

The Act on Comprehensive Promotion of Measures for Yusho patient is hereby promulgated.

Act on the Comprehensive Promotion of Measures for Yusho patients (Tentative translation)

(Act No. 82 of September 5, 2012)

Table of Contents

Chapter I General Provisions (Articles 1 to 7)

Chapter II Basic Guidelines (Article 8)

Chapter III Basic Policies (Articles 9 to 13)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, in view of the special health damage caused by the ingestion of polychlorinated biphenyls, etc. through food, etc. and other circumstances in which Yusho patients are placed, to comprehensively promote measures for Yusho patients by establishing basic principles concerning measures for Yusho patients, clarifying the responsibilities of the national government, relevant local governments, offending business operators, and citizens, and providing for the formulation of basic guidelines, as well as providing basic matters for measures for Yusho patients.

(Definitions)

Article 2 (1) The term "polychlorinated biphenyls, etc." as used in this Act means polychlorinated biphenyls and Dioxins derived therefrom (meaning Dioxins prescribed in Article 2, paragraph (1) of the Act on Special Measures against Dioxins (Act No. 105 of 1999)).

(2) The term "Yusho" as used in this Act means a disease caused by the ingestion, etc. of food oil contaminated with polychlorinated biphenyls, etc., which occurred mainly in the Kyushu region in 1968 (hereinafter referred to as the "Yusho Incident").

(3) The term "Yusho patient" as used in this Act means a person suffering from Yusho.

(4) The term "Responsible Manufacturer / Importer" as used in this Act means a manufacturer of the edible oil that caused Yusho to occur.

(Basic Principles)

Article 3 Measures for Yusho Patients must be implemented based on the following basic principles:

- (i) to enable Yusho patients to receive appropriate medical treatment for Yusho in accordance with their conditions equally regardless of the region in which they reside, and to maintain and improve the quality of life of Yusho patients;
- (ii) promoting specialized, interdisciplinary, or comprehensive research on Yusho to improve technology for the diagnosis, treatment, etc. of Yusho, and disseminating, utilizing, and developing the results thereof;
- (iii) in promoting measures for Yusho patients, the human rights of Yusho patients and their families (hereinafter referred to as "Yusho patients, etc. ") are to be respected, and consideration is to be given so that Yusho patients, etc. are not discriminated against on the grounds that they are Yusho patients, etc.;
- (iv) the support to be provided by the national government to the Operator Causing Yusho is to be provided for the purpose of contributing to the maintenance and improvement of the quality of life of Yusho patients.

(Responsibilities of the National Government)

Article 4 In accordance with the basic principles referred to in the preceding Article, the national government is responsible for comprehensively formulating and implementing measures for Yusho Patients.

(Responsibilities of Relevant Local Governments)

Article 5 In accordance with the basic principles set forth in Article 3, the relevant local governments are responsible for formulating and implementing measures tailored to the characteristics of each region, while coordinating with the national government, concerning measures for Yusho patients.

(Responsibilities of Responsible Enterprises)

Article 6 The Operator Responsible for Yusho is responsible for making payments of medical expenses to Yusho Patients and otherwise faithfully recovering Yusho Patients from damage caused by the Yusho Incident, and for cooperating with the State and relevant local governments in implementing measures for Yusho Patients.

(Responsibilities of the People)

Article 7 The people of Japan must endeavor to have correct knowledge of Yusho and give consideration so that Yusho patients, etc. are not discriminated against on the grounds that they are Yusho patients, etc.

Chapter II Basic Guidelines

Article 8 (1) The Minister of Health, Labour and Welfare and the Minister of Agriculture, Forestry and Fisheries must formulate basic guidelines on the promotion of measures for Yusho patients (hereinafter referred to as the "basic guidelines") in order to comprehensively promote measures for Yusho patients.

(2) The Basic Guidelines are to provide for the following matters:

- (i) the basic direction of the measures for Yusho patients;
- (ii) matters concerning the payment of medical expenses by the Operator
Causing the Yusho to the Yusho patient and other support for the Yusho patient's recovery from the damage caused by the Yusho case;
- (iii) matters concerning the assessment of the state of health of Yusho patients;
- (iv) matters concerning the review of the diagnostic criteria for Yusho, and investigation and research;
- (v) matters concerning the securing of the system for providing medical care pertaining to Yusho;
- (vi) matters concerning the development of a system for collecting and providing information on the symptoms, treatment, etc. of Yusho and the promotion of consultation support for Yusho patients, etc.;
- (vii) other important particulars concerning measures for Yusho patients.

(3) When the Minister of Health, Labour and Welfare and the Minister of Agriculture, Forestry and Fisheries intend to formulate the basic guidelines, they are to consult with the warden of the relevant administrative organ in advance.

(4) When the Minister of Health, Labour and Welfare and the Minister of Agriculture, Forestry and Fisheries have formulated the Basic Guidelines, they must publicize them over the Internet or by any other appropriate means without delay.

(5) The provisions of the preceding two paragraphs apply *mutatis mutandis* to the revision of the Basic Guidelines.

Chapter III Basic Measures

(Support for Payment of Medical Expenses)

Article 9 The national government is to take the necessary measures to support the payment of medical expenses by the enterprises that caused Yusho to Yusho patients and the recovery of damage caused by Yusho case to Yusho patients, so that Yusho patients can receive appropriate medical treatment as necessary and maintain and improve their quality of life by recovering from the damage caused by the Yusho case.

(Assessment of Health Conditions)

Article 10 In order to promote surveys and research on Yusho, the national government is to take necessary measures to understand the state of health of Yusho patients.

(Review of Diagnostic Criteria and Promotion of Investigation and Research)

Article 11 The national government is to take the necessary measures to ensure that the review of the diagnostic criteria for Yusho based on scientific knowledge, as well as investigations and research on diagnoses, treatment, etc., are promoted and the results thereof are utilized.

(Securing the Medical Care Delivery System)

Article 12 The national government and the relevant local governments are to take the necessary measures to develop a system for coordination and cooperation between medical institutions and the enterprises responsible for Yusho so that Yusho patients are able to receive appropriate medical treatment for Yusho according to their conditions equally regardless of the region in which they reside.

(Establishment of a System for Collecting and Providing Information)

Article 13 The national government and the relevant local governments are to take the necessary measures to develop a system for collecting and providing information on the symptoms, treatment, etc. of Yusho, and are to take the necessary measures to promote consultation support for Yusho patients, etc.

Supplementary Provisions

(Effective Date)

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

(Review)

Article 2 After approximately three years from the enforcement of this Act, the government is to review the best mode for the policies for Yusho patients, taking into account the status of enforcement of this Act, from the viewpoint of enhancing the welfare of Yusho patients, and take necessary measures based on the results of the review.

Article 3 If it becomes clear that it will be difficult for a Cause Business Operator to continue its business due to changes in the economic and social environment or any other circumstances, the provisions of this Act are to be

promptly reviewed and necessary measures are to be taken based on the review results.