

Act on Asbestos Health Damage Relief

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Chapter 1 General Provisions

(Purpose)

Article 1 The purpose of this Act is to provide prompt relief to persons who suffer from asbestos health damage and their survivors in view of the special characteristics of asbestos health damage by taking measures for paying them medical expense, etc..

(Definitions, etc.)

Article 2 In this Act, “a designated disease” refers to mesothelioma, malignant neof ormation of a bronchial tube or lung, or any other disease caused by inhaling asbestos and designated by a corresponding Cabinet Order.

2 In this Act, “a dead worker, etc.” refers to a person who is deemed to have been a worker employed in a business category for which the insurance relation of labor insurance pertaining to the Workmen’s Accident Compensation Insurance (hereinafter referred to as “the Accident Insurance”) prescribed in Article 3 of the Act on the Collection, etc. of Insurance Premiums of Labor Insurance (Act No. 84 of 1969:

hereinafter referred to as “the Collection Act”) is established (hereinafter referred to as “the business for which the insurance relation of labor insurance is established”), or a person who is deemed to have been a worker employed in a business category for which the insurance relation of the Accident Insurance pursuant to the provision of Item 1, Paragraph 1, Article 34; Item 3, Paragraph 1, Article 35; or Item 1, Paragraph 1, Article 36 of the Workmen’s Accident Compensation Insurance Act (Act No. 50 of 1947: hereinafter referred to as “the Accident Insurance Act”), and who was afflicted with a designated disease or any other disease prescribed in a corresponding Ordinance of the Ministry of Health, Labour and Welfare because he/she had been engaged in activities that exposed him/her to asbestos and died because of the disease (limited to a person who was afflicted with the said designated disease or any other disease prescribed in a corresponding Ordinance of the Ministry of Health, Labour and Welfare after September 1, 1947 and who died on or before the day occurring five years before the day preceding the executive date of this Act (hereinafter referred to as “the executive date”).

3 The Minister of the Environment shall listen to the opinions of the Central Environment Council when he/she plans the enactment, revision or abolition of the Cabinet Order set forth in Paragraph 1.

Chapter 2 Relief Benefit

Section 1 Payment, etc.

(Kinds, etc. of Relief Benefit)

Article 3 The benefit paid for asbestos health damage relief (hereinafter referred to as “the relief benefit”) shall include those listed below, and the Environmental Restoration and Conservation Agency of Japan (hereafter referred to as “the Agency”) shall pay said relief benefit pursuant to the provisions of this chapter.

- (1) Medical expense
- (2) Medical treatment allowance
- (3) Funeral service fee
- (4) Special survivor condolence money
- (5) Special funeral service fee
- (6) Relief benefit adjustment money

(Payment of Medical Expense and Qualification, etc.)

Article 4 The Agency shall pay the medical expense to a person who has been qualified to the effect that he/she was afflicted with a designated

disease because he/she inhaled asbestos in Japan, based on his/her request.

2 The qualification set forth in the preceding paragraph (hereinafter referred to as “the qualification” in this article and up to Article 17) shall be awarded by the Agency based on an application from a person who wishes to be paid the medical expense.

3 When the Agency has awarded the qualification, the Agency shall deliver an Asbestos Health Damage Medical Passbook to the person who has been awarded with the said qualification (hereinafter referred to as “a qualified person”).

4 The qualification shall take effect retroactively as of the day when the application concerned was filed.

Article 5 In the event that a person who filed an application for the qualification dies without being awarded with the qualification despite the fact that he/she could have been awarded with the qualification, the Agency may decide to the effect that the dead person could have been awarded with the qualification, based on an application from the spouse (including a person who did not register the marriage but maintained a state of quasi-marriage or similar relationship with the dead person; hereinafter the same shall apply), a child, a parent, a grandchild, a grandparent or a sibling of the dead person when he/she died and who shared livelihood or held a funeral for the dead person.

2 The application set forth in the preceding paragraph must be filed within six months from the day when the dead person prescribed in the same paragraph died.

3 If the Agency has made the decision of Paragraph 1, the relief benefit shall be paid to the dead person pertaining to the said decision on the assumption that the person had been a qualified person during the period from the day when the application for the qualification was filed until the day when the person died.

(Valid Period of Qualification)

Article 6 The qualification shall remain valid only during the period prescribed in the corresponding Cabinet Order for each designated disease (hereinafter referred to as “valid period”).

2 If the Agency finds that the designated disease pertaining to the said qualification of a qualified person is very unlikely to be cured before the expiration of the valid period when the Agency approves the

qualification, the Agency may decide the valid period of the said qualification separately, notwithstanding the provision of the preceding paragraph.

(Renewal of Qualification)

Article 7 If the designated disease pertaining to the said qualification of a qualified person is unlikely to be cured before the expiration of the valid period decided pursuant to the provision of Paragraph 1 or 2 of the preceding article, the said qualified person may file an application for renewal of the qualification with the Agency.

2 In the event that an application pursuant to the provision of the preceding paragraph has been filed, if the Agency finds that the designated disease pertaining to the said application will continue also after the expiration of the valid period, the Agency shall renew the qualification pertaining to the said designated disease.

3 The provisions of the preceding article shall apply mutatis mutandis to the qualification renewed by the provision of the preceding paragraph.

Article 8 In the case where a person who is entitled to file an application pursuant to the provision of Paragraph 1 of the preceding article could not file the said application before the expiration of the valid period of the qualification pertaining to the said application for an unavoidable reason such as a disaster, the person can file an application for the renewal of the said qualification only within two months from the day when the reason ceases to exist.

2 In the case where an application is filed pursuant to the provision of the preceding paragraph, if the Agency finds the designated disease pertaining to the said application will continue also thereafter, the Agency shall renew the qualification pertaining to the said qualification. In this case, the renewed qualification shall take effect retroactively as of the day following the expiration date of the valid period prescribed in the same paragraph.

3 The provision of Article 6 shall apply mutatis mutandis to the qualification renewed pursuant to the provision of the preceding paragraph. In this case, the term “during the period prescribed in the corresponding Cabinet Order (hereinafter referred to as ‘valid period’)” in Paragraph 1 of the same article shall be deemed to be replaced with “during the period prescribed in the corresponding Cabinet Order from the day following the expiration date of the valid period prescribed in

Paragraph 1, Article 8.”

(Rescission of Qualification)

Article 9 The Agency shall rescind the qualification when the Agency finds the designated disease of a qualified person has been cured.

(Request for Judgment)

Article 10 The Agency shall request that the Minister of the Environment make judgment concerning matters requiring medical judgment when the Agency intends to award the qualification; to make a decision pursuant to the provision of Paragraph 1, Article 5; to set the valid period pursuant to the provision of Paragraph 2, Article 6 (including cases where the provision is applied mutatis mutandis pursuant to Paragraph 3, Article 7 or Paragraph 3, Article 8); to renew the qualification pursuant to the provision of Paragraph 2, Article 7 or paragraph 2, Article 8; or to rescind the qualification pursuant to the provisions of the preceding article.

2 When the Minister of the Environment is requested to make judgment pursuant to the provision of the preceding paragraph, he/she shall make judgment after having listened to the opinions of the Central Environment Council and notify the Agency of the result.

(Requirement and Scope of Payment of Medical Expense)

Article 11 The Agency shall pay medical expense to a qualified person based on his/her request when he/she has received any of the following medical services for the designated disease pertaining to the qualification from an authorized insurance medical institution or insurance pharmacy, hospital or clinic respectively prescribed in Item 1, Paragraph 3, Article 63 of the Health Insurance Act (Act No. 70 of 1922) (including an office equivalent to any of the foregoing) or a pharmacy prescribed in a corresponding Ordinance of the Ministry of the Environment (excluding a pharmacy whose establisher has declared to the Agency to the effect that the billing and payment of medical fees will not comply with the system prescribed in Paragraph 1, Article 13: hereinafter referred to as “authorized insurance medical institution, etc.”). In this case, the medical expense shall be paid only when the qualified person concerned has received a medical service after presenting his/her Asbestos Health Damage Medical Passbook, if the qualified person is other than the dead person pertaining to the decision of Paragraph 1, Article 5.

(1) Examination

- (2) Provision of drug or therapeutic material
 - (3) Medical treatment, surgery or other therapy
 - (4) Tending for home treatment, or care or other nursing involved in the treatment
 - (5) Hospitalization in a hospital or clinic, or care or other nursing involved in the treatment
 - (6) Transport
- (Amount of Medical Expense)

Article 12 The amount of the medical expense to be paid pursuant to the provision of the preceding article shall be the amount obtained by deducting the amount of payment concerning the medical service, which the qualified person concerned received or could have received pursuant to the provisions of the Health Insurance Act and other acts prescribed in a corresponding Cabinet Order (hereinafter referred to as "Health Insurance Act, etc.") for the designated disease pertaining to the said qualification, from the amount of the expense required for the said medical service.

2 The amount of expense required for medical service set forth in the preceding paragraph shall be calculated pursuant to the method for calculating the amount of expense required for the medical treatment of health insurance, provided that the amount shall not exceed the amount of the actually required expense.

(Payment, etc. of Medical Expense to Authorized Insurance Medical Institution, etc.)

Article 13 In the event that a qualified person has received a medical service from an authorized insurance medical institution, etc. for the designated disease pertaining to the said qualification after presenting his/her Asbestos Health Damage Medical Passbook, the Agency may pay the expense to be paid by the qualified person for the said medical service to the said authorized insurance medical institution, etc. in lieu of the said qualified person, to the extent of the amount to be paid to the said qualified person as the medical expense.

2 When the payment pursuant to the provision of the preceding paragraph has been made, it shall be deemed that the said qualified person has been paid the medical expense.

3 In the event that an insured person or a partner pursuant to the provisions of the Health Insurance Act, etc., as a qualified person, receives

a medical service from an authorized insurance medical institution, etc. for the designated disease pertaining to the said qualification, the partial charge to be paid to the said authorized insurance medical institution, etc. pursuant to the provisions of the Health Insurance Act, etc. shall not be required to be paid irrespective of the provisions of the Health Insurance Act, etc., until the Agency decides to the effect that the Agency will not make the payment pursuant to Particle 1 for the said medical service.

Article 14 When the Agency decides the amounts to be paid pursuant to the provision of Paragraph 1 of the preceding article, the Agency shall listen to the opinions of the Examination Committee prescribed in the Social Insurance Medical Fee Payment Foundation Act (Act No. 129 of 1958), the National Health Insurance Medical Fee Examination Committee prescribed in the National Health Insurance Act (Act No. 192 of 1958), and other examination organizations concerning medical services prescribed in corresponding Cabinet Orders.

2 The Agency may entrust the affairs concerning the payment pursuant to the provision of Paragraph 1 of the preceding article to the Social Insurance Medical Fee Payment Foundation, the Federation of National Health Insurance Organizations, and other persons prescribed in the corresponding Ordinances of the Ministry of the Environment. (Exception for the Payment of Medical Expense in the case of Emergency, etc.)

Article 15 In the event that a qualified person receives any of the medical services listed in the respective items of Article 11 from any other hospital, clinic, pharmacy or person than the authorized insurance medical institution, etc. because of emergency condition or for any unavoidable reason, the Agency may pay the medical expense to the said qualified person based on his/her request, notwithstanding the provision of the same article, when the Agency finds it necessary to do so.

2 In the event that a qualified person other than the dead person pertaining to the decision of Paragraph 1, Article 5 has received any of the medical services listed in the respective items of Article 11 from an authorized insurance medical institution, etc. without presenting his/her Asbestos Health Damage Medical Passbook, if the Agency finds that the Asbestos Health Damage Medical Passbook was not presented because of emergency condition or for any other unavoidable reason, the Agency may pay the medical expense to the said qualified person based on his/her

request, notwithstanding the provision of the same article.

3 The provision of Article 12 shall apply mutatis mutandis to the calculation of amounts of medical services of the preceding two paragraphs.

4 The request for the payment of the medical expense of Paragraphs 1 and 2 may not be made after two years have passed from the time when such request can be made.

(Payment of medical treatment allowance)

Article 16 The Agency shall pay the medical treatment allowance in the amount prescribed in the corresponding Cabinet Order to a qualified person based on his/her request.

2 The medical treatment allowance shall be paid for each month, and the said payment shall start from the month following the month of the day when the request is made and end in the month of the day when the reason for payment vanishes.

3 The medical treatment allowance shall be paid in the six terms of February, April, June, August, October and December of every year, respectively, to cover the amounts of allowance for the previous month and the month before the previous month, provided that the medical treatment allowance that should have been paid in the previous month of payment or the medical treatment allowance of the term when the reason for payment has vanished shall be paid even if the month does not correspond to the regular month of payment.

(Request, etc. for Payment of Medical Expense, etc.)

Article 17 The request for payment of medical expense and medical treatment allowance (hereinafter referred to as "medical expense, etc.") can be made even before the said qualification is awarded, if the application for the qualification has been filed already.

2 The disposition to the effect that the medical expense, etc. will be made shall take effect retroactively as of the day when the request was made.

(Medical Expense, etc. Remaining Unpaid)

Article 18 In the event that a person entitled to receive the medical expense, etc. dies, if there still remains an amount of the medical expense, etc. yet to be paid to the dead person, his/her spouse, child, parent, grandchild, grandparent or sibling who shared livelihood with him/her when he/she died can request the payment in the name of the person who

requests it and can receive the payment of the said medical expense, etc.

2 The order of the persons who can receive the payment of the medical expense, etc. pursuant to the provision of the preceding paragraph shall be as per the order prescribed in the same paragraph.

3 If there are two or more persons who are equally entitled to receive the payment of the medical expense, etc. pursuant to the provision of Paragraph 1, the request made by one of them shall be deemed to have been made for the total amount for all the persons, and the payment made for the one person shall be deemed to have been made for all the persons.

(Payment of Funeral Service Fee)

Article 19 When a qualified person dies as a result of the designated disease pertaining to the said qualification, the Agency shall pay the funeral service fee in the amount prescribed in the corresponding Cabinet Order to the person who holds the funeral, based on his/her request.

2 The request for the payment of the funeral service fee set forth in the preceding paragraph may not be made if two years have passed after the death of the said qualified person.

Article 20 Special survivor condolence money and a special funeral service fee shall be paid to the survivor (excluding the person who can receive the payment of the special survivor benefit prescribed in Paragraph 1, Article 59) of a person who was afflicted with a designated disease because he/she inhaled asbestos in Japan and died as a result of the said designated disease before the effective date (hereinafter referred to as "pre-enforcement dead person").

2 The amount of the special survivor condolence money set forth in the preceding paragraph shall be the amount prescribed in the corresponding Cabinet Order as a single amount considering the expense required for the medical services received for the designated disease and the amount of the medical treatment allowance set forth in Paragraph 1, Article 16.

3 The amount of the special funeral service fee of Paragraph 1 shall be the same amount as that of the funeral service fee set forth in Paragraph 1 of the preceding article.

(Range and Order of Survivors Who Can Receive the Payment of Special Survivor Condolence Money, etc.)

Article 21 The survivor who can receive the payment of the special survivor condolence money and special funeral service fee (hereinafter

referred to as “special survivor condolence money, etc.”) set forth in Paragraph 1 of the preceding article is the spouse, child, parent, grandchild, grandparent or sibling of the pre-enforcement dead person who shared the livelihood with the pre-enforcement dead person when the pre-enforcement dead person died.

2 The provisions of Paragraphs 2 and 3, Article 18 shall apply mutatis mutandis to the survivor who can receive the payment of the special survivor condolence money, etc.

(Qualification, etc. Pertaining to Special Survivor Condolence Money, etc.)

Article 22 The Agency shall qualify a person as the person with the right to receive the payment of special survivor condolence money, etc. based on his/her request for receiving the said payment, and shall pay the special survivor condolence money, etc. to the person awarded with the said qualification.

2 The request for the payment of the special survivor condolence money, etc. set forth in the preceding paragraph may not be made when three years have passed after the effective date.

(Payment of Relief Benefit Adjustment Money)

Article 23 In the event that a qualified person who was afflicted with the designated disease pertaining to the qualification of Paragraph 1, Article 4 before the effective date dies within two years from the effective date as a result of the said designated disease, if the total amount of the medical expense and the medical treatment allowance paid for the said designated disease is less than the amount of special survivor condolence money, the amount of money corresponding to the amount obtained by deducting the said total amount from the amount of special survivor condolence money shall be paid to the survivor of the said dead person as relief benefit adjustment money.

2 The Agency shall pay the relief benefit adjustment money set forth in the preceding paragraph (hereinafter referred to as “the relief benefit adjustment money”) based on the request of the survivor prescribed in the preceding paragraph.

3 The provision of Paragraph 2, Article 19 shall apply mutatis mutandis to the request for the payment of the relief benefit adjustment money, and the provisions of Article 21, to the survivor entitled to receive the payment of the relief benefit adjustment money.

(Request for Judgment)

Article 24 The Agency may request that the Minister of the Environment make judgment concerning matters requiring medical judgment when the Agency pays the funeral service fee pursuant to the provision of Paragraph 1, Article 19 and awards qualification pursuant to the provision of Paragraph 1, Article 22.

2 The provision of Paragraph 2, Article 10 shall apply mutatis mutandis when judgment is requested pursuant to the provision of the preceding paragraph.

(Discharge from Relief Benefit)

Article 25 In the event that damage has been compensated for a person entitled to receive payment of the relief benefit for the same reason, the Agency can be discharged from the duty of paying the relief benefit up to the extent of the value.

(Adjustment with the Benefit by Other Law or Regulation)

Article 26 In the event that the payment concerning any medical service should be made pursuant to the provisions of any other law or ordinance (including prefectural or municipal ordinance) than the Health Insurance Act, etc. to a qualified person for the designated disease pertaining to the said qualification, the medical expense shall not be paid up to the extent of the benefit.

2 In the event that any benefit prescribed in any Cabinet Order shall be paid for the same reason among the benefits pursuant to the Accident Insurance Act and other laws and regulations to a person entitled to receive the payment of the medical treatment allowance, funeral service fee, special survivor condolence money or relief benefit adjustment money, the latter payment shall not be made to the extent of the value calculated as prescribed in the corresponding Cabinet Order as the amount corresponding to the said benefit.

(Collection of Wrongful Gain)

Article 27 If a person receives payment of the relief benefit by deception or other wrongful means, the Agency may collect the whole or part of the amount corresponding to the expense required for the payment of the relief benefit from the person as if governed by the same rules as national tax.

2 Regarding the order of the lien for the money collected pursuant to the provision of the preceding paragraph, the Agency's collection shall come after national tax and local tax.

(Protection of Relief Benefit Receiving Right)

Article 28 The right for receiving payment of the relief benefit may not be transferred, mortgaged or attached.

(Prohibition of Public Dues)

Article 29 Tax and other public dues may not be imposed on the money and goods obtained as payment of the relief benefit based on their amount.

(Delegation to the Ordinance of the Ministry of the Environment)

Article 30 The matters prescribed in this section and the matters necessary for applications for the qualifications of Paragraph 1, Article 4 and Paragraph 1, Article 22 and for the other procedures concerning the relief benefit shall be prescribed in the corresponding Ordinance of the Ministry of the Environment.

Section 2 Expenses

Subsection 1 Foundation, etc.

(Foundation)

Article 31 The Agency shall establish an Asbestos Health Damage Relief Foundation to be appropriated for the expense required for the payment of the relief benefit (excluding the expense required for execution of the affairs of the said payment).

2 The Asbestos Health Damage Relief Foundation set forth in the previous paragraph shall be the amount of money obtained by deducting the amount of money corresponding to the expense required for execution of the affairs performed by the Agency pursuant to the provisions of this Act from the amount of money corresponding to the combined total amount of the fund granted from the government pursuant to the provision of Paragraph 1 of the next article; the fund contributed from local governments pursuant to the provision of Paragraph 2 of the same article; the general contributions collected from ship owners pursuant to the provision of Paragraph 2, Article 35; the amount of money delivered from the Minister of Health, Labour and Welfare pursuant to the provision of Article 36; the special contributions collected pursuant to the provision of Paragraph 1, Article 47; the amount of money collected pursuant to the provision of Paragraph 1, Article 27; and the interests and other incomes accruing from the utilization of the said Asbestos Health Damage Relief Foundation.

(Grant, etc.)

Article 32 The government may grant the fund to be appropriated to the expense required for the payment of the relief benefit (including the expense required for execution of the affairs of the said payment; hereinafter the same shall apply, excluding the next paragraph) to the Agency within the scope of the budget.

2 Local governments may contribute the funds to be appropriated to the expense required for the payment of the relief benefit to the Agency within the scope of the budget.

(Exception of Local Government Bonds)

Article 33 With regard to the expense required for the contributions from local governments to the Agency based on the provision of Paragraph 2 of the preceding article, local government bonds may be used as the financial sources, notwithstanding of the provision of Article 5 of the Local Government Finance Act (Act No. 109 of 1948).

(Bearing by the National Treasury)

Article 34 The national treasury shall partially bear the expense required for the collection of general contributions of Paragraph 1 of the next article within the scope of the budget every fiscal year.

Subsection 2 General Contributions

(Collection of General Contributions and Obligations of Payment)

Article 35 The Minister of Health, Labour and Welfare shall collect general contributions every fiscal year from the business operators of the business categories for which the insurance relation of the Accident Insurance is established (principal contractors in the event that the principal contractors are defined as business operators pursuant to the provision of Paragraph 1 or 2, Article 8 of the Collection Law: hereinafter referred to as "Accident Insurance-applied business operators") for appropriation to the expense required for the payment of the relief benefit.

2 The Agency shall collect general contributions every fiscal year from the ship owners prescribed in Paragraph 1, Article 60 of the Mariners Insurance Act (Act No. 73 of 1939) (hereinafter referred to as "the ship owners") for appropriation to the expense required for the payment of the relief benefit.

3 The Accident Insurance-applied business operators and ship owners shall be obliged to pay the general contributions.

(Delivery to the Agency)

Article 36 The Minister of Health, Labour and Welfare shall deliver the amount of money corresponding to the amount obtained by deducting the amount calculated as prescribed in the corresponding Cabinet Order as the amount of expense required for collection of the said general contributions, from the collected amount, to the Agency, when he/she has collected the general contributions pursuant to the provision of Paragraph 1 of the preceding article.

(Amounts of General Contributions)

Article 37 The amount of the general contributions collected from the Accident Insurance-applied business operators pursuant to the provision of Paragraph 1, Article 35 (hereinafter referred to as “the Paragraph 1 general contributions) shall be the amount obtained by multiplying the total amount of wages as the base of calculation of general insurance premiums of Item 1, Paragraph 2, Article 10 of the Collection Act by the general contribution rate.

2 The amount of the general contributions collected from the ship owners pursuant to the provision of Paragraph 2, Article 35 (hereinafter referred to as “the Paragraph 2 general contributions”) shall be the amount obtained by multiplying the total amount of the wages paid to all the mariners employed by the said ship owners in the previous fiscal year (if the total amount includes a fraction of less than one thousand yen, the fraction shall be discarded) by the general contribution rate.

3 The general contribution rate set forth in the preceding two paragraphs shall be decided by the Minister of the Environment after discussion with the Minister of Health, Labour and Welfare and the ministers with jurisdiction over the business categories pursuant to the provisions of the corresponding Cabinet Order, considering the predicted amount of expense required for the payment of the relief benefit; the grant pursuant to the provision of Paragraph 1, Article 32; the amount of contributions, if any, pursuant to the provision of Paragraph 2 of the same article; and the occurrence conditions of designated diseases and other situations.

4 The Minister of the Environment shall listen to the opinions of the Central Environment Council, when he/she plans the enactment, revision or abolition of the Cabinet Order set forth in the preceding paragraph.

(Method for Collecting the Paragraph 1 General Contributions)

Article 38 The provisions of Article 19 (excluding Items 2 and 3,

Paragraph 1, and Items 2 and 3, Paragraph 2), Article 21, Article 21-2, Articles 26 through 29, Article 36-2, Article 38, Articles 41 through 43, and Article 45-2 of the Collection Act shall apply mutatis mutandis to the Paragraph 1 general contributions. In this case, the terms listed in the middle column of the following table for the provisions of the Collection Act listed in the left column of the same table shall be deemed to be replaced with the terms listed in the right column of the same table, and the other necessary replacement of technical terms shall be prescribed in the corresponding Cabinet Order.

1. Paragraph 1, Article 19
2. the next
3. that
4. the day when the said insurance relation vanished (the day when the approval of Paragraph 1, Article 34 of the Accident Insurance Act was rescinded for the class 1 special insurance premium pertaining to the business category for which the said approval was rescinded during the insurance year, or the day when the approval of Paragraph 1, Article 36 of the Accident Insurance Act for the class 3 special insurance premium pertaining to the business category for which the said approval was rescinded during the insurance year)
5. the day when the said insurance relation vanished
- 5B. used in the insurance year
6. used in the insurance year immediately before the insurance year
7. total amount of wages
8. total amount of wages (if the amount includes a fraction of less than one thousand yen, it shall be discarded; hereinafter the same shall apply)
9. the general insurance premium calculated by multiplying ... by the general insurance rate
10. the Paragraph 1 general contribution of Paragraph 1, Article 36 of the Act on Asbestos Health Damage Relief” (hereinafter referred to as “Asbestos Relief Act”) calculated by multiplying ... by the general contribution rate of the same paragraph (hereinafter referred to as “the general contribution rate”) (the said general contribution is hereinafter referred to as “Paragraph 1 general contribution”)
11. Paragraph 2, Article 19
12. the day when the insurance relation vanished (the day when the approval of Paragraph 1, Article 34 of the Accident Insurance Law was rescinded for the class 1 special insurance premium pertaining to the business category for which the said approval was rescinded before the

day when the said insurance relation vanished; the same shall apply also in the following paragraph)

13. the day the insurance relation vanished
 14. the general insurance premium calculated by multiplying ... by the general insurance rate
 15. the Paragraph 1 general contribution calculated by multiplying ... by the general contribution rate
 16. Paragraph 3, Article 19
 17. the shortage when the amount of the paid labor insurance premium falls short of the labor insurance premium set forth in the preceding two paragraphs, or the labor insurance premium set forth in the preceding two paragraphs when no labor insurance premium was paid
 18. Paragraph 1 general contribution set forth in the preceding two paragraphs
 19. the next
 20. that
 21. Article 42, and Paragraph 1, Article 43
 22. the enforcement of this Act
 23. the collection of the Paragraph 1 general contribution
 24. Article 45-2
 25. to this Act
 26. to the Asbestos Relief Act and this Act, as applied mutatis mutandis pursuant to Paragraph 1, Article 38 of the Asbestos Relief Act
 27. the enforcement of this Act
 28. the collection of Paragraph 1 general contribution
- 2 A Labor Insurance Affairs Association of Paragraph 3, Article 33 of the Collection Act may deal with the payment of the Paragraph 1 general contributions and the other matters concerning Paragraph 1 general contributions (hereinafter referred to as "Paragraph 1 general contribution affairs").
- 3 The provisions of Article 34, Article 35 (excluding Paragraph 4) and Article 36 of the Collection Act, and the provisions of Article 23 of the Act on the Re-arrangement of Relevant Acts Necessitated by the Enforcement of the Unemployment Insurance Act, the Act for Partially Revising the Workmen's Accident Compensation Insurance Act and the Act on the Collection, etc. of the Insurance Premiums of Labor Insurance (Act No. 85 of 1969) shall apply mutatis mutandis to the Paragraph 1 general contribution affairs and to the Paragraph 1 general contributions. In this case, the term "laws and regulations relevant to labor insurance" in

Article 34 of the Collection Act shall be deemed to be replaced with “the Act on Asbestos Health Damage Relief (hereinafter referred to as “the Asbestos Relief Act”), this Act as applied mutatis mutandis pursuant to Paragraph 1, Article 38 of the Asbestos Relief Act, and the orders based on these acts;” the term “laws and ordinances relevant to labor insurance” in Paragraphs 1 and 2, Article 35 of the Collection Act with “the Asbestos Relief Act, this Act as applied mutatis mutandis pursuant to Paragraph 1, Article 38 of the Asbestos Relief Act, and the orders based on these acts;” and the term “Paragraph 3, Article 26 (including the cases where it is applied mutatis mutandis pursuant to Paragraph 3, Article 12-3 and Paragraph 4, Article 31 of the Accident Insurance Law, and Paragraph 3, Article 10-4 of Employment Insurance Law)” in Paragraph 3 of the same article with “Paragraph 3, Article 26 as applied mutatis mutandis pursuant to Paragraph 1, Article 38 of the Asbestos Relief Act.”

(Payment, etc. of Paragraph 2 General Contributions)

Article 39 Each of the ship owners shall pay the Paragraph 2 general contribution each fiscal year to the Agency within 50 days from the first day of the fiscal year, together with a report stating the matters prescribed in the corresponding Ordinance of the Ministry of the Environment.

2 When any of the ship owners does not submit the report set forth in the preceding paragraph within the period prescribed in the same paragraph or finds any error in the description of the matters prescribed in the corresponding Ordinance of the Ministry of the Environment, the Agency shall decide the amount of the Paragraph 2 general contribution and notify the ship owner of it.

3 The ship owner who receives the notice prescribed in the preceding paragraph shall pay the total amount of the Paragraph 2 general contribution decided by the Agency pursuant to the provision of the same paragraph within 15 days after he/she receives the notice, if he/she has not paid the Paragraph 2 general contribution, or shall pay the shortage within 15 days after he/she receives the notice, if the paid amount of the Paragraph 2 general contribution falls short of the amount of the Paragraph 2 contribution decided by the Agency.

4 In the event that the amount of the Paragraph 2 general contribution paid by any of the ship owners exceeds the amount of the Paragraph 2 general contribution decided by the Agency pursuant to the

provision of Paragraph 2, the Agency shall appropriate the amount in excess to the unpaid Paragraph 2 general contribution or other amount to be collected pursuant to the provisions of this subsection (limited to that of the ship owner concerned; hereinafter the same applies in this subsection), if any, and return the balance, if any, or shall return the amount in excess if there is no unpaid amount to be collected.

(Deferred Payment of Paragraph 2 General Contribution)

Article 40 The Agency may allow any of the ship owners to defer the payment of the Paragraph 2 general contribution based on his/her application.

(Demand and Non-payment Disposition)

Article 41 If any of the ship owners does not pay the Paragraph 2 general contribution or any other amount to be collected pursuant to the provisions of this subsection, the Agency shall demand the payment, specifying the time limit.

2 When the Agency makes a demand pursuant to the provision of the preceding paragraph, it shall issue a written demand to the person obliged to pay.

3 The time limit of Paragraph 1 specified in the written demand set forth in the preceding paragraph shall be a day after a lapse of 10 days or more from the day when the written demand is issued.

4 If the ship owner who has received the demand pursuant to the provision of Paragraph 1 does not fully pay the Paragraph 2 general contribution or any other amount to be collected pursuant to the provisions of this subsection within the specified time limit, the Agency may effect non-payment disposition as governed by the same rules as national tax subject to the approval of the Minister of the Environment.

(Penal Interest)

Article 42 If the Agency demands the payment of the Paragraph 2 general contribution pursuant to the provision of Paragraph 1 of the preceding article, the Agency shall collect penal interest at a rate of 14.6% per annum on the amount of the Paragraph 2 general contribution pertaining to the demand for the days commencing the day following the time limit of payment and ending the day before the day of full payment or property attachment, provided that the same shall not apply if the amount of the Paragraph 2 general contribution pertaining to the demand is less than one thousand yen.

2 In the case of the preceding paragraph, if the amount of the Paragraph 2 general contribution is partially paid, the amount of the Paragraph 2 general contribution based on which the amount of penal interest pertaining to the period after the day of payment inclusive is calculated shall be the amount obtained by deducing the paid amount of the Paragraph 2 general contribution.

3 In the calculation of penal interest, if the amount of the Paragraph 2 general contribution set forth in the preceding two paragraphs includes a fraction of less than one thousand yen, the fraction shall be discarded.

4 If the amount of penal interest calculated pursuant to the provisions of the preceding three paragraphs includes a fraction of less than one hundred yen, the fraction shall be discarded.

5 If the case falls under any of the following items, the penal interest shall not be collected, provided that in the case of Item 4, the same shall apply only to the amount corresponding to the portion of which the execution is discontinued or suspended.

(1) The Paragraph 2 general contribution has been fully paid until the time limit specified in the written demand.

(2) Since the address or residence of the person obliged to pay was unknown, the demand was made through public notification service.

(3) The amount of penal interest is less than one hundred yen.

(4) For the Paragraph 2 general contribution, the execution of non-payment disposition was discontinued or suspended.

(5) It was found that there was an unavoidable reason for non-payment of the Paragraph 2 general contribution.

(Order of Lien)

Article 43 Regarding the order of the lien for the Paragraph 2 general contribution and other money collected pursuant to the provisions of this subsection, the Agency's collection shall come after national tax and local tax.

(Collection Procedure for Money to Be Collected)

Article 44 The Paragraph 2 general contribution and other money to be collected pursuant to the provisions of this subsection shall be collected as governed by the same rules as national tax, unless otherwise prescribed in this subsection.

(Collection of Reports, etc. from Ship Owners)

Article 45 The Agency may order any of the ship owners to report or

submit a document or to let its official enter the office of the ship owner and ask relevant persons questions or inspect books and documents (including electromagnetic records [records prepared by an electronic method, magnetic method or any other method a person cannot recognize with the senses for information processing by electronic computer] in the event that the said electromagnetic records are prepared or stored instead of prepared or stored books and documents); hereinafter the same shall apply if the Agency finds it necessary for the collection of the Paragraph 2 general contributions.

2 The official who enters and inspects pursuant to the provision of the preceding paragraph shall carry a certificate for identification and produce it to the people concerned.

3 The power of the entry and inspection pursuant to the provision of Paragraph 1 shall not be interpreted as having been admitted for criminal investigation.

(Delegation to the Ordinance of the Ministry of the Environment)

Article 46 The matters prescribed in this subsection and the matters necessary for the Paragraph 2 general contributions and other money to be collected pursuant to the provisions of this subsection shall be prescribed in the corresponding Ordinance of the Ministry of the Environment.

Subsection 3 Special Contributions

(Collection of Special Contributions and Obligations of Payment)

Article 47 The Agency shall collect special contributions every fiscal year from the business operators falling under the requirements prescribed in the corresponding Cabinet Order that are designated considering the consumption of asbestos, the occurrence conditions of designated diseases and other situations (hereinafter referred to as “special business operators”) for appropriation to the expense required for the payment of the relief benefit.

2 The special business operations shall be obliged to pay the special contributions.

(Method for Calculating the Amounts of Special Contributions)

Article 48 The method for calculating the amounts of special contributions to be collected from the special business operators shall be prescribed in the corresponding Cabinet Order, considering the consumption of asbestos, occurrence conditions of designated diseases and

other situations.

2 The Minister of the Environment shall listen to the opinions of the Central Environment Council when he/she plans the enactment, revision or abolition the Cabinet Order set forth in the preceding paragraph.

(Decision, Notice, etc. of the Amounts of Special Contributions)

Article 49 The Agency shall decide the amount of the special contribution to be paid by each special business operator according to the method for calculating the amounts of special contributions prescribed in the corresponding Cabinet Order set forth in Paragraph 1 of the preceding article, and shall notify the said special business operator of the amount of special contribution to be paid by him/her, the time limit of payment and other necessary matters.

2 If the necessity of changing the amount of special contribution arises after the amount of special contribution has been decided pursuant to the provision of the preceding paragraph, the Agency shall change the amount of special contribution to be paid by the special business operator concerned and shall notify the said special business operator of the changed amount of special contribution.

3 In the event that the amount of special contribution paid by a special business operator does not reach the amount of special contribution changed pursuant to the provision of the preceding paragraph, the Agency shall notify the special business operator of the shortage, the time limit of payment and other necessary matters together with the notice prescribed in the same paragraph, and in the event that it exceeds the amount of special contribution changed pursuant to the provision of the same paragraph, the Agency shall appropriate the amount in excess to the unpaid special contribution and other amount to be collected pursuant to the provisions of this subsection, if any, and return the balance, if any, or shall return the amount in excess if there is no unpaid amount to be collected.

(Application, mutatis mutandis)

Article 50 The provisions from Article 40 through Article 45 shall apply mutatis mutandis to the special contributions.

(Delegation to the Ordinance of the Ministry of the Environment)

Article 51 The matters prescribed in this subsection and the matters necessary for the special contributions and other money to be collected pursuant to the provisions of this subsection shall be prescribed in the

corresponding Ordinance of the Ministry of the Environment.

Section 3 Miscellaneous Provisions

(Collection, etc. of Reports from Qualified Persons, etc.)

Article 52 The Agency may request each person who has been qualified pursuant to the provision of Paragraph 1, Article 4 or Paragraph 1, Article 22 (hereinafter merely referred to as “qualification,” excluding the next article), or who has been paid the relief benefit or is going to be paid it, to report or submit a document or any other property when it finds it necessary for enforcing the provisions of this chapter.

(Order to Undergo Diagnosis)

Article 53 The Agency may order that the said qualified person or a person who is going to be qualified shall be diagnosed by a doctor designated by the Agency, when the Agency finds it necessary to do so in relation with the qualification of Paragraph 1, Article 4 (including its renewal and rescission).

(Temporary Prohibition of Payment of Relief Benefit)

Article 54 If a person who is entitled to be paid the relief benefit does not report, or does not submit a document or any other property without any justifiable reason when he/she is requested to do so pursuant to the provisions of Article 52, or falsely reports or submits a document with false description, or does not obey the order pursuant to the provision of the preceding article without any justifiable reason, the Agency may temporarily prohibit the payment of the relief benefit to him/her.

(Collection, etc. of Reports from Authorized Insurance Medical Institutions, etc.)

Article 55 The Agency may request the management of any authorized insurance medical institution, etc. to report as required or to let its official actually inspect the clinical records and other books and documents of the authorized insurance medical institution, etc., subject to the consent of the management, when the Agency finds it necessary to do so in relation with the payment of the medical expense to the authorized insurance medical institution, etc. pursuant to the provision of Paragraph 1, Article 13.

2 The provision of Paragraph 2, Article 45 shall apply mutatis mutandis to the inspection pursuant to the provision of the preceding paragraph, and the provision of Paragraph 3 of the same article, to the power pursuant to the provision of the preceding paragraph.

3 If the management of an authorized insurance medical institution, etc. does not respond to the request for a report pursuant to the provision of Paragraph 1 without any justifiable reason, or falsely reports or declines to give consent without any justifiable reason, the Agency may temporarily prohibit the payment of the medical expense to the said authorized insurance medical institution, etc.

(Collection, etc. of Reports from the Persons Who Performed Medical Service, etc.)

Article 56 The Agency may request each person who performed or used the diagnosis pertaining to the application for the qualification or the medical service concerning the relief benefit, the provision of drugs, or medical treatment, to report or submit a clinical record or any other property concerning the performed diagnosis, medical service, provision of drugs or medical treatment, or to let its official ask the person questions, when the Agency finds it necessary to do so in relation with the qualification or payment of the relief benefit.

2 The provision of Paragraph 2, Article 45 shall apply mutatis mutandis to the questions pursuant to the provision of the preceding paragraph, and the provision of Paragraph 3 of the same article, to the power pursuant to the provision of the preceding paragraph.

(Request, etc. for Submission of Materials)

Article 57 The Minister of the Environment may request each Accident Insurance-applied business operator, ship owner or special business operator to submit necessary materials and to explain them.

(Security Obligation)

Article 58 The directors, officials, ex-directors and ex-officials shall not leak confidential information they may come to possess concerning the qualification and payment of the relief benefit.

Chapter 3 Special Survivor Benefit

Section 1 Payment, etc.

(Special survivor benefit)

Article 59 The Minister of Health, Labour and Welfare shall pay the special survivor benefit to the survivor of a dead worker, etc., whose right of receiving the survivor compensation benefit pursuant to the provision of the Accident Insurance Act lapses due to prescription, based on his/her request.

2 The special survivor benefit set forth in the preceding paragraph

(hereinafter referred to as “the special survivor benefit”) shall be either special survivor pension or special survivor lump sum payment.

3 The amount of the special survivor pension shall be the amount prescribed in the corresponding Cabinet Order in relation with the survivor with the right of receiving the special survivor pension and the class corresponding to the number of the survivors entitled to receive the special survivor pension since they share livelihood with the rightful survivor, considering the amount of the survivor compensation pension, etc. pursuant to the provisions of the Accident Insurance Act.

4 The amount of the special survivor lump sum payment shall be the amount prescribed in the corresponding Cabinet Order in relation with the class of each item of Article 62, considering the lump sum compensation for the survivor, etc. pursuant to the provisions of the Accident Insurance Act.

5 The request for the payment of the special survivor pension or the special survivor lump sum payment may not be made when three years have passed from the effective date (when three years have passed after the right of the previous survivor with the right of receiving the special survivor pension had extinguished, in the event that the special survivor pension paid pursuant to the provision of the second sentence of Paragraph 1, Article 61, or when three years have passed after the right of the survivor with the right of receiving the special survivor pension had extinguished, in the event that the special survivor lump sum payment paid pursuant to the provision of Item 2, Article 62).

(Scope, etc. of Special Survivor Pensioner)

Article 60 The survivor who is entitled to receive the special survivor pension is the spouse, child, parent, grandchild, grandparent or sibling of the dead worker, etc. concerned who falls under all of the requirements listed in the following respective items.

(1) The survivor’s livelihood depended on the income of the dead worker, etc. when the dead worker, etc. died.

(2) If the survivor is any other person than the wife (including a person who did not register the marriage but maintained a state of quasi-marriage or similar relationship with the dead person), the person shall fall under any of the following (a) through (d) when the dead worker, etc. died.

(a) If the survivor is the husband (including a person who did not

- register the marriage but maintained a state of quasi-marriage or similar relationship with the dead person), parent or grandparent, he/she was 55 years old or older.
- (b) If the survivor is a child or grandchild, he/she did not yet experience the first March 31 after his/her 18th birthday.
 - (c) If the survivor is a sibling, he/she did not yet experience the first March 31 after his/her 18th birthday or was 55 years old or older.
 - (d) If the survivor is the husband, or a child, parent, grandchild, grandparent or sibling who did not fall under the requirements of (a) through (c), he/she was in a state of disability prescribed in a corresponding Ordinance of the Ministry of Health, Labour and Welfare.
- (3) The survivor does not fall under any of the following (a) through (e) during the period from the time when the dead worker, etc. died to the effective date.
- (a) The survivor married (including a person who did not register the marriage but maintained a state of quasi-marriage or similar relationship with the dead person).
 - (b) The survivor became an adopted child of the person other than a linear blood relative or a linear relative by affinity (including a person who did not register the marriage but maintained a state of quasi-marriage or similar relationship with the dead person).
 - (c) The relative relation with the dead worker, etc. terminated due to divorce.
 - (d) If the survivor is a child, grandchild or sibling, he/she experienced the first March 31 after his/her 18th birthday (excluding a case where the survivor has been in the state of disability prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare set forth in (d) of the preceding item since when the dead worker, etc. died).
 - (e) If the survivor is the husband, child, parent, grandchild, grandparent or sibling in the state of disability prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare set forth in (d) of the preceding item, he/she is not in the state any more (excluding a case where the husband, parent or grandparent was 55 years or older when the dead person, etc. died, a case where the child or grandchild did not experience the first March 31 after his/her 18th

birthday, and a case where the sibling did not experience the first March 31 after his/her 18th birthday or was 55 years old or older when the dead worker, etc. died).

2 The order of survivors who are entitled to receive the special survivor pension is the spouse, child, parent, grandchild, grandparent and sibling.

3 If there are two or more persons with the right of receiving the special survivor pension, the amount of the special survivor pension shall be the amount obtained by dividing the amount prescribed in the Cabinet Order set forth in Paragraph 3 of the preceding article by the number of persons, notwithstanding the provision of the same paragraph.

(Extinction of the Right of Receiving Special Survivor Pension)

Article 61 The right of receiving the special survivor pension shall extinguish when the survivor with the right falls under any of the following items. In this case, if there is a next survivor without any equally entitled survivor, the special survivor pension shall be paid to the next survivor.

(1) The survivor dies.

(2) The survivor falls under any of the requirements listed in (a) to (e) of Item 3, Paragraph 1 of the preceding article.

2 If the survivor who is entitled to receive the special survivor pension falls under any of the items of the preceding paragraph, he/she shall no longer be a survivor entitled to receive the special survivor pension.

(Special Survivor Lump Sum Payment)

Article 62 The special survivor lump sum payment shall be paid in any of the following cases.

(1) There is no survivor entitled to receive the special survivor pension on the effective date.

(2) In the case where the right of the person entitled to receive the special survivor pension extinguishes, there is no other survivor entitled to receive the said special survivor pension, and the total amount of the amounts of the special survivor pension paid in relation with the death of the said dead worker, etc. is less than the special survivor lump sum payment to be paid when the situation falls under the case stated in the preceding item on the day when the said right extinguishes.

(Scope, etc. of the Receivers of Special Survivor Lump Sum Payment)

Article 63 The survivors who are entitled to receive the special survivor lump sum payment shall be those listed below.

(1) Spouse

(2) Children, parents, grandchildren and grandparents whose livelihood depended on the income of the dead worker, etc. when the dead worker, etc. died

(3) Children, parents, grandchildren and grandparents who do not fall under the preceding item, and siblings

2 The order of survivors who should receive the special survivor lump sum payment shall be as per the order of the respective items of the preceding paragraph, and as per the order of the candidates enumerated within each of Items 2 and 3 of the same paragraph.

3 The provision of Paragraph 3, Article 60 shall apply mutatis mutandis to the special survivor lump sum payment. In this case, the term "Paragraph 3 of the preceding article" in the same paragraph shall be deemed to be replaced with "Paragraph 4 of the preceding article."

(Application, mutatis mutandis of the Accident Insurance Act for the Special Survivor Benefit)

Article 64 The provisions of Article 11 (excluding Paragraph 2), Article 12-7, and Paragraph 1, Article 16-9 of the Accident Insurance Act shall apply mutatis mutandis to the special survivor benefit. In this case, the term "another survivor entitled to receive the survivor compensation pension in the case of the survivor compensation pension, or another survivor entitled to receive the survivor pension in the case of the survivor pension)" in Paragraph 1, Article 11 of the Accident Insurance Act shall be deemed to be replaced with "another survivor entitled to receive the special survivor pension in the case of the special survivor pension);" the term "the order prescribed in Paragraph 1 (the order prescribed in Paragraph 3, Article 16-2 for the survivor compensation pension, or the order prescribed in Paragraph 3, Article 16-2 as applied mutatis mutandis pursuant to Paragraph 3, Article 22-4 for the survivor pension)" in Paragraph 3 of the same article, with "the order prescribed in Paragraph 1;" the term "the government" in Article 12-7 of the Accident Insurance Act, with "the Minister of Health, Labour and Welfare;" and the term "a worker" in Paragraph 1, Article 16-9 of the Accident Insurance Act, with "a dead worker, etc."

2 The provisions of Article 9, Paragraph 1, Article 12, Article 12-2,

Paragraph 2, Article 16-2, Paragraphs 1 and 2, Article 16-5, and Paragraphs 2 and 4, Article 16-9 of the Accident Insurance Act shall apply mutatis mutandis to the special survivor pension. In this case, “the month when the reason for payment occurs” in Paragraph 1, Article 9 of the Accident Insurance Law shall be deemed to be replaced with “the month including the day when the payment is requested;” the term “the insurance benefit to be paid” in Article 12-1 of the Accident Insurance Act, with “the special survivor benefit to be paid;” the term “the said insurance benefit”, with “the said special survivor benefit;” the term “a worker” in Paragraph 2, Article 16-2 of the Accident Insurance Act, with “a dead worker, etc.,” the term “the preceding term,” with “Paragraph 1, Article 60 of the Act on Asbestos Health Damage Relief;” the term “a worker” in Paragraph 2, Article 16-9 of the Accident Insurance Act, with “a dead worker, etc.,” and the term “extinguishes” in Paragraph 4 of the same article, with “extinguishes, and if there is a next survivor without any equally entitled survivor, the special survivor pension shall be paid to the next survivor.”

3 The provision of Paragraph 3, Article 16-9 of the Accident Insurance Act shall apply mutatis mutandis to the survivor entitled to receive the special survivor lump sum payment. In this case, the term “the survivor compensation pension” in the same paragraph shall be deemed to be replaced with “the special survivor pension,” and the term “a worker,” with “a dead worker, etc.”

(Measure concerning the Adjustment with Damages)

Article 65 In the case where the survivor of a dead worker, etc. can receive damages from the Accident Insurance-applied business operator who employed the said dead worker, etc. under the Civil Act (Act No. 89 of 1896) or any other act, and has received the damages under the Civil Act or any other law when he/she should receive the payment of the special survivor benefit for the same reason, the Minister of Health, Labour and Welfare may refrain from paying the special survivor benefit to the extent of the value, pursuant to the standard established by him/her.

(Collection of Expense from Wrongful Benefit Receiver)

Article 66 If there is a person who has received payment of the special survivor benefit by deception or other wrongful means, the Minister of Health, Labour and Welfare may collect the whole or part of the amount corresponding to the expense required for the payment of the said special

survivor benefit from him/her.

2 In the case of the preceding paragraph, if the payment has been made on the basis of a false report or falsified proof by an Accident Insurance-applied business operator., the Minister of Health, Labour and Welfare may order the Accident Insurance-applied business operator to pay the money to be collected of the same paragraph jointly and severally with the person who received the payment.

3 A Labor Insurance Affairs Association of Paragraph 3, Article 33 of the Collection Act shall be deemed to be an Accident Insurance-applied business operator in the application of the provision of the preceding paragraph.

4 The provisions of Articles 26, 28, 29 and 41 of the Collection Act shall apply mutatis mutandis to the money to be collected pursuant to the provisions of Paragraphs 1 and 2. In this case, the term “the government” in Article 26 and Paragraph 2, Article 41 of the Collection Act shall be deemed to be replaced with “the Minister of Health, Labour and Welfare.”

(Application, mutatis mutandis concerning the Protection, etc. of Benefit Receiving Right)

Article 67 The provisions of Articles 28 and 29 shall apply mutatis mutandis to the special survivor benefit.

(Delegation to the Ordinance of the Minister of the Ministry of Health, Labour and Welfare)

Article 68 The matters prescribed in this section and the necessary matters for the payment of the special survivor benefit shall be prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare.

Section 2 Expense

Article 69 The expense required for the payment of the special survivor benefit shall be deemed to be the expense for the affairs of labor insurance prescribed in Paragraph 1, Article 10 of the Collection Act, and the labor insurance premiums prescribed in Paragraph 2 of the same article (excluding the stamp insurance premiums stated in Item 4 of the same paragraph; hereinafter the same shall apply) shall be collected for appropriation to the expense.

2 The provisions of the Collection Act (excluding the provisions of Article 4 and Articles 22 through 25) shall apply to the collection of the

labor insurance premiums pursuant to the provision of the preceding paragraph. In this case, the term “and labor welfare services” in Paragraph 2, Article 12 of the Collection Act shall be deemed to be replaced with “, labor welfare services and the payment of the special survivor benefit set forth in Paragraph 1, Article 59 (hereinafter referred to as “the special survivor benefit”) of the Act on Asbestos Health Damage Relief (hereinafter referred to as “the Asbestos Relief Act”);” the term “the amount of the expense,” with “the amount of the expense, the amount of the expense required for the payment of the special survivor benefit;” the term “shall be The same shall apply in Paragraph 1, Article 20)” in Paragraph 3 of the same article, with “shall be The same shall apply to Paragraph 1, Article 20) and the amount of the special survivor benefit (excluding the special survivor lump sum payment paid in the case of Item 2, Article 62 of the Asbestos Relief Act, the special survivor benefit pertaining to a person suffering from any of the diseases caused by engaging in specific activities for a long period of time and prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare (limited to a person prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare for each business category prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare, considering the employment period, etc. in the said business category) (this special survivor benefit shall be referred to as “the special survivor benefit pertaining to a person afflicted with a specified disease”), and the special survivor benefit pertaining to the class 3 special insured person) (The amount of the special survivor pension set forth in Paragraph 2, Article 59 of the Asbestos Relief Act shall be calculated as prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare);” and the term “, the expense required for the insurance benefit pertaining to a person afflicted with a specified disease,” with “, the expense required for the insurance benefit pertaining to a person afflicted with a specified disease, the expense required for the payment of the special survivor pension of Particle 2, Article 59 of the Asbestos Relief Act, the expense required for the payment of the special survivor benefit pertaining to a person afflicted with a specified disease,” and the other necessary replacement of technical terms shall be as prescribed in the corresponding Cabinet Order.

3 The expense required for the payment of the special survivor benefit

shall be deemed to be the insurance benefit expense of workmen's accident compensation insurance business under the Accident Insurance Act, and the provisions of the Labor Insurance Special Account Act (Act No. 18 of 1972) shall apply to the said expense. In this case, the term "the insurance benefit expense of accident insurance business" in Item 1, Paragraph 2, Article 4 of the same Act shall be deemed to be replaced with "the insurance benefit expense of accident insurance business (including the expense required for the payment of the special survivor benefit set forth in Paragraph 1, Article 59 of the Act on Asbestos Health Damage Relief deemed as the insurance benefit expense of accident insurance business pursuant to the provision of Paragraph 3, Article 69 of the same Act)," and the other necessary replacement of technical terms shall be prescribed in the corresponding Cabinet Order.

Section 3 Miscellaneous Provisions

(Collection, etc. of Reports from Special Survivor Benefit Receivers, etc.)

Article 70 The Minister of Health, Labour and Welfare may request each survivor pertaining to the payment of the special survivor benefit to report or to submit a document or any other property or to appear, when he/she finds it necessary in relation with the payment of the special survivor benefit.

(Order to Undergo Diagnosis)

Article 71 The Minister of Health, Labour and Welfare may order that each survivor pertaining to the payment of the special survivor benefit should be diagnosed by a doctor designated by the Minister of Health, Labour and Welfare, when he/she finds it necessary in relation with the payment of the special survivor benefit.

(Temporary Prohibition of Payment of the Special Survivor Pension)

Article 72 In the case where a person with the right of receiving the special survivor pension does not report, or does not submit a document or any other property, or does not appear without any justifiable reason when he/she is requested to do so pursuant to the provision of Article 70, or falsely reports or submits a document with false description, or does not obey the order pursuant to the provision of the preceding article without justifiable reason, or does not notify pursuant to the provision of Article 12-7 of the Accident Insurance Act as applied mutatis mutandis pursuant to Paragraph 1, Article 64, or does not submit a document or any other property without any justifiable reason when he/she is requested to do so,

the Minister of Health, Labour and Welfare may temporarily prohibit the payment of the special survivor pension to him/her.

(Collection, etc. of Reports from Business Operators, etc.)

Article 73 The Minister of Health, Labour and Welfare may request each Accident Insurance-applied business operator, or each Labor Insurance Affairs Association of Paragraph 3, Article 33 of the Collection Act, or each organization prescribed in Paragraph 1, Article 35 of the Accident Insurance Act to report, or to submit a document, or to appear, when he/she finds it necessary in relation with the payment of the special survivor benefit.

2 The Minister of Health, Labour and Welfare may order an official to enter each workplace of any business category for which the insurance relation of the Accident Insurance is established or each office of any Labor Insurance Affairs Association, etc. so that the official can ask relevant persons questions or inspect books, documents and other properties, when he/she finds it necessary in relation with the payment of the special survivor benefit.

3 The Minister of Health, Labour and Welfare may request each worker employed in any business category for which the insurance relation of the Accident Insurance is established (including a person deemed to be a worker employed in a business category for which the insurance relation of the Accident Insurance is established pursuant to the provision of Item 1, Paragraph 1, Article 34, Item 3, Paragraph 1, Article 35 or Item 1, Paragraph 1, Article 36 of the Accident Insurance Act) to report, or to submit a document or any other property, when he/she finds it necessary in relation with the payment of the special survivor benefit.

4 The provision of Paragraph 2, Article 45 shall apply mutatis mutandis to the entry and inspection pursuant to the provision of Section 2, and the provision of Paragraph 3 of the same article to the power pursuant to the provision of Paragraph 2.

(Collection, etc. of Reports from the Persons Who Performed Medical Service, etc.)

Article 74 The Ministry of Health, Labour and Welfare may request each person who performed or used the diagnosis or medical service of a survivor pertaining to the payment of the special survivor benefit or the provision of drugs or medical treatment to report or to submit a clinical

record or any other property concerning the performed diagnosis, medical service, provision of drugs or medical treatment, or may order an official to ask the person questions, when the Minister of Health, Labour and Welfare finds it necessary to do so in relation with the said payment of the special survivor benefit.

- 2 The provision of Paragraph 2, Article 45 shall apply mutatis mutandis to the questions pursuant to the provision of the preceding paragraph, and the provision of Paragraph 3 of the same article to the power pursuant to the provision of the preceding paragraph.

Chapter 4 Appeal

(Request for Examination)

Article 75 With regard to the disposition performed by the Agency based on this Act, either the board or the minister stated in the following items, selected in reference to the functions stated in the respective items, may be requested to make an examination.

- (1) Request for examination on the disposition pertaining to the qualification or the payment of the relief benefit: Pollution-related Health Damage Compensation Grievance Board
- (2) Request for examination on the disposition pertaining to the collection of Paragraph 2 general contribution and special contribution: Minister of the Environment

- 2 With regard to the application of the provisions of Article 31 of the Act for the Examination of Objections against Administration Acts (Act No. 160 of 1962) to the request for examination stated in Item 1 of the preceding paragraph, “an official of the Agency” in the same article shall be “an examiner or expert advisor.”

- 3 The provisions of Paragraph 3, Article 106 and Articles 131, 133 and 134 of the Act on Compensation, etc. of Pollution-related Health Damage (Act No. 111 of 1973; hereinafter referred to as “the Pollution-related Health Damage Compensation Act) shall apply mutatis mutandis to the request of examination stated in Item 1, Paragraph 1. In this case, the term “compensation benefit” in Article 131 of the Pollution-related Health Damage Compensation Act shall be deemed to be replaced with “the relief benefit prescribed in Article 3 of the Act on Asbestos Health Damage Relief” (hereinafter referred to as “the Asbestos Relief Act”), and the term “this subsection” in Article 134 of the Pollution-related Health Damage Compensation Act with “Article 131 as applied mutatis mutandis with

term replacement pursuant to Paragraph 3, Article 75 of the Asbestos Relief Act.”

(Filing of Objection)

Article 76 An Accident Insurance-applied business operator may file an objection when he/she is dissatisfied with the disposition pursuant to the provision of Paragraph 4, Article 19 of the Collection Act as applied mutatis mutandis pursuant to the provision of Paragraph 1, Article 38.

(Relation between Appeal and Lawsuit)

Article 77 A lawsuit for rescission of the disposition performed by the Agency based on this Act or of the disposition prescribed in the preceding article may not be filed before the determination by the Pollution-related Health Damage Compensation Grievance Board or the Minister of the Environment on the request for examination of the disposition performed by the said Agency, or the decision of the Minister of Health, Labour and Welfare on the filing of an objection against the disposition prescribed in the same article, or the determination of the Minister of Health, Labour and Welfare on the request for examination of the disposition prescribed in the same article.

(Request for Examination, etc. pertaining to the Special Survivor Benefit)

Article 78 The decision on the special survivor benefit shall be deemed as the decision on the insurance benefit based on the Accident Insurance Act, and the provisions of Articles 38 through 40 of the Accident Insurance Act shall apply.

(Application, mutatis mutandis)

Article 79 The provision of Article 38 of the Collection Act shall apply to the money to be collected pursuant to the provisions of Paragraphs 1 and 2, Article 66.

Chapter 5 Miscellaneous Provisions

(Research and Study)

Article 80 The State shall endeavor to promote research and study on the prevention of health damage caused by asbestos.

(Inquiries to Public Offices, etc.)

Article 81 The Minister of Health, Labour and Welfare and the Agency may inquire with public offices and public and private organizations and request them to report on necessary matters, when they find it necessary to do so in relation with the enforcement of this Act.

(Calculation of Periods)

Article 82 The provision concerning the calculation of periods of the Civil Act shall apply mutatis mutandis to the calculation of periods prescribed in this Act or in the orders based on this Act.

(Free Certification of Family Registers)

Article 83 Each mayor of a municipality (each director general of any special ward or any designated city prescribed in Paragraph 1, Article 252-19 of the Local Autonomy Act (Act No. 67 of 1947)) may certify free of charge the family register of any person who is going to receive the payment of the relief benefit or the special survivor benefit or any survivor of a dead worker, etc. other than the said person, as prescribed in the municipal ordinance of the municipality (including special ward) concerned, for the Minister of Health, Labour and Welfare, the Agency or the person who is going to receive the payment of the relief benefit or the special survivor benefit.

(Delegation of Order as a Transitional Measure)

Article 84 In the event that an order is enacted, revised or abolished based on this Act, a required transitional measure (including a transitional measure concerning penal provisions) may be decided by the order to such an extent that it is judged to be rationally necessary in relation with the enactment, revision or abolition.

(Delegation of Power)

Article 85 The power of the Minister of Health, Labour and Welfare prescribed in this Act may be delegated to the director general of each prefectural Labor Bureau.

2 The power delegated to the director general of each prefectural Labor Bureau pursuant to the provision of the preceding paragraph may be partially delegated to the head of each Labor Standards Inspection Office as prescribed in the corresponding Ordinance of the Ministry of Health, Labour and Welfare.

(Delegation to Order)

Article 86 The matters prescribed in this Act and the necessary matters for the enforcement of this Act shall be prescribed in the corresponding Order.

Chapter 6 Penal Provisions

Article 87 Any person who violates the provisions of Article 58 shall be punished by imprisonment with labor of not more than one year or a fine of not more than 500,000 yen.

Article 88 Any Accident Insurance-applied business operator who falls under any of the following items shall be punished by imprisonment with labor of not more than six months or a fine of not more than 300,000 yen. If a Labor Insurance Affairs Association, etc. falls under any of these items, the same shall apply also to the representative, agent, employee or any other worker of the said Labor Insurance Affairs Association, etc. who committed the illegal conduct.

- (1) A person who violated the order pursuant to the provisions of Article 42 of the Collection Act as applied mutatis mutandis pursuant to Paragraph 1, Article 38 did not report, or falsely reported, or did not submit a document, or submitted a document with false description.
- (2) A person did not reply to the questions of the official pursuant to the provision of Paragraph 1, Article 43 of the Collection Law as applied mutatis mutandis pursuant to Paragraph 1, Article 38, or falsely replied, or rejected, disturbed or challenged inspection.
- (3) A person who was requested to report or to submit a document or any other property pursuant to the provision of Paragraph 1, Article 73 did not obey said request, or falsely reported or submitted a document with false description.
- (4) A person did not reply to the questions of the official pursuant to the provision of Paragraph 2, Article 73, or falsely replied, or rejected, disturbed or challenged inspection.

2 In the event that a Labor Insurance Affairs Association of Paragraph 3, Article 33 of the Collection Act did not keep the book in violation of the provisions of Article 36 of the Collection Act as applied mutatis mutandis pursuant to Paragraph 3, Article 38, or did not describe the matter concerning the Paragraph 1 general contribution affair in the book, or falsely described said matter, the representative, agent, employee or any other worker of the Labor Insurance Affairs Association who committed the illegal conduct shall be punished by imprisonment with labor of not more than six months or a fine of not more than 300,000 yen.

3 Any person who did not report in violation of the order pursuant to the provision of Paragraph 1, Article 45 (including the case of being applied mutatis mutandis pursuant to Article 50), or falsely reported, or did not submit a document, or submitted a document with false description, or did not reply to the questions of the official pursuant to the provision of the same paragraph, or falsely replied, or rejected, disturbed

or challenged inspection shall be punished by imprisonment with labor of not more than six months or a fine of not more than 300,000 yen.

Article 89 Any person who falls under any of the following items shall be punished by imprisonment with labor of not more than six months or a fine of not more than 200,000 yen.

(1) A person who was requested to report or to submit a document or any other property pursuant to the provisions of Article 52 did not obey said request, or falsely reported, or submitted a document with false description.

(2) A person who was requested to report or to submit a clinical record or any other property pursuant to the provision of Paragraph 1, Article 56 did not obey said request, or falsely reported, or did not reply to the questions pursuant to the provision of the same paragraph, or falsely replied.

2 A person other than an Accident Insurance-applied business operator, Labor Insurance Affairs Association, etc., who falls under any of the following items, shall be punished by imprisonment with labor of not more than six months or a fine of not more than 200,000 yen.

(1) A person who was requested to report or to submit a document or any other property pursuant to the provisions of Article 70 or Paragraph 3, Article 73 did not obey said request, or falsely reported, or submitted a document with false description.

(2) A person did not reply to the questions of the official pursuant to the provision of Paragraph 2, Article 73, or falsely replied, or rejected, disturbed or challenged inspection.

(3) A person who was requested to report or to submit a clinical record or any other property pursuant to the provision of Paragraph 1, Article 74 did not obey said request, or falsely reported, or did not reply to the questions pursuant to the provision of the same paragraph, or falsely replied.

Article 90 If the representative of a juridical person (including a Labor Insurance Affairs Association, etc. which is not a juridical person; hereinafter the same shall apply in this paragraph) or an agent, employee or any other worker of a juridical person or individual commits an illegal conduct of Article 88 or the preceding article (excluding Item 1, Paragraph 1 and Item 1, Paragraph 2), not only shall the offender be punished but also the said juridical person or individual by the fine prescribed in the

corresponding article.

- 2 In the event that a Labor Insurance Affairs Association, etc. which is not a juridical person is punished pursuant to the provision of the preceding paragraph, the representative shall represent the Labor Insurance Affairs Association, etc. in the procedural action, and the provisions of the Act on Criminal Suits with Juridical Persons as Suspects or the Accused shall apply mutatis mutandis.

Article 91 In the event that the approval of the Minister of the Environment is required pursuant to the provision of Paragraph 4, Article 41 (including a case of being applied mutatis mutandis pursuant to Article 50), if the approval is not acquired, the director of the Agency who committed the illegal conduct shall be punished by a civil fine of not more than 200,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act shall come into force as from the date prescribed in the corresponding Cabinet Order before March 31, 2006, provided that the provisions listed in the following items shall come into force from the date prescribed in each of the items.

(1) Provisions of Chapter 1, Subsection 1, Section 2, Chapter 2, Articles 84 and 86, and Articles 2, 3, 5, 10 and 12 through 14 of the Supplementary Provisions: The day of promulgation

(2) Provisions of Section 2 (excluding Subsection 1), Chapter 2, Article 57, Article 75 (limited to the portion pertaining to Item 2, Paragraph 1), Article 76, Article 88 (excluding Items 3 and 4, Paragraph 1), Article 90 (limited to the portion pertaining to Article 88 (excluding Items 3 and 4, Paragraph 1)) and Article 91, and Article 4 of the Supplementary Provisions: April 1, 2007

(Transitional Measure concerning Applications for the Qualification)

Article 2 Each person who wishes to be awarded with the qualification of Paragraph 1, Article 4 may file an application also during the period from the day one week before the effective date to the preceding day of the effective date.

- 2 If an application for the qualification is filed pursuant to the provision of the preceding paragraph, it shall be deemed that the application has been filed pursuant to the provision of Paragraph 2, Article 4 on the effective date.

(Exception in Bearing by the National Treasury)

Article 3 In the application of the provision of Article 34 in FY 2006, “every fiscal year” in the article shall be “in FY 2006,” and “partially” shall be “wholly.”

(Exception concerning Undertaking with Definite Term)

Article 4 The provision of Paragraph 1, Article 35 shall not apply to any undertaking with a definite term prescribed in the Ordinance of the Ministry of Health, Labour and Welfare set forth in Paragraph 1, Article 20 of the Collection Act, for which the insurance relation of labor insurance pertaining to the Accident Insurance prescribed in Article 3 of the Collection Act was established before the day prescribed in Item 2, Article 1 of the Supplementary Provisions.

(Preparation before Enforcement)

Article 5 For planning the enactment of the Cabinet Orders of Paragraph 3, Article 37 and Paragraph 1, Article 48, the Minister of the Environment may listen to the opinions of the Central Environment Council even before the effective date of the provisions stated in Item 2, Article 1 of the Supplementary Provisions.

(Review)

Article 6 The government shall examine the situation of enforcement of this Act within 5 years after start of enforcement of this Act, and make the necessary review based on the result.

(Partial Revision of the Act concerning the Social Insurance Medical Fee Payments Foundation)

Article 7 The Act concerning the Social Insurance Medical Fee Payments Foundation shall be partially revised as follows.

The term “or Paragraph 3, Article 84 of the Act on the Medical Services and Observations, etc. of Persons Who Committed Serious Other-Injuring Behavior in the State of Insanity, etc. (Act No. 110 of 2003)” in Paragraph 2, Article 15 shall be revised to read “, Paragraph 3, Article 84 of the Act on the Medical Services and Observations, etc. of Persons Who Committed Serious Other-Injuring Behavior in the State of Insanity, etc. (Act No. 110 of 2003), or Paragraph 1, Article 14 of the Act on Asbestos Health Damage Relief (Act No.4 of 2006);” the term “or Paragraph 4, Article 84 of the Act on the Medical Services and Observations, etc. of Persons Who Committed Serious Other-Injuring Behavior in the State of Insanity, etc.,” to read “, Paragraph 4, Article 84 of the Act on the Medical Services and

Observations, etc. of Persons Who Committed Serious Other-Injuring Behavior in the State of Insanity, etc. or Paragraph 2, Article 14 of the Act on Asbestos Health Damage Relief;" the term "of ... or municipality," to read "of ..., municipality or incorporated administrative agency (refers to an incorporated administrative agency prescribed in Paragraph 1, Article 2 of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999); hereinafter the same shall apply);" the term "by ... or municipality," to read "by ..., municipality or incorporated administrative agency;" and the term "or municipality" in Paragraph 4 of the same article," to read ", municipality or incorporated administrative agency."

(Partial Revision of the Residential Basic Book Act)

Article 8 The Residential Basic Book Act (Act No. 81 of 1967) shall be partially revised as follows.

Row 82 in Appended Table 1 shall be deleted, and the present row 81 shall be moved down to row 82, while the present row 65 through row 80 shall be respectively moved down by one row each; and the following shall be added at the row following row 64.

1. 65 Ministry of Health, Labour and Welfare
2. Affairs concerning the payment of the special survivor benefit of Paragraph 1, Article 56 of the Act on Asbestos Health Damage Relief (Act No.4 of 2006) pursuant to the same Act, and prescribed in the corresponding Ordinance of the Ministry of Internal Affairs and Communications

The present row 120 in Appended Table 1 shall be moved down to row 121, while the present row 119 shall be moved down to row 120, and the following shall be added at the row following row 118.

3. 119 Incorporated Administrative Agency: Environmental Restoration and Conservation Agency of Japan
4. Affairs concerning the payment of the relief benefit of Article 3 of the Act on Asbestos Health Damage Relief and the qualification of Paragraph 1, Article 4 or of Paragraph 1, Article 22 of the same Act, pursuant to the same Act, and prescribed in the corresponding Ordinances of the Ministry of Internal Affairs and Communications

(Partial Revision of the Act concerning Public Consultants on Social and Labor Insurance)

Article 9 The Act concerning Public Consultants on Social and Labor

Insurance (Act No. 89 of 1978) shall be partially revised as follows.

The following item shall be added at the row following row 20-20 of Appended Table 1.

20-21 Act on Asbestos Health Damage Relief (Act No.4 of 2006; limited to the provisions of Articles 38 and 59)

(Partial Revision of Labor Insurance Special Account Act)

Article 10 The Labor Insurance Special Account Act shall be partially revised as follows.

The following paragraph shall be added to the Supplementary Provisions.

8 The accounting of the government concerning the collection of the Paragraph 1 general contributions pursuant to the provisions of the Act on Asbestos Health Damage Relief (Act No.4 of 2006) shall be performed in the labor insurance special account, notwithstanding the provisions of Article 1 for the time being. In this case, the term “and subsidiary miscellaneous income” in Article 6 shall be changed to read “, the money received from the general account based on the provisions of Article 34 of the Act on Asbestos Health Damage Relief (Act No.4 of 2006), the general contributions set forth in Paragraph 1, Article 35 of the same Act (hereinafter referred to as “general contributions” in this article), and subsidiary miscellaneous income;” and the term “, the collection of labor insurance premiums and,” to read “, the returned money of general contributions, the grant to the Incorporated Administrative Agency, Environmental Restoration and Conservation Agency of Japan, labor insurance premiums and the collection of general contributions, and.”

(Partial Revision of the Act on Compensation, etc. for Pollution-related Health Damage)

Article 11 The Act on Compensation, etc. for Pollution-related Health Damage shall be partially revised as follows.

The term “of Paragraph 2, Article 106” in Article 111 shall be revised to read “pursuant to the provisions of Paragraph 2, Article 106 ... and Item 1, Paragraph 1, Article 75 of the Act on Asbestos Health Damage Relief (Act No. of 2006).”

The following article shall be added as the article following Article 119.

(Expert Advisors)

Article 119-2 The examination board may have expert advisors assigned for studying and deliberating special matters.

2 The expert advisors shall be appointed by the Minister of the

Environment from among persons with relevant knowledge and experience.

3 The expert advisors shall be dismissed after the study and deliberation concerning the said special matters has been terminated.

4 The expert advisors shall be part-time members.

(Partial Revision of the Environment Basic Act)

Article 12 The Environment Basic Act (Act No. 91 of 1993) shall be partially revised as follows.

The term “and the Act on the Prevention of Damage pertaining to the Ecosystem, etc. by Specified Foreign Organisms (Act No. 78 of 2004)” in Item 3, Paragraph 2, Article 41 shall be revised to read “, the Act on the Prevention of Damage pertaining to the Ecosystem, etc. by Specified Foreign Organisms (Act No. 78 of 2004), and the Act on Asbestos Health Damage Relief (Act No.4 of 2006).”

(Partial Revision of the Act for Establishment of the Ministry of the Environment)

Article 13 The Act for Establishment of the Ministry of the Environment (Act No. 101 of 1999) shall be partially revised as follows.

The present Item 24 in Article 4 shall be moved to Item 25, and Items 20 through 23 shall be respectively moved down by one item each, while the following item shall be added as the item following Item 19.

20 Matters concerning asbestos health damage relief (excluding the matters belonging to the jurisdictions of other ministers)

The term “Item 21” in Paragraph 2, Article 12 shall be revised to read “Item 22,” and the term “Item 24,” to read “Item 25.”

(Partial Revision of the Incorporated Administrative Agency, Environmental Restoration and Conservation Agency Act)

Article 14 The Incorporated Administrative Agency, Environmental Restoration and Conservation Agency Act (Act No. 43 of 2003) shall be partially revised as follows.

The term “Article 16” in the table of contents shall be revised to read “Article 16-2.”

The term “the administration of maintenance reserve fund, etc.” in Article 3 shall be revised to read “the administration of maintenance reserve fund, asbestos health damage relief, etc.”

The term “the next article” in (a), Item 1, Paragraph 1, Article 10 shall be revised to read “Article 11,” and the present Item 7 of the same paragraph

shall be moved to Item 8, while the following item shall be added as the item following Item 6.

7 To perform the following affairs concerning asbestos health damage relief.

(a) Qualification (refers to the qualification of Paragraph 1, Article 4 (including its renewal and rescission) of the Act on Asbestos Health Damage Relief (Act No.4 of 2006; hereinafter referred to as the Asbestos Relief Act) and to the qualification of Paragraph 1, Article 22)

(b) Payment of the relief benefit (refers to the relief benefit of Article 3 of the Asbestos Relief Act)

(c) Collection of general contributions (refers to the general contributions set forth in Paragraph 2, Article 35 of the Asbestos Relief Act) from ship owners (refers to the ship owners set forth in the same paragraph) and the collection of special contributions (refers to the special contributions of Paragraph 1, Article 47 of the Asbestos Relief Act) from special business operators (refers to the special business operators set forth in the same paragraph)

The following article shall be added as the article following Article 10.

(Entrustment of Affairs)

Article 10-2 The Agency may partially entrust the affairs prescribed in (a), Item 7, Paragraph 1 of the preceding article (limited to the portion pertaining to applications) and (b) (limited to the portion pertaining to the request) to prefectures, cities each having a health center established, special wards and the persons designated by the Minister of the Environment (to be referred to as “prefectures, etc.” in the next paragraph).

2 The prefectures, etc. may perform the said affairs, being entrusted pursuant to the provision of the preceding paragraph, notwithstanding of the provisions of other acts.

The term “Item 2, Paragraph 1 of the preceding article” in Article 11 shall be revised to read “Item 2, Paragraph 1, Article 10.”

(Sectional Accounting)

Article 12 The Agency shall divide the accounting into the following sections of affairs and establish respective accounts for accounting in good order.

(1) Affairs listed in Items 1 and 2, Paragraph 1, Article 10 and affairs incidental to them (hereinafter referred to as “pollution-related health damage compensation preventive affairs”)

(2) Affairs stated in Item 7, Paragraph 1, Article 10 and affairs incidental to them (hereinafter referred to as “asbestos health damage relief affairs”)

(3) Affairs other than those listed in the preceding two items

The following article shall be added as the article following Article 16 in Chapter 3.

(Asbestos Health Damage Relief Foundation)

Article 16-2 The Agency shall establish the Asbestos Health Damage Relief Foundation to be appropriated to the expense required for the affairs stated in (b), Item 7, Paragraph 1, Article 10, and the amount earmarked for appropriation in the provision of Paragraph 2, Article 31 of the Asbestos Relief Law shall be appropriated to it.

2 The provisions of Article 47 and Article 67 (limited to the portion pertaining to Item 4) of the Act on General Rules shall apply mutatis mutandis to the utilization of the Asbestos Health Damage Relief Foundation. In this case, the term “cash in trust” in Item 3, Article 47 of the Act on General Rules shall be deemed to be replaced with “cash in trust with a contract clause for covering the principal.”

The “Paragraph 1 of the preceding article” in Item 1, Article 17 shall be revised to read “Paragraph 1, Article 16.”

The term “and Paragraph 2, Article 16” in Item 3, Article 22 shall be revised to read “, Paragraph 2, Article 16 and Paragraph 2, Article 16-2,” and the term “or Polychlorinated Biphenyl Waste Disposal Foundation,” to read “, Polychlorinated Biphenyl Waste Disposal Foundation or Asbestos Health Damage Relief Foundation.”

Article 29 of the Supplementary Provisions shall be revised as follows.

(Appropriation of the Foundation to Affairs Expense)

Article 29 The Agency may partially break down the Asbestos Health Damage Relief Foundation and appropriate the amount of money corresponding to the said broken down amount to the expense required for execution of the asbestos health damage relief affairs, subject to the approval of the Minister of the Environment for the time being, notwithstanding the provisions of Paragraph 2, Article 31 and Paragraph 1, Article 16-2 of the Asbestos Relief Act. In this case, for the amount of money corresponding to the said broken down amount, the amount of money corresponding to the amount appropriated to the expense required for execution of the asbestos health damage relief affairs shall be partially

incorporated into the Asbestos Health Damage Relief Foundation, from the fund granted from the government pursuant to the provision of Paragraph 1, Article 32 of the Asbestos Relief Act after FY 2007, until the amount of money corresponding to the said broken down amount is reached.

2 When the Minister of the Environment approves pursuant to the provision of the preceding paragraph, he/she shall consult the Minister of Finance.

Articles 30 through 36 of the Supplementary Provisions shall be deleted.
(Partial Revision of the Act for Supporting the Independence of Persons with Disabilities)

Article 15 The Act for Supporting the Independence of Persons with Disabilities (Act No. 123 of 2005) shall be partially revised as follows.

The term “Paragraph 3, Article 84 of the Act on the Medical Services and Observations, etc. of Persons Who Committed Serious Other-Injuring Behavior in the State of Insanity, etc. (Act No. 110 of 2003)” in the revised provision of Paragraph 2, Article 15 of the Act concerning the Social Insurance Medical Fee Payments Foundation shall be revised to read “Paragraph 1, Article 14 of the Act on Asbestos Health Damage Relief (Act No.4 2006);” and the term “Paragraph 4, Article 84 of the Act on the Medical Services and Observations, etc. of Persons Who Committed Serious Other-Injuring Behavior in the State of Insanity, etc.,” to read “Paragraph 2, Article 14 of the Act on Asbestos Health Damage Relief.”