

# Act on Support for Reconstructing Livelihoods of Disaster Victims

(Act No. 66 of May 22, 1998)

## Table of Contents

- Chapter I General Provisions (Articles 1 and 2)
- Chapter II Payment of Support Grants for Reconstructing Livelihoods of Disaster Victims (Articles 3 to 5)
- Chapter III Support Corporation for Reconstructing Livelihoods of Disaster Victims (Articles 6 to 17)
- Chapter IV Subsidy by the State (Articles 18 to 20)
- Chapter V Miscellaneous Provisions (Articles 20-2 to 22)
- Chapter VI Penal Provisions (Articles 23 to 25)
- Supplementary Provisions

## Chapter I General Provisions

### (Purpose)

Article 1 The purpose of this Act is to support the reconstruction of livelihoods of persons who have suffered substantial damage to the foundations of their livelihoods due to natural disasters, by providing for measures to pay them support grants for reconstructing their livelihoods with the use of a fund contributed by prefectures from the perspective of mutual support, thereby helping to stabilize the livelihoods of residents and promote the prompt recovery of affected areas.

### (Definitions)

Article 2 In this Act, the meanings of the terms set forth in the following items are prescribed in those items:

- (i) natural disaster: damage caused by a storm, heavy rain, heavy snow, flood, storm surge, earthquake, tsunami, volcanic eruption, and any other abnormal natural phenomenon; and
- (ii) affected household: any of the following households that has suffered damage due to a natural disaster specified by Cabinet Order:
  - (a) a household with a housing unit totally destroyed by the natural disaster;
  - (b) a household with a housing unit that was partially destroyed by the natural disaster or a housing site damaged by the natural disaster for which there is a necessity to prevent danger caused by a collapse of the housing unit, and as extremely expensive repair costs would be necessary

to reside in the housing unit, or due to other unavoidable circumstances equivalent thereto, the housing unit is demolished or falls under housing units to be demolished;

- (c) a household with a housing unit that has become uninhabitable because of the continuing danger of damage due to pyroclastic flow, etc. caused by the natural disaster or for other reasons, with the uninhabitable state being likely to last for a long period;
- (d) a household with a housing unit partially destroyed by the natural disaster, if it is found to be difficult to reside in the housing unit without making a major repair, including repair of its foundation, piles, walls, pillars, etc. specified by Cabinet Order as the major parts for maintaining its structural strength (excluding the households set forth in (b) and (c); referred to as a "household with a housing unit destroyed on a large scale" in the following Article); or
- (e) a household with a housing unit partially destroyed by the natural disaster, if it is found to be difficult to reside in the housing unit without making a repair of a considerable scale, including repair of over half of the parts of rooms facing the inside, which are the walls, floors or ceilings of the rooms (excluding the households set forth in (b) to (d)).

## **Chapter II Payment of Support Grants for Reconstructing Livelihoods of Disaster Victims**

(Payment of Support Grants for Reconstructing Livelihoods of Disaster Victims)

Article 3 (1) A prefecture is to pay support grants for reconstructing livelihoods of disaster victims (hereinafter referred to as "support grants") to heads of the affected households within its area based on applications from those heads.

(2) The amount of a support grant to be paid to the head of an affected household (excluding affected households in which there was only one person at the time of the occurrence of a natural disaster (referred to as a "single-person household" in paragraph (7); hereinafter the same applies in this Article) which falls under item (ii), (a) through (d), of the preceding Article is to be one million yen (500,000 yen for a household with a housing unit destroyed on a large scale), and if the affected household is any of the households set forth in the following items, the amount specified respectively in those items is to be added thereto:

- (i) a household which will construct or purchase a housing unit to reside in: two million yen;
  - (ii) a household which will repair a housing unit to reside in: one million yen;
- or

- (iii) a household which will rent a housing unit to reside in (excluding the public housing prescribed in Article 2, item (ii) of the Act on Public Housing (Act No. 193 of 1951); referred to as "public housing" in paragraph 5, item (iii)): 500,000 yen.
- (3) Notwithstanding the provisions of the preceding paragraph, the amount of a support grant to be paid to the head of an affected household prescribed in the paragraph which falls under more than one item of the paragraph due to a single natural disaster is to be one million yen (500,000 yen for a household with a housing unit destroyed on a large scale) plus the highest of the amounts specified in the relevant items under which the household falls.
- (4) Notwithstanding the provisions of the preceding two paragraphs, the amount of a support grant to be paid to the head of an affected household which falls under item (ii), (c) of the preceding Article and is specified by Cabinet Order is to be an amount specified by Cabinet Order not exceeding three million yen.
- (5) The amount of a support grant to be paid to the head of an affected household which falls under item (ii), (e), of the preceding Article is to be the amount specified in the following items according to the categories of households set forth respectively in those items:
- (i) a household which will construct or purchase a housing unit to reside in: one million yen;
  - (ii) a household which will repair a housing unit to reside in: 500,000 yen; or
  - (iii) a household which will rent a housing unit to reside in (excluding public housing): 250,000 yen.
- (6) Notwithstanding the provisions of the preceding paragraph, the amount of a support grant to be paid to the head of an affected household prescribed in the paragraph which falls under more than one item of that paragraph due to a single natural disaster is to be the highest of the amounts specified in the relevant items under which the household falls.
- (7) The provisions of paragraph (2) through the preceding paragraph apply mutatis mutandis to the amount of a support grant to be paid to the head of a single-person household. In this case, the figures "one million yen" and "500,000 yen" in paragraphs (2), (3), and (5) are deemed to be replaced with "750,000 yen" and "375,000 yen" respectively, the figure "two million yen" in paragraph (2) is deemed to be replaced with "1,500,000 yen", the figure "three million yen" in paragraph (4) is deemed to be replaced with "2,250,000 yen", and the figure "250,000 yen" in paragraph (5) is deemed to be replaced with "187,500 yen".

(Entrustment of Affairs Relating to Payment of Grants)

Article 4 (1) A prefecture may entrust the whole of the affairs relating to the payment of support grants to the support corporation prescribed in Article 6,

paragraph (1), subject to a resolution of the prefecture's assembly.

- (2) A prefecture (or the support corporation prescribed in Article 6, paragraph (1) if the prefecture has entrusted the corporation with the whole of the affairs relating to the payment of support grants pursuant to the provisions of the preceding paragraph) may entrust part of the affairs relating to the payment of support grants to a municipality.

(Delegation to Cabinet Order)

Article 5 The period of application for and the method of payment of support grants and other matters necessary for the payment of support grants are prescribed by Cabinet Order.

### **Chapter III Support Corporation for Reconstructing Livelihoods of Disaster Victims**

(Designation)

Article 6 (1) The Prime Minister may designate a general incorporated association or general incorporated foundation whose objective is the support of disaster victims in reconstructing their livelihoods and which is found to be qualified to carry out the operations prescribed in the following Article (hereinafter referred to as "support operations") appropriately and reliably, upon application from the association or foundation, as the sole nationwide support corporation for reconstructing livelihoods of disaster victims (hereinafter referred to as the "support corporation").

- (2) Before making the designation under the provisions of the preceding paragraph, the Prime Minister is to consult with the Minister of Internal Affairs and Communications.
- (3) Upon making the designation under the provisions of paragraph (1), the Prime Minister must publicize the name and address of the support corporation and the location of its office.
- (4) Before making any change to its name or address or the location of its office, the support corporation must notify the Prime Minister of the change.
- (5) Upon receiving the notification made under the provisions of the preceding paragraph, the Prime Minister must publicize the matters reported in the notification.

(Operations)

Article 7 The support corporation is to carry out the following operations:

- (i) providing a prefecture that is to pay support grants pursuant to the provisions of Article 3, paragraph (1) (excluding a prefecture that has entrusted the support corporation with the whole of the affairs relating to

the payment of support grants pursuant to the provisions of Article 4, paragraph (1)) with an amount equivalent to the amount of support grants to be paid by the prefecture;

- (ii) paying support grants as entrusted by a prefecture pursuant to the provisions of Article 4, paragraph (1); and
- (iii) carrying out operations incidental to those set forth in the preceding two items.

(Disbursement of Expenses)

Article 8 When the support corporation pays support grants as entrusted by a prefecture pursuant to the provisions of Article 4, paragraph (1), it disburses the whole amount of the expenses required for the payment of support grants.

(Fund)

Article 9 (1) The support corporation is to set up a fund for managing the support operations (hereinafter simply referred to as the "fund" in this Article).

(2) A prefecture is to contribute money to the support corporation as necessary for financing the fund, from the perspective of mutual support and in consideration of the number of households and other circumstances within its area.

(3) Beyond what is provided for in the preceding paragraph, when a prefecture finds it necessary in order to finance the fund, it may contribute money as necessary to the support corporation.

(Management Committee)

Article 10 (1) The support corporation is to establish a management committee.

(2) The following matters are subject to the resolutions of the management committee:

(i) preparing and amending operational rules prescribed in paragraph (1) of the following Article; and

(ii) preparing and amending business plans, and income and expenditure budgets prescribed in Article 12, paragraph (1).

(3) Beyond what is provided for in the preceding paragraph, the management committee may deliberate on important matters concerning the management of the support operations in response to consultation with a representative of the support corporation or state its opinions on such matters to the representative.

(4) Prefectural governors recommended by a nationwide federation of prefectural governors are to serve as members of the management committee.

(Approval of Operational Rules)

Article 11 (1) Before implementing the support operations, the support

corporation must prepare rules for the implementation (hereinafter referred to as the "operational rules" in this Article) and obtain approval therefor from the Prime Minister. The same applies when it intends to amend the rules.

(2) If the Prime Minister finds that the operational rules approved under the preceding paragraph have become inadequate for ensuring appropriate and reliable implementation of the support operations, the Prime Minister may order the support corporation to amend the operational rules.

(3) Matters to be stated in the operational rules are specified by Cabinet Office Order.

#### (Business Plan)

Article 12 (1) The support corporation must prepare a business plan and an income and expenditure budget concerning the support operations for each business year and submit them to the Prime Minister, as provided for by Cabinet Office Order. The same applies when the support corporation intends to amend the plan or budget.

(2) The support corporation must prepare a business report and an income and expenditure statement and submit them to the Prime Minister after the end of each business year, as provided for by Cabinet Office Order.

#### (Separate Accounting)

Article 13 The support corporation must organize the accounting for the support operations separately from other accounting.

#### (Duty of Confidentiality)

Article 14 A current or former officer or employee of the support corporation must not divulge any secrets learned in connection with the operations set forth in Article 7, item (ii).

#### (Report)

Article 15 If the Prime Minister finds it necessary in order to ensure appropriate implementation of the support operations, the Prime Minister may have the support corporation make a necessary report concerning the status of the operations or assets.

#### (Supervision Order)

Article 16 If the Prime Minister finds it necessary in order to ensure appropriate implementation of the support operations, the Prime Minister may issue an order to the support corporation as necessary for supervision of the support operations.

(Rescission of Designation)

Article 17 (1) If the support corporation violates this Act or an order or disposition based on this Act, the Prime Minister may rescind the designation made under Article 6, paragraph (1) (hereinafter referred to as the "designation").

(2) The provisions of Article 6, paragraph (2) apply mutatis mutandis when the Prime Minister intends to rescind a designation pursuant to the provisions of the preceding paragraph.

(3) Upon rescinding a designation pursuant to the provisions of paragraph (1), the Prime Minister must publicize that fact.

#### **Chapter IV Subsidy by the State**

(Subsidy by the State)

Article 18 The State provides a subsidy in an amount equivalent to one half of the amount to be provided by the support corporation pursuant to the provisions of Article 7, item (i) and to one half of the amount of support grants to be paid by the support corporation pursuant to the provisions of item (ii) of the Article.

(Special Provisions for Local Government Bonds)

Article 19 With regard to the expenses required for the contribution of money by prefectures to the support corporation based on the provisions of Article 9, paragraph (2), including those that do not fall within the scope of expenses prescribed in the items of Article 5 of the Local Government Finance Act (Act No. 109 of 1948), local government bonds may be used as the financial resources.

(Consideration by the State)

Article 20 The State is to give due consideration so as to facilitate the contribution of money by prefectures to the support corporation based on the provisions of Article 9, paragraphs (2) and (3).

#### **Chapter V Miscellaneous Provisions**

(Prohibition of Transfer)

Article 20-2 (1) The right to receive a support grant held by a person who has become entitled to receive the grant may not be transferred, offered as security, or seized.

(2) Money received as a support grant may not be seized.

(Prohibition of Imposition of Public Charges)

Article 21 Taxes and other public charges may not be imposed on the basis of the money received as a support grant.

(Delegation to Cabinet Order)

Article 22 Beyond what is provided for in this Act, matters necessary for the enforcement of this Act are prescribed by Cabinet Order.

## **Chapter VI Penal Provisions**

Article 23 A person who violates the provisions of Article 14 is subject to punishment by imprisonment for not more than one year or a fine of not more than 500,000 yen.

Article 24 A person who fails to make a report under the provisions of Article 15 or makes a false report is subject to punishment by a fine of not more than 200,000 yen.

Article 25 If a representative of the support corporation, or an agent, employee or other worker of the support corporation commits an offense set forth in the preceding Article in connection with the operations of the support corporation, not only the individual offender but also the support corporation is subject to the punishment set forth in the Article.

## **Supplementary Provisions [Extract]**

This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation, and the provisions of Article 3 (including when the affairs relating to the payment of support grants have been entrusted to the support corporation pursuant to the provisions of Article 4, paragraph (1)) apply to households that have become affected households due to natural disasters that have occurred on or after the day specified in the public notice by the Prime Minister as the day on which prefectures have contributed money to the fund in or after the fiscal year following the fiscal year that includes the date on which this Act comes into effect.

## **Supplementary Provisions [Act No. 13 of March 31, 2004] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order



within a period not exceeding one month from the date of promulgation.

(Transitional Measures for Payment of Support Grants)

Article 2 The provisions of Article 3 of the revised Act on Support for Reconstructing Livelihoods of Disaster Victims (hereinafter referred to as the "new Act") apply to the payment of support grants to heads of households that have become affected households due to natural disasters that have occurred on or after the date on which this Act comes into effect (hereinafter referred to as the "effective date"), and with regard to the payment of support grants to heads of households that have become affected households due to natural disasters that occurred before the effective date, the provisions then in force remain applicable.

Article 3 Notwithstanding the provisions of the preceding Article, among households that have become affected households due to natural disasters that occurred before the effective date, the provisions of Article 3 of the new Act apply to the payment of support grants to heads of households who were given an evacuation instruction pursuant to the provisions of Article 60, paragraph (1) of the Basic Act on Disaster Management (Act No. 223 of 1961), and who, after the effective date, start their independent living in the area subject to the instruction (limited to areas for which it is publicized pursuant to the provisions of Article 60, paragraph (4) of that Act after the effective date that the necessity to evacuate no longer exists; hereinafter the same applies in this Article) or start their independent living in areas other than the area subject to the instruction on the grounds that it is clear that it is extremely difficult to start their independent living in that area. In this case, the figure "three million yen" in item (i) of Article 60 of the Basic Act on Disaster Management is deemed to be replaced with "an amount calculated by deducting the amount of a support grant paid before the coming into effect of the Act Partially Amending the Act on Support for Reconstructing Livelihoods of Disaster Victims (Act No. 13 of 2004) from three million yen", and the figure "1,500,000 yen" in item (ii) of that Article is deemed to be replaced with "an amount calculated by deducting the amount of a support grant paid before the coming into effect of the Act Partially Amending the Act on Support for Reconstructing Livelihoods of Disaster Victims from 1,500,000 yen".

(Transitional Measures for the Support Fund for Reconstructing Livelihoods of Disaster Victims)

Article 4 The support fund for reconstructing livelihoods of disaster victims which holds the designation made under the provisions of Article 6, paragraph (1) of the Act on Support for Reconstructing Livelihoods of Disaster Victims

prior to revision at the time when this Act comes into effect is deemed to be the support corporation for reconstructing livelihoods of disaster victims holding the designation made under the provisions of Article 6, paragraph (1) of the new Act.

**Supplementary Provisions [Act No. 114 of November 16, 2007] [Extract]**

(Effective Date)

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

(Transitional Measures for Payment of Support Grants)

Article 2 The provisions of Article 3, paragraph (1) of the Act on Support for Reconstructing Livelihoods of Disaster Victims revised by this Act (referred to as the "new Act" in the following Article) apply to the payment of support grants to heads of households that have become affected households due to natural disasters that have occurred on or after the date of promulgation of this Act (hereinafter referred to as the "date of promulgation"), and with regard to the payment of support grants to heads of households that have become affected households due to natural disasters that occurred before the date of promulgation, the provisions then in force remain applicable.

Article 3 Notwithstanding the provisions of the preceding Article, the provisions of Article 3, paragraph (1) of the new Act apply to the payment of support grants based on applications made on or after the date of promulgation by heads of households that have become affected households due to natural disasters caused by the Noto Hanto Earthquake in 2007, natural disasters caused by the Niigataken Chuetsu-oki Earthquake in 2007, natural disasters caused by Typhoon No. 11 and the rain front in 2007, or natural disasters caused by Typhoon No. 12 in 2007. In this case, if the heads of the households have already received support grants for the relevant natural disasters pursuant to the provisions of Article 3 of the Act on Support for Reconstructing Livelihoods of Disaster Victims prior to revision by this Act, the amount of a support grant to be paid based on the provisions of Article 3, paragraph (1) of the new Act is an amount calculated by deducting the amount of the support grant already paid from the amount of a support grant prescribed in Article 3, paragraphs (2) through (5) of the new Act.

**Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day on which 20 days have elapsed from the date of promulgation.

**Supplementary Provisions [Act No. 100 of August 30, 2011] [Extract]**

(Effective Date)

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

(Transitional Measures upon Partial Revision to the Act on Support for Reconstructing Livelihoods of Disaster Victims)

(3) The provisions of Article 20-2 of the Act on Support for Reconstructing Livelihoods of Disaster Victims revised pursuant to the provisions of Article 2 apply to support grants for reconstructing livelihoods of disaster victims to be paid to heads of households that have become affected households due to natural disasters that have occurred on or after March 11, 2011; provided, however, that this does not preclude the legal effects that have arisen pursuant to the provisions prior to amendment by this Act.

(Review)

(4) With regard to prohibition of seizure, etc. concerning monetary benefits to be provided by local governments upon natural disasters which are similar to disaster condolence money, or consolation money for disaster injuries or support grants for reconstructing livelihoods of disaster victims, a review is to be made promptly and necessary measures are to be taken based on the review results.

(5) With regard to prohibition of seizure, etc. concerning monetary benefits to be provided by the national or local governments for persons who have been killed or injured due to having performed their duties while ignoring danger at the time of a disaster, etc., a review is to be made promptly and necessary measures are to be taken based on the review results.