day following the first day of a fiscal year of the reference date, the term "each fiscal year" in the preceding paragraph for the establisher of soot and smoke generating facilities, etc. set forth in item (ii) of the same paragraph is deemed to be replaced with "each fiscal year from a fiscal year following a fiscal year that contains the reference date."
- (3) The establisher of soot and smoke generating facilities, etc. is obliged to pay the imposition on pollution load.

(Amount of Imposition on Pollution Load)

Article 53 (1) The amount of the imposition on pollution load collected from the establisher of soot and smoke generating facilities, etc. is specified in the following items according to the type of the establisher of soot and smoke generating facilities, etc. set forth in the following items:

- (i) the establisher of soot and smoke generating facilities, etc. set forth in paragraph (1), item (i) of the preceding Article: a total amount obtained by multiplying the amount of imposition per unit emission for each substance specified by Cabinet Order set forth in the same item that is discharged by the establisher of soot and smoke generating facilities, etc. by the annual emission in a year that contains the first day of the preceding fiscal year; and
- (ii) the establisher of soot and smoke generating facilities, etc. set forth in paragraph (1), item (ii) of the preceding Article: an amount totaling the amounts set forth in (a) and (b) below.
 - (a) A total amount obtained by multiplying the amount of imposition per unit emission for each target substance by the amount accumulating obtained by converting the annual emission of the target substance in each year as specified by Cabinet Order, taking into consideration the classification of areas and other circumstances according to the state of air pollution (hereinafter referred to as the "accumulated amount"), in a period between

a year specified by Cabinet Order, taking into consideration the state of air pollution that affected the designated disease of the previously certified person prior to the reference date, and a year that contains the first day of a fiscal year before the reference year (hereinafter referred to as the "base period for calculation")

- (b) A total amount obtained by multiplying the amount of imposition per unit emission for each target substance discharged on or after the reference date by the annual emission of the target substance in a year that contains the first day of the previous fiscal year
- (2) The method for calculating the annual emission set forth in the preceding paragraph is specified by Order of the Ministry of the Environment.

(Imposition Per Unit Emission)

Article 54 (1) The amount of the imposition per unit emission set forth in paragraph (1), item (i) of the preceding Article is specified by Cabinet Order according to the classification of areas based on the state of air pollution caused by the substances specified by Cabinet Order set forth in Article 52, paragraph (1), item (i), on the basis of the estimated amount to be necessary in the fiscal year as the total amount of the imposition on pollution load that is appropriated to the expenses for payments of compensation benefits, etc. calculated based on the estimated number of beneficiaries, the estimated average of the benefits paid, and other matters for each type of the compensation benefits set forth in Article 3, paragraph (1) (hereinafter referred to as the "estimated amount of imposition") pertaining to the certified person and the deceased certified person other than the previously certified person, and the total emission of each substance specified by Cabinet Order set forth in Article 52, paragraph (1), item (i) that is discharged by the establisher of soot and smoke generating facilities, etc. in a year that contains the first day of the previous fiscal year.

- (2) The imposition per unit emission set forth in the following items is specified by Cabinet Order on the basis of the matters set forth in the following items; provided, however, that the imposition set forth in item (ii) is specified according to the classification of areas based on the state of air pollution caused by the substances set forth in the same item:

- (i) the imposition per unit emission set forth in paragraph (1), item (ii), (a) of the preceding Article: an amount obtained by multiplying the estimated amount of imposition pertaining to the previously certified person by the rate specified by Cabinet Order, taking into consideration the state of the designated disease of the previously certified person and other circumstances, and the total accumulated amount of each target substance discharged by the establisher of soot and smoke generating facilities, etc. in the base period for

calculation; and

- (ii) the imposition per unit emission set forth in paragraph (1), item (ii), (b) of the preceding Article: an amount obtained by multiplying the estimated amount of imposition pertaining to the previously certified person by the rate obtained by deducting the rate specified by Cabinet Order set forth in the preceding item from one, and the total amount of each target substance discharged by the establisher of soot and smoke generating facilities, etc. in a year that contains the first day of the previous fiscal year.

(Payment of Imposition on Pollution Load)

- Article 55 (1) The establisher of soot and smoke generating facilities, etc. must pay the imposition on pollution load each fiscal year to the Agency within 45 days from the first day of the fiscal year, together with a statement describing the matters specified by Order of the Ministry of the Environment.
- (2) The statement set forth in the preceding paragraph must be accompanied by documents specified by Order of the Ministry of the Environment to certify the annual emissions of the substances specified by Cabinet Order set forth in Article 52, paragraph (1), item (i) or the target substance discharged on or after the reference date.
 - (3) When the establisher of soot and smoke generating facilities, etc. fails to submit the statement set forth in paragraph (1) within the period set forth in the same paragraph, or when the Agency finds that there are errors in the matters specified by Order of the Ministry of the Environment in the statement set forth in the same paragraph, the Agency determines the amount of the imposition on pollution load and notifies the establisher of soot and smoke generating facilities, etc. of the amount.
 - (4) The establisher of soot and smoke generating facilities, etc. that receives the notice under the provisions of the preceding paragraph must pay to the Agency, within 15 days from the date on which it receives the notice, the full amount of the imposition on pollution load determined by the Agency pursuant to the provisions of the same paragraph if it does not pay the imposition, or pay the deficient amount of the imposition on pollution load if the amount of the imposition on pollution load paid is insufficient to the amount determined by the Agency pursuant to the provisions of the same paragraph.
 - (5) If the amount of the imposition on pollution load paid by the establisher of soot and smoke generating facilities, etc. exceeds the amount determined by the Agency pursuant to the provisions of paragraph (3), the Agency must appropriate the amount in excess to the unpaid imposition on pollution load and other amount to be collected under the provisions of this Section, if any, and return the balance, if any, or return the amount in excess if there is no unpaid amount to be collected.

(Deferred Payment of Imposition on Pollution Load)

Article 56 The Agency may allow the establisher of soot and smoke generating facilities, etc. to defer the payment of the imposition on pollution load to be made by the establisher based on an application of the establisher.

(Demand and Disposition of Delinquency)

Article 57 (1) When a person fails to pay the imposition on pollution load or any other money collected under the provisions of this Section, the Agency must make a demand by designating the due date.

(2) When the Agency makes a demand pursuant to the provisions of the preceding paragraph, the Agency issues a written demand to the person obliged to pay.

(3) The due date set forth in paragraph (1) that is designated in the written demand set forth in the preceding paragraph must be a date after a lapse of 10 days or more from the date on which the written demand is issued.

(4) When a person who receives a demand under the provisions of paragraph (1) fails to fully pay the imposition on pollution load or any other money collected under the provisions of this Section by the due date designated by the Agency, the Agency may request a municipality (including a special ward; the same applies hereinafter in this Article) where the person obliged to pay domiciles or the property of the person is located to collect the imposition or money.

(5) When a municipality receives a request for collection under the provisions of the preceding paragraph, the municipality may make disposition of delinquency by the same rules as the disposition of local tax delinquency. In this case, the Agency must deliver to the municipality an amount equivalent to four one-hundredths of the collected amount.

(6) When a municipality fails to commence a procedure for disposition of delinquency within 30 days or complete the procedure within 90 days from the date of request for collection under the provisions of paragraph (4), the Agency may make disposition of delinquency by the same rules as the disposition of national tax delinquency, with the approval of the Minister of the Environment.

(Delinquent Charge)

Article 58 (1) When the Agency makes a demand for a payment of the imposition on pollution load pursuant to the provisions of paragraph (1) of the preceding Article, the Agency collects a delinquent charge calculated based on the number of days from the day following the due date for payment until the day preceding the date of full payment or an attachment of property, at a rate of 14.5% per annum on the amount of the imposition on pollution load pertaining to the demand; provided, however, that this does not apply when the amount of

the imposition on pollution load pertaining to the demand is less than 1,000 yen.

- (2) In the case referred to in the preceding paragraph, when a part of the amount of the imposition on pollution load is paid, the amount of the imposition on pollution load that is the principal amount for the calculation of a delinquent charge pertaining to the period after the date of the payment shall be an amount after deducting the amount of the imposition on pollution load paid.
- (3) In the calculation of a delinquent charge, the amount of the imposition on pollution load set forth in the preceding two paragraphs is rounded down to the nearest 1,000 yen.
- (4) The amount of a delinquent charge calculated pursuant to the provisions of the preceding three paragraphs is rounded down to the nearest 100 yen.
- (5) A delinquent charge is not collected if any of the following cases applies; provided, however, that in the case set forth in item (iv), the same applies only to the amount for a period during which the disposition is discontinued or suspended:
 - (i) the imposition on pollution load is paid in full on or before the due date designated in the written demand;
 - (ii) since the domicile or residence of the person obliged to pay is unknown, the demand is made through service by publication;
 - (iii) the amount of a delinquent charge is less than 100 yen;
 - (iv) the disposition of delinquency pertaining to the imposition on pollution load is discontinued or suspended; and
 - (v) it is found that there is an unavoidable reason for the delinquency of the imposition on pollution load.

(Order of Statutory Lien)

Article 59 The order of the statutory lien for the imposition on pollution load and any other money collected under the provisions of this Section comes after national tax and local tax.

(Collection Procedure for Money to Be Collected)

Article 60 Unless otherwise provided in this Section, the imposition on pollution load and any other money collected under the provisions of this Section are collected by the same rules as for national tax collection.

(Submission of Materials)

Article 60-2 When the Agency finds it necessary for the collection of the imposition on pollution load, the Agency may request the establisher of soot and smoke generating facilities, etc. to submit documents and other items.

(Delegation to Order of the Ministry of the Environment)

Article 61 Beyond what is provided in this Section, matters necessary for the imposition on pollution load and any other money collected under the provisions of this Section are specified by Order of the Ministry of the Environment.

Section 3 Specific Imposition

(Collection and Payment Obligation of Specific Imposition)

Article 62 (1) In order to cover a part of the expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (2), those required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class II Area, and those required for affairs handled by the Agency that are appropriated by payments under the provisions of Article 48, the Agency collects the specific imposition each fiscal year from establishers of soot and smoke generating facilities set forth in Article 2, paragraph (2) of the Air Pollution Control Act that generate substances that cause air pollution or water pollution affecting the designated disease pertaining to the Class II Area and establishers of specified facilities set forth in Article 17, paragraph (1) of the same Act or those set forth in Article 2, paragraph (2) of the Water Pollution Prevention Act (Act No. 138 of 1970) (including past establishers; hereinafter referred to as the "establisher of specified facilities, etc.").

(2) The establisher of specified facilities, etc. is obliged to pay the specific imposition.

(Method of Calculation of Specific Imposition)

Article 63 (1) The method for calculating the amount of the specific imposition to be collected from the establisher of specified facilities, etc. is specified by Cabinet Order, taking into consideration the emission of the substances that cause air pollution or water pollution affecting the designated disease pertaining to the Class II Area and other circumstances.

(2) When the Minister of the Environment intends to propose the enactment, revision, or abolition of Cabinet Order based on the provisions of the preceding paragraph, the Minister must hear the opinions of the Central Environment Council.

(Determination and Notice of Amount of Specific Imposition)

Article 64 (1) The Agency must determine the amount of the specific imposition to be paid by the establisher of specified facilities, etc. according to the method

for calculating the amount of the specific imposition specified by Cabinet Order set forth in paragraph (1) of the preceding Article, and notify the establisher of specified facilities, etc. of the amount of the specific imposition to be paid by the establisher, the due date for payment, and other necessary matters.

- (2) When the necessity of changing the amount of the specific imposition arises after the amount of the specific imposition is determined pursuant to the provisions of the preceding paragraph, the Agency must change the amount of the specific imposition to be paid by the establisher of specified facilities, etc. and notify the establisher of specified facilities, etc. of the changed amount of the specific imposition.
- (3) If the amount of the specific imposition paid by the establisher of specified facilities, etc. is less than the amount of the specific imposition changed under the provisions of the preceding paragraph, the Agency must notify the establisher of the shortage, the due date for payment, and other necessary matters together with the notice under the same paragraph, and if it exceeds the amount of the specific imposition changed under the provisions of the same paragraph, the Agency must appropriate the amount in excess to the unpaid specific imposition and other amount to be collected under the provisions of this Section, if any, and return the balance, if any, or return the amount in excess if there is no unpaid amount to be collected.

(Special Provisions for Joint Payment)

- Article 65 (1) When the Agency approves a proposal made by all or a part of the establisher of specified facilities, etc. that they make clear the payment method for the specific imposition to be paid by them and jointly make a payment, the Agency does not determine the amount of the specific imposition pertaining to the establisher, notwithstanding the provisions of paragraph (1) of the preceding Article.
- (2) When the establisher of specified facilities, etc. approved under the provisions of the preceding paragraph is a part of the establisher of specified facilities, etc. that should pay the specific imposition pertaining to the Class II Area, the Agency must determine the amount of the specific imposition to be paid jointly by the establisher of specified facilities, etc. in accordance with the determination of the amount of the specific imposition.
 - (3) When the establisher of specified facilities, etc. approved under the provisions of paragraph (1) is all of the establisher of specified facilities, etc. that should pay the specific imposition pertaining to the Class II Area and jointly makes a payment for the total amount of the specific imposition to be paid, or the establisher is a part of the establisher and jointly makes a payment for the amount determined pursuant to the provisions of the preceding paragraph, the establisher is deemed to have paid the specific imposition.

(4) The provisions of paragraph (2) and paragraph (3) of the preceding Article apply mutatis mutandis to the specific imposition to be paid jointly set forth in paragraph (2).

(Application)

Article 66 The provisions of Articles 56 through 60-2 apply mutatis mutandis to the specific imposition.

(Delegation to Order of the Ministry of the Environment)

Article 67 Beyond what is provided in this Section, matters necessary for the specific imposition and any other money collected under the provisions of this Section are specified by Order of the Ministry of the Environment.

Section 4 Auxiliary Provisions

(Consultation with the Minister of Economy, Trade and Industry)

Article 67-2 The Minister of the Environment must consult with the Minister of Economy, Trade and Industry in the following cases:

- (i) when intending to establish Order of the Ministry of the Environment set forth in Article 53, paragraph (2), Article 55, paragraphs (1) through (3), Article 61, or the preceding Article; and
- (ii) when intending to give approval set forth in Article 57, paragraph (6).

Chapter V Pollution-related Health Damage Prevention Services

Article 68 The Agency provides the following services in order to prevent health damage by air pollution:

- (i) research and study, disseminating knowledge, and training concerning the prevention of health damage by air pollution;
- (ii) granting subsidies to local governments that prepare plans, provide health consultation, conduct health examination, provide functional training, or develop facilities and equipment (including local governments that subsidize persons who develop facilities and equipment) concerning the prevention of health damage by air pollution; and
- (iii) services incidental to those set forth in the preceding two items.

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Article 70 Deleted.

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Chapter VI Appeal

Section 1 Appeal against Disposition on Certification or Payment of Compensation Benefits

(Request for Review and Request for Examination)

Article 106 (1) A person who is dissatisfied with the disposition on the certification or payment of the compensation benefits may request a prefectural governor who has made the disposition for review.

(2) A request for examination by a person who is dissatisfied with the disposition on the certification or payment of the compensation benefits must be made to the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation.

(3) The request for review set forth in paragraph (1) and the request for

examination set forth in the preceding paragraph are deemed to be a demand by litigation with regard to renewal.

(Application of the Administrative Complaint Review Act)

Article 107 (1) The provisions of Article 31 of the Administrative Complaint Review Act (Act No. 68 of 2014) do not apply to the request for examination set forth in paragraph (2) of the preceding Article.

(2) With regard to the application of the provisions of Article 9, paragraph (4) of the Administrative Complaint Review Act pertaining to the request for examination set forth in paragraph (2) of the preceding Article, the term "its officials (in the items of paragraph (2) (for members of the organs set forth in the items of paragraph (1)))" in the same paragraph is deemed to be replaced with "examiners set forth in Article 121, paragraph (1) of the Act on Compensation for Pollution-related Health Damage (Act No. 111 of 1973) (in the items of paragraph (2))."

(Relation between Appeal and Lawsuit)

Article 108 An action for revocation of a disposition on the certification or payment of the compensation benefits may not be filed until a determination on a request for examination for the disposition is made by the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation.

Section 2 Request for Examination of Disposition Concerning Imposition and Collection

(Request for Examination)

Article 109 A person who is dissatisfied with the disposition made by the Agency based on this Act may request the Minister of the Environment for examination. In this case, the Minister of the Environment is deemed to be the higher administrative authority of the Agency with regard to the application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraph (1), and Article 47 of the Administrative Complaint Review Act.

Article 110 Deleted.

Section 3 Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation

Subsection 1 Establishment and Organization

(Establishment)

Article 111 The Examination Board for Dissatisfaction with Pollution-related

Health Damage Compensation (hereinafter referred to as the "Examination Board" in this Chapter) is established under the jurisdiction of the Minister of the Environment, in order to have the Examination Board handle cases of request for examination under the provisions of Article 75, paragraph (1), item (i) of the Act on Asbestos Health Damage Relief (Act No. 4 of 2006) and Article 106, paragraph (2).

(Organization)

Article 112 (1) The Examination Board is composed of six members.

(2) Three of the members may be part-time members.

(Appointment of Members)

Article 113 (1) A member is appointed by the Minister of the Environment, with the consent of both Houses of the Diet, from among persons who have moral character, insights into pollution problems, and relevant expertise concerning medical science, legal science, and compensation for health damage caused by environmental pollution.

(2) If the term of office of a member expires or a position is vacant, the Minister of the Environment may appoint a member from among persons who have the qualifications specified in the preceding paragraph when the consent of both Houses of the Diet cannot be obtained due to the closing of the Diet or the dissolution of the House of Representatives, notwithstanding the provisions of the preceding paragraph.

(3) In the case referred to in the preceding paragraph, subsequent approval of both Houses of the Diet must be obtained at the first session of the Diet after the appointment. In this case, when the subsequent approval of both Houses cannot be obtained, the Minister of the Environment must dismiss the member in question.

(Term of Office)

Article 114 (1) The term of office of a member is three years; provided, however, that the term of office of a member who fills a vacancy is the remaining term of the member's predecessor.

(2) A member may be reappointed.

(3) When the term of office of a member expires, the member remains in office until a successor is appointed.

(Exercise of Authority)

Article 115 A member independently exercises the member's authority.

(Guarantee of Status)

Article 116 A member is not dismissed against the member's will while in office, except for cases falling under any of the following items:

- (i) a member receives an order commencing bankruptcy proceedings;
- (ii) a member is punished by imprisonment without labor or severer punishment; and
- (iii) when the Examination Board finds that a member is unable to perform the member's duties due to mental or physical disorder, or commits a violation of the member's obligations in the course of duties or an act unbecoming of a member.

(Dismissal)

Article 117 When a member falls under any of the items of the preceding Article, the Minister of the Environment must dismiss the member.

(Chairperson)

Article 118 (1) The Examination Board has a chairperson who is elected by the members from among full-time members.

- (2) The chairperson presides over the affairs of the Examination Board and represents the Examination Board.
- (3) When the chairperson is incapacitated, a full-time member designated by the chairperson in advance performs the duties of the chairperson.

(Board Meeting)

Article 119 (1) The Examination Board administers its affairs (excluding handling of cases of request for examination) by decision of a meeting of all the members (hereinafter referred to as the "board meeting" in this Article).

- (2) The chairperson convenes the board meeting.
- (3) The Examination Board may neither hold the board meeting nor make a decision unless the chairperson and three or more members attend the meeting.
- (4) A decision of the board meeting is made by a majority of the members present, and in the case of a tie, the chairperson makes a decision.
- (5) The finding of the Examination Board under the provisions of Article 116, item (iii) must be performed with the unanimous consent of all the members present except for the member concerned, notwithstanding the provisions of the preceding paragraph.
- (6) With regard to the application of the provisions of paragraph (3) in cases where the chairperson is incapacitated, the full-time member performing the duties of the chairperson pursuant to the provisions of Article 118, paragraph (3) is deemed as the chairperson.

(Expert Advisor)

- Article 119-2 (1) The Examination Board may have expert advisors assigned for studying and deliberating special matters.
- (2) An expert advisor is appointed by the Minister of the Environment from among persons with relevant expertise.
- (3) An expert advisor is dismissed upon termination of the study and deliberation of the relevant special matters.
- (4) An expert advisor serves on a part-time basis.

(Handling of Cases of Request for Examination)

- Article 120 (1) The Examination Board handles cases of request for examination through a panel consisting of three persons designated by the Examination Board from among its members.
- (2) Notwithstanding the provisions of the preceding paragraph, a panel consisting of the entire members handles cases of request for examination if any of the following cases applies:
- (i) the panel set forth in the preceding paragraph finds that its opinion concerning the interpretation and application of laws and regulations is opposed to administrative determination made by the Examination Board;
- (ii) the panel set forth in the preceding paragraph cannot express its coordinated opinion because opinions of its members are divided; and
- (iii) the Examination Board makes a decision to the effect that cases of request for examination are handled by a panel consisting of the entire members.

- Article 121 (1) The members comprising the panel set forth in paragraph (1) or paragraph (2) of the preceding Article become examiners, among whom one member becomes a chief examiner.
- (2) The chairperson becomes the chief examiner of the panel set forth in paragraph (1) of the preceding Article in which the chairperson is involved, and a board member designated by the Examination Board becomes the chief examiner of the panel in which the chairperson is not involved.
- (3) In the case of the panel set forth in paragraph (2) of the preceding Article, the chairperson becomes the chief examiner, and if the chairperson is incapacitated, the full-time member performing the duties of the chairperson pursuant to the provisions of Article 118, paragraph (3) becomes the chief examiner.

- Article 122 (1) The panel set forth in Article 120, paragraph (1) may not hold a meeting nor make any decision without the attendance of all the examiners comprising the panel, and the panel set forth in paragraph (2) of the same Article may not hold a meeting nor make any decision without the attendance of four or more examiners.

- (2) A decision of the panel set forth in Article 120, paragraph (1) is made by a majority of the examiners comprising the panel.
- (3) A decision of the panel set forth in Article 120, paragraph (2) is made by the consent of at least three examiners present, and if three examiners consent and three examiners dissent, the chief examiner makes a decision.

(Duty)

Article 123 (1) A member must not divulge any secret which the member comes to know in the course of duties. The same applies after the member has left the position.

- (2) During the term of office, a member must not be an officer of a political party or other political body nor engage in political movements actively.
- (3) During the term of office, a full-time member must not engage in other jobs with remuneration, run business for profit purposes, or operate other businesses seeking for monetary interest unless the member is permitted by the Minister of the Environment.

(Salary)

Article 124 The salary of the members is specified separately by law.

Article 125 Deleted.

Subsection 2 Procedures for Request for Examination

(Sending Written Request for Examination to Interested Persons)

Article 126 When a request for examination is made, the Examination Board must send a written request for examination to interested persons, except where the Examination Board dismisses the request for examination pursuant to the provisions of Article 24 of the Administrative Complaint Review Act.

(Date and Place of Proceedings)

Article 127 The Examination Board must specify the date and place of proceedings and notify the administrative authority making the original disposition, the requester for examination, and the intervenor set forth in Article 13, paragraph (4) of the Administrative Complaint Review Act (hereinafter referred to as the "party" in this Subsection) of the date and place.

(Public Proceedings)

Article 128 Proceedings are open to the public; provided, however, that the proceedings may not be open to the public upon petition of the party.

(Direction of Proceedings)

Article 129 The chief examiner directs proceedings.

(Statement of Opinions)

Article 130 The party and the representative of the party may appear on the date of proceedings to state opinions. In this case, the party or the representative of the party may appear together with an assistant in court, with the permission of the Examination Board.

(Order to Undergo Diagnosis)

Article 131 When the Examination Board finds it particularly necessary for conducting proceedings, the Examination Board may order a requester for examination to have a person pertaining to the certification or payment of the compensation benefits undergo a diagnosis of a physician designated by the Examination Board.

(Record)

Article 132 (1) The Examination Board must prepare a record of the proceedings on the date of the proceedings.

(2) The party and interested persons may inspect the record set forth in the preceding paragraph, with the permission of the Examination Board.

(Non-disclosure of Meetings)

Article 133 Meetings of the Examination Board are not open to the public.

(Restriction on Request for Examination)

Article 134 No request for examination may be made with regard to a disposition made by the Examination Board pursuant to the provisions of this Subsection.

(Delegation to Order of the Ministry of the Environment)

Article 135 Beyond what is provided in this Subsection, matters necessary for the procedures for request for examination are specified by Order of the Ministry of the Environment.

Chapter VII Miscellaneous Provisions

(Collection of Report from Certified Persons)

Article 136 When a prefectural governor finds it necessary for enforcing this Act, the prefectural governor may request a person who has received or intends to receive certification or the compensation benefits to report or submit documents and other items.

(Order to Undergo Diagnosis)

Article 137 When a prefectural governor finds it necessary for the certification or payment of the compensation benefits, the prefectural governor may order a person who has received or intends to receive certification or the compensation benefits to have a person pertaining to the granting of the certification or payment of the compensation benefits undergo a diagnosis of a physician designated by the prefectural governor.

(Temporary Suspension of Compensation Benefits)

Article 138 When a person entitled to receive the compensation benefits fails to respond to the request for a report or submission of documents and other items pursuant to the provisions of Article 136 without any reasonable grounds, makes a false report, submits a document with false description, or fails to comply with the order under the preceding Article without any reasonable grounds, the prefectural governor may temporarily suspend the compensation benefits for the person.

(Collection of Report from Pollution Medical Institution)

Article 139 (1) When a prefectural governor finds it necessary for medical treatment benefits, the prefectural governor may request the pollution medical institution to report, submit, or present medical records or other books and documents, request the establisher, manager, physician, pharmacist, or any other worker of the pollution medical institution to appear, or have its officials enter the facilities of the pollution medical institution to ask relevant persons questions or inspect the facilities, medical records, books and documents, and other items.

(2) An official who conducts an inspection pursuant to the provisions of the preceding paragraph must carry the official's identification card and present it to relevant persons.

(3) The authority of the inspection under the provisions of paragraph (1) must not be construed as the authority approved for criminal investigation.

(4) When the pollution medical institution fails to respond to the request for a report or submission of medical records or other books and documents pursuant to the provisions of paragraph (1) without any reasonable grounds or makes a false report, or the establisher, manager, physician, pharmacist, or any other worker of the pollution medical institution fails to respond to the request for appearance without any reasonable grounds, fails to answer the questions under the same paragraph without any reasonable grounds, or gives a false answer, or refuses, obstructs, or challenges the inspection under the same paragraph, the prefectural governor may temporarily suspend the payment of

medical remuneration to the pollution medical institution.

(Collection of Report from Persons Providing Medical Care)

Article 140 (1) When a prefectural governor finds it necessary for the certification and payment of the compensation benefits (excluding medical treatment benefits; the same applies hereinafter in this paragraph), the prefectural governor may request a person who makes diagnosis pertaining to the application for the certification or provides medical care, drugs, or medical treatment pertaining to the compensation benefits or a person who employs the person to report or present medical records, books and documents, and other items pertaining to the diagnosis, medical care, drugs, or medical treatment made or provided, or have its officials ask them questions.

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the questions under the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority under the provisions of the preceding paragraph.

(Collection of Report from Establisher of Soot and Smoke Generating Facilities)

Article 141 (1) When the Minister of the Environment finds it necessary for enforcing this Act, the Minister of the Environment may, as specified by Cabinet Order, request the establisher of soot and smoke generating facilities, etc. or the establisher of specified facilities, etc. to report its business, or have its officials enter the factory or workplace of the establisher of soot and smoke generating facilities, etc. or the establisher of specified facilities, etc. to inspect books and documents and other items.

(2) The provisions of Article 139, paragraph (2) apply mutatis mutandis to the inspection under the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority under the provisions of the preceding paragraph.

(Computation of Period of Time)

Article 142 Unless otherwise provided, the provisions of the Civil Code pertaining to a period of time apply mutatis mutandis to the computation of a period of time provided in this Act or orders based on this Act.

(Free Certification of Family Registers)

Article 143 The mayor of municipality (including the mayor of a special ward, or the director of a ward or the general director of a ward in the case of a designated city set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947)) may, as specified by Municipal Ordinance, issue a certificate of matters pertaining to the family register of a person who

intends to apply for certification, the certified person (including one who has died), a person who had the designated disease and died without receiving certification, and a person who intends to receive or received the compensation benefits, to a prefectural governor, the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3), or a person entitled to receive the compensation benefits free of charge.

(Classification of Affairs)

Article 143-2 The affairs to be handled by a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) pursuant to the provisions of Article 4, paragraphs (1), (2), (4), and (6), Article 5, paragraph (1), Article 7, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 8, paragraph (3) and Article 8-2, paragraph (3)), Article 8, paragraph (2), Article 8-2, paragraph (2), Article 9, Article 11, paragraph (2), Article 15, paragraph (1), Article 19, paragraph (1), Article 20, Article 21, paragraph (2), Article 24, paragraphs (1) and (2), Article 25, paragraph (1), Article 28, paragraphs (1) through (4) and (7) (including cases where applied mutatis mutandis pursuant to Article 39, paragraph (3) and cases where applied mutatis mutandis pursuant to the second sentence of paragraph (4) of the same Article in the case of Article 28, paragraph (2)), Article 29, paragraphs (1), (2), and (4) (including cases where applied mutatis mutandis pursuant to Article 35, paragraph (2) and Article 41, paragraph (2)), Article 35, paragraphs (1) and (3), Article 39, paragraph (1), Article 40, paragraph (1), Article 41, paragraph (1), Article 42, Article 43, Article 46, Articles 136 through 138, Article 139, paragraphs (1) and (4), and Article 140, paragraph (1) shall be Item I statutory entrusted affairs set forth in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

(Enactment of Cabinet Order and Transitional Measures)

Article 144 If Cabinet Order is enacted, revised, or abolished based on this Act, necessary transitional measures may be specified by Cabinet Order to the extent considered reasonably necessary for the enactment, revision, or abolition of the Cabinet Order.

Chapter VIII Penal Provisions

Article 145 A person who violates the provisions of Article 23, paragraph (3), Article 45, paragraph (2), or Article 123, paragraph (1) is punished by imprisonment with labor for not more than one year or a fine of not more than 100,000 yen.

Article 146 A person who falls under any of the following items is punished by a fine of not more than 200,000 yen:

- (i) a person who fails to respond to the request to submit documents and other items pursuant to Article 60-2 (including cases where applied mutatis mutandis pursuant to Article 66) or submits a document with false description;
- (ii) a person who fails to respond to the request for a report or submission of documents and other items pursuant to the provisions of Article 136, makes a false report, or submits a document with false description; and
- (iii) a person who fails to respond to the request for a report or submission of medical records, books and documents, and other items pursuant to the provisions of Article 140, paragraph (1) or makes a false report, or fails to answer the questions under the same paragraph or gives a false answer.

Article 147 A person who fails to respond to the request for a report pursuant to the provisions of Article 141, paragraph (1) or makes a false report, or refuses, obstructs, or challenges the inspection under the provisions of the same paragraph is punished by a fine of not more than 100,000 yen.

Article 148 Deleted.

Article 149 When the representative of a juridical person, or the agent, employee, or any other worker of a juridical person or an individual commits the violation set forth in Article 146, item (1) or (3) or Article 147 with regard to the business of the juridical person or individual, not only is the offender punished but also the juridical person or individual is punished by the punishment set forth in the respective Articles.

Article 150 If an officer of the Agency is required to obtain the approval of the Minister of the Environment pursuant to the provisions of Article 57, paragraph (6) (including cases where applied mutatis mutandis pursuant to Article 66) and fails to obtain the approval, the officer is punished by a civil fine of not more than 200,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of Chapter I, Chapter II, Section 7, Chapter V, the part pertaining to Article 45, paragraph (3) in Article 145, Article 146, item (i),

Article 147, paragraph (1), Article 149, Article 150, Article 3 of the Supplementary Provisions, Article 4, paragraph (2) of the Supplementary Provisions, Articles 5 through 8 of the Supplementary Provisions, Article 19 of the Supplementary Provisions, Article 20 of the Supplementary Provisions, and Articles 25 through 27 of the Supplementary Provisions come into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation, and the provisions of Article 4, paragraph (1) of the Supplementary Provisions, Article 30 of the Supplementary Provisions, and Article 31 of the Supplementary Provisions come into effect as of the date of promulgation.

Abolishment of the Law Concerning Special Measures for Relief of (Pollution-related Patients)

Article 2 The Law Concerning Special Measures for Relief of Pollution-related Patients (Act No. 90 of 1969; hereinafter referred to as the "former act") is abolished.

(Transitional Measures by Abolishment of Former Act)

Article 3 As specified by Cabinet Order, a person who has been certified pursuant to Article 3, paragraph (1) of the former act at the time of enforcement of this Act is deemed to have been certified under this Act.

Article 4 (1) A person who has filed an application for certification pursuant to Article 3, paragraph (1) of the former act at the time of enforcement of this Act may be certified in accordance with prior laws; provided, however, that the provisions of Articles 13 through 15, 18, and 19 of the former act do not apply.

(2) As specified by Cabinet Order, a person who has been certified pursuant to the preceding paragraph is deemed to have been certified under this Act.

(3) Within the scope of its budget, the government provides a prefecture with grants to be allocated to expenses paid by the prefecture pursuant to the provisions of Article 10 of the former act and expenses subsidized by the prefecture pursuant to the provisions of Article 12 of the former act, with regard to the certification of a person who is deemed to be certified in accordance with prior laws pursuant to the provisions of paragraph (1).

Article 5 The validity period of the certification under the provisions of Article 7, paragraph (1) pertaining to the designated disease of a person who is deemed to have been certified under this Act pursuant to the preceding two Articles commences on the date on which this Act comes into effect.

Article 6 Prior laws continue to govern the payment of expenses for medical care

or nursing care prior to the enforcement of this Act pertaining to a person who has been certified pursuant to Article 3, paragraph (1) of the former act and a person who has been certified in accordance with the provisions of Article 3, paragraph (1) of the former act pursuant to the provisions of Article 4, paragraph (1) of the Supplementary Provisions.

Article 7 (1) Prior laws continue to govern the refund of amounts of money equivalent to medical expenses, medical allowance, and nursing care allowance paid pursuant to the provisions of the former act if a person who has received certification set forth in Article 3, paragraph (1) of the former act receives compensation for loss or damage or any other payment for the disease pertaining to the certification.

(2) When the Agency receives a payment of an amount equivalent to a part of the refund under the provisions of Article 24 of the former act pursuant to the provisions of Cabinet Order based on Article 29 of the former act which prior laws continue to govern pursuant to the preceding paragraph, the Agency carries over the amount of money to the juridical person set forth in Article 16, paragraph (1) of the former act as long as the juridical person continues to exist.

Article 8 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and acts committed after the enforcement of this Act which prior laws continue to govern pursuant to the Supplementary Provisions of this Act.

(Grant)

Article 9 (1) Until otherwise provided for by law, the government grants the Agency, each fiscal year, an amount of money equivalent to a part of the estimated revenue from automobile weight tax of the fiscal year that is expected to be necessary in the fiscal year pertaining to automobiles generating substances that cause air pollution, which is equivalent to a part of the payments by the Agency to be allocated to the expenses set forth in Article 47, item (i) for the designated disease pertaining to the Class I Area and the expenses required for pollution-related health and welfare services provided with regard to damage caused by the designated disease pertaining to the Class I Area.

(2) With regard to the application of the provisions of Article 49, paragraphs (1) and (3), the term "money collected as specified separately by law, in addition to" in paragraph (1) of the same Article is deemed to be replaced with "and grants from the government equivalent to a part of the estimated revenue from automobile weight tax of each fiscal year," and the term "money collected as

specified separately by law" in paragraph (3) of the same Article is deemed to be replaced with "grants from the government," until otherwise provided for by law.

(Appropriation of Contributions to Operational Expenses)

Article 10 (1) Notwithstanding the provisions of Article 14, paragraph (1) of the Act on the Environmental Restoration and Conservation Agency (Act No. 43 of 2003; hereinafter referred to as the "Agency Act"), the Agency may allocate a part of the contributions made by establishers of facilities that discharge air pollutant set forth in the same paragraph to the operational expenses set forth in Article 68, with the approval of the Minister of the Environment, until otherwise provided for by law.

(2) When the Minister of the Environment intends to give approval set forth in the preceding paragraph, the Minister of the Environment must consult with the Minister of Finance.

Supplementary Provisions [Act No. 85 of June 11, 1974]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 8 of March 31, 1976]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 16 of March 31, 1980]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 16 of March 31, 1983]

This Act comes into effect as of the date of promulgation.

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

(1) This Act (excluding Article 1) comes into effect as of July 1, 1984.

(2) Transitional measures necessary for organizations, etc. which have been established under the provisions of laws as of the day preceding the date on which this Act comes into effect and those to be established under the provisions of the National Administrative Organization Act or the provisions of Cabinet Order based on the provisions of relevant laws amended by this Act (hereinafter referred to as the "Relevant Cabinet Order") after the date on

which this Act comes into effect, and other transitional measures necessary for the enactment, revision, or abolition of the Relevant Cabinet Order in accordance with the enforcement of this Act may be specified by Cabinet Order.

Supplementary Provisions [Act No. 15 of March 30, 1985]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 43 of June 2, 1987 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1987; provided, however, that the provisions of Article 9 of the Supplementary Provisions come into effect as of the date on which the Act for Partial Revision of the Pollution-related Health Damage Compensation Act (Act No. 97 of 1987) comes into effect.

Supplementary Provisions [Act No. 97 of September 26, 1987 Extract] [Extract]

(Effective Date)

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

(Transitional Measures)

Article 2 The provisions of Article 72 of the Act on Compensation for Pollution-related Health Damage after amendment do not apply to a person who has used the name "Pollution-related Health Damage Compensation Prevention Association" at the time of enforcement of this Act, for a period of six months from the enforcement of this Act.

Article 3 Prior laws continue to govern the term of office of a person who has been a director or auditor of the Pollution-related Health Damage Compensation Prevention Association at the time of enforcement of this Act.

Article 4 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

Supplementary Provisions [Act No. 7 of March 31, 1988]

This Act comes into effect as of April 1, 1988.

Supplementary Provisions [Act No. 39 of May 6, 1992 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1992.

Supplementary Provisions [Act No. 5 of March 31, 1993]

This Act comes into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 92 of November 19, 1993 Extract]
[Extract]**

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 56 of June 29, 1994 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1994.

Supplementary Provisions [Act No. 26 of March 17, 1995]

- (1) This Act comes into effect as of the date of promulgation; provided, however, that the provisions revising Article 30, paragraph (1), item (ii) and Article 33, item (v) come into effect as of April 1, 1995.
- (2) The provisions of Article 8-2 after amendment apply to a person who is unable to file an application under the provisions of Article 8, paragraph (1) due to a disaster or any other unavoidable reason that occurred on or after the date on which this Act comes into effect.
- (3) Notwithstanding the provisions of the preceding paragraph, the provisions of Article 8-2 after amendment apply to a person who is unable to file an application under the provisions of Article 8, paragraph (1) due to disaster by the Southern Hyogo Earthquake in 1995. In this case, the term "the date on which the reason ceases to exist" in paragraph (1) of the same Article is deemed to be replaced with "the date on which the Act for Partial Revision of the Act on Compensation for Pollution-related Health Damage (Act No. 26 of 1995) comes into effect."

**Supplementary Provisions [Act No. 103 of June 24, 1997 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures)

Article 2 The provisions of laws amended by the provisions of Articles 1 through 5, Articles 7 through 24, Articles 26 through 32, Articles 34 through 37, Article 39, Articles 41 through 50, Articles 52 through 64, and Articles 66 through 72 apply to documents set forth in the provisions of the laws that pertain to a business year beginning April 1, 1996 and subsequent business years (excluding documents set forth in Article 33, paragraph (2) of the Act on the Development Bank of Japan amended by the provisions of Article 35, paragraph (2) and Article 19 of the Act on the Export-Import Bank of Japan amended by the provisions of Article 18 that pertain to a six-month period from April to September 1996).

Supplementary Provisions [Act No. 18 of March 31, 1998]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 87 of July 16, 1999 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

- (i) the provisions adding five articles, section headings, two subsections, and subsection headings after Article 250 of the Local Autonomy Act in Article 1 (limited to the part pertaining to Article 250-9, paragraph (1) of the same Act (limited to the part pertaining to obtaining the consent of both Houses of the Diet)), the provisions revising paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act in Article 40 (limited to the part pertaining to paragraph (10) of the Supplementary Provisions of the same Act), the provisions of Article 244 (excluding the part pertaining to the provisions revising Article 14-3 of the Agricultural Improvement Promotion Act), the provisions of Article 472 (excluding the part pertaining to the provisions revising Articles 6, 8, and 17 of the Act on Special Provisions of the Merger of Municipalities), and the provisions of Articles 7, 10, 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) through (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation

(Affairs of the National Government)

Article 159 Beyond what is provided in the respective laws prior to amendment by this Act, affairs of the national government, other local governments, or other public organizations managed or executed by an organization of a local government based on laws or Cabinet Order thereof prior to the enforcement of this Act (hereinafter referred to as the "affairs of the national government" in Article 161 of the Supplementary Provisions) are handled by the local government as its affairs based on laws or Cabinet Order thereof after the enforcement of this Act.

(Transitional Measures for Appeals)

Article 161 (1) The provisions of the Administrative Complaint Review Act apply to an appeal against a disposition pertaining to the affairs of the national government which has been made under the same Act prior to the effective date by an administrative agency (hereinafter referred to as the "administrative agency reaching the disposition" in this Article) having its higher agency set forth in the same Act (hereinafter referred to as the "higher administrative agency" in this Article) prior to the effective date, by considering that the administrative agency reaching the disposition continues to have the higher administrative agency on and after the effective date. In this case, an administrative agency that is deemed to be the higher administrative agency of the administrative agency reaching the disposition shall be the administrative agency which has been the higher administrative agency of the administrative agency reaching the disposition prior to the effective date.

(2) In the case referred to in the preceding paragraph, when the administrative agency that is deemed to be the higher administrative agency is an organization of a local government, the affairs to be handled by the organization pursuant to the provisions of the Administrative Complaint Review Act shall be Item I statutory entrusted affairs set forth in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(Transitional Measures for Penal Provisions)

Article 163 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 Beyond what is provided in the Supplementary Provisions, transitional measures (including transitional measures pertaining to penal provisions) necessary for the enforcement of this Act are specified by Cabinet

Order.

(Examination)

Article 250 Item I statutory entrusted affairs set forth in Article 2, paragraph (9), item (i) of the New Local Autonomy Act are created to the minimum possible extent, and the affairs listed in Appended Table I of the New Local Autonomy Act and those provided in Cabinet Order based on the New Local Autonomy Act are examined from the perspective of promoting decentralization and reviewed as appropriate.

Article 251 In order to enable local governments to execute their affairs and services voluntarily and independently, the government examines how to secure adequate sources of local tax revenue based on the sharing of roles between the national government and local governments, taking into consideration the economic transition, etc., and takes necessary measures based on the examination results.

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

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999) comes into effect; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

(i) omitted

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

(Transitional Measures upon Partial Amendment of the Act on Compensation for Pollution-related Health Damage)

Article 27 (1) A person who has been a member of the former Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Environment Agency at the time of enforcement of this Act is deemed to be appointed as a member of the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Ministry of the Environment on the date on which this Act comes into effect pursuant to the provisions of Article 113, paragraph (1) of the Act on Compensation for Pollution-related Health Damage amended by the provisions of Article 183 (hereinafter referred to as the "New Pollution-related Health Damage

Compensation Act" in this Article). In this case, the term of office of the person deemed to have been appointed is for the same period as the remaining term of office of a member of the former Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Environment Agency as of the date of enforcement, notwithstanding the provisions of Article 114, paragraph (1) of the New Pollution-related Health Damage Compensation Act.

(2) A person who has been the chairperson of the former Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Environment Agency at the time of enforcement of this Act is deemed to be appointed as the chairperson of the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Ministry of the Environment on the date on which this Act comes into effect pursuant to the provisions of Article 118, paragraph (1) of the New Pollution-related Health Damage Compensation Act.

(Transitional Measures Provided Separately)

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

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

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000.

(Transitional Measures)

Article 3 Prior laws continue to govern the application of the provisions amended by this Act pertaining to a person with limited legal capacity and the person's curator whom prior laws continue to govern pursuant to Article 3, paragraph (3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), except for the following revised provisions:

(i) to (xviii) omitted

(xix) the provisions revising Article 30 of the Act on Labor Insurance

Examiners and the Labor Insurance Appeal Committee, Article 9 of the Act for Establishment of the Environmental Dispute Coordination Commission, and Article 116 of the Act on Compensation for Pollution-related Health Damage under the provisions of Article 80

Article 4 Prior laws continue to govern the application of penal provisions to acts

committed prior to the enforcement of this Act.

**Supplementary Provisions [Act No. 160 of December 22, 1999 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect (excluding Article 2 and Article 3) as of January 6, 2001; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

- (i) the provisions of Article 995 (limited to the part pertaining to the provisions revising the Supplementary Provisions of the Act for Partial Revision of the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material, and Reactors), Article 1305, Article 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344 : the date of promulgation

Supplementary Provisions [Act No. 71 of May 19, 2000 Extract] [Extract]

(Effective Date)

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

**Supplementary Provisions [Act No. 102 of August 2, 2002 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of October 1, 2002.

Supplementary Provisions [Act No. 17 of March 31, 2003]

This Act comes into effect as of the date specified by Cabinet Order on or before March 31, 2004; provided, however, that the provisions revising Article 19-2 of the Supplementary Provisions come into effect as of the date of promulgation.

Supplementary Provisions [Act No. 43 of May 16, 2003 Extract] [Extract]

(Effective Date)

Article 1 his Act comes into effect as of the date of promulgation; provided, however, that the provisions of Articles 18 through 27 and Articles 29 through 36 of the Supplementary Provisions come into effect as of April 1, 2004.

(Transitional Measures upon Partial Amendment of the Act on Compensation for Pollution-related Health Damage)

Article 19 Dispositions imposed, procedures taken, or other acts committed pursuant to the provisions of the Former Compensation Act (excluding Article 76 and Article 86) are deemed to be dispositions imposed, procedures taken, or other acts committed pursuant to the Act on General Rules and the corresponding provisions of the Act on Compensation for Pollution-related Health Damage amended by the provisions of this Act or the preceding Article.

(Transitional Measures for Application of Penal Provisions)

Article 27 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of the provisions of Article 18 and Article 20 of the Supplementary Provisions and acts committed after the enforcement of this Act which prior laws continue to govern pursuant to the Supplementary Provisions of this Act.

(Delegation to Cabinet Order)

Article 28 Beyond what is provided in Articles 3 through 5, Articles 7 through 17, Article 19, Article 21, Article 24, and preceding two Articles of the Supplementary Provisions, transitional measures necessary for the establishment of the Agency and the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 76 of June 2, 2004 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Bankruptcy Act (Act No. 75 of 2004; hereinafter referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article, and Article 3, paragraph (8), Article 5, paragraphs (8), (16), and (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions) comes into effect.

(Transitional Measures for Application of Penal Provisions)

Article 12 Prior laws continue to govern the application of penal provisions to acts committed prior to the effective date and acts committed after the effective date which prior laws continue to govern pursuant to the provisions of Article 2, paragraph (1), Article 3, paragraph (1), Article 4, Article 5, paragraphs (1), (9), (17), (19), and (21), and Article 6, paragraphs (1) and (3) of the Supplementary Provisions.

(Delegation to Cabinet Order)

Article 14 Beyond what is provided in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the

enforcement of this Act are specified by Cabinet Order.

**Supplementary Provisions [Act No. 4 of February 10, 2006 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order on or before March 31, 2006.

Supplementary Provisions [Act No. 30 of April 23, 2007 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

(i) to (ii) omitted

(iii) the provisions of Article 2, Article 4, Article 6, and Article 8, and the provisions of Article 27, Article 28, Article 29, paragraphs (1) and (2), Articles 30 through 50, Articles 54 through 60, Article 62, Article 64, Article 65, Article 67, Article 68, Articles 71 through 73, Articles 77 through 80, Article 82, Article 84, Article 85, Article 90, Article 94, Articles 96 through 100, Article 103, Articles 115 through 118, Article 120, Article 121, Articles 123 through 125, Article 128, Articles 130 through 134, Article 137, Article 139, and Article 139-2 of the Supplementary Provisions: the date on which the Japan Pension Organization Act comes into effect

Supplementary Provisions [Act No. 109 of July 6, 2007 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order on or before April 1, 2010; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

(i) the provisions of Articles 3 through 6, Article 8, Article 9, Article 12, paragraphs (3) and (4), Article 29, and Article 36 of the Supplementary Provisions, the provisions revising Article 18, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Health Insurance Act (Act No. 83 of 2006) in Article 63 of the Supplementary Provisions, the provisions revising Article 23, paragraph (1), Article 67, paragraph (1), and Article 191 of the Supplementary Provisions of the Act on Special Accounts (Act No. 23 of 2007) in Article 64 of the Supplementary Provisions, and the provisions of Article 66 and Article 75 of the

Supplementary Provisions: the date of promulgation

Supplementary Provisions [Act No. 111 of July 6, 2007 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 13 of April 16, 2008]

(Effective Date)

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

(Transitional Measures)

(2) If the date on which this Act comes into effect is on or after April 1, 2008, the term "imposition on pollution load for each fiscal year" in Article 55, paragraph (1) of the Act on Compensation for Pollution-related Health Damage amended by this Act is deemed to be replaced with "imposition on pollution load," the term "the fiscal year" with "FY 2008," the term "within 45 days" with "within the number of days calculated by adding to 45 days the number of days from the first day of the fiscal year to the day preceding the date on which the Act for Partial Revision of the Act on Compensation for Pollution-related Health Damage (Act No. 13 of 2008) comes into effect," and the term "paragraph (1)" in paragraph (3) of the same Article is deemed to be replaced with "paragraph (1) applied by replacing the terms pursuant to the provisions of paragraph (2) of the Supplementary Provisions of the Act for Partial Revision of the Act on Compensation for Pollution-related Health Damage," with regard to the application of the provisions of Article 55 of the Act on Compensation for Pollution-related Health Damage amended by this Act in FY 2008 to the establisher of soot and smoke generating facilities, etc. that should pay the imposition on pollution load pursuant to the provisions of paragraph (1) of the same Article.

Supplementary Provisions [Act No. 44 of June 14, 2013 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

(i) omitted

(ii) the provisions of Article 1, Article 5, Article 7 (limited to the part pertaining to the provisions revising Article 15 of the Fire Defense

Organization Act), Article 9, Article 10, Article 14 (excluding the provisions revising the table of contents of the Local Incorporated Administrative Agency Act (limited to the part revising "Chapter VI Measures in Connection with Establishment of Transitional Local Incorporated Administrative Agency (Articles 59 through 67)" to "/ Chapter VI Measures in Connection with Establishment of Transitional Local Incorporated Administrative Agency (Articles 59 through 67)/ Chapter VI-II Measures in Connection with Transition from Specific Local Incorporated Administrative Agency to General Local Incorporated Administrative Agency (Articles 67-2 through 67-7)"), the provisions revising Article 8, Article 55, and Article 59, paragraph (1) of the same Act, and the provisions adding a Chapter after Chapter VI of the same Act), Article 15, Article 22 (limited to the part pertaining to the provisions revising Article 4 of the Welfare Commissioners Act), Article 36, Article 40 (limited to the part pertaining to the provisions revising Article 70, paragraph (1) of the Forest Act), Article 50 (limited to the part pertaining to the provisions revising Article 25-2, paragraph (1) of the Construction Industry Act), Article 51, Article 52 (limited to the part pertaining to the provisions revising Article 79, paragraph (1) of the Building Standards Act), Article 53, Article 61 (limited to the part pertaining to the provisions revising Article 78, paragraph (2) of the City Planning Act), Article 62, Article 65 (excluding the provisions revising Article 15, paragraph (2) of the National Land Use Planning Act), and Article 72, the provisions of the following Article, and the provisions of Article 3, paragraph (2), Article 4, Article 6, paragraphs (2) and (3), Article 13, Article 14 (limited to the part pertaining to Article 141-4 in the provisions adding two Articles after Article 141-2 of the Local Public Service Mutual Aid Association Act (Act No. 152 of 1962)), Article 16, and Article 18 of the Supplementary Provisions: April 1, 2014

(Transitional Measures for Penal Provisions)

Article 10 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (in the case of the provisions set forth in the items of Article 1 of the Supplementary Provisions, prior to the enforcement of the provisions).

(Delegation to Cabinet Order)

Article 11 Beyond what is provided in the Supplementary Provisions, transitional measures (including transitional measures pertaining to penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 42 of May 30, 2014 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

Supplementary Provisions [Act No. 69 of June 13, 2014 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Administrative Complaint Review Act (Act No. 68 of 2014) comes into effect.

(Principle of Transitional Measures)

Article 5 Prior laws continue to govern an appeal against a disposition or any other act or inaction by an administrative agency which pertains to a disposition or any other act by an administrative agency made prior to the enforcement of this Act, or an inaction by an administrative agency pertaining to an application filed prior to the enforcement of this Act, except as otherwise provided by the Supplementary Provisions.

(Transitional Measures for Action)

Article 6 (1) Prior laws continue to govern the filing of an action against matters for which an action may be filed only after the determination, decision, or any other act of an administrative agency on an appeal pursuant to the provisions of laws prior to amendment by this Act and for which a period for filing the action has expired prior to the enforcement of this Act with no appeal being filed within the period (including matters which a period for filing the action has expired prior to the enforcement of this Act without other appeals being filed within the period if the appeal may be filed only after the determination, decision, or any other act of an administrative agency on other appeals).

(2) Prior laws continue to govern the filing of an action for revocation of a disposition or any other act against which an objection is filed pursuant to the provisions of laws prior to amendment by the provisions of this Act (including cases where prior laws continue to govern pursuant to the provisions of the preceding Article) and which may be filed only after the determination on request for examination pursuant to the provisions of laws amended by the provisions of this Act.

(3) Prior laws continue to govern an action for revocation of a determination, decision, or any other act of an administrative agency against an appeal that has been filed prior to the enforcement of this Act.

(Transitional Measures for Penal Provisions)

Article 9 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and acts committed after the enforcement of this Act which prior laws continue to govern pursuant to the provisions of Article 5 and preceding two Articles of the Supplementary Provisions.

Delegation of Other Transitional Measures to Cabinet Order

Article 10 Beyond what is provided in Article 5 through the preceding Article of the Supplementary Provisions, transitional measures (including transitional measures pertaining to penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 11 of March 31, 2018]

This Act comes into effect as of the date of promulgation.