

Administrative Counselors Act (Tentative translation)

(Act No. 99 of June 30, 1966)

(Purpose)

Article 1 The purpose of this Act is to provide necessary matters with respect to the commission of counseling service on people's complaints against public administration in order to facilitate their settlement and thereby to contribute to democratic administration of public affairs.

(Administrative Counselor)

Article 2 (1) The Minister for Internal Affairs and Communications may commission a person, who enjoys a social confidence and is possessed of a deep understandings and ardor for improvement in administrative operations, to conduct the affairs prescribed in the following.

(i) In response to a filing of complaint against the operations of administrative organs (herein referred to as Cabinet Office, Imperial Household Agency and the organs prescribed in Article 49, paragraph (1) and (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) and the organs prescribed in Article 3, paragraph (2) of National Government Organization Act (Act No. 120 of 1948) and the public corporations specified in the Cabinet Order among those which are mentioned in from Article 4, paragraph (1), item (xiii), (a) to (c) of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999)). Hereinafter referred to as same as this), to give necessary advice to the complainant and to inform the Ministry of Internal Affairs and Communications or the administrative organs and the like concerned of the complaint in accordance with the instruction of the Minister for Internal Affairs and Communications.

(ii) Concerning the complaint informed in accordance with the provision of preceding item, to respond to the inquiry from the administrative organs and the like concerned, and as he may deem it necessary, to the inquiry from the administrative organs and the like concerned, and, as he may deem it necessary, to notify the complainant of the results of review by the administrative organs and the like concerned.

(2) The commission prescribed in the preceding paragraph shall be made both with a designation of the jurisdictional area of the commissioned in terms of city (inclusive of special ward. The same shall be applied in the case of paragraph (2) of supplementary provisions.), town, or village and with a specified period of less than two years during which the commission is effective.

(3) A person who is commissioned in accordance with paragraph (1) shall be known as an administrative counselor (hereinafter referred to as "counselor").

(Dissemination, etc.)

Article 3 (1) The Minister for Internal Affairs and Communications shall take appropriate measures to disseminate counselor's name and address to the residents concerned whenever a commission is made in accordance with the provision of paragraph (1) of the preceding article.

(2) A counselor shall enlighten the public and publicize the affairs under his charge.

(Statement of Opinion)

Article 4 A counselor may express to the Minister for Internal Affairs and Communications his opinion developed through performing his duties with respect to the improvement in administrative operations.

(Discipline)

Article 5 (1) A counselor shall not divulge any secret which may have come to his knowledge in the performance of his duties. The same shall also apply after he has been relieved of his office.

(2) A counselor shall not make use of his position for any political party or political purposes.

(3) A counselor shall perform his duties properly and adequately with impartiality.

(Dismissal)

Article 6 The Minister for Internal Affairs and Communications may relieve a counselor of his commissioned duties provided in Article 2, paragraph (1) when, in his judgment, the counselor falls under any one of the following items.

(i) When mental or physical defects hinder him from performing the duties properly or at all.

(ii) When he neglects his duties or infringes the provision of the preceding article.

(iii) When he is guilty of such malfeasance as to render himself unfitting to be a counselor.

(Guidance)

Article 7 A counselor, concerning the affairs commissioned, shall be under the guidance of the Minister for Internal Affairs and Communications.

(Expenses)

Article 8 (1) A counselor shall not receive remuneration from the state for performing his duties.

(2) A counselor, within the allowance of budget, may receive compensation for the expenses necessitated for performing his duties.

Supplementary Provisions [Extract]

(Date of enforcement)

(1) This Act shall come into force as from July 1, 1966.