

# **Act on Provision of Disaster Condolence Grant (Tentative translation)**

(Act No. 82 of September 18, 1973)

## Table of Contents

Chapter I General Provisions (Articles 1 and 2)

Chapter II Provision of Disaster Condolence Grant (Articles 3 to 7)

Chapter III Provision of Consolation Grant for Disaster Disabilities (Articles 8 and 9)

Chapter IV Loan of Disaster Support Funds (Articles 10 to 17)

Chapter V Miscellaneous Provisions (Articles 18 and 19)

Supplementary Provisions

## **Chapter I General Provisions**

(Purport)

Article 1 This Act specifies the disaster condolence grant to be provided to the bereaved family of a person who has died due to a disaster, the consolation grant for disaster disabilities to be provided to a person who has suffered serious mental or physical disabilities due to a disaster, and the disaster support funds to be loaned to a householder of a household who has suffered damage due to a disaster.

(Definition)

Article 2 The term "disaster" as used in this Act means damage resulting from a storm, heavy rainfall, heavy snowfall, flood, high tide, earthquake, tsunami, or other abnormal natural phenomena.

## **Chapter II Provision of Disaster Condolence Grant**

(Provision of Disaster Condolence Grant)

Article 3 (1) A municipality (including special wards; the same applies hereinafter) may, pursuant to provisions of the Municipal Ordinance, provide a disaster condolence grant to the bereaved family of a resident who has died due to the disaster specified by Cabinet Order (hereinafter simply referred to as the "disaster" in this Chapter and the following Chapter).

(2) The bereaved family prescribed in the preceding paragraph includes the spouse (including a person who has not yet registered the marriage but was in a de facto marital relationship and excluding a person who has not yet

registered their divorce but was in a de facto state of divorce), children, parents, grandchildren, and grandparents, as well as the siblings (limited to those who lived or shared a livelihood with the person who has died as of the person's death; hereinafter the same applies in this paragraph) of the person who has died as of the person's death; provided, however, that siblings are only included when there is no spouse, children, parents, grandchildren, or grandparents.

- (3) The amount of the disaster condolence grant is not more than an amount specified by Cabinet Order in consideration of the state of making a living in the household of the person who has died, not exceeding 5 million yen per person who has died.

(Presumption of Death Due to Disaster)

Article 4 In a case where it is unknown for three months after the disaster has ended whether a person who has happened to be present at the site of disaster when the disaster occurred is alive or dead, with respect to the application of the provisions concerning disaster condolence grants, the person is presumed to have died due to the disaster.

(Restriction on Provision)

Article 5 The disaster condolence grant is not provided in a case where the death caused by the disaster is due to intention or gross negligence of the person who has died or any other case specified by Cabinet Order as being inappropriate to provide the disaster condolence grant.

(Prohibition of Transfer)

Article 5-2 (1) The right to receive provision of the disaster condolence grant of the person who has acquired the right to receive the provision cannot be transferred, pledged as collateral, or seized.

- (2) The money provided as the disaster condolence grant cannot be seized.

(Exclusion from Taxation)

Article 6 Taxes and other public charges may not be imposed based on the money provided as the disaster condolence grant.

(Burden of Expenses)

Article 7 (1) A prefecture is to bear three-fourths of the expenses required for disaster condolence grants.

- (2) The national government is to bear two-thirds of the expenses borne by the prefecture pursuant to the provisions of the preceding paragraph.

### **Chapter III Provision of Consolation Grant for Disaster Disabilities**

(Provision of Consolation Grant for Disaster Disabilities)

Article 8 (1) A municipality may, pursuant to the provisions of the Municipal Ordinance, provide a consolation grant for disaster disabilities to a resident who has sustained an injury or suffered illness due to the disaster and has a mental or physical disability of a level listed in the appended table after recovery (including when the symptoms stabilize) (such person is referred to as the "person with disabilities" in the following paragraph).

(2) The amount of the consolation grant for disaster disabilities is not more than an amount specified by Cabinet Order in consideration of the state of making a living in the household of the person with disabilities, not exceeding 2.5 million yen per person with disabilities.

(Provisions Applied Mutatis Mutandis)

Article 9 The provisions of Articles 5 to 7 apply mutatis mutandis to the consolation grant for disaster disabilities.

### **Chapter IV Loan of Disaster Support Funds**

(Loan of Disaster Support Funds)

Article 10 (1) A municipality may, pursuant to the provisions of the Municipal Ordinance, provide a loan from the disaster support funds to the householder of a household that has suffered damage set forth in the following items by the disaster for which relief is provided under the provisions of Article 2, paragraph (1) of the Disaster Relief Act (Act No. 118 of 1947) within the relevant area or other disasters specified by Cabinet Order and of which the total amount of income of the persons who belong to the household which has been calculated pursuant to the provisions of Cabinet Order is less than the amount specified by Cabinet Order, in order to contribute to the reconstruction of the livelihood of the household:

- (i) an injury of the householder that requires at least one month of medical treatment; or
- (ii) considerable damage to the residence or household goods as specified by Cabinet Order.

(2) The maximum amount of the disaster support fund per one household for one occasion of disaster is to be specified by Cabinet Order.

(3) The reimbursement period (including the grace period) for the disaster support fund is to be specified by Cabinet Order, not exceeding 10 years.

(4) The disaster support fund is to be provided without interest during the grace period, and, after the elapse of the grace period, except for cases of delinquency,

is to be provided with the interest rate of not more than three percent per year that is specified by the provisions of the Municipal Ordinance.

(Loans Provided by Prefectures)

Article 11 (1) A prefecture is to provide a loan to a municipality (excluding the designated city provided for in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as the "designated city")); the same applies hereinafter, except in Article 13, paragraph (1), Article 14, paragraph (1), Article 16, and Article 18 of this Act and Article 2, paragraph (1) of the Supplementary Provisions) in an amount equivalent to the amount of money necessary for the municipality to use as financial resources for providing a loan from the disaster support fund, without interest except for cases of delinquency.

(2) The reimbursement period (including the grace period) for the loans provided for in the preceding paragraph is to be specified by Cabinet Order, not exceeding 11 years.

(Loans Provided by National Government)

Article 12 (1) The national government is to provide a loan to a designated city or a prefecture in an amount equivalent to two-thirds of the amount of money necessary for the designated city to use as financial resources for providing a loan from the disaster support fund or an amount of loans provided by the prefecture to a municipality pursuant to the provisions of paragraph (1) of the preceding Article, without interest except for cases of delinquency.

(2) The reimbursement period (including the grace period) for the loans provided for in the preceding paragraph is to be specified by Cabinet Order, not exceeding 12 years (11 years for a designated city).

(Grace Period for Reimbursement)

Article 13 (1) A municipality may, when the person who has received a loan from the disaster support fund is found to have become extremely difficult to pay the reimbursement money on the payment date due to a disaster or any other compelling reasons specified by Cabinet Order, grant a grace period for reimbursement; provided, however, that this does not apply when the person who has received a loan from the disaster support fund has been requested to make a report pursuant to the provisions of Article 16 but has failed to make a report without a just cause or has made a false report.

(2) When a grace period for reimbursement has been granted pursuant to the provisions of the preceding paragraph, with respect to the calculation of the interests for the disaster support fund, the disaster support fund which should have been reimbursed by payment of the reimbursement money is deemed to

have been reimbursed on the payment date set before the grace period was granted.

(Exemption from Reimbursement)

Article 14 (1) A municipality may, when the person who has received a loan from the disaster support fund has died, when the person is found to have become unable to reimburse the disaster support fund due to suffering serious mental or physical disabilities, or when the person has become subject to an order commencing bankruptcy proceedings or an order commencing rehabilitation proceedings, exempt the person from reimbursement of all or part of the unpaid reimbursement amount of the disaster support fund; provided, however, that this does not apply when any of the following items apply:

(i) when the person who has received a loan from the disaster support fund has been requested to make a report pursuant to the provisions of Article 16 but has failed to make a report without a just cause or has made a false report; or

(ii) when a guarantor of the person who has received a loan from the disaster support fund is found to have become able to reimburse the unpaid reimbursement amount of the disaster support fund.

(2) A prefecture is to, when a municipality has granted exemption from reimbursement of the disaster support fund pursuant to the provisions of the preceding paragraph, exempt the municipality from reimbursement of the loans in an amount equivalent to the amount of money for which the municipality has granted the exemption.

(3) The national government is to, when a designated city or a prefecture has granted exemption from reimbursement of the disaster support fund or the loans pursuant to the provisions of paragraph (1) or the preceding paragraph, exempt the designated city or the prefecture from reimbursement of the loans in an amount equivalent to two-thirds of the amount for which the designated city or the prefecture has granted the exemption.

(Reimbursement Method for Loans)

Article 15 (1) A municipality is to, until one year prior to the time of expiration of the reimbursement period for the loans provided from the prefecture and when the municipality has received reimbursement of disaster support funds, reimburse, pursuant to the provisions of Cabinet Order, an amount of money equivalent to the reimbursed amount (excluding interests and amounts of money related to delinquent interests; the same applies in paragraph (3)) to the prefecture.

(2) A prefecture is to, until one year prior to the time of expiration of the reimbursement period for the loans provided from the national government and

when the prefecture has received reimbursement of loans pursuant to the provisions of the preceding paragraph, reimburse, pursuant to the provisions of Cabinet Order, an amount of money equivalent to two-thirds of the reimbursed amount to the national government.

(3) A designated city is to, until one year prior to the time of expiration of the reimbursement period for the loans provided from the national government and when the designated city has received reimbursement of disaster support funds, reimburse, pursuant to the provisions of Cabinet Order, an amount of money equivalent to two-thirds of the reimbursed amount to the national government.

(Reporting)

Article 16 A municipality may, pursuant to the provisions of this Act, when it is found necessary to determine whether to grant a grace period for reimbursement or exemption from reimbursement of all or part of an unpaid reimbursement amount of the disaster support fund, with regard to the state of income or assets of the person who has received a loan from the disaster support fund or the guarantor of the person, require the person who has received a loan from the disaster support fund or the guarantor of the person to make a report or request any relevant public agency to inspect necessary documents or provide necessary materials.

(Delegation to Cabinet Order)

Article 17 Beyond what is provided for in Article 10 to the preceding Article, the method of providing a loan from the disaster support fund, loan conditions, and other necessary particulars related to providing a loan from the disaster support funds (including loans of funds provided by the prefecture or the national government pertaining thereto) are to be specified by Cabinet Order.

## **Chapter V Miscellaneous Provisions**

(Body with a Council System in a Municipality)

Article 18 A municipality is to, in order to investigate and deliberate on matters related to provision of disaster condolence grants and consolation grants for disaster disabilities, pursuant to the provisions of the Municipal Ordinance, endeavor to establish a council or other body with a council system.

(Thorough Dissemination of the System)

Article 19 The national government is to, in order to secure the opportunities to apply for provision of disaster condolence grants and consolation grants for disaster disabilities and loans from the disaster support funds, thoroughly disseminate the system related to the provision of disaster condolence grants

and consolation grants for disaster disabilities and loans from disaster support funds.

### **Supplementary Provisions**

(Effective Date)

Article 1 This Act comes into effect as of the date prior to April 1, 1974 as specified by Cabinet Order and applies to disasters occurred on or after July 16, 1973.

(Special Measures on Exemption from Reimbursement Related to Disasters Occurred Before the Day on Which Prefectures Have Contributed Money to the Fund as Provided for in the Supplementary Provisions of the Act on Support for Reconstructing Livelihoods of Disaster Victims)

Article 2 (1) A municipality may, with respect to the disaster support funds provided in relation to the disaster that has occurred before the day specified in the public notice by the Prime Minister as the day on which prefectures have contributed money to the fund as provided for in the Supplementary Provisions of the Act on Support for Reconstructing Livelihoods of Disaster Victims (Act No. 66 of 1998), in a case specified by Cabinet Office Order as the case where the person who has received a loan from the disaster support fund is found to be extremely difficult to reimburse the disaster support fund due to the person's state of income and assets, grant exemption from reimbursement of all or part of the unpaid reimbursement amount of the disaster support fund; provided, however, that this does not apply when the person who has received a loan from the disaster support fund has been requested to make a report pursuant to the provisions of Article 16 but has failed to make a report without a just cause or has made a false report.

(2) A prefecture is to, when a municipality has granted exemption from reimbursement of the disaster support fund pursuant to the provisions of the preceding paragraph, exempt the municipality from reimbursement of the loans in an amount equivalent to the amount of money for which the municipality has granted the exemption.

(3) The national government is to, when a designated city or a prefecture has granted exemption from reimbursement of the disaster support fund or loans pursuant to the provisions of paragraph (1) or the preceding paragraph, exempt the designated city or the prefecture from reimbursement of the loans in an amount equivalent to two-thirds of the amount of money for which the designated city or the prefecture has granted the exemption.

(Special Measures on Guarantee Claims for Disaster Support Funds Provided

in Relation to Disaster That Has Occurred Before April 1, 2019)

- Article 3 (1) With regard to the right held against the guarantor of the person who has received a loan from the disaster support fund in relation to a disaster that has occurred before April 1, 2019, when a municipality has waived the right through a resolution of a council pursuant to the provisions of the Local Autonomy Act after 10 years have passed from the time of expiration of the reimbursement period for the disaster support fund, a prefecture is to exempt the municipality from reimbursement of the loans in an amount equivalent to the unpaid reimbursement amount of the disaster support fund that should have been paid by the person who has received a guarantee from the guarantor and who has grounds specified by Cabinet Office Order.
- (2) The national government is to, when a prefecture has granted exemption from reimbursement of the loans pursuant to the provisions of the preceding paragraph, exempt the prefecture from reimbursement of the loans in an amount equivalent to two-thirds of the amount for which the prefecture has granted the exemption.
- (3) With regard to the right held against the guarantor of the person who has received a loan from the disaster support fund in relation to a disaster that has occurred before April 1, 2019, when a designated city has waived the right through a resolution of a council pursuant to the provisions of the Local Autonomy Act after 10 years have passed from the time of expiration of the reimbursement period for the disaster support fund, the national government is to exempt the designated city from reimbursement of loans in an amount equivalent to two-thirds of the unpaid reimbursement amount of the disaster support fund that should have been paid by the person who has received a guarantee from the guarantor and who has grounds specified by Cabinet Office Order as provided for in paragraph (1).

(Consultation with the Minister of Finance)

Article 4 The Prime Minister is to, when intending to specify Cabinet Office Order as provided for in Article 2, paragraph (1) or paragraph (1) of the preceding Article of the Supplementary Provisions, consult with the Minister of Finance.

#### **Supplementary Provisions [Act No. 1 of January 23, 1975]**

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

#### **Supplementary Provisions [Act No. 22 of April 10, 1981]**

This Act comes into effect as of the date of promulgation, and the provisions of



Article 3, paragraph (3) amended by this Act apply to disaster condolence grants provided in relation to disasters that have occurred on or after December 14, 1980.

**Supplementary Provisions [Act No.70 of August 6, 1982 Extract] [Extract]**

(Effective Date)

- (1) This Act comes into effect as of the date specified by Cabinet Order, within three months from the date of promulgation, and the provisions of the Act on Provision of Disaster Condolence Grant after amendment apply to disasters that have occurred on or after July 10, 1982.

**Supplementary Provisions [Act No. 88 of September 26, 1991]**

This Act comes into effect as of the date of promulgation, and the provisions of Article 3, paragraph (3) and Article 8, paragraph (2) amended by this Act apply to the disaster condolence grants and consolation grants for disaster disabilities provided in relation to disasters that have occurred on or after June 3, 1991.

**Supplementary Provisions [Act No. 86 of July, 29, 2011]**

This Act comes into effect as of the date of promulgation, and the provisions of Article 3, paragraph (2) amended by this Act apply to disaster condolence grants provided in relation to disasters that have occurred on or after March 11, 2011.

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

(Effective Date)

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

(Transitional Measures for Partial Amendment of the Act on Provision of Disaster Condolence Grant)

- (2) The provisions of Article 5-2 of the Act on Provision of Disaster Condolence Grant (including the case as applied mutatis mutandis pursuant to Article 9 of the same Act) amended by the provisions of Article 1 of this Act apply to the disaster condolence grants and consolation grants for disaster disabilities provided in relation to disasters that have occurred on or after March 11, 2011; provided, however, that this does not impair the validity that has arisen pursuant to the provisions prior to amendment by this Act.

(Reviews)

- (4) With regard to prohibition of seizure, etc. concerning monetary benefits that are to be provided by a local government at the time of occurrence of a natural disaster and that are similar to disaster condolence grants, consolation grants for disaster disabilities, 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 government 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.

**Supplementary Provisions [Act No. 66 of June 27, 2018 Extract] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within one year from the date of its promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date specified in each item:

- (i) the provisions of Article 1, Article 5 (excluding the provisions to amend rows 20 and 53 of Appended Table 2 of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures), and Article 13 of this Act as well as the provisions of Article 11 to 13, Article 16, and Article 17 of the Supplementary Provisions: the date of promulgation;
- (ii) and (iii) : omitted; and
- (iv) the provisions of Article 2, Article 3 (excluding the amendment provisions set forth in item (ii)), Article 4 (limited to the provisions to amend Article 34, paragraph (1), item (i), Article 39, paragraph (2), and Article 40, paragraph (1), item (ii) of the Child and Child Care Support Act), Article 7, and the following Article of this Act, and the provisions of Article 3 of the Supplementary Provisions: April 1, 2018.

(Transitional Measures for Partial Amendment of the Act on Provision of Disaster Condolence Grant)

Article 2 The provisions of Article 10, paragraph (4) of the Act on Provision of Disaster Condolence Grant amended by the provisions of Article 2 apply to the loan from the disaster support fund provided to the householder of a household that has suffered damage due to a disaster that has occurred on or after the date on which the provisions set forth in item (iv) of the preceding Article have come into effect, and prior laws continue to govern the loan from the disaster

support fund provided to the householder of a household that has suffered damage due to a disaster that has occurred before that date.

(Transitional Measures Concerning Dispositions, Applications, etc.)

Article 11 (1) With regard to the application of the relevant Acts amended by this Act on or after the enforcement of this Act, approvals given and other dispositions imposed or other acts undertaken before the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, the respective provisions; hereinafter the same applies in this Article and the following Article), pursuant to the provisions of the relevant Acts prior to amendment by this Act (hereinafter referred to as "dispositions and other acts" in this paragraph), or applications for approvals, etc. filed or other acts undertaken at the time of enforcement of this Act, pursuant to the provisions of the relevant Acts prior to amendment by this Act (hereinafter referred to as "applications and other acts" in this paragraph), wherein the person who is to undertake administrative affairs in relation to such acts on the date of enforcement of this Act is different, are deemed to be the dispositions and other acts or applications and other acts undertaken pursuant to the corresponding provisions of the relevant Acts amended by this Act, except for what is to be specified by Cabinet Order based on the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions of Article 13 of the Supplementary Provisions.

(2) With regard to matters for which reports, notifications, or other procedures are required to be made before organs of the national or local government before the date of enforcement of this Act, pursuant to the provisions of the relevant Acts prior to amendment by this Act, beyond what is provided for by Cabinet Order based on the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions of Article 13 of the Supplementary Provisions, if the procedures have not yet been conducted by the date of enforcement of this Act, these procedures are deemed to have not yet been conducted for the matters for which reports, notifications, or other procedures are required to be made before corresponding organs of the national or local government pursuant to the corresponding provisions of the relevant Acts amended by this Act, and the provisions of the relevant Acts amended by this Act apply.

(Delegation to Cabinet Order)

Article 13 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, transitional measures necessary for enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

## **Supplementary Provisions [Act No. 27 of June 7, 2019 Extract] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of August 1, 2019; provided, however, that the provisions of the following Article come into effect as of the date of promulgation.

(Preparatory Actions)

Article 2 The Prime Minister may, when intending to specify Cabinet Office Order as provided for in Article 2, paragraph (1) or Article 3, paragraph (1) of the Supplementary Provisions of the Act on Provision of Disaster Condolence Grant amended by this Act (hereinafter the amended Act is referred to as the "New Act"), consult with the Minister of Finance even before the date of enforcement of this Act.

(Transitional Measures)

Article 3 The exemption from obligations (limited to those granted in the case provided in Article 2, paragraph (1) of the Supplementary Provisions of the New Act) granted by a municipality (including the special wards; the same applies in the following Article) before the enforcement of this Act, pursuant to the provisions of the Local Autonomy Act (Act No. 67 of 1947; including the orders based on this), with respect to the disaster support funds provided in relation to the disaster specified in Article 2, paragraph (1) of the Supplementary Provisions of the New Act is deemed to be the exemption granted pursuant to the provisions of the same paragraph.

Article 4 The provisions of Article 3 of the Supplementary Provisions of the New Act apply even when a municipality has, before the enforcement of this Act, waived the right held against the guarantor of a person who has received a loan from the disaster support fund provided in relation to a disaster that has occurred before April 1, 2019, through a resolution of the council pursuant to the provisions of the Local Autonomy Act after 10 years have passed from the time of expiration of the reimbursement period for the disaster support fund.

## **Supplementary Provisions [Act No. 30 of May 10, 2021 Extract] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within one month from the date of promulgation.

Appended Table (Re: Article 8)

- (i) Those who are blind in both eyes.
- (ii) Those who have lost the functions of mastication and speech.
- (iii) Those who are left with serious impairment in the functions of the nervous system or in the psyche and require continuous nursing care.
- (iv) Those who are left with serious impairment in the functions of the thorax and abdominal organs and require continuous nursing care.
- (v) Those who have lost both upper limbs above the elbow joint.
- (vi) Those who have completely lost the functions of both upper limbs.
- (vii) Those who have lost both lower limbs above the knee joint.
- (viii) Those who have completely lost the functions of both lower limbs.
- (ix) Those who are found to have multiple mental or physical disabilities of a level that is equal to or greater than the level set forth in the preceding items.