

The Order for Enforcement of the Administrative Procedure Act is hereby promulgated.

Order for Enforcement of the Administrative Procedure Act

(Cabinet Order No. 265 of August 5, 1994)

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 4, paragraph (2), item (ii), Article 13, paragraph (2), item (v), and Article 19, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993).

(Corporations Excluded from Application of Provisions on Dispositions upon Application and Adverse Dispositions for Applications)

Article 1 The corporations designated by Cabinet Order as referred to in Article 4, paragraph (2), item (ii) of the Administrative Procedure Act (referred to as "the Act") are the Organization for Technical Intern Training, Hazardous Materials Safety Techniques Association, Certified Administrative Procedures Legal Specialists Associations, Federation of Fishing Industry Mutual Aid Associations, Japan Financial Literacy and Education Corporation, Light Motor Vehicle Inspection Organization, Health Insurance Societies, National Federation of Health Insurance Societies, Nuclear Damage Compensation and Decommissioning Facilitation Corporation, Organization for Cross-regional Coordination of Transmission Operators, Japan, Regional Offshore Environmental Improvement Centers, Port Authorities, Japan Craft Inspection Organization, National Health Insurance Societies, Federation of National Health Insurance Societies, National Pension Fund, National Pension Fund Association, National Public Service Mutual Aid Associations, Federation of National Public Service Mutual Aid Associations, Urban Renewal Association of Japan, Japan Safe Driving Center, Associations of Judicial Scriveners, Association of Labor and Social Securities Attorneys, Residential Area Development Associations, Central Federation of Societies of Commerce and Industry, Flood Prevention Associations, Federation of Flood Prevention Associations, Certified Public Tax Accountants' Associations, Coal Mining Pension Fund, Japan Health Insurance Association, National Federation of Mutual Aid Associations for Municipal Personnel, Japan Federation of Labor and Social Securities Attorneys Associations, GX Promotion Organization, Mutual Aid Associations of Prefectural Government Personnel, Local Government Officials Mutual Aid Association, Fund for Local Government Employees' Accident Compensation, Local Housing Supply Corporations, Local

Road Public Corporations, Local Incorporated Administrative Agencies, Japan Vocational Ability Development Association, Japan Industrial Safety and Health Association, National Federation of Small Business Associations, Land Development Corporations, Land Improvement Districts, Land Improvement District Association, Land and House Investigators' Associations, Land Readjustment Associations, Prefectural Vocational Ability Development Associations, Certified Administrative Procedures Legal Specialist Associations, Bank of Japan, Japan Sewage Works Agency, Japan Institute of Certified Public Accountants, Japan Federation of Judicial Scrivener's Associations, Japan Chamber of Commerce and Industry, Japan Federation of Certified Public Tax Accountants' Associations, Japanese Red Cross Society, Japan Federation of Land and House Investigators' Associations, Japan Patent Attorneys Association, Japan Federation of Pilots' Associations, Agricultural Mutual Relief Associations, Federation of Agricultural Mutual Relief Associations, Agricultural and Fishery Co-operatives Savings Insurance Corporation, Associations of Disaster Control Districts Improvement Projects, Licensed Pilots' Associations, Deposit Insurance Corporation of Japan, and Industrial Accident Prevention Association.

(Dispositions Not Requiring Procedures for Rendering Adverse Dispositions)

Article 2 The adverse dispositions that are specified by Cabinet Order as referred to in Article 13, paragraph (2), item (v) of the Act are as follows:

- (i) concerning a document that is to be delivered by an administrative agency pursuant to the provisions of laws and regulations that certifies the qualification or status of the person who has been delivered the document (referred to as the "certifying document" below in this item), a disposition ordering the submission of the certifying document that has already been delivered in order to correct (including addition of matters; the same applies below in this item) the matters stated in the document and a disposition ordering the return of the certifying document that has already been delivered when a new certifying document is to be delivered in lieu of correcting the previous one, in accordance with the provisions of laws and regulations; and
- (ii) concerning a document obligated to be submitted when giving a notification, a disposition ordering that the document be corrected to make it comply with the requirements specified in laws and regulations, in accordance with provisions of laws and regulations.

(Persons Other Than Employees Who May Preside Over Hearings)

Article 3 The persons specified by Cabinet Order as referred to in Article 19, paragraph (1) of the Act are as follows:

- (i) for hearings that are to be conducted in response to the reply from the councils or other panels based on laws and regulations, members of the panel;
- (ii) for hearings related to the dispositions under the provisions of Article 14, paragraph (2) of the Act on Public Health Nurses, Midwives, and Nurses (Act No. 203 of 1948), members of an Assistant Nurse Examination Board;
- (iii) for hearings related to the dispositions under the provisions of Article 8, paragraph (1) of the Dental Hygienists Act (Act No. 204 of 1948), a person with relevant expertise on the work of dental hygienists; and
- (iv) for hearings related to the dispositions under the provisions of Article 23-2, Article 24, paragraph (1), Article 24-2, Article 28, or Article 29, paragraph (1) or (2) of the Medical Care Act (No. 205 of 1948), a person with relevant expertise on medical care.

(Administrative Orders Not Requiring Implementation of Public Comment Procedures)

Article 4 (1) The administrative orders or other orders that are specified by Cabinet Order as referred to in Article 39, paragraph (4), item (iv) of the Act are as follows:

- (i) the administrative orders or other orders referred to in Article 70, paragraph (1) of the Health Insurance Act (Act No. 70 of 1922) (including as applied mutatis mutandis pursuant to Article 85, paragraph (9), Article 85-2, paragraph (5), Article 86, paragraph (4), Article 110, paragraph (7), and Article 149 of that Act), paragraph (3), Article 72, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 85, paragraph (9), Article 85-2, paragraph (5), Article 86, paragraph (4), Article 110, paragraph (7), and Article 149 of that Act), and Article 92, paragraph (2) of that Act (limited to the part related to the handling of designated home-nursing, and including as applied mutatis mutandis pursuant to the provisions of Article 111, paragraph (3) and Article 149 of that Act);
- (ii) the administrative orders or other orders referred to in Article 54, paragraph (2) of the Mariners Insurance Act (Act No. 73 of 1939) (including as applied mutatis mutandis pursuant to Article 61, paragraph (7), Article 62, paragraph (4), Article 63, paragraph (4), and Article 76, paragraph (6) of that Act) and Article 65, paragraph (10) of that Act (including as applied mutatis mutandis pursuant to Article 78, paragraph (3) of that Act);
- (iii) the administrative orders or other orders referred to in Article 32-4, paragraph (3) and Article 38-4, paragraph (3) of the Labor Standards Act (Act No. 49 of 1947) (including as applied mutatis mutandis pursuant to the provisions of Article 41-2, paragraph (3) of that Act);
- (iv) the administrative orders or other orders referred to in Article 7,

paragraph (1), item (ii), paragraph (2), item (ii) and item (iii), and paragraph (3), Article 8, paragraph (2) and paragraph (3), Article 8-2, paragraph (1), item (ii) of the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947) (limited to the part related to Order of the Ministry of Health, Labour and Welfare referred to in that item), the items of paragraph (2) of that Article (including as applied mutatis mutandis pursuant to Article 8-3, paragraph (2) of that Act) and Article 8-2, paragraph (3) (including as applied mutatis mutandis pursuant to Article 8-2, paragraph (4) (including as applied mutatis mutandis pursuant to Article 8-3, paragraph (2) of that Act) and Article 8-3, paragraph (2) of that Act), Article 8-3, paragraph (1), item (ii) (limited to the part related to Order of the Ministry of Health, Labour and Welfare referred to in that item and including as applied mutatis mutandis pursuant to the provisions of Article 8-4 of that Act), Article 12-2, Article 12-7, Article 12-8, paragraph (3), item (ii) and paragraph (4), Article 13, paragraph (3) (including as applied mutatis mutandis pursuant to Article 20-3, paragraph (2) and Article 22, paragraph (2) of that Act), Article 14, paragraph (2) (including as applied mutatis mutandis pursuant to Article 20-4, paragraph (2) and Article 22-2, paragraph (2) of that Act), Article 14-2 (including as applied mutatis mutandis pursuant to Article 20-4, paragraph (2) and Article 22-2, paragraph (2) of that Act), Article 15, paragraph (1), Article 15-2 (including as applied mutatis mutandis pursuant to Article 20-5, paragraph (3) and Article 22-3, paragraph (3) of that Act), Article 16-2, paragraph (1), item (iv) (including as applied mutatis mutandis pursuant to Article 20-6, paragraph (3) and Article 22-4, paragraph (3) of that Act), Article 17 (including as applied mutatis mutandis pursuant to Article 20-7, paragraph (2) and Article 22-5, paragraph (2) of that Act), Article 18-2 (including as applied mutatis mutandis pursuant to Article 20-8, paragraph (2) and Article 23, paragraph (2) of that Act), Article 19-2 (including as applied mutatis mutandis pursuant to Article 20-9, paragraph (2) and Article 24, paragraph (2) of that Act), Article 20, Article 20-3, paragraph (1), Article 20-10, Article 22, paragraph (1), Article 25, Article 26, paragraph (1) and paragraph (2), item (i), Article 27, Article 28, Article 29, paragraph (2), Article 31, paragraphs (1) through (3), Article 33, item (i), item (iii) and items (v) through (vii), Article 34, paragraph (1), item (iii) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1), item (ii) of that Act), Article 35, paragraph (1), Article 37, Article 46, Article 47, Article 49, paragraph (1), Article 50, Article 58, paragraph (1), Article 59, paragraph (2) and paragraph (3) (including as applied mutatis mutandis pursuant to Article 60-3, paragraph (3) and Article 62, paragraph (3) of that Act), Article 60, paragraph (2) and paragraph (3) (including as applied mutatis mutandis pursuant to Article 60-4, paragraph (4) and Article 63, paragraph (3) of that

- Act), Article 60, paragraph (4) (including as applied *mutatis mutandis* pursuant to Article 63, paragraph (3) of that Act), Article 60-2, paragraph (1), Article 16-6, paragraph (1), item (ii) of that Act as applied pursuant to Article 20-6, paragraph (3) of that Act following the deemed replacement of terms as applied pursuant to Article 60-4, paragraph (3) of that Act following the deemed replacement of terms, Article 61, paragraph (1), Article 64, paragraph (2) and the items of Appended Table No. 1 of that Act (including as applied *mutatis mutandis* pursuant to Article 20-5, paragraph (3), Article 20-6, paragraph (3), Article 20-8, paragraph (2), Article 22-3, paragraph (3), Article 22-4, paragraph (3) and Article 23, paragraph (2) of that Act);
- (v) the administrative orders or other orders referred to in Article 40, paragraph (2) of the National Health Insurance Act (Act No. 192 of 1958) (including as applied *mutatis mutandis* pursuant to Article 52, paragraph (6), Article 52-2, paragraph (3), Article 53, paragraph (3) and Article 54-3, paragraph (2) of that Act) and Article 54-2, paragraph (10) of that Act (including as applied *mutatis mutandis* pursuant to Article 54-3, paragraph (2) of that Act);
- (vi) the administrative orders or other orders referred to in Article 30-2, paragraph (3) of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives (Act No. 132 of 1966);
- (vii) the administrative orders or other orders referred to in Article 2, paragraph (2), Article 4-2, Article 7, items (iii) and (v), Article 8, paragraph (1), Article 9, Article 11, paragraph (3), Article 12, paragraph (2), paragraph (3), and paragraph (5), Article 12-2, Article 13, Article 14, paragraph (1), Article 14-2, paragraph (1), Article 15, paragraph (1) and paragraph (2), Article 16 of the Act on the Collection, etc. of Insurance Premiums of Labor Insurance (Act No. 84 of 1969) (including as applied *mutatis mutandis* pursuant to Article 5 of the Supplementary Provisions of that Act), Article 17, paragraph (2) (including as applied *mutatis mutandis* pursuant to Article 20, paragraph (4) and Article 21, paragraph (3) of that Act), Article 18, Article 19, paragraph (1), paragraph (2), paragraph (5), and paragraph (6), Article 20, paragraph (1) (including as applied *mutatis mutandis* pursuant to paragraph (2) of that Article) and paragraph (3), Article 21-2, Article 22, paragraph (5) (limited to the part related to the modification of the daily amount of level I insurance premium, level II insurance premium, and level III insurance premium, referred to in that paragraph), Article 33, paragraph (1), Article 36, Article 39, Article 42, and Article 45-2 of that Act;
- (viii) the administrative orders or other orders referred to in Article 22, item (iv), Article 24, paragraph (1), item (iii), and Article 25, paragraph (1) (limited to the part related to the plan referred to in that paragraph) of the

Act on Stabilization of Employment of Elderly Persons (Act No. 68 of 1971);

(ix) the administrative orders or other orders referred to in Article 10, paragraph (1), Article 11, paragraph (4), Article 11-3, paragraph (3), and Article 13, paragraph (2) of the Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Act No. 113 of 1972);

(x) the administrative orders or other orders referred to in Article 10-4, paragraph (1), Article 13, paragraph (1) and paragraph (3), Article 18, paragraph (3), Article 20, paragraph (1) of the Employment Insurance Act (Act No. 116 of 1974) (limited to the part related to the reasons specified by Order of the Ministry of Health, Labour and Welfare referred to in that paragraph) and paragraph (2) (limited to the part related to the reasons specified by Order of the Ministry of Health, Labour and Welfare referred to in the same paragraph), Article 22, paragraph (2), Article 24-2, paragraph (1) (excluding the part related to the areas designated by the Minister of Health, Labour and Welfare referred to in item (ii) of that paragraph), Article 25, paragraph (1) (limited to the part related to the standards specified by Cabinet Order referred to in that paragraph), paragraph (3) of that Article, Article 26, paragraph (2), Article 27, paragraph (1) (limited to the part related to the standards specified by Cabinet Order referred to in that paragraph) and paragraph (2), Article 29, paragraph (2), Article 32, paragraph (3) (including as applied mutatis mutandis pursuant to Article 37-4, paragraph (6) and Article 40, paragraph (4) of that Act), Article 33, paragraph (2) (including as applied mutatis mutandis pursuant to Article 37-4, paragraph (6) and Article 40, paragraph (4) of that Act), Article 37-3, paragraph (1), Article 37-5, paragraph (1), item (iii), Article 38, paragraph (1), item (ii), Article 39, paragraph (1), Article 52, paragraph (2) (including as applied mutatis mutandis pursuant to Article 55, paragraph (4) of that Act), Article 56-3, paragraph (1) (limited to the part related to the standards specified by Order of the Ministry of Health, Labour and Welfare referred to in that paragraph and the part related to the persons designated by Order of the Ministry of Health, Labour and Welfare as persons who have difficulty finding employment who are referred to in item (ii) of that paragraph), Article 61-4, paragraph (1) (limited to the part related to the reasons specified by Order of the Ministry of Health, Labour and Welfare referred to in that paragraph), Article 61-7, paragraph (1) (limited to the part related to the reasons specified by Order of the Ministry of Health, Labour and Welfare referred to in that paragraph (including as applied pursuant to paragraph (4) of that Article following the deemed replacement of terms) and the part related to the day specified by Order of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of that Article as applied pursuant to

- paragraph (4) of that Article following the deemed replacement of terms) and paragraph (2), and Article 61-8, paragraph (1) of that Act (limited to the part related to the reasons specified by Order of the Ministry of Health, Labour and Welfare referred to in that paragraph), and the administrative orders or other orders regarding the important matters concerning the enforcement of that Act;
- (xi) the administrative orders or other orders referred to in Article 71, paragraph (1) (limited to the part related to the standards for handling and being in charge of the benefits for medical treatment referred to in that paragraph), Article 74, paragraph (4), Article 75, paragraph (4), Article 76, paragraph (3) and Article 79, paragraph (1) (limited to the part related to the handling of designated home nursing) of the Act on Assurance of Medical Care for Elderly People (Act No. 80 of 1982);
- (xii) the administrative orders or other orders referred to in Article 4, paragraph (1), item (iii), Article 35-4, paragraph (1), and Article 40-2, paragraph (1), item (ii), item (iv), and item (v) of the Act on Securing the Proper Operation of Worker Dispatching Businesses and Protecting Dispatched Workers (Act No. 88 of 1985);
- (xiii) the administrative orders or other orders referred to in Article 2, item (i) and items (iii) through (v), Article 5, paragraph (2), paragraph (3), and paragraph (4), item (ii), Article 6, paragraph (1), item (ii) of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991) (including as applied mutatis mutandis pursuant to Article 9-3, paragraph (2), Article 12, paragraph (2), Article 16-3, paragraph (2) and Article 16-6, paragraph (2) of that Act), and paragraph (3), Article 7, paragraph (2) and paragraph (3) (including as applied mutatis mutandis pursuant to Article 9-4 and Article 13 of that Act), Article 8, paragraph (3) and paragraph (4) (including as applied mutatis mutandis pursuant to Article 9-4 and Article 14, paragraph (3) of that Act), Article 9, paragraph (2), item (i), Article 9-3, paragraph (3) and paragraph (4), item (i), Article 9-5, paragraph (2), paragraph (4), paragraph (5), and paragraph (6), item (i), Article 10, Article 12, paragraph (3), Article 15, paragraph (3), item (i), Article 16-2, paragraph (1) and paragraph (2), Article 16-5, paragraph (1) and paragraph (2), Article 16-8, paragraph (1), item (ii) (including as applied mutatis mutandis pursuant to Article 16-9, paragraph (1) of that Act), paragraph (3) (including as applied mutatis mutandis pursuant to Article 16-9, paragraph (1) of that Act) and paragraph (4), item (i) (including as applied mutatis mutandis pursuant to Article 16-9, paragraph (1) of that Act), Article 17, paragraph (1), item (ii) (including as applied mutatis mutandis pursuant to Article 18, paragraph (1) of that Act), paragraph (3) (including as applied mutatis

- mutandis pursuant to Article 18, paragraph (1) of that Act) and paragraph (4), item (i) (including as applied mutatis mutandis pursuant to Article 18, paragraph (1) of that Act), Article 19, paragraph (1), item (ii) (including as applied mutatis mutandis pursuant to Article 20, paragraph (1) of that Act), item (iii) (including as applied mutatis mutandis pursuant to Article 20, paragraph (1) of that Act), paragraph (3) (including as applied mutatis mutandis pursuant to Article 20, paragraph (1) of that Act), and paragraph (4), item (i) (including as applied mutatis mutandis pursuant to Article 20, paragraph (1) of that Act), Article 21, paragraph (1), Article 22, paragraph (1), item (iii), Article 22-2, Article 23, paragraphs (1) through (3), Article 25, paragraph (1), and Article 28 of that Act, and the administrative orders or other orders related to the important matters concerning the enforcement of that Act; and
- (xiv) the administrative orders or other orders referred to in Article 15, paragraph (1) of the Act on Improvement of Personnel Management and Conversion of Employment Status for Part-Time Workers and Fixed-Term Workers (Act No. 76 of 1993).
- (2) The insignificant changes specified by Cabinet Order as referred to in Article 39, paragraph (4), item (viii) of the Act are as follows:
- (i) adjustment of the provisions necessary in accordance with the establishment, amendment, or repeal of other laws and regulations; and
- (ii) beyond what is provided for in the preceding item, the arrangement of terms, moving up or down Articles, paragraphs or items, and other formal changes.

Supplementary Provisions

(Effective Date)

Article 1 This Cabinet Order comes into effect on the day on which the Act comes into effect.

(Special Provisions on Administrative Orders Not Requiring Implementation of Public Comment Procedures Concerning the Act on the Collection, etc. of Insurance Premiums of Labor Insurance)

Article 2 For the purpose of applying the provisions of Article 4, paragraph (1), item (vii) when the provisions of Article 11-2 of the Supplementary Provisions of the Act on the Collection, etc. of Insurance Premiums of Labor Insurance apply, in Article 4, paragraph (1), item (vii), the terms ", Article 14-2, paragraph (1), Article 15, paragraph (1) and paragraph (2), Article 16 (" is deemed to be replaced with ", and Article 14-2, paragraph (1), Article 15, paragraph (1) of that Act as applied pursuant to Article 11-2 of the

Supplementary Provisions of that Act following the deemed replacement of terms, Article 15, paragraph (2) of that Act, Article 16 of that Act as applied pursuant to Article 11-2 of the Supplementary Provisions of that Act following the deemed replacement of terms (...as applied pursuant to the provisions of Article 11-2 of the Supplementary Provisions of that Act following the deemed replacement of terms" and ", Article 19, paragraph (1), paragraph (2), paragraph (5), and paragraph (6)," is deemed to be replaced with "and Article 19, paragraph (1), Article 19, paragraph (2) and paragraph (5) of that Act, Article 19, paragraph (6) of that Act as applied pursuant to the provisions of Article 11-2 of the Supplementary Provisions of that Act following the deemed replacement of terms, and ...of that Act".

(Special Provisions on Administrative Orders Not Requiring Implementation of Public Comment Procedures Concerning the Employment Insurance Act)

- Article 3 (1) For the purpose of applying the provisions of Article 4, paragraph (1), item (x) when the provisions of Article 4, paragraph (2) of the Supplementary Provisions of the Employment Insurance Act apply, the term "administrative orders or other orders referred to in" in Article 4, paragraph (1), item (x) is deemed to be replaced with "and administrative orders or other orders referred to in Article 4, paragraph (1) of the Supplementary Provisions".
- (2) For the purpose of applying the provisions of Article 4, paragraph (1), item (x) when the provisions of Article 5, paragraph (4) of the Supplementary Provisions of the Employment Insurance Act apply, the term "administrative orders or other orders referred to in" in Article 4, paragraph (1), item (x) is deemed to be replaced with ", and administrative orders or other orders referred to in Article 5, paragraph (1) of the Supplementary Provisions (excluding the part related to the areas designated by the Minister of Health, Labour and Welfare which are referred to in that paragraph)."
- (3) For the purpose of applying the provisions of Article 4, paragraph (1), item (x) when the provisions of Article 10, paragraph (2) of the Supplementary Provisions of the Employment Insurance Act apply, the term "administrative orders or other orders referred to in" in Article 4, paragraph (1), item (x) is deemed to be replaced with ", and administrative orders or other orders referred to in Article 57, paragraph (2) of that Act (limited to the part related to the persons specified by Order of the Ministry of Health, Labour and Welfare referred to in that paragraph) as applied pursuant to Article 10, paragraph (1) of the Supplementary Provisions following the deemed replacement of terms, and administrative orders or other orders referred to in".
- (4) For the purpose of applying the provisions of Article 4, paragraph (1), item (x) when the provisions of Article 11-2, paragraph (1) of the Supplementary Provisions of the Employment Insurance Act apply, the term "administrative

orders or other orders referred to in" in Article 4, paragraph (1), item (x) is deemed to be replaced with ", and administrative orders or other orders referred to in Article 11-2, paragraph (1) of the Supplementary Provisions (limited to the part related to the persons specified by Order of the Ministry of Health, Labour and Welfare who are referred to in that paragraph), and administrative orders or other orders referred to in".