

# Basic Act for Gender Equal Society

(Act No. 78 of June 23, 1999)

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In consideration of respect for individuals and equality under the law being expressly stipulated in the Constitution of Japan, steady progress has been made in Japan's various efforts toward the realization of genuine equality between men and women, alongside efforts by the international community. However, even greater effort is required.

Further, in order to respond to the rapid changes occurring in Japan's socioeconomic situations, such as the trend toward fewer children, the aging of the population, and the maturation of domestic economic activities, it has become a matter of urgent importance to realize Gender Equal society in which men and women respect each other's human rights and share responsibilities, and every citizen is able to fully display their individuality and ability regardless of gender.

In this context, it is vital that the realization of Gender Equal society is positioned as the most important issue in determining the framework of 21st-century Japan and those policies on the promotion of the Formation of Gender Equal Society are implemented in all fields.

This Act is hereby established in order to clarify the basic principles with regard to the Formation of Gender Equal Society, to set a course to this end, and to comprehensively and systematically promote efforts by the State, local governments and citizens with regard to the Formation of Gender Equal Society.

## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to comprehensively and systematically promote the Formation of Gender Equal Society, by laying out the basic

principles and clarifying the responsibilities of the State, local governments and citizens in regard to the Formation of such a society, and providing fundamental matters for the policies on the promotion of the Formation of Gender Equal Society, in consideration of the urgency of realizing an affluent and dynamic society in which the human rights of both men and women are respected and that can respond to changes in socioeconomic situations.

(Definitions)

Article 2 In this Act, the meanings of the terms listed in the following items shall be as prescribed respectively in those items.

- (i) Formation of a Gender-Equal Society: forming a society in which both men and women, as equal members of society, are given opportunities to freely participate in activities in any fields of society and thereby equally enjoy political, economic, social and cultural benefits as well as share responsibilities.
- (ii) Positive action: Positive provision of the opportunities stipulated in the preceding item to either men or women to the extent necessary to redress gender disparities in terms of such opportunities.

(Respect for the Human Rights of Men and Women)

Article 3 The Formation of Gender Equal Society shall be carried out, aiming at respect for the dignity of men and women as individuals, not treating men and women in a way that discriminates against them based on gender, securing opportunities for men and women as individuals to exercise their abilities and respect for other human rights of men and women.

(Consideration for Social Systems or Practices)

Article 4 In consideration that social systems or practices can be factors that impede the Formation of Gender Equal Society by reflecting a stereotyped division of roles on the basis of gender, etc., and having a biased effect on men and women's selection of social activities, consideration shall be given so that social systems and practices have as neutral an impact as possible on this selection of social activities.

(Joint Participation in Planning and Deciding Policies, etc.)

Article 5 Formation of Gender Equal Society shall be undertaken with the aim to secure opportunities for men and women to jointly participate as equal members of society in planning and deciding policies of the State or local governments or ones of private organizations.

(Compatibility of Activities in Family Life and Other Activities)

Article 6 Formation of Gender Equal Society shall be undertaken with the aim for men and women who are members of families to be able to smoothly perform their roles as household members with regard to taking care of children and other family members and other activities in their home lives, through mutual cooperation and with social support, and for them to also be able to engage in activities other than these.

(International Cooperation)

Article 7 In consideration of close relationship between promotion of the Formation of Gender Equal Society and efforts in the international community, the Formation of Gender Equal Society shall be undertaken based on international cooperation.

(Responsibility of the State)

Article 8 The State is responsible for the comprehensive formulation and implementation of policies on promotion of the Formation of Gender Equal Society (including positive action; the same shall apply hereinafter) pursuant to the basic principles on the Formation of Gender Equal Society prescribed in Articles 3 to the preceding Article (hereinafter referred to as the "Basic Principles").

(Responsibility of Local Governments)

Article 9 Local governments are responsible for the formulation and implementation of measures that follow the national measures and other measures that reflect the special characteristics of the region of these local governments, in regard to promotion of the Formation of Gender Equal Society, pursuant to the Basic Principles, .

(Responsibility of Citizens)

Article 10 Citizens shall endeavor to contribute to the Formation of Gender Equal Society in all areas of society, including workplaces, schools, local communities and homes, pursuant to the Basic Principles.

(Legislative Measures, etc.)

Article 11 The Government shall take legislative, financial and other measures necessary to implement policies on promotion of the Formation of Gender Equal Society.

(Annual Reports, etc.)

Article 12 (1) The Government shall submit an annual report to the Diet on the status of the Formation of Gender Equal Society and the policies implemented

- by the Government on promotion of the Formation of Gender Equal Society.
- (2) The Government shall annually prepare and submit a document to the Diet explaining the policies the Government intends to implement to promote the Formation of Gender Equal Society, considering the status of the Formation of Gender Equal Society described in the report in the preceding paragraph.

## **Chapter II Basic Policies on Promotion of the Formation of Gender Equal Society**

(Basic Plan for Gender Equality)

- Article 13 (1) The Government shall establish a basic plan on the Formation of Gender Equal Society (hereinafter referred to as the "Basic Plan for Gender Equality"), in order to comprehensively and systematically promote policies on the Formation of Gender Equal Society.
- (2) The Basic Plan for Gender Equality shall provide for the following matters:
- (i) an outline of the policies to be implemented comprehensively and over the long term on promotion of the Formation of Gender Equal Society;
  - (ii) other than what is listed in the preceding item, matters necessary to comprehensively and systematically implement policies on promotion of the Formation of Gender Equal Society.
- (3) The Prime Minister shall hear the opinions of the Council for Gender Equality then formulate a draft of the Basic Plan for Gender Equality and ask the Cabinet for its decision.
- (4) The Prime Minister shall publicize the Basic Plan for Gender Equality without delay, when the Cabinet has made its decision pursuant to the provisions of the preceding paragraph.
- (5) The provisions of the preceding two paragraphs shall apply mutatis mutandis to changes to the Basic Plan for Gender Equality.

(Prefectural Plans for Gender Equality, etc.)

- Article 14 (1) Taking into consideration the Basic Plan for Gender Equality, the prefectures shall establish basic plans with regard to policies on promotion of the Formation of Gender Equal Society with regard to the relevant prefectural areas (hereinafter referred to as "Prefectural Plans for Gender Equality").
- (2) Prefectural Plans for Gender Equality shall provide for the following matters:
- (i) an outline of the policies to be implemented comprehensively and over the long term on promotion of the Formation of Gender Equal Society regarding the prefectural areas;
  - (ii) other than what is listed in the preceding item, matters necessary to comprehensively and systematically implement policies on promotion of the Formation of Gender Equal Society within the prefectural area.

- (3) Taking into consideration the Basic Plan for Gender Equality and Prefectural Plans for Gender Equality, the municipalities shall endeavor to establish basic plans with regard to policies on promotion of the Formation of Gender Equal Society within the relevant municipal areas (hereinafter referred to as "Municipal Plans for Gender Equality").
- (4) When a prefecture or a municipality establishes or modifies its Prefectural Plan for Gender Equality or its Municipal Plan for Gender Equality, the prefecture or municipality shall publicize this without delay.

(Consideration in the Formulation of Policies, etc.)

Article 15 When formulating and implementing policies that are found to influence the Formation of Gender Equal Society, the State and local governments shall give consideration to the Formation of Gender Equal Society.

(Measures to Increase the Understanding of the Citizens)

Article 16 The State and local governments shall take appropriate measures through public relations activities, etc., to increase citizens' understanding of the Basic Principles.

(Processing of Complaints, etc.)

Article 17 The State shall take necessary measures for processing complaints in regard to policies implemented by the Government which are related to promotion of the Formation of Gender Equal Society or which are found to influence the Formation of Gender Equal Society, and necessary measures intended to provide relief to victims whose human rights have been infringed through gender-based discriminatory treatment and other factors impeding the Formation of Gender Equal Society.

(Research and Study)

Article 18 The State shall endeavor to promote necessary research and study into the formulation of policies concerning the promotion of the Formation of Gender Equal Society, including research and study related to the impact of social systems and customary practices on the Formation of Gender Equal Society.

(Measures for International Cooperation)

Article 19 In order to promote the Formation of Gender Equal Society based on international cooperation, the State shall endeavor to take necessary measures for the exchange information with foreign governments and international organizations, and for the smooth promotion of international mutual cooperation related to the Formation of Gender Equal Society.

(Support for Local Governments and Private Organizations)

Article 20 The State shall endeavor to provide information and take other necessary measures in order to support policies on promotion of the Formation of Gender Equal Society implemented by local governments, and activities on promotion of the Formation of Gender Equal Society undertaken by private organizations.

### **Chapter III Council for Gender Equality**

(Establishment)

Article 21 The Council for Gender Equality (hereinafter referred to as the "Council") is hereby established in the Cabinet Office.

(Affairs under Council Jurisdiction)

Article 22 The Council is in charge of the following administrative affairs:

- (i) dealing with the matters provided in paragraph (3) of Article 13 with regard to the Basic Plan for Gender Equality;
- (ii) in addition to what is listed in the preceding item, studying and deliberating on basic principles, basic policies and important matters with regard to promotion of the Formation of Gender Equal Society in response to consultations with the Prime Minister or relevant ministers;
- (iii) studying and deliberating on matters provided in the preceding two items, and, if necessary, stating opinions to the Prime Minister and relevant ministers ; and
- (iv) monitoring the status of implementation of government measures to promote the Formation of Gender Equal Society, and studying the impact of government measures on the Formation of Gender Equal Society, and, if necessary, stating opinions to the Prime Minister and relevant ministers.

(Organization)

Article 23 The Council shall consist of a chairperson and no more than 24 members.

(Chairperson)

Article 24 (1) The Chief Cabinet Secretary shall serve as chairperson.  
(2) Chairperson shall preside over the affairs of the Council.

(Council Members)

Article 25 (1) The persons listed in following items shall serve as Council members:

- (i) those who are designated by the Prime Minister, among Cabinet ministers except for the Chief Cabinet Secretary;
  - (ii) persons appointed by the Prime Minister among those who have distinguished insight into the Formation of Gender Equal Society.
- (2) The number of members in item (ii) of the preceding paragraph shall not be less than half of the number of members provided for in the same paragraph.
- (3) Neither the number of male nor the number of female members in item (ii) of paragraph (1) may fall below four-tenths of the total number of the members.
- (4) Members prescribed in item (ii) of paragraph (1) shall work on a part-time basis.

(Term of Members)

- Article 26 (1) Members prescribed in item (ii) of paragraph (1) of Article 25 shall serve a term of two years. A member who is appointed to fill a vacancy shall serve the remainder of the predecessor's term.
- (2) Members prescribed in item (ii) of paragraph (1) of the preceding Article may be reappointed.

(Request for Submitting Documents, etc.)

- Article 27 (1) The Council may request the heads of relevant administrative organs to submit necessary materials for monitoring or investigation and any other materials, state an opinion, give an explanation, or give any other necessary cooperation, when it finds it necessary for pursuing affairs under its jurisdiction.
- (2) When the Council finds it especially necessary for pursuing affairs under its jurisdiction, the Council may also request the necessary cooperation from a person other than one provided for in the preceding paragraph.

(Delegation to Cabinet Order)

- Article 28 In addition to what is provided for in this Chapter, the organization of the Council, members and other officials, and other necessary matters on the Council shall be prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]**

(Effective Date)

- Article 1 This Act (excluding Article 2 and 3) shall come into force as of January 6, 2001.