

Basic Act on Children's Policy

(Act No. 77 of 2022)

Table of Contents

Chapter I General Provisions (Articles 1 through 8)

Chapter II Basic Measures (Articles 9 through 16)

Chapter III Council for the Promotion of Child-Related Measures (Articles 17 through 20)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act, based on the spirit of the Constitution of Japan and the Convention on the Rights of the Child, aiming at realization of a society where all children and young people, who lead the society of the next generation, can build the foundations for the lifelong development of personality and equally thrive as independent individuals, where the rights of children and young people are protected regardless of physical and mental conditions, the environments surrounding them, etc., and where they can live happy lives into the future and to enable society as a whole to engage in child-related measures by establishing fundamental principles, clarifying the responsibilities of the national government, etc. and setting basic matters for child-related measures as well as establishing the Council for the Promotion of Child-Related Measures, to comprehensively promote these measures.

(Definitions)

Article 2 (1) The term "child" as used in this Act means a person who is in the process of physical and mental development.

(2) The term "child-related measures" as used in this Act means the following measures and other measures for children, and measures that should be implemented in an integrated manner:

(i) support for children's healthy growth that is provided continuously throughout the process of physical and mental development, through the newborn, infant, school age, and adolescent stages, until they become adults;

(ii) support that is provided at each stage of life, including employment, marriage, pregnancy, childbirth, and childcare, etc. to help realize a society in which people can experience the joy associated with childcare;

(iii) development of a child-rearing environment at home and other child-rearing environments.

(Basic Principles)

Article 3 (1) Child-related measures must be implemented based on the following basic principles:

(i) all children are respected as individuals, their fundamental human rights are guaranteed, and they are not treated in a discriminatory manner;

(ii) all children are equally guaranteed the rights to be properly raised, to have their livelihood guaranteed, to be loved and protected, to have their healthy growth and development as well as their independence fostered, and to have other welfare-related rights guaranteed, and they are equally provided with opportunities to receive an education in accordance with the spirit of the Basic Act on Education (Act No. 120 of 2006);

(iii) all children are guaranteed opportunities to express their views on all matters that directly affect them and to participate in a variety of social activities, in accordance with their age and level of development;

(iv) all children have their views respected and their best interests are given priority consideration according to their age and level of development;

(v) regarding child-rearing, recognizing that children are basically raised in the home and that parents and other guardians have primary responsibility for child-rearing, sufficient support for child-rearing is to be provided to these caregivers, and for children for whom being brought up at home is difficult, a child-rearing environment equivalent to that at home is to be secured as much as possible, so that children are brought up in good mental and physical health;

(vi) to develop a social environment in which one can dream about family and child-rearing and can experience the joy that comes with child-rearing.

(Responsibilities of the National Government)

Article 4 The national government is responsible for comprehensively formulating and implementing child-related measures in accordance with the basic principles referred to in the preceding Article (simply referred to below as the "basic principles").

(Responsibilities of Local Governments)

Article 5 In accordance with the basic principles, local governments are responsible for formulating and implementing child-related measures according to the circumstances of children within their areas, in coordination with the national government and other local governments.

(Efforts of Employers)

Article 6 In accordance with the basic principles, an employer is to endeavor to develop the necessary employment environment so that the working and family lives of workers employed are thereby enriched.

(Efforts by the People in Japan)

Article 7 In accordance with the basic principles, people in Japan are to endeavor to deepen their interest and understanding of child-related measures and to cooperate with child-related measures implemented by the national government or local governments.

(Annual Report)

Article 8 (1) Every year, the government must submit to the Diet a report on the situation surrounding children in Japan and the implementation status of child-related measures implemented by the government, and publicize the report.

(2) The report referred to in the preceding paragraph must include the following matters:

(i) the status of the declining birthrate and the outline of the measures taken to address the declining birthrate as prescribed in Article 9, paragraph (1) of the Basic Act for Measures to Cope with Society with Declining Birthrate (Act No. 133 of 2003);

(ii) the status of children and young people in Japan and the status of the implementation of development and support for children and young people measures taken by the government as prescribed in Article 6, paragraph (1) of the Act on Promotion of Development and Support for Children and Young People (Act No. 71 of 2009);

(iii) the status of child poverty and the status of the implementation of measures to resolve child poverty as prescribed in Article 8, paragraph (1) of the Act on the Promotion of Policy on Child Poverty (Act No. 64 of 2013).

Chapter II Basic Measures

(General Outlines Concerning Child-Related Measures)

Article 9 (1) The government must establish an outline concerning child-related measures (referred to below as the "General Principles for Child-Related Measures") to comprehensively promote child-related measures.

(2) The General Principles for Child-Related Measures is to provide for the following matters:

(i) basic policies concerning child-related measures;

(ii) important matters concerning child-related measures;

(iii) in addition to what is stated in the preceding two items, matters necessary to promote child-related measures.

(3) The General Principles for Child-Related Measures must include the following matters:

(i) measures to address the declining birth rate in a comprehensive and long-term manner prescribed in Article 7, paragraph (1) of the Basic Act for Measures to Cope with Society with Declining Birthrate;

(ii) the matters stated in the items of Article 8, paragraph (2) of the Act on Promotion of Development and Support for Children and Young People;

(iii) the matters stated in the items of Article 9, paragraph (2) of the Act on the Promotion of Policy on Child Poverty.

(4) regarding the child-related measures specified in the General Principles for Child-Related Measures, the specific goals of the child-related measures and the period for their achievement are to be specified as a general rule.

(5) The Prime Minister must seek a cabinet decision on the draft of the General Principles for Child-Related Measures.

(6) When a cabinet decision is made under the provisions of the preceding paragraph, the Prime Minister must publicize the General Principles for Child-Related Measures without delay.

(7) The provisions of the preceding two paragraphs apply mutatis mutandis to changes to the General Principles for Child-Related Measures .

(Prefectural Plan for Children and Municipal Plan for Children)

Article 10 (1) Prefectural governments are to endeavor to establish plans concerning child-related measures in their own prefectures (referred to below as the "Prefectural Plan for Children" in this Article) by taking into consideration the General Principles for Child-Related Measures.

(2) Municipalities are to endeavor to establish plans for child-related measures in their own municipalities (referred to below as the "Municipal Plan for Children" in this Article) by taking into consideration the General Principles for Child-Related Measures (and also a Prefectural Plan for Children, if it has already been established).

(3) When a prefectural or municipal government has formulated, or changed a Prefectural Plan for Children or Municipal Plan for Children, they must be publicized without delay.

(4) A Prefectural Plan for Children may be prepared as an integrated part of a Prefectural Plan for Children and Young People prescribed in Article 9, paragraph (1) of the Act on Promotion of Development and Support for Children and Young People, a prefectural plan referred to in Article 10, paragraph (1) of the Act on the Promotion of Policy on Child Poverty, or any other plan formulated by a prefectural government pursuant to the provisions of laws and regulations and providing for matters concerning child-related measures.

(5) A Municipal Plan for Children may be prepared as an integrated part of a Municipal Plan for Children and Young People prescribed in Article 9, paragraph (2) of the Act on Promotion of Development and Support for Children and Young People, a municipal plan under Article 10, paragraph (2) of the Act on the Promotion of Policy on Child Poverty, or any other plan formulated by municipalities pursuant to laws and regulations and providing for matters concerning child-related measures.

(Reflecting the Views of Children in Child-Related Measures)

Article 11 The national government and local governments are to take necessary measures to reflect the views of the children, or persons who take care of children, and other related persons subject to the child-related measures, when formulating, implementing, and evaluating the child-related measures.

(Development of Systems for Comprehensive and Integrated Provision of Support Related to Child-Related Measures)

Article 12 The national government is to take necessary measures, such as the development of a system for providing support in a comprehensive and integrated

manner, to ensure that the support related to child-related measures is provided continuously regardless of the reasons why the support is needed, the relevant bodies that provide the support, the age of the person subject to the support or the region where the person resides, etc.

(Ensuring Organic Coordination among Relevant Persons)

Article 13 (1) The national government must endeavor to ensure organic coordination among relevant bodies that perform services related to medical care, health, welfare, education, medical treatment and education, etc., so that child-related measures are implemented appropriately and smoothly.

(2) The prefectural and municipal governments must endeavor to ensure organic coordination among the relevant bodies that perform the operations referred to in the preceding paragraph and the private organizations that provide support for children in the community so that child-related measures are implemented appropriately and smoothly.

(3) The prefectural or municipal governments may organize councils to facilitate consultation, liaison and coordination related to the implementation of affairs related to child-related measures in order to ensure the organic coordination referred to in the preceding paragraph.

(4) The Council referred to in the preceding paragraph is composed of the relevant bodies and private organizations referred to in paragraph (2) and other persons that the prefectural or municipal governments finds necessary.

Article 14 (1) To contribute to ensuring the organic coordination stated in paragraph (1) of the preceding Article, the national government is to take necessary measures, including utilizing information and communications technology to promote the sharing of information that contributes to the support for children conducted by the relevant bodies stated in that paragraph, while ensuring the proper handling of personal information.

(2) To contribute to ensuring the organic coordination referred to in paragraph (2) of the preceding Article, while ensuring the proper handling of personal information, the prefectural and municipal governments are to endeavor to take necessary measures, including utilizing information and communications technology to promote the sharing of information that contributes to the support for children conducted by the relevant bodies and private organizations referred to in that paragraph.

(Dissemination of the Purport and Content of This Act and the Convention on the Rights of the Child)

Article 15 The national government is to endeavor to publicize the purport and content of this Act and the Convention on the Rights of the Child to the public through public relations activities, etc., and to gain their understanding.

(Enhancement of Child-Related Measures and Financial Measures)

Article 16 Pursuant to the provisions of the General Principles for Child-Related Measures, the government must endeavor to further enhance the child-related

measures, including wide-ranging development of child-related measures, and take financial and other measures necessary for their implementation.

Chapter III Council for the Promotion of Child-Related Measures

(Establishment and Affairs under Jurisdiction)

Article 17 (1) The Children and Families Agency is to establish a special body; the Council for the Promotion of Child-Related Measures (referred to below as the "Council").

(2) The Council takes charge of the following affairs:

(i) drafting the General Principles for Child-Related Measures;

(ii) in addition to what is stated in the preceding item, to deliberate on important matters concerning child-related measures and promote the implementation of child-related measures;

(iii) to coordinate among relevant administrative bodies regarding child-related measures;

(iv) in addition to what is stated in the preceding three items, affairs that are assigned to the Council pursuant to the provisions of other laws and regulations.

(3) When drafting the General Principles for Child-Related Measures pursuant to the provisions of the preceding paragraph, the Council is to take necessary measures to reflect the views of children and persons who takes care of children, person with relevant expertise, private organizations that provide support for children in the community, and other related persons.

(Organization)

Article 18 (1) The Council is composed of a chairperson and council members.

(2) The Prime Minister serves as the chairperson.

(3) The following persons serve as council members:

(i) the Minister of State for Special Missions prescribed in Article 9, paragraph (1) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) who administers the affairs prescribed in Article 11-3 of that Act as ordered pursuant to the provisions of Article 9, paragraph (1) of that Act;

(ii) persons designated by the Prime Minister from among the Ministers of State other than the chairperson and the persons stated in the preceding item.

(Request for Submission of Materials)

Article 19 (1) If the Council finds it necessary to conduct the affairs under its jurisdiction, it may request the head of the relevant administrative bodies to submit materials, express opinions, give explanations, and provide other necessary cooperation.

(2) If the Council finds it particularly necessary to conduct the affairs under its jurisdiction, it may request necessary cooperation from persons other than those prescribed in the preceding paragraph.

(Delegation to Cabinet Order)

Article 20 In addition to what is provided for in the preceding three Articles, necessary matters concerning the organization and operation of the Council are to be specified by Cabinet Order.

Supplementary Provisions Extract

(Effective Date)

Article 1 This Act comes into effect on April 1, 2023.

(Review)

Article 2 After approximately five years from the enforcement of this Act, the national government is to review necessary measures to further promote child-related measures that are in accordance with the basic principles, such as the development of a mechanism to understand the actual situation of child-related measures from the viewpoint of whether or not they are being implemented in accordance with the basic principles, and to evaluate them fairly and appropriately, by taking into account the status of enforcement of this Act and the status of implementation of child-related measures, and take legislative and other necessary measures based on the results of the review.

Supplementary Provisions (Act No.68 of June 26, 2024) (Extract)

(Effective Date)

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