

Whistleblower Protection Act

(Act No. 122 of June 18, 2004)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to protect whistleblowers and to ensure compliance with the provisions of laws and regulations relating to the protection of the lives, physical wellbeing, properties, and other interests of citizens by providing for the prohibition, etc. of disadvantageous treatment on the grounds of whistleblowing and the measures, etc. to be taken by business operators and administrative bodies with regard to whistleblowing, thereby contributing to the stability of the lives of citizens and to the sound development of the society and economy.

(Definitions)

Article 2 (1) The term "whistleblowing" as used in this Act means a report made by a person stated in the following items with no wrongful purpose such as a purpose of acquiring a wrongful gain or causing damage to others, that a reportable fact that has occurred, or is about to occur, concerning a business operator provided for in the respective items (meaning a corporation or other organization and an individual who engages in business; the same applies below) (referred to below as "recipient of services"), or its officer (meaning a corporate director, executive officer, accounting advisor, corporate auditor, director, inspector, and liquidator, and any other person who is engaged in the management of the corporation (excluding a financial auditor) under the provisions of laws and regulations (meaning laws as well as orders based on them; the same applies below); the same applies below), employee, agent, or other persons engaged in the business of the recipient of services, to the

recipient of services or a person designated by the recipient of services in advance (referred to as "recipient of services or other designated person"), to an administrative body with the authority to impose a disposition (meaning an order, revocation, and other acts involving the exercise of public authority; the same applies below) or issue a recommendation, etc. (meaning a recommendation and other acts which are not dispositions; the same applies below) with regard to the reportable fact, or a person designated by the administrative body in advance (referred to as "administrative body or other designated person" in paragraph (1), item (ii) of the following Article and Article 6, paragraph (1), item (ii)), or to a person to whom reporting the reportable fact is considered necessary in order to prevent the their occurrence or the spread of damage caused by them (including persons who suffered or are likely to suffer damage because of the reportable fact, but excluding persons who are likely to cause harm to the competitive position or other legitimate interests of the recipient of services; the same applies in paragraph (1), item (iii) of the following Article and Article 6, paragraph (1), item (iii)).

- (i) a worker (meaning a worker as provided for in Article 9 of the Labor Standards Act (Act No. 49 of 1947); the same applies below) or a former worker: a business operator that employs the worker or former worker, or that employed the worker or the former worker within one year before the date of the report (excluding business operators provided for in the following item);
- (ii) a dispatched worker (meaning a dispatched worker as prescribed in Article 2, item (ii) of the Act on Ensuring the Proper Operation of Worker Dispatching Services and Protecting Dispatched Workers (Act No. 88 of 1985; referred to as the "Worker Dispatching Act" in Article 4, paragraph (1), item (i)); the same applies below) or a former dispatched worker: the business operator that receives, or received within one year before the date of the relevant report, the services of worker dispatch (meaning worker dispatch as prescribed in item (i) of the same Article; the same applies in Article 4, paragraph (1)) related to the relevant dispatched worker or the former dispatched worker;
- (iii) a person who is or was a specified person engaged in entrusted business (meaning a specified person engaged in entrusted business as prescribed in Article 2, paragraph (2) of the Act on Ensuring Proper Transactions Involving Specified Entrusted Business Operators (Act No. 25 of 2023); the same applies below): a business operator who entrusts or entrusted business (referring to the business entrustment prescribed in paragraph (3) of the Article; the same applies below in this item and Article 5) to the current or former specified entrusted business operator (meaning a specified entrusted business operator as prescribed in paragraph (1) of the Article; the same

- applies below) regarding the specified person engaged in entrusted business, or a business operator who has entrusted business within one year before the date of the report;
- (iv) a worker or a dispatched worker (referred to below as a "worker, etc." in this item and Article 11, paragraph (2)), or a former worker, etc., or a person who is or was a specified person engaged in entrusted business, any of whom are or were engaged in the business within one year before the date of the report, when a business operator specified in the preceding three items conducts or conducted the business based on a contract for work or other contract with another business operator: the relevant other business operator;
 - (v) an officer: the following business operators:
 - (a) a business operator that has the officer perform duties;
 - (b) another business operator if the business operator stated in (a) engages in business based on a contract for work or other contract with that other business operator and the officer is engaged in the business.
- (2) The term "whistleblower" as used in this Act means a person who has conducted whistleblowing.
- (3) The term "reportable fact" as used in this Act means any of the facts listed in the following items:
- (i) the facts of criminal acts constituting the crimes provided for in this Act and in the laws listed in the Appended Table (including orders based on those laws; the same applies in this paragraph) as those concerning the protection of the life or physical wellbeing of an individual, or the interests of consumers, the conservation of the environment, the protection of fair competition, or the protection of the life, physical wellbeing, property, or other interests of the citizens; or the facts constituting the grounds for a civil fine provided for in this Act and the laws stated in the Appended Table; or
 - (ii) the facts constituting the grounds for a disposition based on the provisions of this Act and in the laws listed in the Appended Table, if the violation of the disposition constitutes the facts stated in the preceding item (including the facts constituting the grounds for issuing any other disposition, or grounds for issuing a recommendation or other act, if the facts constituting the grounds for the disposition constitute the violation of any other disposition based on the provisions of this Act or any of the laws listed in the Appended Table or the non-compliance with a recommendation or other act).
- (4) The term "administrative body" as used in this Act means any of the following organizations:
- (i) Cabinet Office, the Imperial Household Agency, organizations provided for in Article 49, paragraph (1) or (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), the Digital Agency, organizations provided for in

Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948), organizations under the jurisdiction of the Cabinet which were established pursuant to laws, organizations established within one of these organizations, or the employees of those organizations who are authorized by laws to independently exercise their authority; and
(ii) organizations (excluding assemblies) of local governments.

Chapter II Prohibition of Disadvantageous Treatment on the Grounds of Whistleblowing

(Prohibiting Disadvantageous Treatment of Workers)

Article 3 (1) The business operator provided for in paragraph (1), item (i) of the preceding Article must not dismiss or otherwise treat in a disadvantageous manner a whistleblower who is or was employed by the business operator on the grounds of conducting whistleblowing provided for in each of the following items in the cases stated in the respective items:

- (i) if the whistleblower considers that a reportable fact has occurred, or is about to occur: whistleblowing to the recipient of services or other designated person;
- (ii) if the whistleblower has reasonable grounds to believe that a reportable fact has occurred or is about to occur; or if the whistleblower considers that a reportable fact has occurred, or is about to occur, and submits a document stating the following matters (including a record made by an electronic method, a magnetic method, or any other method not recognizable to human senses; the same applies in (e) of the following item): whistleblowing to an administrative body or other designated person that has the authority to impose a disposition or make a recommendation or other act regarding the reportable fact:
 - (a) the name and address or residence of the whistleblower;
 - (b) details of the reportable fact;
 - (c) reasons for considering that the reportable fact has occurred or is about to occur; and
 - (d) reasons for considering that measures based on laws and regulations, or any other appropriate measures should be taken with respect to the reportable fact.
- (iii) if the whistleblower has reasonable grounds to believe that a reportable fact has occurred or is about to occur, and one of the following cases applies: whistleblowing report to a person to whom reporting the reportable fact is considered necessary to prevent its occurrence or the spread of damage it causes:
 - (a) the whistleblower has reasonable grounds to believe that if they conduct

- whistleblowing provided for in the preceding two items, they will be subject to dismissal or other disadvantageous treatment;
- (b) the whistleblower has reasonable grounds to believe that if they conduct whistleblowing provided for in item (i), the evidence for the reportable fact might be concealed, counterfeited, or altered;
 - (c) the whistleblower has reasonable grounds to believe that if they conduct whistleblowing as provided for in item (i), the recipient of services will divulge the information acquired with respect to the whistleblower without just cause despite knowing that the information enables the identification of the whistleblower;
 - (d) it is requested that the whistleblower does not conduct whistleblowing provided for in the preceding two items by the recipient of services without just cause;
 - (e) even if twenty days have elapsed from the day of conducting whistleblowing provided for in item (i) in writing, the whistleblower does not receive a notice from the relevant recipient of services or other designated person about the commencement of an investigation on the reportable fact, or the relevant recipient of services or other designated person does not investigate the reportable fact without just cause; or
 - (f) the whistleblower has reasonable grounds to believe that harm to the life or physical wellbeing of an individual, or damage to the property of an individual (excluding an individual conducting business; the same applies below in this sub-item (f)) (limited to irreparable damage or substantial amount of damage to an extremely large number of individuals directly caused by the reportable fact; the same applies in Article 6, paragraph (1), item (ii), (b) and item (iii), (b)) has occurred, or there is an imminent danger of its occurrence.
- (2) Dismissal or other disadvantageous treatment (in the case of disadvantageous treatment other than dismissal, limited to disciplinary action (meaning sanctions specified by the business operator in the rules of employment pursuant to the provisions of Article 89 of the Labor Standards Act (limited to the part relating to item (ix)) or sanctions specified in the labor contract between the business operator and the workers); referred to as "specific disadvantageous treatment such as dismissal" in the following paragraph and Article 21, paragraph (1)) by an business operator provided for in paragraph (1), item (i) of the preceding Article in violation of the provisions of the preceding paragraph is void.
- (3) If a whistleblower is subjected to specific disadvantageous treatment such as dismissal within one year from the day on which the whistleblower conducts a whistleblowing provided for in the items of paragraph (1) (or, if the business operator provided for in paragraph (1), item (i) of the preceding Article carries

out the specific disadvantageous treatment such as dismissal with the knowledge that a whistleblowing provided for in paragraph (1), item (ii) or (iii) has been made, within one year from the day on which the business operator comes to know of the whistleblowing), with regard to the application of the provisions of the preceding paragraph, the specific disadvantageous treatment such as dismissal is presumed to have been carried out on the grounds that the whistleblowing was made.

(Prohibiting Disadvantageous Treatment of Dispatched Workers)

Article 4 (1) A business operator provided for in Article 2, paragraph (1), item (ii) (limited to a business operator receiving provision of worker dispatching services related to the relevant dispatched worker; the same applies in the following paragraph) must not conduct any of the following acts on the grounds that a whistleblower who is a dispatched worker working under the directions and orders of the business operator has conducted a whistleblowing provided for in the items of paragraph (1) of the preceding Article:

(i) to cancel the worker dispatch contract (meaning the worker dispatch contract prescribed in Article 26, paragraph (1) of the Worker Dispatching Act; the same applies in the following paragraph) relating to the whistleblower;

(ii) in addition to what is stated in the preceding item, requesting that the business operator carrying out the worker dispatch related to the whistleblower replace the dispatched worker, or otherwise treating the whistleblower in a disadvantageous manner.

(2) The cancellation of a worker dispatch contract by a business operator provided for in Article 2, paragraph (1), item (ii) in violation of the provisions of the preceding paragraph (limited to the part relating to item (i)) is void.

(Prohibiting Disadvantageous Treatment of Specified Entrusted Business Operators)

Article 5 If the business operator specified in Article 2, paragraph (1), item (iii) entrusts or has previously entrusted the business to a specified entrusted business operator, the business operator must not cancel the contract relating to the entrustment of business, reduce the volume of transactions, suspend transactions, reduce the remuneration, or otherwise treat the specified entrusted business operator disadvantageously on the grounds of the whistleblowing provided for in each item of Article 3, paragraph (1) by a whistleblower who is a specified person engaged in entrusted business for the specified entrusted business operator.

(Prohibiting Disadvantageous Treatment of Officers)

Article 6 (1) A business operator provided for in Article 2, paragraph (1), item (v) (limited to a business operator stated in (a) of the item; the same applies in the following paragraph and Article 8, paragraph (4)) must not reduce the remuneration or otherwise treat the whistleblower disadvantageously (excluding dismissal) on the grounds that the whistleblower, who is or was an officer of the business operator, has conducted a whistleblowing provided for in the following items when stated respectively in those items:

- (i) if the whistleblower considers that a reportable fact has occurred, or is about to occur: whistleblowing to the recipient of services or other designated person;
- (ii) if one of the following applies: whistleblowing to an administrative body or other designated person that has the authority to impose a disposition or make a recommendation or other act regarding the reportable fact:
 - (a) if the whistleblower has reasonable grounds to believe that a reportable fact has occurred or is about to occur despite efforts being made to conduct investigative and corrective measures (meaning measures necessary for investigation and correction of the reportable fact with the same level of care as that of a prudent manager; the same applies in (a) of the following item);
 - (b) if the whistleblower has reasonable grounds to believe that a reportable fact has occurred or is about to occur, and also that harm to the life or physical wellbeing of an individual, or damage to the property of an individual (excluding an individual conducting business) has occurred or there is an imminent danger of its occurrence.
- (iii) if one of the following cases applies: whistleblowing to a person to whom reporting the reportable fact is considered necessary to prevent its occurrence or the spread of damage it causes:
 - (a) if a whistleblower has reasonable grounds to believe that a reportable fact has occurred or is about to occur despite efforts being made to conduct investigative and corrective measures, and one of the following applies:
 1. if a whistleblower has reasonable grounds to believe that the whistleblower will be subject to dismissal, reduction of remuneration, or other forms of disadvantageous treatment if they conduct whistleblowing provided for in the preceding two items;
 2. if a whistleblower has reasonable grounds to believe that the evidence for the reportable fact might be concealed, counterfeited, or altered if they conduct whistleblowing as provided for in item (i); or
 3. if it is requested that a whistleblower do not conduct whistleblowing provided for in the preceding two items by the recipient of services without just cause;
 - (b) if the whistleblower has reasonable grounds to believe that a reportable

fact has occurred or is about to occur, and also that harm to the life or physical wellbeing of an individual, or damage to the property of an individual (excluding an individual conducting business) has occurred or there is an imminent danger of its occurrence.

- (2) If a whistleblower who is an officer is dismissed by the business operator provided for in Article 2, paragraph (1), item (v) on the grounds of conducting whistleblowing provided for in the items of the preceding paragraph, the whistleblower may claim compensation for damages arising from the dismissal from the business operator.

(Limitation of Claims for Damages)

Article 7 The business operator provided for in each item of Article 2, paragraph (1) may not claim compensation from the whistleblower who has conducted whistleblowing on the grounds that the business operator has suffered damage due to the whistleblowing provided for in each item of Article 3, paragraph (1) and each item of paragraph (1) of the preceding Article.

(Interpretative Provisions)

- Article 8 (1) The provisions of Articles 3 through 7 do not preclude the application of the provisions of other laws and regulations that prohibit dismissal or any other disadvantageous treatment of a person stated in the items of Article 2, paragraph (1) on the grounds of making a whistleblowing regarding a reportable fact.
- (2) The provisions of Article 3 do not preclude the application of the provisions of Articles 14 through 16 of the Labor Contracts Act (Act No. 128 of 2007).
- (3) The provisions of Article 5 do not preclude the application of the provisions of Article 5 and Article 6, paragraph (3) of the Act on Ensuring Proper Transactions Involving Specified Entrusted Business Operators (including as applied mutatis mutandis pursuant to Article 17, paragraph (3) of the Act).
- (4) The provisions of Article 6, paragraph (2) do not preclude the application of the provisions of other laws and regulations to the effect that a person who has been dismissed as an officer by a business operator provided for in Article 2, paragraph (1), item (v) on the grounds of having made a report concerning a reportable fact may claim compensation for damages arising from the dismissal against the business operator.

(Treatment of Regular Service National Public Employees or Other Public Employees)

Article 9 The provisions of Article 3, paragraphs (2) and (3) do not apply to national public employees in the regular service, court employees to whom the Act on Temporary Measures Concerning Court Employees (Act No. 299 of 1951)

applies, Diet employees to whom the Diet Employees Act (Act No. 85 of 1947) applies, corps personnel provided for in Article 2, paragraph (5) of the Self-Defense Forces Act (Act No. 165 of 1954), and local public employees in the regular service. With regard to the application of the provisions of Article 3, paragraph (1) and Article 21, paragraph (1), the term "dismissal" in Article 3, paragraph (1) is deemed to be replaced with "disciplinary dismissal, dismissal on the grounds of unsuitability", and the term "specific disadvantageous treatment such as dismissal" in Article 21, paragraph (1) is deemed to be replaced with "dismissal on the grounds of unsuitability or disciplinary action".

(Respect for the Legitimate Interests of Others)

Article 10 Any person who conducts whistleblowing as provided for in the items of Article 3, paragraph (1) and the items of Article 6, paragraph (1) must make efforts not to damage the legitimate interests of others and the public interest.

Chapter III Measures to Be Taken by Business Operators

(Measures to Be Taken by Business Operators)

Article 11 (1) A business operator must designate a person to be engaged in the operations of receiving whistleblowing provided for in Article 3, paragraph (1), item (i) and Article 6, paragraph (1), item (i), investigating the reportable fact relating to the whistleblowing, and taking necessary measures to correct it (referred to as the "operations to respond to whistleblowing" in Article 12) (referred to as a "person engaged in the operations to respond to whistleblowing" in Article 12).

(2) In addition to what is provided for in the preceding paragraph, a business operator must establish necessary systems to respond to and to appropriately handle the whistleblowing provided for in Article 3, paragraph (1), item (i) and Article 6, paragraph (1), item (i), make the system known to workers, etc., and take other necessary measures, in order to protect whistleblowers and to ensure compliance with the provisions of laws and regulations relating to the protection of the lives, physical wellbeing, property, and other interests of citizens by making use of the content of whistleblowing.

(3) Concerning any business operator that regularly employs 300 or fewer workers, the phrase "must designate" in paragraph (1) is replaced with "must endeavor to designate" and the phrase "must establish" in the preceding paragraph is replaced with "must endeavor to establish".

(4) The Prime Minister is to establish guidelines necessary for the appropriate and effective implementation of the measures to be taken by business operators based on the provisions of paragraphs (1) and (2) (including as applied following the replacement of the terms pursuant to the provisions of the

preceding paragraph) (these guidelines are simply referred to below as the "guidelines" in this Article).

- (5) When establishing the guidelines, the Prime Minister must hear the opinion of the Consumer Commission in advance.
- (6) Upon establishing the guidelines, the Prime Minister is to publicize them without delay.
- (7) The provisions of the preceding two paragraphs apply mutatis mutandis to any change of the guidelines.

(Prohibiting Obstruction of Reporting)

Article 11-2 (1) The business operator stated in each item of Article 2, paragraph (1) must not obstruct by requesting without just cause that the person stated in the relevant item agree not to conduct whistleblowing, and by informing the person of disadvantageous treatment if whistleblowing is conducted, or by any other act.

- (2) An agreement or any other juridical act made in violation of the provisions of the preceding paragraph is void.

(Prohibiting Searches for Whistleblowers)

Article 11-3 A business operator stated in each item of Article 2, paragraph (1) must not demand without justifiable grounds the identity of a whistleblower or conduct any other act for the purpose of identifying a whistleblower.

(Obligations of Persons Engaged in the Activity of Dealing with Whistleblowing)

Article 12 A person who is or was engaged in the activity of dealing with whistleblowing must not divulge any information which comes to the person's knowledge in connection with the activity of dealing with whistleblowing that enables the identification of the whistleblower, without just cause.

(Measures to Be Taken by Administrative Bodies)

Article 13 (1) If whistleblowing provided for in Article 3, paragraph (1), item (ii) and Article 6, paragraph (1), item (ii) is conducted by a whistleblower, an administrative body with the authority to impose a disposition or make a recommendation or other act regarding the reportable fact must conduct necessary investigations, and if it recognizes that the reportable fact subject to the whistleblowing exists, it must take measures based on laws and regulations or any other appropriate measures.

- (2) In order to ensure appropriate implementation of the measures provided for in the preceding paragraph, an administrative body (excluding the officials provided for in Article 2, paragraph (4), item (i)) that has the authority to

impose a disposition or make a recommendation or other act with regard to a reportable fact must respond to the whistleblowing provided for in Article 3, paragraph (1), item (ii) and Article 6, paragraph (1), item (ii), establish a system necessary for appropriately responding to it, and take other necessary measures.

- (3) Notwithstanding the provisions of the preceding two paragraphs, if the whistleblowing referred to in paragraph (1) concerns a fact that constitutes a criminal act as provided for in Article 2, paragraph (3), item (i), the provisions of the Code of Criminal Procedure (Act No. 131 of 1948) govern the criminal investigation and prosecution.

(Information)

Article 14 If a whistleblowing referred to in paragraph (1) of the preceding Article is erroneously conducted to an administrative body that does not have the authority to impose a disposition or make a recommendation or other act regarding the reportable fact subject to the whistleblowing, the administrative body must inform the whistleblower of the administrative body that has the authority to impose a disposition or make a recommendation or other act regarding that reportable fact.

Chapter IV Miscellaneous Provisions

(Advice and Guidance)

Article 15 The Prime Minister may give advice or guidance to business providers if the Minister finds it necessary for the enforcement of the provisions of Article 11, paragraphs (1) and (2) (including if these provisions are applied by replacing the terms pursuant to the provisions of paragraph (3) of the Article).

(Recommendations and Orders)

Article 15-2 (1) If the Prime Minister finds that a business operator is in violation of the provisions of Article 11, paragraph (1) (except as applied following a deemed replacement of terms pursuant to the provisions of paragraph (3) of that Article), the Minister may issue a recommendation to the business operator to take the necessary measures to correct the violation.

- (2) When a person who has received a recommendation under the provisions of the preceding paragraph does not take the measures for which the recommendation was made without just cause, the Prime Minister may order the person who has received the recommendation to take the measures for which the recommendation was made.

- (3) If the Prime Minister issues an order pursuant to the provisions of the preceding paragraph, the Minister may issue a public announcement to that

effect.

- (4) The Prime Minister may issue a recommendation to a business operator if the Minister finds it necessary to do so in connection with the enforcement of the provisions of Article 11, paragraph (1) (limited when as applied following a deemed replacement of terms pursuant to the provisions of paragraph (3) of the Article) and paragraph (2) (including as applied following a deemed replacement of terms pursuant to the provisions of paragraph (3) of the Article).
- (5) If the Prime Minister has issued a recommendation under the provisions of the preceding paragraph to a business operator that is in violation of the provisions of Article 11, paragraph (2) (excluding as applied following a deemed replacement of terms pursuant to the provisions of paragraph (3) of the Article), and the business operator that has received the recommendation fails to take the recommended measures without just cause, the Minister may make this fact public.

(Reports and Inspections)

- Article 16 (1) To the extent necessary for the enforcement of the provisions of Article 11, paragraph (1) (excluding when applied by replacing the terms pursuant to the provisions of paragraph (3) of the Article), the Prime Minister may have a business operator make a report, or may have their employees enter the offices or other workplaces of the business operator and inspect books, documents, and any other articles.
- (2) To the extent necessary for the enforcement of the provisions of Article 11, paragraph (1) (limited when it is applied by replacing the terms pursuant to the provisions of paragraph (3) of the Article) and paragraph (2) (including when it is applied by replacing the terms pursuant to the provisions of paragraph (3) of the Article), the Prime Minister may request that the business operator make a report.
 - (3) When government employees enter the offices or other workplaces of the business operator pursuant to the provisions of paragraph (1), the employees must carry an identification card and present it to the relevant persons.
 - (4) The authority to conduct an onsite inspection under the provisions of paragraph (1) must not be construed as being granted for the purpose of a criminal investigation.

(Inquiry to Relevant Administrative Bodies)

Article 17 The Prime Minister may make an inquiry to or request cooperation from the relevant administrative bodies with regard to the affairs based on the provisions of this Act.

(Collection, Arrangement, and Provision of Information by the Prime Minister)

Article 18 The Prime Minister must endeavor to collect, arrange, and provide information on the status of whistleblowing and whistleblowers, and any other information of which the dissemination contributes to compliance with the provisions of laws and regulations concerning the protection of whistleblowers and the protection of life, physical wellbeing, property, and other interests of citizens by utilizing the contents of whistleblowing.

(Delegation of Authority)

Article 19 The Prime Minister delegates the authority under this Act (excluding the authority provided for in Cabinet Order) to the Commissioner of the Consumer Affairs Agency.

(Exemption)

Article 20 The provisions of Articles 15 through 16 do not apply to the national government and local governments.

Chapter V Penal Provisions

Article 21 (1) If a person has engaged in specified disadvantageous treatment such as dismissal, in violation of the provisions of Article 3, paragraph (1), the person who has committed the violation is subject to imprisonment for not more than six months or a fine of not more than 300,000 yen.

(2) If a person falls under one of the following items, the person who has committed the violation is subject to a fine of not more than 300,000 yen:

- (i) when a person has violated an order under the provisions of Article 15-2, paragraph (2);
- (ii) when a person has failed to make a report under the provisions of Article 16, paragraph (1) or has made a false report, or has refused, obstructed, or evaded an inspection under the provisions of the paragraph.

Article 22 Any person who has divulged any information provided for in Article 12 in violation of the Article is to be subject to a fine of not more than 300,000 yen.

Article 23 (1) If the representative of a corporation or the agent, employee, or other worker of a corporation or individual violates the provisions stated in one of the following items in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation is subject to the fine prescribed in the relevant item and the individual is subject to the fine referred to in the relevant paragraph:

- (i) Article 21, paragraph (1): a fine of not more than 30 million yen;

- (ii) Article 21, paragraph (2): the fine referred to in that paragraph.
- (2) The provisions of the preceding paragraph (limited to the part relating to item (i)) do not apply to the national government and local governments.

Article 24 A person who has failed to make a report under Article 16, paragraph (2) or has made a false report is punished by a civil fine of not more than 200,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the date provided for by Cabinet Order within a period not exceeding two years from the date of promulgation, and applies to the whistleblowing conducted on or after the effective date.

(Reviews)

Article 2 Approximately five years after this Act comes into effect, the national government is to review the status of enforcement of this Act and take necessary measures based on those results.

Supplementary Provisions [Act No. 66 of June 14, 2006] [Extract]

This Act comes into effect as of the date on which the Act Amending the Securities and Exchange Act of 2006 comes into effect.

Supplementary Provisions [Act No. 128 of December 5, 2007] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 27 of April 6, 2012] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 70 of June 28, 2013] [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. 70 of June 23, 2017] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 51 of June 12, 2020] [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; provided, however, that the provisions of Article 3 and Article 4 of the Supplementary Provisions come into effect as of the date of promulgation.

(Transitional Measures)

Article 2 The provisions of the Whistleblower Protection Act amended by this Act (referred to below as the "new Act") apply to the whistleblowing prescribed in Article 2, paragraph (1) of the new Act that is made after the enforcement of this Act, and prior laws continue to govern the whistleblowing prescribed in Article 2, paragraph (1) of the Whistleblower Protection Act before amendment by this Act that is made before the enforcement of this Act.

Article 3 (1) Even before the enforcement of this Act, the Prime Minister may establish guidelines concerning measures to be taken by business operators, in accordance with the provisions of Article 11, paragraphs (4) through (7) of the new Act.

(2) The guidelines established pursuant to the provisions of the preceding paragraph are deemed to have been established pursuant to the provisions of Article 11, paragraph (4) of the new Act on the effective date of this Act.

(Delegation to Cabinet Order)

Article 4 In addition to what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 5 Approximately three years after the enforcement of this Act, the national government is to consider the status of enforcement of the new Act, review the measures to rectify the disadvantageous treatment of whistleblower

prescribed in Article 2, paragraph (2) of the new Act on the grounds of whistleblowing prescribed in paragraph (1) of that Article, the handling of claims in court proceedings, and other provisions of the new Act, and take necessary measures based on the results of the review.

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

(Effective Date)

Article 1 This Act comes into effect as of September 1, 2021; provided, however, that the provisions of Article 60 of the Supplementary Provisions come into effect as of the date of promulgation.

(Transitional Measures Concerning Dispositions)

Article 57 (1) Unless otherwise provided for in laws and regulations, a disposition of certification and notice or any other act made by a former organ of the national government before the enforcement of this Act pursuant to the provisions of the respective laws before amendment by this Act (including orders based on these laws; referred to below as "former laws and regulations" in this Article and the following Article) is deemed, after the enforcement of this Act, to be a disposition of certification and notice or any other act made by the corresponding organ of the national government pursuant to the corresponding provisions of the respective laws amended by this Act (including orders based on these laws; referred to below as "new laws and regulations" in this Article and the following Article).

(2) Unless otherwise provided for in laws and regulations, an application, notification, or any other act that has been filed with a former organ of the national government pursuant to the provisions of the former laws and regulations at the time of enforcement of this Act, is deemed, after the enforcement of this Act, to be an application, notification, or any other act that has been filed with the corresponding organ of the national government pursuant to the corresponding provisions of the new laws and regulations.

(3) For matters for which applications, notifications, or other procedures are to be made before the former organs of the national government before the enforcement of this Act pursuant to the provisions of the former laws and regulations, if those procedures have not yet been made before the former organs of the national government before the date of enforcement of this Act, the provisions of the new laws and regulations apply after the enforcement of this Act, except those otherwise provided for by laws and regulations, by deeming that the procedures have not yet been made before the corresponding organs of the national government pursuant to the corresponding provisions of the new laws and regulations.

(Transitional Measures Concerning the Effect of Orders)

Article 58 The Cabinet Office Order referred to in Article 7, paragraph (3) of the Act for Establishment of the Cabinet Office or the Ministerial Order referred to in Article 12, paragraph (1) of the National Government Organization Act, which has been issued pursuant to the provisions of the former laws and orders, is to remain in force as the corresponding Order of the Digital Agency referred to in Article 7, paragraph (3) or the Ministerial Order referred to in Article 12, paragraph (1) of the National Government Organization Act, which has been issued based on the corresponding provisions of the new laws and orders, after the enforcement of this Act, unless otherwise provided for in laws and orders.

(Delegation to Cabinet Order)

Article 60 In addition to what is provided for in Article 15, Article 16, Article 51, and the preceding three Articles of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

Supplementary Provisions [Act No. 62 of June 11, 2025]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year and six months from the date of promulgation; provided, however, that the provisions of Article 8 of the Supplementary Provisions come into effect as of the date of promulgation.

(Principles of Transitional Measures)

Article 2 The provisions of the Whistleblower Protection Act amended by this Act (referred to below as the "new Act") (except for the penal provisions) also apply to the whistleblowing prescribed in Article 2, paragraph (1) of the Whistleblower Protection Act before amendment by this Act (referred to as the "former Act" in Article 6 of the Supplementary Provisions) that has been made before the enforcement of this Act, except as otherwise provided for by these Supplementary Provisions.

(Transitional Measures Concerning Disadvantageous Treatment of Workers)

Article 3 (1) The provisions of Article 3, paragraphs (1) and (2) of the new Act apply to dismissal or any other disadvantageous treatment inflicted after the enforcement of this Act, and prior laws continue to govern dismissal or any other disadvantageous treatment inflicted before the enforcement of this Act.
(2) Regarding disadvantageous treatment other than dismissal, the provisions of

Article 3, paragraph (3) of the new Act apply to what has been done as disciplinary action (meaning the disciplinary action prescribed in paragraph (2) of that Article) after the enforcement of this Act.

- (3) With respect to the application of the provisions of Article 3, paragraph (3) of the new Act concerning dismissal before the enforcement of this Act, the term "the preceding paragraph" in that paragraph is deemed to be replaced with "Article 3 before amendment by the Act Partially Amending the Whistleblower Protection Act (Act No. 62 of 2025)".

(Transitional Measures Concerning Disadvantageous Treatment of Dispatched Workers)

Article 4 The provisions of Article 4, paragraph (1) of the new Act (limited to the part related to item (i)) apply to the acts stated in that item that are committed after the enforcement of this Act, and prior laws continue to govern acts equivalent to the acts stated in that item that are committed before the enforcement of this Act.

(Transitional Measures Concerning Invalidation of Juridical Acts Related to Obstruction of Reporting)

Article 5 The provisions of Article 11-2, paragraph (2) of the new Act apply to an agreement not to conduct whistleblowing or any other juridical act committed after the enforcement of this Act, but do not apply to the relevant juridical act committed before the enforcement of this Act.

(Transitional Measures Concerning Reports and Recommendations)

Article 6 (1) Prior laws continue to govern a person who has been requested to make a report pursuant to the provisions of Article 15 of the former Act before the enforcement of this Act, and who has not yet made a report at the time of enforcement of this Act.

- (2) Prior laws continue to govern the public announcement if a business operator that has received a recommendation under Article 15 of the former Act before the enforcement of this Act does not follow the recommendation.

(Transitional Measures Concerning Penal Provisions)

Article 7 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and conduct in which a person engages after this Act comes into effect in a case in which prior laws continue to govern pursuant to the provisions of paragraph (1) of the preceding Article.

(Delegation to Cabinet Order)

Article 8 In addition to what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

(Review)

Article 9 Approximately three years after the enforcement of this Act, the national government is to review the provisions of the new Act, taking into account the status of the enforcement of the new Act, and if it finds it necessary, take necessary measures based on the results of the review.

Appended Table (Re: Article 2)

- (i) Penal Code (Act No. 45 of 1907)
- (ii) Food Sanitation Act (Act No. 233 of 1947)
- (iii) Financial Instruments and Exchange Act (Act No. 25 of 1948)
- (iv) Act on Japanese Agricultural Standards (Act No. 175 of 1950)
- (v) Air Pollution Control Act (Act No. 97 of 1968)
- (vi) Act on Waste Management and Public Cleaning (Act No. 137 of 1970)
- (vii) Act on Protection of Personal Information (Act No. 57 of 2003)
- (viii) in addition to those listed in the preceding items, laws and regulations specified by Cabinet Order as those concerning the protection of life or physical wellbeing of an individual, the protection of interests of the consumers, the conservation of the environment, and the protection of fair competition, and concerning the protection of life, physical wellbeing, property and other interests of citizens