

Act on Promoting Measures to Achieve a Society in which the Pride of Ainu People is Respected

(Act No. 16 of April 26, 2019)

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Chapter I General Provisions

(Purpose)

Article 1 In light of both the current state of Ainu traditions and culture (hereinafter referred to as "Ainu traditions and culture"), which are a source of pride for the Ainu people, indigenous people of the northern part of the Japanese archipelago, in particular Hokkaido, as well as the state of international affairs concerning indigenous peoples in recent years, the purpose of this Act is to realize a society in which the Ainu people can live with pride as a people, and in which that pride will be respected, thereby contributing to the realization of a society with harmony in which all citizens respect each other's personality and individuality. This will be accomplished by providing for the following with regard to the promotion of Ainu measures: basic principles; responsibilities of the national government, etc.; formulation of basic policies by the government; measures for the management of the facilities constituting the symbolic space for ethnic harmony; preparation by municipalities (including special wards; hereinafter the same applies) of regional plans for the promotion of Ainu measures and approval thereof by the Prime Minister, special measures for projects based on the approved regional plans for the promotion of Ainu measures; establishment of the Ainu policy promotion headquarters; and other related actions.

(Definitions)

- Article 2 (1) The term "Ainu culture" as used in this Act means the Ainu language, way of life, music, dance, crafts and other cultural products that have been inherited by the Ainu people and the cultural products that have developed from them.
- (2) The term "Ainu measures" as used in this Act means measures to promote the Ainu culture as well as disseminating knowledge and raising awareness about Ainu traditions and culture (hereinafter referred to as "the promotion of Ainu culture"), and measures for preparing an environment that contributes to the promotion of Ainu culture in order that the Ainu people can live with pride as a people.
- (3) The term "facilities constituting the symbolic space for ethnic harmony" as used in this Act means facilities (including their sites) that constitute symbolic space for ethnic harmony (meaning administrative asset provided in Article 3, paragraph (2) of the National Government Asset Act (Act No. 73 of 1948) that is maintained at a location specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Order of the Ministry of Education, Culture, Sports, Science and Technology as a base to promote the Ainu culture) and are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Order of the Ministry of Education, Culture, Sports, Science and Technology.

(Basic Principles)

- Article 3 (1) In order to ensure that the pride of the Ainu people as a people is respected, the promotion of Ainu measures must be carried out with the aim of deepening the citizens' understanding of Ainu traditions and culture, which are a source of pride for the Ainu people, as well as the harmony of diverse peoples and the development of diverse cultures, which are important issues in the international community and Japan.
- (2) The promotion of Ainu measures must be carried out with due respect paid to the spontaneous intentions of the Ainu people in order that they can live with pride as a people.
- (3) The promotion of Ainu measures must be carried out from a nationwide perspective as the Ainu people live not only in Hokkaido but also throughout the country, while maintaining close mutual cooperation among the national government, local governments and other related parties.

Article 4 It is prohibited for any person to discriminate against Ainu people or commit any other act that infringes upon the rights or interests of an Ainu person for being Ainu,.

(Responsibilities of the National Government and Local Governments)

Article 5 (1) The national government and local governments are responsible for formulating and implementing the Ainu measures in accordance with the basic principles set forth in the preceding two articles.

(2) The national government and local governments must endeavor to take appropriate measures to foster the development of those who will inherit Ainu culture.

(3) The national government and local governments must endeavor to deepen the citizens' understanding of the Ainu through educational, public relations and other activities.

(4) The national government must endeavor to promote research and studies that contribute to the promotion of Ainu culture, and must endeavor to provide necessary advice and take other measures to promote Ainu measures to be implemented by local governments.

(Efforts Made by Citizens)

Article 6 Citizens are to endeavor to contribute to the realization of a society in which the Ainu people can live with pride as a people and their pride is respected.

Chapter II Basic Policy

(Basic Policy)

Article 7 (1) The government must establish a basic policy for comprehensive and effective promotion of Ainu measures (hereinafter referred to as "the basic policy").

(2) The basic policy is to prescribe the following matters:

(i) matters concerning the significance and goals of Ainu measures;

(ii) basic policies on Ainu measures to be implemented by the government;

(iii) matters concerning the management of the facilities constituting the symbolic space for ethnic harmony;

(iv) basic matters concerning the approval set forth in Article 10, paragraph (9) of regional plans for the promotion of Ainu measures prescribed in paragraph (1) of that Article; and

(v) in addition to what is set forth in each of the preceding items, matters necessary for the promotion of Ainu measures.

(3) The Prime Minister must seek a Cabinet decision on the draft of the basic policy prepared by the Ainu policy promotion headquarters.

(4) Upon the Cabinet decision specified in the preceding paragraph, the Prime Minister must publicize the basic policy without delay.

- (5) The government must change the basic policy when the need arises due to prevailing trends.
- (6) The provisions of Articles 3 and 4 apply mutatis mutandis to the changes in the basic policy.

(Prefectural Policies)

Article 8 (1) The prefectural governor is to endeavor to establish a policy for promoting Ainu measures within the prefectural area (hereinafter referred to as "the prefectural policy" in this Article and Article 10), based on the basic policy.

- (2) The prefectural policy is to prescribe the following matters in general:
 - (i) matters concerning the goals of Ainu measures;
 - (ii) policies on Ainu measures to be implemented by the prefecture; and
 - (iii) in addition to what is set forth in the preceding two items, matters necessary for the promotion of Ainu measures.
- (3) When a prefectural governor intends to establish matters relevant to other local governments in the prefectural policy, the prefectural governor must obtain the opinions of the heads of the other local governments with respect to those matters in advance.
- (4) When a prefectural governor has established the prefectural policy, the prefectural governor must endeavor to publicize it without delay and notify the mayors of the relevant municipalities to that effect.
- (5) The provisions of the preceding two paragraphs apply mutatis mutandis to any revision of the prefectural policy.

**Chapter III Measures Concerning Management of the Facilities
Constituting the Symbolic Space for Ethnic Harmony**

Article 9 (1) When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology make designation under Article 20, paragraph (1), they are to commission the person that has received the designation (referred to as the "designated corporation" in the following paragraph) with the management of the facilities constituting the symbolic space for ethnic harmony.

- (2) The designated corporation commissioned with the management pursuant to the provisions of the preceding paragraph may collect admission fees and other fees (referred to as "admission fees" in Article 22, paragraph (2)) for the facilities constituting symbolic the space for ethnic harmony in order to allocate to the expenses required for their management of those facilities based on the commission.
- (3) Beyond what is provided for in the preceding paragraph, necessary matters

concerning commission under paragraph (1) are specified by Cabinet Order.

Chapter IV Approval of Regional Plans for the Promotion of Ainu Measures

(Approval of Regional Plans for the Promotion of Ainu Measures)

- Article 10 (1) A municipality may independently or jointly prepare a plan for the promotion of Ainu measures pursuant to the provisions of Cabinet Office Order within the municipal area (hereinafter referred to as a "regional plan for the promotion of Ainu measures") and apply for the approval of the Prime Minister, based on the basic policy (or based on the basic policy and taking the prefectural policy into consideration, when the governor of the prefecture that encompasses the municipality concerned has established its prefectural policy).
- (2) The regional plans for the promotion of Ainu measures are to prescribe the following matters:
- (i) goals of the regional plans for the promotion of Ainu measures;
 - (ii) matters concerning the following projects necessary for the promotion of Ainu measures:
 - (a) projects that contribute to the preservation or inheritance of Ainu culture;
 - (b) projects that contribute to the promotion of understanding of Ainu traditions and culture;
 - (c) projects that contribute to the promotion of tourism and other industries;
 - (d) projects that contribute to the promotion of intra-regional or inter-regional exchange or international exchange;
 - (e) other projects specified by Cabinet Office Order;
 - (iii) planning period; and
 - (iv) other matters specified by Cabinet Office Order.
- (3) When a municipality intends to prepare a regional plan for the promotion of Ainu measures, the municipality must hear the opinions of the persons implementing the projects prescribed in item (ii) of the preceding paragraph, which the municipality intends to include in the plan.
- (4) The matters concerning the projects prescribed in paragraph (2), item (ii) (excluding (d)) may include matters concerning projects for collecting forest products from national forest land (meaning the national forest land prescribed in Article 2, paragraph (1) of the Act on Management and Operation of National Forest Land (Act No. 246 of 1951); the same applies in Article 16, paragraph (1)) that will be used during the performance of ceremonies that have been inherited by the Ainu people and otherwise used to promote the Ainu culture.
- (5) In addition to what is provided for in the preceding paragraph, matters concerning the projects prescribed in paragraph (2), item (ii) (excluding (d))

- may include matters concerning projects for catching salmon in inland waters (meaning the inland waters provided for Article 60, paragraph (5), item (v) of the Fishery Act (Act No. 267 of 1949)) (hereinafter referred to as "inland waters salmon collection project" in this Article and Article 17) for the purpose of preserving or passing on ceremonies or fishing methods that have been inherited by the Ainu people (hereinafter referred to as "the ceremonies" in this paragraph) or for the purpose of disseminating knowledge and raising awareness about the ceremonies. In this case, the area where each inland waters salmon collection project is implemented is to be separately recorded.
- (6) In addition to what is provided for in the preceding two paragraphs, matters concerning projects prescribed in paragraph (2), item (ii) (limited to the part pertaining to (c)) may include matters concerning projects for developing a demand for goods or services that use or are expected to use a trademark that includes the name of a region in the municipality or its abbreviation (hereinafter referred to as the "project to develop product demand" in this paragraph and Article 18). In this case, the target and implementation period of each project to develop product demand is to be recorded.
- (7) A person that intends to implement any of the projects set forth in paragraph (2), item (ii), (a) through (e) may propose that the municipality prepare a regional plan for the promotion of Ainu measures. In this case, the person must prepare and present a draft of the regional plan for the promotion of Ainu measures relating to the proposal in line with the basic policy.
- (8) A municipality that has received a proposal under the preceding paragraph must notify the person that has made the proposal without delay as to whether or not to prepare a regional plan for the promotion of Ainu measures based on the proposal. In this case, if the municipality decides not to prepare a regional plan for the promotion of Ainu measures, the reasons for it must be clarified.
- (9) If the Prime Minister receives an application for approval pursuant to the provisions of paragraph (1) and finds that the regional plan for the promotion of Ainu measures conforms to the following criteria, the Prime Minister is to approve the application:
- (i) the application conforms to the basic policy;
 - (ii) the implementation of the relevant regional plan for the promotion of Ainu measures is found to contribute considerably to the promotion of Ainu measures in the region; and
 - (iii) it is expected to be implemented in a smooth and certain manner;
- (10) The Prime Minister may request for an opinion of the Ainu policy promotion headquarters if the Prime Minister finds it necessary when granting the approval set forth in the preceding paragraph.
- (11) When the Prime Minister intends to grant approval as set forth in paragraph (9), the Prime Minister must notify the governor of the prefecture

that encompasses the municipality that has prepared the regional plan for the promotion of Ainu measures relevant to the approval of that intention. In this case, if the governor of the relevant prefecture has a prefectural policy already established, the prefectural governor may state their opinion to the Prime Minister with regard to the approval referenced in that paragraph.

- (12) If the regional plan for the promotion of Ainu measures contains specified project-related matters (meaning the matters prescribed in paragraphs (4) through (6); the same applies hereinafter), and the Prime Minister intends to grant approval as set forth in paragraph (9), the Prime Minister must obtain the consent of the head of the relevant national administrative organ related to the specified project-related matters (hereinafter simply referred to as the "head of the relevant national administrative organ") with regard to the specified project-related matters.
- (13) When the regional plan for the promotion of Ainu measures contains matters concerning the inland waters salmon collection project, the Prime Minister must hear the opinion of the governor of the prefecture that encompasses the municipality that has prepared the regional plan for the promotion of Ainu measures (limited to the municipality that include the area where the inland waters salmon collection project is implemented, when municipalities jointly prepared the regional plan for the promotion of Ainu measures) when the Prime Minister intends to grant the approval set forth in paragraph (9).
- (14) When the Prime Minister has granted approval as set forth in paragraph (9), the Prime Minister must give public notice to that effect without delay.

(Changes to Approved Regional Plans for the Promotion of Ainu Measures)

- Article 11 (1) When a municipality intends to make changes (excluding minor changes specified by Cabinet Office Order) to the regional plan for the promotion of Ainu measures approved under paragraph (9) of the preceding Article, the municipality must obtain approval from the Prime Minister.
- (2) The provisions of paragraphs (3) through (14) of the preceding Article apply mutatis mutandis to changes to regional plans for the promotion of Ainu measures that have been approved under paragraph (9) of that Article.

(Collection of Reports)

- Article 12 (1) The Prime Minister may request a municipality that has received the approval set forth in Article 10, paragraph (9) (including the approval of changes set forth in paragraph (1) of the preceding Article) (hereinafter referred to as an "approved municipality") to report on the status as being implemented of a regional plan for the promotion of Ainu measures that has received the approval set forth in Article 10, paragraph (9) (or when the approval of changes set forth in paragraph (1) of the preceding Article has been

granted, the plan after the changes; hereinafter referred to as an "approved regional plan for the promotion of Ainu measures").

- (2) The head of the relevant national administrative organ may request an approved municipality to report on the status as being implemented of specified project-related matters if the specified project-related matters are stated in the approved regional plan for the promotion of Ainu measures.

(Request for Measures)

- Article 13 (1) When finding it necessary for the proper implementation of an approved regional plan for the promotion of Ainu measures, the Prime Minister may request the approved municipality to take necessary measures in implementing the approved regional plan for the promotion of Ainu measures.
- (2) When specified project-related matters are stated in an approved regional plan for the promotion of Ainu measures and the head of the relevant national administrative organ finds it necessary for the proper implementation of the specified project-related matters, the head may request the approved municipality to take necessary measures in implementing the specified project-related matters.

(Revocation of Approval)

- Article 14 (1) When finding that an approved regional plan for the promotion of Ainu measures no longer conforms to any of the items of Article 10, paragraph (9), the Prime Minister may revoke the approval. In this case, when the specified business-related matters are stated in the approved regional plan for the promotion of Ainu measures, the Prime Minister must notify the head of the relevant national administrative organ to that effect in advance.
- (2) The head of the relevant national administrative organ, who has received the notification under the preceding paragraph, may state an opinion to the Prime Minister with regard to the revocation of the approval under that paragraph.
 - (3) In addition to the case prescribed in the preceding paragraph, the head of the relevant national administrative organ may state an opinion to the Prime Minister concerning the revocation of the approval under paragraph (1) when the approved regional plan for the promotion of Ainu measures includes specified project-related matters.
 - (4) The provisions of Article 10, paragraph (14) apply mutatis mutandis to the revocation of approval under paragraph (1).

Chapter V Special Measures for Projects Based on Approved Regional Plans for the Promotion of Ainu Measures

(Granting of Subsidies)

- Article 15 (1) The national government may grant a subsidy to an approved municipality within the scope of its budget pursuant to the provisions of Cabinet Office Order to cover the expenses required for the implementation of a project based on an approved regional plan for the promotion of Ainu measures (limited to the project prescribed in Article 10, paragraph (2), item (ii)).
- (2) Notwithstanding provisions in other laws and regulations, the national government is not to take on, give assistance for, or provide subsidies for the required expenses based on those laws and regulations, regarding the projects carried out using the subsidies set forth in the preceding paragraph.
- (3) Beyond what is provided for in the preceding two paragraphs, necessary matters concerning the granting of subsidies pursuant to the provisions of paragraph (1) are specified by Cabinet Office Order.

(Establishment of Common Forest Land Within National Forest Land)

- Article 16 (1) If the Minister of Agriculture, Forestry and Fisheries finds that it is necessary to coordinate the management of national forest land with the use by residents of an approved municipality (limited to municipalities that have prepared an approved regional plan for the promotion of Ainu measures stating the matters prescribed in Article 10, paragraph (4); hereinafter the same applies in this paragraph) in order to improve the level of land use, the Minister of Agriculture, Forestry and Fisheries may have the residents of the approved municipality or persons domiciled in a certain area within the approved municipality acquire the right under a contract to jointly use the national forest land related to the matters stated pursuant to the provisions of paragraph (4) of that Article, for the purpose of collecting forest products that will be used for the performance of ceremonies that have been inherited by the Ainu people and otherwise used to promote the Ainu culture.
- (2) The contract referred to in the preceding paragraph is deemed to be a common forest land contract as prescribed in Article 18, paragraph (3) of the Act on Management and Operation of National Forest Land, and the provisions of Chapter V of that Act (excluding paragraphs (1) and (2) of that Article) are to apply. In this case, the term "paragraph (1)" in the main clause of paragraph (3) of that Article is deemed to be replaced with "Article 16, paragraph (1) of Act on Promoting Measures to Achieve a Society in Which the Pride of Ainu People is Respected (Act No. 16 of 2019)", the term "municipality" is deemed to be replaced with "approved municipality (meaning an approved municipality as prescribed in Article 12, paragraph (1) of that Act; the same applies hereinafter)", the term "municipality" in the proviso of that paragraph, and Article 19, item (v), Article 22, paragraph (1), and Article 24 of that Act are to be replaced with "approved municipality", and the term "paragraph (1)" in

Article 18, paragraph (4) of that Act and the term "Article 18" in Article 21-2 of that Act are deemed to be replaced with "Article 16, paragraph (1) of Act on Promoting Measures to Achieve a Society in which the Pride of Ainu People is Respected".

(Consideration for Permission under the Fishery Act and Act on the Protection of Marine Resources)

Article 17 When permission is required as provided for by Order of the Ministry of Agriculture, Forestry and Fisheries or the prefectural rules based on the provisions of Article 119, paragraph (1) or (2) of the Fishery Act or Article 4, paragraph (1) of Act on the Protection of Marine Resources (Act No. 313 of 1951) regarding the implementation of an inland waters salmon collection project included in an approved regional plan for the promotion of Ainu measures, and the Minister of Agriculture, Forestry and Fisheries or prefectural governor is requested to give the permission, they are to give appropriate consideration so that the inland waters salmon collection project will be smoothly implemented.

(Special Provisions of the Trademark Act)

Article 18 (1) The provisions of the following paragraph through paragraph (6) apply to the project to develop product demand provided for in approved regional plans for the promotion of Ainu measures only within the implementation period of the project to develop product demand (simply referred to as the "implementation period" in the following paragraph and paragraph (3)).

(2) When a person that is to pay the registration fee under Article 40, paragraph (1) or (2) or Article 41-2, paragraph (1) or (7) of the Trademark Act (Act No. 127 of 1959) for the registration of a regionally-based collective trademark (meaning the trademark registration of a regionally-based collective trademark as provided in Article 7-2, paragraph (1) of the Trademark Act; hereinafter the same applies in this paragraph and the following paragraph) for goods or services related to the project to develop product demand that is included in an approved regional plan for the promotion of Ainu measures is the responsible entity for the project to develop product demand relevant to the goods or services in question, the Commissioner of the Japan Patent Office may grant the person an abatement of or exemption from the registration fee (limited to the cases for which the trademark registration of the regionally-based collective trademark is to be obtained within the implementation period or for which an application for registration of renewal of the duration of the trademark right is to be filed within the implementation period regarding the trademark registration of the regionally-based collective trademark), pursuant

to the provisions of Cabinet Order. In this case, with regard to the application of the provisions of Article 18, paragraph (2) and Article 23, paragraphs (1) and (2) of that Act, "is paid" in these provisions are deemed to be replaced with "is paid or is exempted from that payment".

- (3) With regard to the registration of a regionally-based collective trademark for goods or services related to the project to develop product demand that is included in an approved regional plan for the promotion of Ainu measures, when a person that intends to register the regionally-based collective trademark is the responsible entity for the project to develop product demand for the goods or services, the Commissioner of the Patent Office may grant the person an abatement of or exemption from the payment of the fees for filing an application for trademark registration that is to be paid pursuant to the provisions of Article 76, paragraph (2) of the Trademark Act (limited to the fee for an application for trademark registration filed within the implementation period), as provided for by Cabinet Order.
- (4) Notwithstanding the provisions of Article 40, paragraph (1) or (2) or Article 41-2, paragraph (1) or (7) of the Trademark Act, if a trademark right is co-owned by persons including those subject to an abatement of or exemption from the payment of the registration fee under paragraph (2) (hereinafter referred to as "abatement or exemption" in this paragraph), and the portions of their respective shares of the trademark right have been agreed upon, the registration fee referred to in Article 40, paragraph (1) or (2) or Article 41-2, paragraph (1) or (7) of that Act is to be the total amount of the registration fees provided for in those provisions for each co-owner (in the case of a person subject to abatement or exemption, the amount after the abatement or exemption) which are multiplied by the ratio of their respective shares of the trademark right, and they must pay in that total amount.
- (5) Notwithstanding the provisions of Article 76, paragraph (2) of the Trademark Act, if a right arising from an application for trademark registration is co-owned by persons including those subject to an abatement of or exemption from the fee for filing an application for trademark registration under paragraph (3) (hereinafter referred to as "abatement or exemption" in this paragraph), and the portions of their respective shares of the trademark right have been agreed upon, the fee for filing an application for trademark registration that these persons are required to pay pursuant to the provisions of Article 76, paragraph (2) of that Act regarding any right arising from their application for trademark registration, is to be the total amount of the trademark registration application fees (in the case of a person subject to abatement or exemption, the amount after the abatement or exemption) provided for in that paragraph for each co-owner which are multiplied by the ratio of their respective shares of the trademark right, and they must pay in that amount.

- (6) Any fraction of less than 10 yen in the amount of the registration fee or the fee for filing an application calculated in accordance with the preceding two paragraphs is to be rounded down.

(Consideration for Local Government Bonds)

Article 19 The national government is to give special consideration to local government bonds issued by an approved municipality to fund the projects to be carried out based on an approved regional plan for the promotion of Ainu measures, so that the local government bonds can be issued to the extent that the financial position of the approved municipality permits and the local government bonds are underwritten by fiscal loan funds to the extent that the financial position permits.

Chapter VI Designated Corporations

(Designation)

Article 20 (1) The Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology may designate a general incorporated association or foundation which aims to promote the Ainu culture and is found to be capable of carrying out the operations prescribed in the following Article in a proper and certain manner as the sole entity in the country performing the operations prescribed in that Article, upon application by that association or foundation.

(2) If an applicant referred to in the preceding paragraph falls under any of the following items, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology must not make the designation under that paragraph:

- (i) a person who has been sentenced to a fine pursuant to the provisions of this Act if two years have not elapsed since the day on which the execution of the sentence was completed or the sentence no longer applied;
- (ii) a person whose designation has been revoked pursuant to the provisions of Article 30, paragraph (1) if two years have not elapsed since the date of the revocation;
- (iii) any of its officers falls under any of the following items:
 - (a) a person who has been sentenced to imprisonment without work or a more severe punishment, or a person who has been sentenced to a fine pursuant to the provisions of this Act, if two years have not elapsed since the day on which the execution of the sentence was completed or the sentence no longer applied; or
 - (b) a person who has been discharged by an order under Article 27, paragraph (2) if two years have not passed since the date of the discharge.

- (3) When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology have made a designation under paragraph (1), they must give public notice of the name, address, and location of its office of the designated person (hereinafter referred to as "the designated corporation").
- (4) When a designated corporation intends to change its name, address or the location of its office, it must notify the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology to that effect in advance.
- (5) Upon receiving a notification under the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology must give public notice of the matters concerning the notification.

(Operations)

Article 21 The designated corporation is to perform the following operations:

- (i) management of the facilities constituting the symbolic space for ethnic harmony as commissioned pursuant to the provisions of Article 9, paragraph (1);
- (ii) operations related to the promotion of Ainu culture, including the fostering of those who will inherit Ainu culture;
- (iii) conducting public relations activities concerning Ainu traditions and culture, and disseminating knowledge and raising awareness about Ainu traditions and culture;
- (iv) research and studies that contribute to the promotion of Ainu culture;
- (v) providing advice, subsidies and other assistance to those who conduct the promotion of Ainu culture, disseminating knowledge and raising awareness regarding Ainu traditions and culture, or conducting the research and studies that contributes to the promotion of Ainu culture; and
- (vi) in addition to what is listed in each of the preceding items, performance of the necessary operations to promote the Ainu culture.

(Operational Rules for the Facilities Constituting the Symbolic Space for Ethnic Harmony)

Article 22 (1) The designated corporation must establish rules (hereinafter referred to as the "operational rules for the facilities constituting the symbolic space for ethnic harmony") concerning the operations set forth in item (i) of the preceding Article (hereinafter referred to as the "management operations of the facilities constituting the symbolic space for ethnic harmony") and obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology. The same

applies when the designated corporation intends to change them.

- (2) The operational rules for the facilities constituting the symbolic space for ethnic harmony must specify the methods used to implement the management operations of the facilities constituting the symbolic space for ethnic harmony, the admission fees for the facilities constituting the symbolic space for ethnic harmony, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Order of the Ministry of Education, Culture, Sports, Science and Technology.
- (3) If the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology find that the operational rules for the facilities constituting the symbolic space for ethnic harmony approved under paragraph (1) are no longer appropriate for the proper and reliable implementation of the management operations of the facilities constituting the symbolic space for ethnic harmony, they may order the designated corporation to change them.

(Operations Plans)

- Article 23 (1) The designated corporation must prepare an operations plan and an income and expense projection for each fiscal year, and must obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology before the commencement of the relevant fiscal year (or without delay after obtaining the designation under the provisions of Article 20, paragraph (1) in the case of a fiscal year to which the date of designation belongs). The same applies when the designated corporation intends to change them.
- (2) The designated corporation must prepare an operations report and a statement of income for each fiscal year, and submit them to the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology within three months after the end of the relevant fiscal year.

(Separate Accounting)

- Article 24 As provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism and Order of the Ministry of Education, Culture, Sports, Science and Technology, the designated corporation must keep accounts of the management operations of the facilities constituting the symbolic space for ethnic harmony separately from accounts for services other than the management operations of the facilities constituting the symbolic space for ethnic harmony.

(Special Measures for Employees Sent from the National Government)

Article 25 (1) The aggregate retirement allowance corporations prescribed in Article 106-2, paragraph (3) of the National Public Service Act (Act No. 120 of 1947) are to include the designated corporation.

(2) With regard to the application of the provisions of Article 7-2 and Article 20, paragraph (3) of Act on National Public Officers' Retirement Allowance (Act No. 182 of 1953), an employee sent from the national government (meaning an employee of the designated corporation who has previously resigned as an employee in the regular service prescribed in Article 2 of the National Public Service Act at the request of an appointer or a person delegated by the appointer in order to become the employee of the designated corporation (limited to those engaged in the work prescribed in Article 21, excluding those not required to engage in full-time work; hereinafter the same applies in this paragraph), has become the employee of the designated corporation just after resignation, and continues to be the employee of the designated corporation; the same applies in the following paragraph) is deemed an employee of a public corporation as provided for in Article 7-2, paragraph (1) of the Act on National Public Officers' Retirement Allowance.

(3) With regard to the application of the provisions of Article 124-2 of the National Public Officers Mutual Aid Association Act (Act No. 128 of 1958), a designated corporation or an employee dispatched from the national government is deemed a public corporation or an employee of a public corporation, respectively, as provided for in paragraph (1) of that Article.

(Consideration for Dispatching of Employees)

Article 26 In addition to what is provided for in the preceding Article, when the national government finds it necessary to ensure the proper and reliable performance of the operations prescribed in Article 21 by the designated corporation, the national government is to endeavor to give necessary consideration to sending staff and other human resource assistance that the national government finds appropriate.

(Appointment and Dismissal of Officer)

Article 27 (1) The appointment or dismissal of an officer engaged in the operations prescribed in Article 21 at the designated corporation is not effective unless approved by the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology.

(2) The Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology may order the designated corporation to dismiss an officer who engages in the operations prescribed in Article 21 at the designated corporation if the officer violates this

Act, an order based on this Act, a disposition based on either of these, or the operational rules for the facilities constituting the symbolic space for ethnic harmony, or commits an extremely inappropriate act in connection with the operations prescribed in the same Article, or if the designated corporation comes to fall under Article 20, paragraph (2), item (iii) due to the officer's continuation in office.

(Collection of Reports and On-Site Inspections)

- Article 28 (1) To the extent necessary for the enforcement of this Act, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology may have the designated corporation report on its business, or have their employees enter the office of the designated corporation, inspect the status of its operations or books, documents, and other items, or ask questions of the persons concerned.
- (2) The employee who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry a certificate of identification and present it when requested by the persons concerned.
- (3) The authority for the on-site inspection under paragraph (1) must not be construed as being granted for of criminal investigation purposes.

(Supervision Orders)

Article 29 When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology find it necessary for the enforcement of this Act, they may issue orders necessary for supervision to the designated corporation with regard to the operations prescribed in Article 21.

(Revocation of the Designation)

- Article 30 (1) If the designated corporation falls under any of the following items, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology may revoke the designation under Article 20, paragraph (1):
- (i) when it violates this Act or an order based on this Act;
 - (ii) when it has become likely to be unable to properly and reliably perform the operations provided for in Article 21;
 - (iii) when it has conducted the management operations of the facilities constituting the symbolic space for ethnic harmony without complying with the operational rules for the facilities constituting the symbolic space for ethnic harmony that have been approved pursuant to the provisions of Article 22, paragraph (1);
 - (iv) when it has violated an order under Article 22, paragraph (3), Article 27,

- paragraph (2), or the preceding Article; or
- (v) when it unreasonably fails to carry out the management operations of the facilities constituting the symbolic space for ethnic harmony.
- (2) When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology revoke the designation under Article 20, paragraph (1) pursuant to the provisions of the preceding paragraph, they must give public notice to that effect.

(Transitional Measures in Cases of Revocation of Designation)

Article 31 (1) When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology revoke the designation under the preceding Article, paragraph (1) pursuant to the provisions of Article 20, paragraph (1), and another corporation is newly designated after the revocation, the property involved in the management operations of the facilities constituting the symbolic space for ethnic harmony run by the designated corporation that has been revoked is to be allocated to the newly designated corporation.

- (2) Beyond what is provided for in the preceding paragraph, when the Minister of Land, Infrastructure, Transport and Tourism and the Minister of Education, Culture, Sports, Science and Technology has revoked the designation under the provisions of Article 20, paragraph (1), pursuant to the provisions of paragraph (1) of the preceding Article, the management of property involved in the management operations of the facilities constituting the symbolic space for ethnic harmony and other necessary transitional measures (including transitional measures concerning penal provisions) may be specified by Cabinet Order to the extent found reasonably necessary.

Chapter VII Ainu Policy Promotion Headquarters

(Establishment)

Article 32 The Ainu Policy Promotion Headquarters (hereinafter referred to as "the Headquarters") is to be established in the Cabinet for the purpose of comprehensively and effectively promoting Ainu Measures.

(Function under Jurisdiction)

Article 33 The headquarters is to be in charge of the following functions:

- (i) matters related to the preparation of a draft of the basic policy;
- (ii) promotion of the implementation of the basic policy; and
- (iii) in addition to what is set forth in the preceding two items, matters related to planning and drafting of important Ainu Measures, and total coordination.

(Organization)

Article 34 The Headquarters is to consist of the Director-General of the Ainu Policy Promotion Headquarters, the Vice Director-Generals of the Ainu Policy Promotion Headquarters, and Members of the Ainu Policy Headquarters.

(Director-General of Ainu Policy Promotion Headquarters)

Article 35 (1) The Headquarters is to be headed by the Director-General of the Ainu Policy Promotion Headquarters (hereinafter referred to as "the Director-General"), and the Chief Cabinet Secretary is to serve in this capacity.

(2) The Director-General manages the functions of the Headquarters, and directs and supervises the Headquarters staff members.

(Vice Director-Generals of Ainu Policy Promotion Headquarters)

Article 36 (1) The headquarters is to have the Vice Director-Generals of the Ainu Policy Promotion Headquarters (referred to as "the Vice Director-Generals" in the following paragraph and paragraph (2) of the following Article), who are to be appointed from among the Ministers of State.

(2) The Vice Director-Generals assist with the duties of the Director-General.

(Members of Ainu Policy Promotion Headquarters)

Article 37 (1) The headquarters is to have members of the Ainu policy promotion headquarters (referred to as "headquarters members" in the following paragraph).

(2) The following persons (for the persons set forth in items (i) through (viii), excluding those assigned to the position of the Vice Director-Generals) are to serve as the headquarters members:

(i) the Minister of Justice;

(ii) the Minister for Foreign Affairs;

(iii) the Minister of Education, Culture, Sports, Science and Technology;

(iv) the Minister of Health, Labour and Welfare;

(v) the Minister of Agriculture, Forestry and Fisheries;

(vi) the Minister of Economy, Trade and Industry;

(vii) the Minister of Land, Infrastructure, Transport and Tourism;

(viii) the Minister of the Environment; and

(ix) in addition to the persons set forth in the preceding items, persons designated by the Prime Minister from among the Ministers of State other than the Director-General and the Vice Director-Generals as being particularly necessary for the execution of the functions under the jurisdiction of the Headquarters.

(Submission of Materials and Other Cooperation)

Article 38 (1) The headquarters may request the heads of relevant administrative organs, local governments, incorporated administrative agencies (meaning incorporated administrative agencies provided for in Article 2, paragraph (1) of Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999)), local incorporated administrative agencies (meaning local incorporated administrative agencies provided for in Article 2, paragraph (1) of the Local Incorporated Administrative Agency Act (Act No. 118 of 2003)), and the representatives of special public corporations (meaning corporations directly established by law or a corporation established pursuant to a special law through a special establishment procedure to which the provisions of Article 4, paragraph (1), item (viii) of Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999) apply) to submit materials, express opinions, give explanations and provide other necessary cooperation if the Headquarters finds it necessary in order to carry out the functions under its jurisdiction.

(2) The Headquarters may also request persons other than those prescribed in the preceding paragraph to provide necessary cooperation if it finds it particularly necessary in order to carry out the functions under its jurisdiction.

(Administrative Affairs)

Article 39 Administrative affairs related to the headquarters are to be performed by the Cabinet Secretariat and managed by an Assistant Chief Cabinet Secretary under commission.

(Competent Minister)

Article 40 The Prime Minister is to be the competent minister as prescribed in the Cabinet Act (Act No. 5 of 1947) for matters related to the headquarters.

(Delegation to Cabinet Order)

Article 41 In addition to what is provided for in this Act, necessary matters for the headquarters are to be prescribed by Cabinet Order.

Chapter VIII Miscellaneous Provisions

(Delegation of Authority)

Article 42 (1) Part of the authority of the Minister of Land, Infrastructure, Transport and Tourism prescribed in this Act may be delegated to the Director-General, Hokkaido Regional Development Bureau as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) Part of the authority of the Minister of Agriculture, Forestry and Fisheries under Article 16 may be delegated to the Director-General of the Regional

Forest Office as provided for by Order of the Ministry of Agriculture, Forestry and Fisheries.

- (3) The authority delegated to the Director-General of the Regional Forest Office pursuant to the provisions of the preceding paragraph may be delegated to the Chief of the District Forest Office as provided for by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Delegation to Orders)

Article 43 Beyond what is provided for in this Act, matters necessary for the implementation of this Act are to be prescribed by orders.

(Penal Provisions)

Article 44 (1) A person who fails to make a report under Article 28, paragraph (1) or makes a false report, or refuses, obstructs or evades an inspection under that paragraph or fails to make a statement or makes a false statement in response to a question under that paragraph will be punishable by a fine of not more than 300,000 yen.

- (2) If a representative of a corporation, or an agent, employee, or other worker of a corporation or individual commits a violation prescribed in the preceding paragraph concerning the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is to receive the punishment prescribed in that paragraph.

Article 45 A person who violates an order under Article 29 is punishable by a civil fine of not more than 500,000 yen.

Supplementary Provisions [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; provided, however, that the provisions of Articles 4 and 8 of the Supplementary Provisions come into effect as of the date of promulgation.

(Repeal of Act on Promoting Ainu Culture, and Disseminating Knowledge and Raising Awareness about Ainu Traditions and Culture)

Article 2 Act on Promoting Ainu Culture, and Disseminating Knowledge and Raising Awareness about Ainu Traditions and Culture (Act No. 52 of 1997) is hereby repealed.

(Transitional Measures upon the Repeal of Act on Promoting Ainu Culture, and

Disseminating Knowledge and Raising Awareness about Ainu Traditions and Culture)

Article 3 Prior laws continue to govern the application of penal provisions to any act committed before the effective date of the provisions of the preceding Article.

(Preparatory Actions)

Article 4 A person who intends to receive a designation under the provisions of Article 20, paragraph (1) may file an application for the designation before the effective date of this Act.

(Delegation to Cabinet Order)

Article 8 Beyond what is provided for in Articles 3 and 4 of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are to be specified by Cabinet Order.

(Reviews)

Article 9 When five years have passed since the enforcement of this Act, the government will review the status of enforcement of this Act and, if it finds it to be necessary, will take required measures based on the results of the review.

**Supplementary Provisions [Act No. 95 of December 14, 2018 Extract]
[Extract]**

(Effective Date)

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

Supplementary Provisions [Act No. 36 of May 19, 2021 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of September 1, 2021.

(Transitional Measures Concerning Application of Penal Provisions)

Article 59 Prior laws continue to govern the application of penal provisions to any act committed before the enforcement of this Act.

Supplementary Provisions [Act No. 68 of June 17, 2022 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the effective date of Act Partially Amending

the Penal Code and Related Acts; provided, however, that the provisions listed in the following item comes into effect as of the date prescribed respectively in the item:

(i) the provisions of Article 509: the day of promulgation;