

# **Basic Act on Reconstruction in response to the Great East Japan Earthquake**

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### **Chapter 1. General Provisions**

#### **(Purpose)**

**Article 1.** Considering that the Great East Japan Earthquake was an unprecedented national crisis due to its extensive damage affecting vast area and its characteristics as a compound disaster consisting of earthquake, tsunami and nuclear accident, this Act has the purpose of promoting smooth and prompt reconstruction from the Great East Japan Earthquake and revitalization of vibrant Japan. This purpose will be achieved by setting forth the basic philosophy on the reconstruction in response to the Great East Japan Earthquake; securing financial resources for the reconstruction, creating the System of Special Zone for Reconstruction and deciding on other fundamental issues to create economy and society where current and future generation can lead safe and prosperous lives; and deciding on the basic guidelines regarding the establishment of the Reconstruction Headquarters in response to the Great East Japan Earthquake and the Reconstruction Agency.

#### **(Basic Philosophy)**

**Article 2.** The reconstruction in response to Great East Japan Earthquake will be implemented based on the following basic philosophy:

- 1) The unprecedented disaster resulted in enormous damage, where countless lives were lost, numerous people were deprived of their basic living infrastructures and have been

forced to evacuate in and out of the disaster-affected regions. Also, the disaster's influence extends over the entire nation; the economic stagnation in the disaster-afflicted areas is affecting business activities and peoples' lives nationwide. Taking such situation into account and based on the understanding and cooperation of the people, communities will be restored with the vision of Japan appropriate for mid-twenty-first century. Such will be accomplished by promoting dramatic measures with the perspective of revitalizing vibrant Japan which does not limit itself to recovery from disaster which simply restores affected facilities to its original state, as well as reconstruction measures which aim to facilitate each individual to overcome the disaster and lead prosperous lives. For this purpose, knowledge shall be drawn from within and out of the administration and applied for reconstruction.

- 2) Appropriate allocation of roles and mutual collaboration between the central government and local governments as well as mutual collaboration among local governments shall be assured. Also, opinions of the residents in the disaster-afflicted regions shall be respected and opinions of a wide range of people including women, children and the disabled persons shall be taken into account. To this end, consideration shall be given to local governments which cannot fully exercise its functions due to the damages caused by the disaster.
- 3) On the basis of solidarity and cooperation among people including those affected by the disaster, the people, entrepreneurs and diverse actors in the private sector shall voluntarily collaborate and play their roles accordingly.
- 4) Innovative measures shall be implemented to contribute to the resolution of challenges that Japan is facing, such as declining birthrate and aging population, progress in trans-border socioeconomic activities and other issues, as well as to the resolution of global challenges common to all humankind such as food problems, constraint in the use of electric and other energy, impact on the environment, global warming and other issues.

5) The following measures shall be promoted:

- a) Measures to create safe communities where preventive measures against natural disaster are effective and everyone can live with a sense of security for years and decades to come.
- b) Measures to create employment opportunities in the disaster-affected regions and to restore sustainable and vibrant society and economy.
- c) Measures to promote regional culture, to maintain and strengthen bonds in communities as well as to create a society of harmonious coexistence.

6) Above measures shall be implemented for the reconstruction of areas affected by the nuclear accident, taking into account the progress made in recovery from the accident.

#### **(Responsibility of the Government)**

**Article 3.** Based on the basic philosophy mentioned in the preceding Article, the Government have the responsibility to indicate the way of Japan appropriate for mid-twenty-first century, as well as to decide on the basic guidelines on measures for the reconstruction in response to the Great East Japan Earthquake (hereinafter referred to as “Basic Guidelines for the Reconstruction in response to the Great East Japan Earthquake”) and to take necessary measures stipulated under a separate law and other measures for the reconstruction in response to the Great East Japan Earthquake.

#### **(Responsibility of Local Governments)**

**Article 4.** Local governments, based on the basic philosophy under Article 2 and on the basis of the Basic Guidelines for Reconstruction in response to the Great East Japan Earthquake, have the responsibility to take necessary measures for the reconstruction in response to the Great East Japan Earthquake in a well-planned and comprehensive manner.

#### **(Efforts of the People)**

**Article 5.** The People shall, based on the basic philosophy under Article 2, and in the spirit

of mutual support and solidarity, make efforts to help and support the people affected by the disaster.

## **Chapter 2. Basic Measures**

### **(Prompt Implementation of Measures for Reconstruction)**

**Article 6.** The Government must strive for smooth and flexible execution of measures stipulated under Article 3, in order to promptly implement measures for the reconstruction in response to the Great East Japan Earthquake.

### **(Measures for Securing Financial Resources)**

**Article 7.** The Government will secure financial resources for the reconstruction in response to the Great East Japan Earthquake by taking following measures and other measures:

- 1) Carry out a thorough review of budgets for measures other than those related to reconstruction as well as reduce expenditures for reconstruction measures.
- 2) Fully utilize funds related to fiscal investment and as well as funds in the private sector.

### **(Issuance of Reconstruction Bonds)**

**Article 8.** The Government will issue government bond (hereinafter referred to as “Reconstruction Bond”) under a separate law in order to secure necessary funds for the reconstruction in response to the Great East Japan Earthquake.

2. The Government will manage the Reconstruction Bonds distinctively from other bonds and clarify the redemption schedule in advance by taking measures stipulated under a separate law and other measures.

### **(Transparent national money flow for reconstruction)**

**Article 9.** The Government, based on the understanding that the People including the people affected by the disaster bear the task of reconstruction in response from the Great East Japan Earthquake, will clarify national money flow for reconstruction, including the relationship

between national and local governments' finances.

**(Creation of System of Special Zone for Reconstruction)**

**Article 10.** The Government will, on the basis of proposals from local governments in the disaster-affected regions, promote efforts for reconstruction which make use of local creativity, by providing a system of special arrangements for deregulation and other measures in designated areas (hereinafter referred to as “System of Special Zone for Reconstruction”). To this end, the Government will examine the System of Special Zone for Reconstruction in a comprehensive manner and promptly take necessary legislative measures.

**Chapter 3. Reconstruction Headquarters in response to the Great East  
Japan Earthquake**

**(Establishment)**

**Article 11.** The Reconstruction Headquarters in response to the Great East Japan Earthquake (hereinafter referred to as “Reconstruction Headquarters”) shall be established in the Cabinet.

**(Jurisdiction)**

**Article 12.** The Headquarters shall undertake the following:

- 1) Planning, drafting and overall coordination of the Basic Guidelines for Reconstruction in response to the Great East Japan Earthquake.
- 2) Promotion of national support for reconstruction projects conducted by concerned local governments, promotion of other reconstruction measures implemented by other concerned administrative agencies and overall coordination of such projects and measures.
- 3) Other tasks delegated to the Headquarters by law which does not fall under preceding two Items.

**(Head of the Reconstruction Headquarters in response to the Great East Japan Earthquake)**

**Article 13.** The Head of the Reconstruction Headquarters in response to the Great East Japan Earthquake shall be the Prime Minister (hereinafter referred to as “Head”).

2. The Head shall manage the tasks of the Headquarters, instruct and supervise its officials.

**(Deputy Head of the Reconstruction Headquarters in response to the Great East Japan Earthquake)**

**Article 14.** The post of Deputy Head of the Reconstruction Headquarters in response to the Great East Japan Earthquake (hereinafter referred to as “Deputy Head”) will be established within the Headquarters and this post will be assumed by the Chief Cabinet Secretary and the Minister in charge of Reconstruction in response to the Great East Japan Earthquake (Minister of State appointed by the Prime Minister who assists the Prime Minister to promote measures for reconstruction in response to the Great East Japan Earthquake).

2. The Deputy Head shall assist the duties of the Head.

**(Members of the Reconstruction Headquarters in response to the Great East Japan Earthquake)**

**Article 15.** The post of Members of the Reconstruction Headquarters (hereinafter referred to as “Members of the Reconstruction Headquarters”) shall be established in the Headquarters.

2. The Members of the Reconstruction Headquarters shall be constituted by the following:

- 1) All Ministers of State excluding the Head and the Deputy Head of Headquarters
- 2) Those appointed by the Prime Minister among Deputy Chief Cabinet Secretary, State Secretaries or Parliamentary Vice-Ministers of relevant ministries or leaders of the concerned administrative agencies excluding Ministers of State.

**(Working level meeting)**

**Article 16.** The posts of members of working level meeting shall be established in the

Headquarters.

2. The members of working level meeting shall be appointed from officials of the concerned administrative agencies.
3. The members of working level meeting shall assist the Head, the Deputy Head and the Members of the Reconstruction Headquarters regarding the jurisdiction of the Headquarters.

**(Reconstruction Headquarters Response Office)**

**Article 17.** The Reconstruction Headquarters Response Offices shall be established in necessary places as local organs in order to allocate a part of tasks stipulated in Article 12 (except Item 1).

2. The official name, locations and jurisdictions of the Reconstruction Headquarters Response Offices shall be specified in a separate cabinet order.
3. The post of the Head of the Reconstruction Headquarters Response Office shall be established in the Response Offices and the Heads shall be selected from State Secretaries or Parliamentary Vice-Ministers of the concerned ministries and other officials and appointed by the Prime Minister.
4. The Head of the Response Office shall administer the tasks of Response Office under the order from the Head of Reconstruction Headquarters.
5. The post of members of the Response Office shall be established in the Response Office and the members shall be selected from chiefs and officials of the concerned local administrative agencies and appointed by the Prime Minister.

**(Establishment of the Reconstruction Design Council in response to the Great East Japan Earthquake)**

**Article 18.** The Reconstruction Design Council in response to the Great East Japan Earthquake shall be established in the Headquarters.

2. The Reconstruction Design Council in response to the Great East Japan Earthquake shall undertake the following:
  - 1) Upon consultation from the Head of Reconstruction Headquarters, the Council shall

investigate and discuss important issues concerning the reconstruction from the Great East Japan Earthquake and make recommendations on necessary matters to the Head.

- 2) The council shall investigate and discuss the implementation status of measures for the reconstruction from the Great East Japan Earthquake and state their opinions to the Head when necessary.
3. The Reconstruction Design Council in response to the Great East Japan Earthquake shall consist of a chairman and members up to 25 persons.
4. The chairman and members shall be selected from heads of the concerned local governments and persons with deep insight and appointed by the Prime Minister.

**(Organ of Collegial System for the Reconstruction of Areas Affected by the Nuclear Accident)**

**Article 19.** When considered necessary to conduct special investigation and discussion on important issues related to the reconstruction of areas affected by the nuclear accident as well as issues stipulated in paragraph 1 of the precedent article, taking into account the recovery status, an organ of collegial system can be established in the Headquarters, which consists of chiefs of concerned local governments and persons with deep insight on nuclear power related technology, economic situation of regions affected by the nuclear accident and other domains, based on a cabinet order. The investigation and discussion of this organ must be done with due consideration to the result of investigations and discussions conducted by the Reconstruction Design Council.

**(Submission of documents and other requests for cooperation)**

**Article 20.** The Reconstruction Design Council in Response to the Great East Japan Earthquake and the organ of collegial system stipulated in the preceding Article (hereinafter referred to as “Reconstruction Design Council in Response to the Great East Japan Earthquake and other organs”) may request documents, opinions, explanations and other necessary cooperation from related administrative agencies or public and private organizations when considered necessary for the implementation of their tasks.

2. The Reconstruction Design Council in Response to the Great East Japan Earthquake and

other organs may ask for necessary cooperation from persons other than those stipulated in the preceding paragraph, who have insights on matters to be investigated and discussed, when considered particularly necessary for the implementation of their tasks.

**(Secretariat)**

**Article 21.** The secretariat shall be established in the Headquarters in order to handle affairs.

2. The posts of the secretary-general and other members shall be established in the secretariat.
3. The secretary-general shall be nominated from people who occupy related post.
4. The secretary-general shall administer tasks under the order from the Head of Reconstruction Headquarters.
5. In order to respond to tasks related to the Reconstruction Headquarters Response Office, Secretariat of the Reconstruction Headquarters Response Office shall be established in the Secretariat.

**(Chief Minister)**

**Article 22.** For matters related to the Headquarters, the Chief Minister as indicated in the Cabinet Act (Law No. 5, 1947) shall be the Prime Minister.

**(Delegation to Cabinet order)**

**Article 23.** Matters stipulated in this chapter as well as necessary matters related to the Headquarters shall be stipulated by cabinet order.

## **Chapter 4. Basic Guideline on Establishment of the Reconstruction Agency**

**Article 24.** The Reconstruction Agency (an administrative organ which carries out tasks stipulated in Paragraph 3) shall be established in the Cabinet under a separate law.

2. The Reconstruction Agency shall be established for a fixed period of time.
3. The Reconstruction Agency shall undertake the following tasks regarding integrated

national measures for reconstruction from the Great East Japan Earthquake and shall be organized to secure the efficient and smooth implementation of such measures:

- 1) Planning, drafting and overall coordination of measures for the reconstruction in response to the Great East Japan Earthquake
  - 2) Implementation of measures for the reconstruction in response to the Great East Japan Earthquake
  - 3) Other necessary tasks for the reconstruction in response to the Great East Japan Earthquake
4. The Headquarters shall be abolished upon the establishment of the Reconstruction Agency, and the functions of the Headquarters, Response Offices, Reconstruction Design Council and other organs established in the Headquarters shall be taken over by the Reconstruction Agency and the organizations established in the Agency.
5. The Reconstruction Agency shall be established in the shortest delay possible. The Government shall, under the preceding paragraphs, consider measures necessary for the establishment of the Reconstruction Agency and take legislative measures at the earliest possible time.

### **Supplementary Provision**

This Act shall go into effect on the date of promulgation.

### **Reason**

Considering that the Great East Japan Earthquake was an unprecedented national crisis due to its extensive damage affecting vast area and its characteristics as a compound disaster consisting of earthquake, tsunami and nuclear accident, this Act has the purpose of promoting smooth and prompt reconstruction from the Great East Japan Earthquake and revitalization of vibrant Japan. This purpose will be achieved by setting forth the basic

philosophy on the reconstruction in response to the Great East Japan Earthquake; securing financial resources for the reconstruction, creating the System of Special Zone for Reconstruction and deciding on other fundamental issues to create economy and society where current and future generation can lead safe and prosperous lives; and deciding on the basic guidelines regarding the establishment of the Reconstruction Headquarters in response to the Great East Japan Earthquake and the Reconstruction Agency. This is the reason for the submission of this bill.