

Act on Advancement of Measures to Support Raising Next- Generation Children

(Act No. 120 of 2003)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to swiftly and thoroughly promote measures to support raising next-generation children by establishing fundamental principles and clarifying the responsibilities of the national government, local governments, employers, and the people regarding the measures to support raising the next-generation children, as well as by establishing guidelines for the formulation of action plans, action plans of local governments and employers, and other matters necessary for promoting the measures to support raising the next-generation children, considering the rapid decline in the birth rate in Japan and changes in the environment surrounding families and local communities, thereby contributing to the formation of a society in which the children who are to build a society of the next generation will be born and raised in good health.

(Definitions)

Article 2 The term "measures to support raising next-generation children" as used in this Act means measures implemented by the national government or a local government to support families that are raising or seeking to raise children who will build a society of the next generation, and other measures to create an environment in which children can be born and raised in good health, or measures implemented by employers to improve the employment environment and other efforts.

(Fundamental Principles)

Article 3 Based on the fundamental idea that parents and other guardians have the primary responsibility for childcare, measures to support raising next-generation children must be implemented with due consideration to improve the understanding of the significance of childcare and to allow parents and other guardians to experience the joy that comes from childrearing, both in domestic life and in other circumstances.

(Responsibilities of the National Government and Local Governments)

Article 4 In accordance with the fundamental principles referred to in the preceding Article (referred to as the "fundamental principles" in the following Article and Article 7, paragraph (1)), the national government and a local government must endeavor to promote measures to support raising next-generation children in a comprehensive and effective manner while coordinating with each other.

(Responsibilities of Employers)

Article 5 In accordance with the fundamental principles, an employer must endeavor to implement measures to support raising next-generation children on their own initiative by improving the various working conditions of the workers they employ, creating a work environment that makes it easier for workers to take childcare leave, making efforts to shorten the working hours, and otherwise developing an employment environment necessary for allowing workers to balance their professional and domestic lives, and must cooperate with the measures to support raising next-generation children taken by the national government or local governments.

(Responsibilities of the People)

Article 6 The people must foster their interest in and improve their understanding of the importance of the measures to support raising next-generation children and cooperate with such measures taken by the national government or a local government.

Chapter II Action Plans

Section 1 Guidelines for the Formulation of Action Plans

Article 7 (1) To comprehensively and effectively promote the measures to support raising next-generation children, the competent minister must establish guidelines (referred to below as the "guidelines for the formulation of an action plan") on the formulation of a municipal action plan stated in paragraph (1) of the following Article, a prefectural action plan stated in Article 9, paragraph (1), a general employer action plan stated in Article 12, paragraph (1), and a specified employer action plan stated in Article 19, paragraph (1) (referred to as the "municipal action plan, etc." in the following paragraph), in accordance with the fundamental principles.

(2) The guidelines for the formulation of an action plan are to prescribe the guidelines for a municipal action plan, etc. regarding the following matters:

(i) basic matters concerning the implementation of the measures to support raising next-generation children;

(ii) matters concerning the details of the measures to support raising next-generation children; and

(iii) other important matters concerning the implementation of the measures to support raising next-generation children.

(3) The competent minister is to promptly make changes to the guidelines for the formulation of an action plan when the minister finds it necessary considering the trends in the declining birthrate, changes in children's circumstances, and other factors.

(4) When the competent minister intends to establish or change the guidelines for the formulation of an action plan, the minister must hear the opinions of the Child and Family Council in advance, and deliberate with the Minister for Internal Affairs and Communications on the parts related to a municipal action plan stated in paragraph (1) of the following Article and a prefectural action plan stated in Article 9, paragraph (1).

(5) When the competent minister has established or changed the guidelines for the formulation of an action plan, the minister must make those guidelines public without delay.

Section 2 Municipal Action Plans and Prefectural Action Plans

(Municipal Action Plans)

Article 8 (1) In line with the guidelines for the formulation of an action plan, every five years, a municipality may formulate a plan concerning the implementation of measures to support raising next-generation children (referred to below as the "municipal action plan"), with regard to the affairs and services of the municipality, with five years as one term, including supporting childcare in the region, safeguarding and promoting motherhood and the health of an infant and toddler, creating an educational environment that contributes to a healthy mental and physical development of children, ensuring high-quality housing and a favorable living environment suitable for a family raising children, and improving the balance between professional and domestic lives of a worker.

(2) A municipal action plan is to prescribe the following matters:

(i) the goals to be achieved by implementing the measures to support raising next-generation children; and

(ii) the details of the measures to support raising next-generation children to be implemented and the implementation period.

(3) When a municipality intends to formulate or change its municipal action plan, the municipality is to take necessary measures in advance to reflect the opinions of residents in the plan.

(4) When a municipality intends to formulate or change its municipal action plan, the municipality must endeavor to take necessary measures in advance to reflect the opinions of employers, workers, and other persons concerned in the plan.

(5) When a municipality has formulated or changed its municipal action plan, the municipality must endeavor to make the plan public and must submit it to the prefecture without delay.

(6) When a municipality has formulated its municipal action plan, the municipality is to endeavor to make public the status of the implementation of any measures based on the municipal action plan approximately once a year.

(7) When a municipality has formulated its municipal action plan, the municipality must periodically evaluate the status of the implementation of any measures based on the municipal action plan, review the municipal action plan, and, when the municipality finds it necessary to do so, endeavor to change the municipal action plan or take other necessary measures.

(8) If a municipality finds it particularly necessary to formulate a municipal action plan and to implement measures based on the municipal action plan, the municipality may request an employer and other persons concerned to provide any cooperation necessary for conducting surveys.

(Prefectural Action Plans)

Article 9 (1) In line with the guidelines for the formulation of action plans, every five years, a prefecture may formulate a plan concerning the implementation of the measures to support raising next-generation children (referred to below as the "prefectural action plan") with regard to the affairs and services of the prefectural government, with five years as one term, including supporting childcare in the region, developing a nurturing environment for children in need of protection, safeguarding and promoting motherhood and the health of an infant and toddler, creating an educational environment that contributes to a healthy mental and physical development of children, ensuring high-quality housing and a favorable living environment suitable for a family raising children, and improving the balance between professional and domestic lives of a worker.

(2) A prefectural action plan is to prescribe the following matters:

(i) the goals to be achieved by implementing the measures to support raising next-generation children;

(ii) the details of the measures to support raising next-generation children to be implemented and the implementation period;

(iii) the details and the implementation period of measures to support a municipality that implements measures to support raising next-generation children.

(3) When a prefecture intends to formulate or change its prefectural action plan, the prefecture is to take necessary measures in advance to reflect the opinions of residents in the plan.

(4) When a prefecture intends to formulate or change its prefectural action plan, the prefecture must endeavor to take necessary measures in advance to reflect the opinions of an employer, a worker, and other persons concerned in the plan.

(5) When a prefecture has formulated or changed its prefectural action plan, the prefecture must endeavor to make the plan public and must submit it to the competent minister without delay.

(6) When a prefecture has formulated its prefectural action plan, the prefecture is to endeavor to make public the status of the implementation of any measures based on the prefectural action plan approximately once a year.

(7) When a prefecture has formulated its prefectural action plan, the prefecture must periodically evaluate the status of the implementation of any measures based on the prefectural action plan, review the prefectural action plan, and, when the prefecture finds it necessary to do so, endeavor to change the prefectural action plan or take other necessary measures.

(8) If a prefecture finds it particularly necessary to formulate a prefectural action plan and to implement measures based on the prefectural action plan, the prefecture may request a municipality, an employer, and other persons concerned to provide any cooperation necessary for conducting surveys.

(Advice from Prefectures)

Article 10 (1) A prefecture is to endeavor to provide the municipality with necessary advice and other assistance regarding technical matters related to the formulation of a municipal action plan.

(2) The competent minister is to endeavor to provide the prefecture with necessary advice and other assistance concerning the formulation of a prefectural action plan and other important technical matters for the formulation of the prefectural action plan.

(Provision of Grants to Municipalities and Prefectures)

Article 11 (1) Pursuant to the provisions of Cabinet Office Order and within the scope of the budget, the national government may provide the municipality or prefecture with grants to cover the expenses required for the implementation of measures prescribed in a municipal action plan or prefectural action plan.

(2) When a municipality or prefecture intends to implement measures prescribed in a municipal action plan or prefectural action plan, the national government is to endeavor to provide advice and other assistance necessary for a smooth implementation of the measures.

Section 3 General Employer Action Plans

(Formulation of General Employer Action Plans)

Article 12 (1) An employer other than the national government or a local government (referred to below as the "general employer") with over 100 regularly employed workers must formulate a general employer action plan (meaning a plan concerning measures to support raising next-generation children implemented by

a general employer; the same applies below) in line with the guidelines for the formulation of an action plan, and notify the Minister of Health, Labour and Welfare of that plan pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. The same applies when an employer makes any changes to the plan.

(2) A general employer action plan is to prescribe the following matters:

(i) the implementation period of the plan;

(ii) the goals to be achieved by implementing the measures to support raising next-generation children;

(iii) the details of the measures to support raising next-generation children to be implemented and the implementation period.

(3) When a general employer prescribed in paragraph (1) intends to formulate or change the general employer action plan, the general employer, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, must ascertain the status of the use of childcare leave, etc. taken by a worker employed by that employer (meaning childcare leave prescribed in Article 2, item (i) of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991), absence from work due to measures equivalent to the childcare leave system stated in Article 23, paragraph (2) of that Act, or absence from work due to measures taken pursuant to the provisions of Article 24, paragraph (1) of that Act (limited to the part related to item (ii)) in accordance with the childcare leave system prescribed in item (ii) of that paragraph, or any other leave specified by Order of the Ministry of Health, Labour and Welfare as being equivalent to that leave; the same applies below in this paragraph) and the status of their working hours, analyze the circumstances to be improved to achieve the balance between the professional and domestic lives of the worker, and formulate the plan by taking into consideration the results of the analysis. In this case, the general employer must quantitatively determine the goals stated in item (ii) of the preceding paragraph by using the figures indicating the status of the use of childcare leave, etc. taken by the worker employed by that employer and the status of their working hours.

(4) When a general employer prescribed in paragraph (1) has formulated or changed a general employer action plan, the general employer must make that fact public pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(5) A general employer with 100 or less regularly employed workers must endeavor to formulate a general employer action plan in line with the guidelines for the formulation of an action plan and notify the Minister of Health, Labour and Welfare of that plan pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. The same applies when the general employer makes any changes to the plan.

(6) The provisions of paragraph (3) apply mutatis mutandis to cases where a general employer prescribed in the preceding paragraph intends to formulate or change a general employer action plan, and the provisions of paragraphs (4) apply mutatis mutandis to cases where the general employer has formulated or changed a general employer action plan. In this case, the term "must formulate" in paragraph (3) is deemed to be replaced with "must endeavor to formulate" and the term "must make public" in paragraph (4) is deemed to be replaced with "must endeavor to make public".

(7) If a general employer prescribed in paragraph (1) does not make a notification pursuant to the provisions of that paragraph or make the relevant facts public pursuant to the provisions of paragraph (4), the Minister of Health, Labour and Welfare may recommend the general employer to make the notification or to make the relevant facts public within a reasonable period of time.

(Notifying Workers of the General Employer Action Plans)

Article 12-2 (1) When a general employer prescribed in paragraph (1) of the preceding Article has formulated or changed a general employer action plan, the general employer must take measures to ensure that the worker is notified of that fact, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(2) When a general employer prescribed in paragraph (5) of the preceding Article has formulated or changed a general employer action plan, the general employer must endeavor to take measures to ensure that the worker is notified of that fact, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(3) The provisions of paragraph (7) of the preceding Article apply mutatis mutandis if a general employer prescribed in paragraph (1) of that Article does not take the measures under the provisions of paragraph (1).

(Certification for General Employers That Conform to Standards)

Article 13 Based on an application from a general employer who notified the Minister of Health, Labour and Welfare pursuant to the provisions of Article 12, paragraph (1) or paragraph (5), the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, may certify that the employer has formulated an appropriate general employer action plan in light of the guidelines for the formulation of an action plan, concerning their efforts to improve the employment environment, has implemented the general employer action plan, has achieved the goals specified in the general employer action plan, and conforms to other standards specified by Order of the Ministry of Health, Labour and Welfare.

(Marks Indicating Certified General Employers)

Article 14 (1) A general employer who has been certified as prescribed in the preceding Article (referred to below as the "certified general employer") may affix a mark specified by the Minister of Health, Labour and Welfare to goods or services,

documents or communications used for advertisements or transactions, and other items specified by Order of the Ministry of Health, Labour and Welfare (referred to as "advertisements, etc." in the following paragraph and Article 15-4, paragraph (1)).

(2) No person may affix a mark prescribed in the preceding paragraph or any other mark that could be confusingly similar to that mark to advertisements, etc., excluding the cases under the provisions of that paragraph.

(Revoking Certifications for Certified General Employers)

Article 15 (1) The Minister of Health, Labour and Welfare may revoke a certification for a certified general employer referred to in Article 13 when a certified general employer falls under any of the following items:

(i) when it is found that the certified general employer no longer conforms to the standards prescribed in Article 13;

(ii) when the certified general employer violates this Act or orders under this Act;
or

(iii) in addition to the cases stated in the preceding two items, when it is found that the person is no longer suitable as a certified general employer.

(Certification for Certified General Employers That Conform to Standards)

Article 15-2 Based on an application from a certified general employer, the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, may certify that the certified general employer has formulated an appropriate general employer action plan in light of the guidelines for the formulation of an action plan (limited to a plan whose last day of its implementation period is on or after the day on which the certified general employer obtained the certification referred to in Article 13), concerning their efforts to improve the employment environment, has implemented the general employer action plan, has achieved the goals specified in the general employer action plan, has implemented the measures to support raising next-generation children in a superior manner, and conforms to other standards specified by Order of the Ministry of Health, Labour and Welfare.

(Special Provisions for Specially Certified General Employers)

Article 15-3 (1) The provisions of Article 12, paragraphs (1) and (5) do not apply to a certified general employer who has obtained the certification referred to in the preceding Article (referred to below as a "specially certified general employer").

(2) A specially certified general employer must make public the status of the implementation of the measures to support raising next-generation children at least once every year pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(3) If a specially certified general employer does not make the relevant facts public pursuant to the provisions of the preceding paragraph, the Minister of

Health, Labour and Welfare may recommend the specially certified general employer to make the facts public within a reasonable period of time.

(Marks Indicating Specially Certified General Employers)

Article 15-4 (1) A specially certified general employer may affix a mark specified by the Minister of Health, Labour and Welfare to advertisements, etc.

(2) The provisions of Article 14, paragraph (2) apply mutatis mutandis to the mark referred to in the preceding paragraph.

(Revoking Certifications for Specially Certified General Employers)

Article 15-5 (1) The Minister of Health, Labour and Welfare may revoke the certification under Article 15-2 when a specially certified general employer falls under any of the following items;

(i) when the certification under Article 13 is revoked pursuant to the provisions of Article 15;

(ii) when it is found that the specially certified general employer no longer conforms to the standards prescribed in Article 15-2;

(iii) when the specially certified general employer fails to make the relevant facts public pursuant to the provisions of Article 15-3, paragraph (2), or makes them public in a false manner;

(iv) in addition to the cases stated in the preceding item, when the specially certified general employer violates this Act or orders under this Act; or

(v) in addition to the cases stated in the preceding items, when it is found that the person is no longer suitable as a specially certified general employer.

(Special Provisions on Entrustment of Recruitment)

Article 16 (1) If a general employer with 300 or less regularly employed workers that is a member of an approved employer organization for small and medium-sized enterprises (referred to below as a "small and medium-sized employer" in this and the following paragraph) commissions the recruitment of workers required for the implementation of the measures to support raising next-generation children through that approved employer organization, and if that approved employer organization intends to engage in the relevant recruitment process, the provisions of Article 36, paragraphs (1) and (3) of the Employment Security Act (Act No. 141 of 1947) do not apply to the small and medium-sized employer that is a member of that approved employer organization.

(2) The term the "approved employer organization for small and medium-sized enterprises" as used in this and the following Article means a business cooperative, a federation of cooperatives, or any other cooperative or federation of cooperatives established under special acts, as specified by Order of the Ministry of Health, Labour and Welfare, or a general incorporated association comprising of small and medium-sized employers as its direct or indirect members (limited to an association that meets the requirements prescribed by Order of the Ministry of Health, Labour and Welfare; referred to below as a "business cooperative, etc." in this paragraph),

which has been certified by the Minister of Health, Labour and Welfare, based on an application from the business cooperative, etc. and in accordance with the standards specified by the Minister as an organization that provides consultations and assistance to a small and medium-sized employer that is a members of that business cooperative, etc. with regard to securing human resources for the measures to support raising next- generation children.

(3) When the Minister of Health, Labour and Welfare finds that an approved employer organization for small and medium-sized enterprises is no longer suitable to provide the consultations and assistance stated in the preceding paragraph, the Minister may revoke the certification stated in that paragraph.

(4) When an approved employer organization for small and medium-sized enterprises intends to engage in the relevant recruitment process, the organization, as provided for by Order of the Ministry of Health, Labour and Welfare, must notify the Minister of Health, Labour and Welfare of the recruitment period, the number of persons to be recruited, the recruitment area, and other matters related to the recruitment of workers as specified by Order of the Ministry of Health, Labour and Welfare.

(5) The provisions of Article 37, paragraph (2) of the Employment Security Act apply mutatis mutandis to cases in which a notification under the preceding paragraph has been received; the provisions of Article 5-3, paragraphs (1) and (4), Article 5-4, paragraphs (1) and (2), Article 5-5, Article 39, Article 41, paragraph (2), Article 42, Article 48-3, paragraph (1), Article 48-4, Article 50, paragraphs (1) and (2), and Article 51 of that Act apply mutatis mutandis to a person who engages in recruitment of workers upon submitting a notification under the preceding paragraph; the provisions of Article 40 of that Act apply mutatis mutandis to providing compensation for a person who engages in recruitment of workers upon submitting a notification under the preceding paragraph; and the provisions of Article 50, paragraphs (3) and (4) of that Act apply mutatis mutandis to cases where the authority prescribed in paragraph (2) of that Article, as applied mutatis mutandis pursuant to this paragraph, is exercised. In this case, the term "person seeking to conduct worker recruitment" in Article 37, paragraph (2) of that Act is deemed to be replaced with "person seeking to engage in recruitment of workers upon submitting a notification under Article 16, paragraph (4) of the Act on Advancement of Measures to Support Raising Next-Generation Children (Act No. 120 of 2003)"; and the term "order the discontinuance of the worker recruitment operations, or order the suspension thereof for a designated period" in Article 41, paragraph (2) of that Act is deemed to be replaced with "order the suspension of the worker recruitment operations for a designated period."

(6) With regard to the application of the provisions of Article 36, paragraph (2) and Article 42-2 of the Employment Security Act, the term "referred to in the preceding paragraph" in Article 36, paragraph (2) of that Act is deemed to be

replaced with "that a person who intends to have a person other than their employee engage in recruitment of workers intends to give to that person" and the term "commissioned recruiters provided in Article 39" in Article 42-2 of that Act is deemed to be replaced with "persons who engage in recruitment of workers upon submitting a notification as prescribed in Article 16, paragraph (4) of the Act on Advancement of Measures to Support Raising Next-Generation Children", and the term "said paragraph" is deemed to be replaced with "following paragraph."

(7) The Minister of Health, Labour and Welfare may request the approved employer organization for small and medium-sized enterprises to submit a report on the status of the provision of the consultations and assistance referred to in paragraph (2).

Article 17 A public employment security office must endeavor to facilitate an effective and appropriate recruitment process by providing employment information and results of any occupational research or studies, and, based on those information and results, providing guidance on the details or methods of the recruitment process to an approved employer organization for small and medium-sized enterprises engaged in the recruitment of workers after giving the notification pursuant to the provisions of the preceding Article, paragraph (4).

(Assistance for General Employers by the National Government)

Article 18 The national government is to endeavor to provide necessary advice, guidance, and other assistance to a general employer who formulates a general employer action plan pursuant to the provisions of Article 12, paragraph (1) or paragraph (5), or who has submitted a notification pursuant to those provisions, in order to facilitate a smooth formulation of the general employer action plan, public announcement of that action plan, its dissemination to workers, or implementation of measures based on the general employer action plan.

Section 4 Specified Employer Action Plans

Article 19 (1) The national and local government bodies, and the heads or other officials of these bodies specified by Cabinet Order (referred to below as "specified employer") must formulate a specified employer action plan (meaning a plan related to the measures to support raising next-generation children implemented by a specified employer; the same applies below in this Article) in line with the guidelines for the formulation of an action plan pursuant to the provisions of Cabinet Order.

(2) A specified employer action plan is to prescribe the following matters:

- (i) the implementation period of the plan;
- (ii) the goals to be achieved by implementing the measures to support raising next-generation children;
- (iii) the details of the measures to support raising next-generation children to be implemented and the implementation period.

(3) When a specified employer intends to formulate or change a specified employer action plan, the specified employer, pursuant to the provisions of Cabinet Office Order, must ascertain the status of the employee's use of childcare leave, etc. (meaning the childcare leave under Article 3, paragraph (1) of the Act on Childcare Leave of Diet Officials (Act No. 108 of 1991), Article 3, paragraph (1) of the Childcare Leave Act of National Public Employees (Act No. 109 of 1991) (including as applied mutatis mutandis pursuant to Article 27, paragraph (1) of the same Act and the Act on Temporary Measures concerning Court Officials (Act No. 299 of 1951)), or Article 2, paragraph (1) of the Act on Childcare Leave of Local Public Employees (Act No. 110 of 1991), the childcare leave prescribed in Article 2, paragraph (1) of the Act on Childcare Leave of Judges (Act No. 111 of 1991), or any other leave specified by Cabinet Office Order as being equivalent to that childcare leave; the same applies below in this paragraph) and the status of their working hours, analyze the circumstances to be improved to achieve the balance between the professional and domestic lives of the employee, and formulate the plan by taking into consideration the results of the analysis. In this case, the specified employer must quantitatively determine the goals stated in item (ii) of the preceding paragraph by using the figures indicating the status of the employee's use of childcare leave and the status of their working hours.

(4) When a specified employer formulates or changes a specified employer action plan, the specified employer must make that fact public without delay.

(5) If a specified employer formulates or changes a specified employer action plan, the specified employer must take measures to notify their employees of that fact without delay.

(6) A specified employer must make public the status of the implementation of any measures based on a specified employer action plan at least once every year.

(7) A specified employer must implement measures based on a specified employer action plan and endeavor to achieve the goals provided for in the specified employer action plan.

Section 5 Centers for Advancement of Measures to Support Raising Next-Generation Children

Article 20 (1) The Minister of Health, Labour and Welfare may designate a general employer organization or any of its allied organizations (excluding an organization that is not a corporation or a federation that does not have a designated representative) that the Minister finds to be capable of properly and reliably performing the business prescribed in the following paragraph as a center for advancement of measures to support raising next-generation children, upon receiving an application from that organization.

(2) A center for advancement of measures to support raising next-generation children is to provide consultations and other assistance to a general employer and

other persons concerned for the improvement of the employment environment in relation to the formulation and implementation of a general employer action plan.

(3) When the Minister of Health, Labour and Welfare finds it necessary to improve the financial status or business operations of a center for advancement of measures to support raising next-generation children, the Minister may order that center to take any measures necessary to achieve that improvement.

(4) When a center for advancement of measures to support raising next-generation children violates an order under the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare may revoke the designation under paragraph (1).

(5) A current or former officer or employee of a center for advancement of measures to support raising next-generation children must not divulge any secret learned in connection with the business prescribed in paragraph (2).

(6) The procedures for the designation referred to in paragraph (1) and other necessary matters concerning a center for advancement of measures to support raising next-generation children are specified by Order of the Ministry of Health, Labour and Welfare.

Chapter III Regional Councils for Measures to Support Raising Next-Generation Children

Article 21 (1) A local government, employer, resident, and other person engaged in efforts to promote the measures to support raising next-generation children may organize a regional council for measures to support raising next-generation children (referred to below as a "regional council") to discuss any steps necessary for the promotion of those measures in the region.

(2) The member of a regional council must respect the results of the discussions regarding any matters on which an agreement was reached at a meeting organized to conduct the discussions referred to in the preceding paragraph.

(3) In addition to what is provided for in the preceding two paragraphs, any matters necessary for the operation of a regional council are determined by the regional council.

Chapter IV Miscellaneous Provisions

(Competent Minister)

Article 22 (1) The competent ministers referred to in Article 7, paragraph (1) and paragraphs (3) through (5) are to be the Prime Minister, the Minister of Health, Labour and Welfare, the National Public Safety Commission, the Minister of Education, Culture, Sports, Science and Technology, the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, the Minister of Land, Infrastructure, Transport and Tourism, and the Minister of the Environment with regard to the part of the guidelines for the formulation of an action plan related to a municipal action plan and a prefectural action plan and the part related to a general employer action plan (excluding the part related to the

improvement of the employment environment), the Minister of Health, Labour and Welfare with regard to the part related to a general employer action plan (limited to the part related to the improvement of the employment environment), and the Prime Minister with regard to other parts.

(2) The competent ministers referred to in Article 9, paragraph (5) and Article 10, paragraph (2) are to be the Prime Minister, the Minister of Health, Labour and Welfare, the National Public Safety Commission, the Minister of Education, Culture, Sports, Science and Technology, the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, the Minister of Land, Infrastructure, Transport and Tourism, and the Minister of the Environment.

(Delegation of Authority)

Article 23 Part of the authority of the Minister of Health, Labour and Welfare prescribed in Articles 12 through 16 may be delegated to the director general of the prefectural labor bureau pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

Chapter V Penal Provisions

Article 24 A person who engages in recruitment of workers in violation of an order for discontinuance of business pursuant to the provisions of Article 41, paragraph (2) of the Employment Security Act, as applied mutatis mutandis pursuant to Article 16, paragraph (5) is subject to imprisonment for not more than one year or a fine of not more than one million yen.

Article 25 (1) A person who falls under any of the following items is subject to imprisonment for not more than 6 months or a fine of not more than three hundred thousand yen:

(i) a person who engages in recruitment of workers without submitting a notification under the provisions of Article 16, paragraph (4);

(ii) a person who fails to comply with the instructions under the provisions of Article 37, paragraph (2) of the Employment Security Act, as applied mutatis mutandis pursuant to Article 16, paragraph (5); or

(iii) a person who violates the provisions of Article 39 or Article 40 of the Employment Security Act, as applied mutatis mutandis pursuant to Article 16, paragraph (5).

Article 26 (1) A person who falls under any of the following items is subject to a fine of not more than three hundred thousand yen:

(i) a person who violates the provisions of Article 14, paragraph (2) (including as applied mutatis mutandis pursuant to Article 15-4, paragraph (2));

(ii) a person who fails to make a report under the provisions of Article 50, paragraph (1) of the Employment Security Act, as applied mutatis mutandis pursuant to Article 16, paragraph (5), or makes a false report;

(iii) a person who refuses, obstructs, or evades an entry or inspection under the provisions of Article 50, paragraph (2) of the Employment Security Act, as applied

mutatis mutandis pursuant to Article 16, paragraph (5), or fails to answer a question under those provisions or makes a false statement;

(iv) a person who divulges any secrets in violation of the provisions of Article 51, paragraph (1) of the Employment Security Act as applied mutatis mutandis pursuant to Article 16, paragraph (5). or

(v) a person who divulges any secrets in violation of the provisions of Article 20, paragraph (5);

Article 27 When a representative of a corporation or an agent, employee, or any other worker of a corporation or an individual commits an act in violation of Article 24, Article 25, or items (i) through (iv) of the preceding Article in connection with the business of that corporation or individual, in addition to the offender being subject to punishment, that corporation or individual is subject to the fine referred to in the relevant Article.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the date of promulgation; provided, however, that the provisions of Article 7 and Article 22, paragraph (1) come into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation, and the provisions of Articles 8 through 19, Article 22, paragraph (2), Articles 23 through 25, Article 26, items (i) through (iii), and Article 27 come into effect on April 1, 2005.

(Expiration of This Act)

Article 2 (1) This Act ceases to be effective on the day following March 31, 2035.

(2) With regard to any secrets learned in connection with the business prescribed in Article 20, paragraph (2) by a person who is a former officer or employee of the center for advancement of measures to support raising next-generation children, the provisions of Article 20, paragraph (5) (including penal provisions related to that paragraph) remain in force after the date prescribed in the preceding paragraph, notwithstanding the provisions of the preceding paragraph.

(3) With regard to the application of penal provisions to acts committed before the expiration of this Act, this Act remains in force after the date prescribed in paragraph (1), notwithstanding the provisions of that paragraph.

(Review)

Article 3 When five years have passed since the enforcement of this Act, the government is to take into consideration the status of the enforcement of this Act, review the provisions of this Act and take necessary measures based on the results of the review, if the government finds it necessary.