

Act on the Implementation of Agreements between Japan and a Party other than Japan Concerning the Facilitation of Reciprocal Access and Cooperation between the Self-Defense Forces of Japan and the Armed Forces of a Party other than Japan

(1) Purpose of the Act

- The purpose of this Act is to provide for exemption provisions of the Road Transportation Act and the Road Transport Vehicle Act, formulate special provisions on criminal proceedings, etc. and special provisions on the Japanese government's liability, and prescribe measures for assistance in claiming compensation for special marine damage accompanying the implementation of the Reciprocal Access Agreements in order to ensure the proper implementation of the Reciprocal Access Agreements, thereby contribute to facilitating cooperation in the field of defense between Japan and a party other than Japan. (Article 1)

(2) Content of the Act

1. Exemption of application of the Road Transportation Act and the Road Transport Vehicle Act (Article 3) [Related to the Ministry of Land, Infrastructure, Transport and Tourism]
 - The Act is to develop exemption provisions from the Road Transportation Act and the Road Transport Vehicle Act which apply to official vehicles used by the armed forces of a party other than Japan.
2. Special Provisions on Criminal Proceedings, etc. (Articles 4 through 11) [Related to the Ministry of Justice]
 - The Act is to develop provisions for handing over of arrested members of the armed forces or civilians of a party other than Japan, and seizure and search of the property of the armed forces of a party other than Japan.
3. Japanese government's liability (Articles 12 through 14) and assistance in claiming compensation for special marine damage (Articles 15 through 18) [Related to Ministry of Defense]
 - The Act is to develop provisions to make the Japanese government liable to compensate for damages if a member of the armed forces or civilians of a party other than Japan causes loss or damage to another person by committing an unlawful act while performing their official duties in Japan, and for the Japanese government to provide mediation or other necessary support to Japanese people or corporations that have incurred special marine damage.

日本国の自衛隊と我が国以外の締約国の軍隊との間における相互のアクセス及び協力の円滑化に関する日本国と我が国以外の締約国との間の協定の実施に関する法律

①法律の目的

- この法律は、円滑化協定の適確な実施を確保するため、円滑化協定の実施に伴う道路運送法及び道路運送車両法の適用除外、刑事手続等の特例、国の賠償責任の特例並びに特殊海事損害に係る賠償の請求についての援助に関する措置を定め、もって我が国と我が国以外の締約国との間における防衛の分野に係る協力の円滑化に資することを目的とする。(第1条)

②法律の内容

- (1)道路運送法及び道路運送車両法の適用除外(第3条)【国土交通省関連】
 - ・我が国以外の締約国の軍隊が使用する公用車両について、道路運送法及び道路運送車両法の適用除外に係る規定を整備する。
- (2)刑事手続等の特例(第4条～第11条)【法務省関連】
 - ・逮捕された我が国以外の締約国の軍隊の構成員等の引渡しや、我が国以外の締約国の軍隊の財産の差押え・搜索等に係る規定を整備する。
- (3)国の賠償責任(第12条～第14条)及び特殊海事損害に係る賠償請求の援助(第15条～第18条)【防衛省関連】
 - ・我が国以外の締約国の軍隊の構成員等が、その職務を行うに際し、日本国内において違法に他人に損害を加えたとき等に、我が国が損害賠償の責任を負うこととする等の規定及び特殊海事損害を被った日本国民又は日本国法人に対するあつせんその他必要な援助等に係る規定を整備する。