

Act on Access to Information Held by Administrative Organs

(Act No. 42 of May 14, 1999)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act to further disclose the information held by administrative organs by providing for the right to request the disclosure of administrative documents in accordance with the principle of sovereignty of the people, and thereby ensure the government's accountability to the people regarding its various activities, and contribute to the advancement of a fair and democratic administration under the people's appropriate understanding and criticism.

(Definitions)

Article 2 (1) The term "administrative organ" as used in this Act means the following organs:

- (i) organs established within the Cabinet based on the provisions of laws (excluding the Cabinet Office) and organs under the jurisdiction of the Cabinet;
- (ii) the Cabinet Office, the Imperial Household Agency, and organs prescribed in Article 49, paragraphs (1) and (2) of the Cabinet Office Establishment Act (Act No. 89 of 1999) (for the organs that establish the organs specified by Cabinet Order referred to in item (iv) among those organs, excluding the organs specified by that Cabinet Order);
- (iii) organs prescribed in Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948) (for the organs that establish the organs specified by Cabinet Order referred to in item (v), excluding the organs specified by that Cabinet Order);
- (iv) organs referred to in Article 39 and Article 55 of the Act for Establishment of the Cabinet Office, and Article 16, paragraph (2) of the Imperial Household Agency Act (Act No. 70 of 1947), and extraordinary organs referred to in Article 40 and Article 56 (including as applied mutatis mutandis pursuant to Article 18, paragraph (1) of the Imperial Household Agency Act), which are specified by Cabinet Order;
- (v) facilities referred to in Article 8-2 of the National Government Organization Act, and extraordinary organs referred to in Article 8-3 of that Act, which are specified by Cabinet Order; and

(vi) the Board of Audit.

(2) The term "administrative document" as used in this Act means documents, pictures, and electronic or magnetic records (a record made by electronic method, magnetic method, or any other method that cannot be perceived by human senses; the same applies below) which have been prepared or obtained by employees of an administrative organ in the course of duties, and held by the administrative organ for organizational use by its employees; provided, however, that the following matters are excluded:

- (i) things published for the purpose of selling to many and unspecified persons, such as official gazettes, white papers, newspapers, magazines, and books;
- (ii) specified historical public records and archives as defined in Article 2, paragraph (7) of the Public Records and Archives Management Act (Act No. 66 of 2009); and
- (iii) things that are specially preserved as historical or cultural materials, or materials for academic research in research institutes or other facilities specified by Cabinet Order (excluding those stated in the preceding item), pursuant to the provisions of Cabinet Order.

Chapter II Disclosure of Administrative Documents

(Right to Request Disclosure)

Article 3 Any person may make a request to the head of an administrative organ (for the organs specified by Cabinet Order referred to in paragraph (1), items (iv) and (v) of the preceding Article, the person specified by Cabinet Order for each of those organs; the same applies below) disclosure of administrative documents held by the administrative organ.

(Procedure of Request for Disclosure)

Article 4 (1) A request for disclosure under the provisions of the preceding Article (referred to as "request for disclosure") must be made by submitting a document stating the following matters (referred to as "written request for disclosure" below) to the head of an administrative organ:

- (i) the name and domicile or residence of the person making the disclosure request, and the name of the representative for a corporation or other organizations;
- (ii) the name of the administrative documents or other matters sufficient for identifying the administrative documents related to the request for disclosure.

(2) If the head of an administrative organ finds that there is a formal deficiency in the written request for disclosure, they may specify a reasonable period of time and ask the person making the request (referred to as "disclosure

requester" below) to correct the request. In such a case, the head of the administrative organ must endeavor to provide the disclosure requester with information that will serve as reference in making the correction.

(Obligation to Disclose Administrative Documents)

Article 5 If a request for disclosure has been made, unless any of the information stated in each of the following items (referred to as "non-disclosure information" below) is recorded in the administrative documents related to the request for disclosure, the head of an administrative organ must disclose the administrative documents to the disclosure requester.

- (i) information concerning an individual (excluding information concerning the business of an individual who operates a business), which enables to identify a specific individual based on the name, date of birth or other descriptions of the individual (meaning all the matters stated or recorded, or expressed using sound, motion, or other means in documents, pictures, or electronic or magnetic records; the same applies in paragraph (2) of the following Article) included in the information (including the matters which makes it possible to identify a specific individual by comparing the information with other information), or information which is not able to identify a specific individual, but has a risk of harming the rights and interests of the individual when it is made public; provided, however, the following information is excluded:
 - (a) information that is made public pursuant to the provisions of laws and regulations or by customary practice, or information that is planned to be made public,;
 - (b) information which is found necessary to be made public in order to protect a person's life, health, livelihood, or property;
 - (c) if the individual is a public employee, etc. (meaning national public employees as defined in Article 2, paragraph (1) of the National Public Service Act (Act No. 120 of 1947) (excluding officers and employees of the agency engaged in administrative execution as defined in Article 2, paragraph (4) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999)), officers and employees of incorporated administrative agencies, etc. (meaning the incorporated administrative agencies, etc. as defined in Article 2, paragraph (1) of the Act on Access to Information Held by Incorporated Administrative Agencies (Act No. 140 of 2001; referred to as the "Incorporated Administrative Agencies' Information Disclosure Act" below), local public employees as defined in Article 2 of the Local Public Service Act (Act No. 261 of 1950)), and officers and employees of local incorporated administrative agencies (meaning local incorporated administrative agencies as defined in Article 2, paragraph (1) of the Local Incorporated Administrative Agency Act (Act No. 118 of 2003);

the same applies below)), and the information is related to the performance of their duties, the portion of the information concerning the occupation of the public employee, etc. and the content of the performance of duties.

- (i)-2 anonymized personal information held by administrative organs prescribed in Article 60, paragraph (3) of the Act on the Protection of Personal Information (Act No. 57 of 2003) (limited to information that constitutes anonymized personal information files held by the administrative organs prescribed in paragraph (4) of that Article; referred to as "anonymized personal information held by administrative organs" below in this item), or descriptions as defined in Article 2, paragraph (1), item (i) of that Act or individual identification codes as defined in paragraph (2) of that Article deleted from personal information held by administrative organs prescribed in Article 60, paragraph (1) of that Act used for creating the anonymized personal information held by administrative organs.
- (ii) information concerning a corporation or other organizations (excluding the national government, incorporated administrative agencies or other corporations, local governments, and local incorporated administrative agencies; referred to as "corporation or other organizations" below), or information concerning the business of an individual who operates a business, which is stated in the following sub-items, provided, however, this does not include information found necessary to be made public in order to protect a person's life, health, livelihood, or property.
 - (a) information that has a risk of harming the rights, competitive position, or other legitimate interests of the corporation or other organizations, or the individual, when made public;
 - (b) information provided voluntarily in response to a request by an administrative organ on condition that it will not be made public, for which setting the condition of not making it public as a custom for a corporation or other organizations, or an individual, and other such conditions is found to be reasonable in light of the nature of the information or the circumstances at that time and other factors.
- (iii) information for which there are reasonable grounds for the head of an administrative organ to find that there is a risk of harming national security, damaging the trust relationship with other countries or international organizations, or result in a disadvantage during negotiations with other countries or international organizations, when made public;
- (iv) information for which there are reasonable grounds for the head of an administrative organ to find that the information has a risk of hindering the prevention, suppression, or investigation of crime, the maintenance of prosecution, the execution of punishment, and other matters concerning maintenance of public safety and public order, when made public;

- (v) information concerning deliberations, reviews, or discussions conducted internally or mutually between national government organs, incorporated administrative agencies or other corporations, local governments and local incorporated administrative agencies, for which there is a risk of unjustly harming the frank exchange of opinions or the neutrality of decision making, unjustly causing confusion among the people, or wrongfully provide benefits or cause disadvantages to specific individuals, when made public;
- (vi) information concerning the affairs or business conducted by a national government organ, an incorporated administrative agency or other corporations a local government or a local incorporated administrative agency, which pose the following risks or has the risk of hindering the proper performance of affairs or business due to its nature, when made public:
 - (a) risk of making it difficult to understand the accurate facts concerning affairs related to audits, inspections, surveillance, examinations, or imposition or collection of tax, or risk of facilitating illegal or wrongful acts regarding the affairs or making it difficult to discover those acts;
 - (b) risk of unjustly harming the economic benefit of the national government, incorporated administrative agencies or other corporations, local governments or local incorporated administrative agencies concerning the affairs related to contracts, negotiations, or legal disputes or the position as the concerned party;
 - (c) risk of unjustly hindering the fair and efficient performance of affairs related to research and study;
 - (d) risk of hindering the impartial and smooth human resources practices related to the affairs concerning human resources management;
 - (e) risk of harming the proper profit arising from business operations of companies managed by incorporated administrative agencies or other corporations, or local governments, or business related to local incorporated administrative agencies.

(Partial Disclosure)

- Article 6 (1) If non-disclosure information is recorded in a part of an administrative document related to a request for disclosure, and it is possible to easily divide and remove the part that has the non-disclosure information recorded, the head of an administrative organ must disclose the part after removing that part to the disclosure requester; provided, however, that this does not apply if it is found that significant information is not recorded in the part after removing that part.
- (2) If the information referred to in item (i) of the preceding Article (limited to information that can identify a specific individual) is recorded in an administrative document related to a request for disclosure, and it is found

that removing the descriptions such as name or date of birth which can identify a specific individual does not have the risk of harming the rights and interests of an individual, the provisions of the preceding paragraph is applied by deeming that the part after removing that part as not being included in the information referred to in that item.

(Discretionary Disclosure Due to Public Interest Grounds)

Article 7 Even when non-disclosure information (excluding the information stated in Article 5, item (i)-2) is recorded in an administrative document related to a request for disclosure, if the head of an administrative organ finds that it is particularly necessary for public interest, they may disclose the administrative document to the disclosure requester.

(Information concerning the Existence or Non-Existence of Administrative Documents)

Article 8 When non-disclosure information is to be disclosed by merely answering whether the administrative document related to a request for disclosure exists or not for a request for disclosure, the head of an administrative organ may refuse the request for disclosure without clarifying whether the administrative document exists or not.

(Measures Concerning Requests for Disclosure)

Article 9 (1) When disclosure is to be made for all or a part of the administrative documents related to a request for disclosure, the head of an administrative organ must make a decision for the disclosure and notify the disclosure requester in writing of that fact and the matters specified by Cabinet Order concerning the implementation of the disclosure.

(2) If the head of an administrative organ decides not to disclose all of the administrative documents related to a request for disclosure (including when refusing a request for disclosure pursuant to the provisions of the preceding Article and when administrative documents related to a request for disclosure are not held), they must make a decision on not making a disclosure and notify the disclosure requester in writing of that fact.

(Due Date for Disclosure Decisions)

Article 10 (1) The decisions referred to in the items of the preceding Article (referred to as "decision on disclosure or non-disclosure") must be made within thirty days from the date the request for disclosure has been made; provided, however, that if a correction is requested pursuant to the provisions of Article 4, paragraph (2), the number of days required for the correction is not to be included in that period.

- (2) Notwithstanding the provisions of the preceding paragraph, when there are reasonable grounds such as difficulties in handling administrative affairs, the head of an administrative organ may extend the period prescribed in that paragraph for up to thirty days. In such a case, the head of an administrative organ must promptly notify the disclosure requester in writing of the extended period and the reasons for the extension.

(Special Provisions on Due Date for Decisions on Disclosure or Non-Disclosure)

Article 11 If there is a risk of causing significant hindrance to the performance of affairs when making decisions on disclosure or non-disclosure for all of the administrative documents related to a request for disclosure within sixty days from the date the request for disclosure has been made because of the large volume of the administrative documents, notwithstanding the provisions of the preceding Article, it is sufficient for the head of an administrative organ to make a decision on disclosure or non-disclosure for a reasonable portion of the administrative documents related to a request for disclosure within that period, and make a decision on disclosure or non-disclosure for the remaining administrative documents within a reasonable period of time. In such a case, the head of an administrative organ must notify the disclosure requester in writing of the following matters within the period prescribed in paragraph (1) of that Article:

- (i) the fact that this Article is to be applied and the reasons for this; and
- (ii) the due date for making a decision on disclosure or non-disclosure for the remaining administrative documents.

(Transfer of Cases)

Article 12 (1) The head of an administrative organ may transfer a case to the head of another administrative organ if the administrative documents related to a request for disclosure has been prepared by another administrative organ, or there are legitimate grounds for the head of another administrative organ to make a decision on disclosure or non-disclosure, after deliberating with the head of that other administrative organ. In such a case, the head of the administrative organ that has transferred the case must notify the disclosure requester in writing of the fact that the case has been transferred.

- (2) When a case has been transferred pursuant to the provisions of the preceding paragraph, the head of the administrative organ who has received the transfer must make a decision on disclosure or non-disclosure for the request for disclosure. In such a case, the acts conducted before the transfer by the head of the administrative organ who transferred the case are deemed to be the acts conducted by the head of the administrative organ who has received the transfer.

- (3) In the case referred to in the preceding paragraph, when the head of the administrative organ that has received the transfer makes a decision referred to in Article 9, paragraph (1) (referred to as "disclosure decision" below), that head of the administrative organ must implement the disclosure. In such a case, the head of the administrative organ who has transferred the case must provide the necessary cooperation in implementing the disclosure.

(Transfer of Cases to Incorporated Administrative Agencies and Other Corporations)

Article 12-2 (1) When administrative documents related to a disclosure request has been prepared by incorporated administrative agencies or other corporations, or there are legitimate grounds for incorporated administrative agencies or other corporations to make decisions on disclosure or non-disclosure prescribed in Article 10, paragraph (1) of Incorporated Administrative Agencies' Information Disclosure Act, the head of an administrative organ may transfer the case to that incorporated administrative agency after deliberating with the head of the administrative organ. In such a case, the head of the administrative organ that has transferred the case must notify the disclosure requester in writing of the fact that the case has been transferred.

- (2) When a case has been transferred pursuant to the provisions of the preceding paragraph, the provisions of the Incorporated Administrative Agencies' Information Disclosure Act is applied by deeming the administrative documents to be the corporate documents as defined in Article 2, paragraph (2) of the Incorporated Administrative Agencies' Information Disclosure Act held by the incorporated administrative agency or other corporation that has received the transfer and deeming the request for disclosure to be the request for disclosure prescribed in Article 4, paragraph (1) of the Incorporated Administrative Agencies' Information Disclosure Act made to the incorporated administrative agency or other corporation that has received the transfer. In such a case, the term "Article 4, paragraph (2)" in Article 10, paragraph (1) of the Incorporated Administrative Agencies' Information Disclosure Act is to be replaced with "Article 4, paragraph (2) of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999)"; and the phrases "the person making a disclosure request or the corporate documents," "pays respectively" and "a fee for the disclosure request or a disclosure" in Article 17, paragraph (1) of the Incorporated Administrative Agencies' Information Disclosure Act are to be replaced with "the corporate documents", "pays", and "a disclosure", respectively.

- (3) If a case has been transferred pursuant to the provisions of paragraph (1) and an incorporated administrative agency or other corporation which has received

the transfer is to implement the disclosure, the head of the administrative organ who has transferred the case must provide the necessary cooperation in implementing the disclosure.

(Granting of Opportunity to Submit a Written Opinion to Third Parties)

- Article 13 (1) When information concerning a person other than the national government, incorporated administrative agencies or other corporations, local governments, local incorporated administrative agencies and the disclosure requester (referred to as "third party" in this Article, Article 19, paragraph (2), and Article 20, paragraph (1)) is recorded in the administrative documents related to a request for disclosure, the head of an administrative organ may notify the third party related to the information of the indication of the administrative documents related to the disclosure request and other matters specified by Cabinet Order, and provide them with an opportunity to submit a written opinion, when making a decision on disclosure or non-disclosure.
- (2) In the cases that fall under any of the following items, the head of an administrative organ must notify the third party in writing of the indication of the administrative documents related to the request for disclosure and other matters specified by Cabinet Order, and provide them with an opportunity to submit a written opinion, before making a disclosure decision; provided, however, that this does not apply to cases in which the whereabouts of the third party is unknown:
- (i) when the administrative document in which information concerning a third party is recorded is to be disclosed, and it is found that the information falls under the information prescribed in Article 5, item (i), sub-item (b) or the proviso of item (ii) of that Article; and
 - (ii) when the administrative document in which information concerning a third party is recorded is to be disclosed pursuant to the provisions of Article 7.
- (3) If the third party who has been given the opportunity to submit a written opinion pursuant to the provisions of the preceding two paragraphs submits a written opinion manifesting the intention of opposition to disclosure of the administrative document, the head of the administrative organ, when making a disclosure decision, must allow at least two weeks between the day of the disclosure decision and the day of implementing the disclosure. In such a case, upon making the disclosure decision, the head of the administrative organ must promptly notify the third party that submitted the written opinion (referred to as a "written opposition opinion" in Article 19) in writing that the disclosure decision has been made, the grounds for its decision, and the date of implementation of the disclosure.

(Implementation of Disclosure)

- Article 14 (1) The disclosure of administrative documents is implemented by inspection or by the delivery of copies for documents or pictures, and by the method specified by Cabinet Order by taking into consideration the type of the record and the progress of development of information technology for electronic or magnetic records; provided, however, that in disclosing administrative documents by the method of inspection, if the head of an administrative organ finds that the inspection is likely to hinder the preservation of the administrative documents or there are other legitimate grounds, the disclosure may be implemented by using a copy of the documents or pictures.
- (2) The person who is to receive the disclosure of administrative documents based on a disclosure decision, must report the method of implementing the disclosure they desire and other matters specified by Cabinet Order to the head of the administrative organ who has made the disclosure decision, pursuant to the provisions of Cabinet Order.
- (3) The report under the provision of the preceding paragraph must be made within thirty days from the date the notice prescribed in Article 9, paragraph (1) has been given; provided, however, that this does not apply if there are legitimate grounds for not being able to make the report within that period.
- (4) The person who has received disclosure of administrative documents based on a disclosure decision may make a proposal to the head of the administrative organ on the intention to receive further disclosure, limited to within 30 days from the day they received the initial disclosure. In such a case, the proviso of the preceding paragraph apply *mutatis mutandis*.

(Coordination with Implementation of Disclosure by Other Laws and Regulations)

- Article 15 (1) If an administrative document related to a request for disclosure is to be disclosed to any person in the same method as the method prescribed in the main clause of paragraph (1) of the preceding Article (if the period for disclosure is specified, limited to within that period), the head of an administrative organ is not to disclose the administrative documents in that same method; provided, however, that this does not apply if there are provisions in other laws and regulations providing that disclosure is not to be implemented in certain cases.
- (2) When the disclosure method prescribed by the provisions of other laws and regulations is public inspection, the preceding paragraph is applied by deeming that the public inspection is the inspection referred to in the main clause of paragraph (1) of the preceding Article.

(Fees)

- Article 16 (1) A person who makes a request for disclosure or a person that

receives disclosure of administrative documents must pay a fee for the request for disclosure in an amount specified by Cabinet Order within the scope of actual costs, or a fee for the implementation of disclosure, respectively.

- (2) When specifying the amount of the fee referred to in the preceding paragraph, consideration must be given to make the amount as user-friendly as possible.
- (3) When the head of an administrative organ finds that there are economic difficulties or other special reasons, they may grant a reduction or an exemption of the fee referred to in paragraph (1), pursuant to the provisions of Cabinet Order.

(Delegation of Authority or Affairs)

Article 17 The head of an administrative organ may, pursuant to the provisions of Cabinet Order (for organs under the jurisdiction of the Cabinet, and the Board of Audit, orders by those organs), delegate to an employee of the administrative organ the authority or affairs prescribed in this Chapter.

Chapter III Requests for Review

(Exclusion from Application of Provisions on Review Proceedings by Review Officers)

Article 18 (1) The provisions of Article 9, Article 17, Article 24, Chapter II, Section 3 and Section 4, and Article 50, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014) do not apply to a request for review of a disclosure or non-disclosure decision or an inaction related to a disclosure request.

- (2) In applying the provisions of Chapter II of the Administrative Complaint Review Act to a request for review of a disclosure or non-disclosure decision or an inaction related to a disclosure request, the phrase "a person who has been designated pursuant to the provisions of Article 9, paragraph (1) (referred to as a "review officer" below)" in Article 11, paragraph (2) of that Act is deemed to be replaced with "an administrative authority to which a request for review has been filed (including an administrative authority that has taken over documents and articles pursuant to the provisions of Article 14; referred to as "reviewing agency" below) pursuant to the provisions of Article 4 (including the Cabinet Order based on Article 20, paragraph (2) of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999)); the term "review officer" in Article 13, paragraphs (1) and (2) of that Act is deemed to be replaced with "reviewing agency"; the term "has been filed or a written opinion stating that a stay of execution prescribed in Article 40 should be issued has been submitted by a review officer" in Article 25, paragraph (7) of that Act is deemed to be replaced with "has been filed"; the terms "Administrative

Complaint Review Board, etc." and "has received a report to its consultation from the Administrative Complaint Review Board, etc. (or when a review officer's written opinion has been submitted in the case where the consultation pursuant to the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of the relevant paragraph), or when deliberations prescribed in item (ii) or (iii) of the relevant paragraph have been held in the cases falling under item (ii) or (iii) of the relevant paragraph) in Article 44 of that Act are deemed to be replaced with "Information Disclosure and Personal Information Protection Review Board (if the President of the Board of Audit is the reviewing agency, a review board specified separately by laws; the same applies in Article 50, paragraph (1), item (iv))" and "has received a report to its consultation from the Administrative Complaint Review Board, etc.", respectively; and the phrase "the review officer's written opinion or the written report from the Administrative Complaint Review Board, etc. or the Council, etc." in Article 50, paragraph (1), item (iv) of that Act is deemed to be replaced with "Information Disclosure and Personal Information Protection Review Board".

(Consultation with the Review Board)

Article 19 (1) When there is a request for review related to a disclosure or non-disclosure decision or an inaction related to a disclosure request, the head of the administrative organ who should make an administrative determination on the request for review must consult with the Information Disclosure and Personal Information Protection Review Board (when the head of the administrative organ who should make an administrative determination on the request for review is the President of the Board of Audit, a review board specified separately by laws), unless the case falls under either of the following cases:

- (i) if the request for review is not in accordance with the law and is to be dismissed; or
 - (ii) if the entire request for review has been approved by an administrative determination, and it is decided that all of the administrative documents related to the request for review is to be disclosed (excluding the cases in which a written opposition opinion on the disclosure of the administrative documents has been submitted).
- (2) The head of an administrative organ who has made a consultation pursuant to the provisions of the preceding paragraph must notify the following persons of the fact that a consultation has been made.
- (i) the requestor for review and intervenor (meaning the intervenor prescribed in Article 13, paragraph (4) of the Administrative Complaint Review Act; the same applies below in this paragraph and paragraph (1), item (ii) of the

- following Article);
- (ii) the disclosure requester (except when the person is the requestor for review or an intervenor); and
 - (iii) a third party that has submitted a written opposition opinion on the disclosure of the administrative documents related to the request for review (excluding the cases in which the third party is the requestor for review or an intervenor).

(Procedures When Dismissing Requests for Review from Third Parties)

Article 20 (1) The provisions of Article 13, paragraph (3) apply *mutatis mutandis* to the cases in which the administrative determination falls under any of the following items:

- (i) an administrative determination to dismiss or reject the request for review from a third party against a disclosure decision;
 - (ii) an administrative determination to change the disclosure or non-disclosure decision related to a request for review (excluding a decision to disclose all of the administrative documents related to a request for disclosure), and to disclose the administrative documents related to that request for review (limited to the case in which an intervenor who is a third party has manifested the intention to oppose the disclosure of the administrative documents).
- (2) Concerning a request for review of a disclosure decision, etc. or of any inaction related to a disclosure request, special provisions for the provisions of Article 4 of the Administrative Complaint Review Act may be established pursuant to the provisions of Cabinet Order

(Special Provisions on the Transfer of Litigations)

Article 21 (1) When a litigation demanding revocation of a disclosure or non-disclosure decision, or revocation of an administrative determination on a request for review related to a disclosure or non-disclosure decision or an inaction related to a request for disclosure (referred to as "information disclosure litigation" in the following paragraph and paragraph (2) of the Supplementary Provisions) has been filed to the specified court with jurisdiction prescribed in Article 12, paragraph (4) of the Administrative Case Litigation Act (Act No. 139 of 1962), notwithstanding the provisions of Article 12, paragraph (5) of that Act, if an action for judicial review (meaning an action for judicial review prescribed in Article 3, paragraph (1) of that Act; the same applies in the following paragraph) on a disclosure or non-disclosure decision or an inaction related to a disclosure or non-disclosure decision or a request for disclosure for the same, or the same type or similar administrative documents is pending at another court, if the specified court with jurisdiction

finds it appropriate in consideration of the address or location of the party, the address of witness to be examined, commonality of the issues or evidence, and other circumstances, the court may transfer all or a part of the litigation to that other court or a court prescribed in Article 12, paragraphs (1) through (3) of that Act, in response to a proposal or by its own authority.

- (2) The provisions of the preceding paragraph apply mutatis mutandis to the cases in which an action for judicial review on a disclosure or non-disclosure decision or an administrative determination on a request for review of a disclosure or non-disclosure decision or an inaction related to the disclosure request, other than an information disclosure lawsuit, has been filed to the specified court with jurisdiction prescribed in Article 12, paragraph (4) of the Administrative Case Litigation Act pursuant to the provisions of that paragraph.

Chapter IV Auxiliary Provisions

(Provision of Information to Persons who Intend to Make Requests for Disclosure)

Article 22 (1) To enable a person intending to make a request for disclosure to do so easily and accurately, the head of an administrative organ is to provide information that contributes to identifying the administrative documents held by the administrative organs and take other appropriate measures that take into consideration the convenience of the person intending to make the request for disclosure, in addition to what is provided for in Article 7, paragraph (2) of the Public Records and Archives Management Act.

- (2) To ensure the smooth implementation of this Act, the Minister of Internal Affairs and Communications is to develop general information centers concerning request for disclosure.

(Publication of the Implementation Status)

Article 23 (1) The Minister of Internal Affairs and Communications may request a report on the implementation status of this Act from the head of administrative organs.

- (2) Every fiscal year, the Minister of Internal Affairs and Communications is to compile the report referred to in the preceding paragraph, and publicize its outline.

(Enhancement of Measures on the Provision of Information Held by Administrative Organs)

Article 24 To comprehensively promote disclosure of information it holds, the government is to endeavor to enhance measures related to the provision of

information held by administrative organs in order to ensure that the information held by administrative organs is clarified to the people in a timely and appropriate manner.

(Disclosure of Information by Local Governments)

Article 25 In accordance with the purpose of this Act, local governments must endeavor to formulate and implement necessary measures for the disclosure of the information that they hold.

(Delegation to Cabinet Order)

Article 26 Beyond what is provided for in this Act, Cabinet Order specifies necessary matters for implementing this Act.

Supplementary Provisions

- (1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the part of provisions of Article 23, paragraph (1) concerning obtaining the consent of both Houses, and the provisions of Article 40 through Article 42, and the following paragraph, come into effect from the date of promulgation.
- (2) Approximately four years after this Act comes into effect, the government is to review the implementation status of this Act and the state of control of information disclosure litigations, and take necessary measures based on the results of the review.