

Government Policy Evaluations Act (GPEA)

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Chapter 1 General rules

(Purpose)

Article 1

It is the purpose of this Law to promote the objective and rigorous implementation of policy evaluation and to reflect the results of this evaluation in the planning and development of policy, and to provide the public with information on policy evaluation by providing for basic matters regarding policy evaluation carried out by administrative organs, with a view to promoting effective and efficient administration, and ensuring the Government's proper discharge of its obligation to remain accountable to the public for its operations.

(Definitions)

Article 2

(1) The term "administrative organ" used in this Law refers to the following organs:

1. Cabinet Office as the organization in charge of the business specified in Article 4, Clause 3 of the Cabinet Office Establishment Law (Law Number 89 of 1999) (excepting organs listed in the following paragraph)
2. Imperial Household Agency and organs under Article 49, Clause 1 of the Cabinet Office Establishment Law (for National Public Safety Commission, except National Police Agency) and National Police Agency
3. Ministries (for the Ministry of Public Management, Home Affairs, Posts and Telecommunications, excepting the organs listed in the following paragraph)
4. Environmental Disputes Coordination Commission

(2) The term "policy" used in this Law refers to the policies, measures and the like with respect to a set of activities planned and developed by an administrative organ to achieve a certain objective within its duties or jurisdiction.

(Principles of policy evaluation)

Article 3

(1) An administrative organ shall at the appropriate time study and acquire information on the effects of policy (i.e. the effect which a set of activities it carried out or intends to carry out has or is expected to have on the lives of people and/or society and the economy; the same applies hereinafter) under its jurisdiction, and on the basis of such study evaluate its policy from the standpoints of necessity, efficiency, effectiveness, or other standpoints as special characteristics of the said policy may require, and appropriately reflect results of such evaluation in the planning and development of the said policy.

(2) Evaluation under the provisions of the preceding Clause (hereinafter referred to as "policy evaluation") shall be carried out in accordance with what is expressed in the

following to ensure objective and rigorous conduct of evaluation:

1. Policy effects shall be studied employing rational means properly suited to the special characteristics of the policy using as quantitative a method as possible.
2. The knowledge of persons of learning and experience shall be acquired and utilized in accordance with the special characteristics of the policy.

(Use made of the results of policy evaluation)

Article 4

(1) The Government shall, aside from what is provided for in Clause 1 of the preceding Article, endeavor to appropriately utilize the results of policy evaluation for the preparation of budgets and the planning and development of policies that pertain to the jurisdiction of two or more administrative organs and require their comprehensive promotion.

Chapter 2 Basic guidelines for implementing policy evaluation

Article 5

(1) The Government shall establish basic guidelines for implementing policy evaluation (hereinafter referred to as "basic guidelines") for the systematic and steady implementation of policy evaluation.

(2) The basic guidelines shall prescribe guidelines for the basic plan under Clause 1 of the next Article covering the following matters:

1. Basic policy on the conduct of policy evaluation
2. Basic matters related to the standpoints of policy evaluation
3. Basic matters related to studying and acquiring information on policy effects
4. Basic matters related to the conduct of ex-ante evaluation (defined as policy evaluation conducted prior to taking decisions on the policy; the same applies

hereinafter)

5. Basic matters related to the conduct of ex-post evaluation (defined as policy evaluation conducted after taking decisions on the policy; the same applies hereinafter)

6. Basic matters related to the acquisition and utilization of knowledge of persons of learning and experience

7. Basic matters related to reflecting the results of policy evaluation in policy planning and development

8. Basic matters related to providing the public with information related to policy evaluation via the Internet and other means

9. Other important matters related to policy evaluation

(3) The basic guidelines shall stipulate matters related to measures that have been implemented or are going to be implemented under the provisions of Article 20 through Article 22, and other measures required for the smooth and steady implementation of policy evaluation.

(4) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall prepare a draft of the basic guidelines after asking the opinions of a council (one of the organs under Article 8 of the National Government Organization Law (Law Number 120 of 1948) and to be determined by Cabinet Order), and request the decision of the Cabinet.

(5) When the decision of the Cabinet under the preceding clause is made, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall publish the basic guidelines without delay.

(6) The provisions of the preceding two Clauses shall apply to the revision of the basic guidelines.

Chapter 3 Policy evaluation by administrative organs

(Basic plan)

Article 6

(1) The head of an administrative organ (when the organ is Fair Trade Commission, National Public Safety Commission, or Environmental Dispute Coordination Commission, it is such commission) shall draw up based upon the basic guidelines a basic plan for policy evaluation (hereinafter referred to as the "basic plan") for a term of longer than three years but not longer than five years for policies under the jurisdiction of the said administrative organ.

(2) The basic plan shall prescribe the following matters:

1. Planning period
2. Policy on the conduct of policy evaluation
3. Matters related to the standpoints of policy evaluation
4. Matters related to studying and acquiring information on policy effects
5. Matters related to the conduct of ex-ante evaluation
6. Matters related to the conduct of ex-post evaluation, including policies to be subjected to evaluation during the planning period
7. Matters related to acquisition and utilization of knowledge of persons of learning and experience
8. Matters related to reflecting results of policy evaluation in policy planning and development
9. Matters related to providing the public with information related to policy evaluation via the Internet and other means
10. Matters related to the organizational framework of implementing policy evaluation within the organ
11. Other matters necessary for the conduct of policy evaluation

(3) The head of an administrative organ shall prescribe as the policies under Paragraph 6 of the preceding Clause those that serve as principal organizational objectives to be realized in response to social and economic circumstances, under its organizational

missions.

(4) When the head of an administrative organ has decided on the basic plan, he/she shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the plan and publish it without delay.

(5) The provisions of the preceding two Clauses shall apply to revision of the basic plan.

(Plan for the conduct of ex-post evaluation)

Article 7

(1) The head of an administrative organ shall decide on the plan for the conduct of ex-post evaluation (hereinafter referred to as "operational plan") for each year.

(2) The operational plan shall stipulate the planning period, policies to be subjected to evaluation as defined below and specific methods to be applied to the ex-post evaluation of the said policies.

1. Policies under Clause 2, Paragraph 6 of the preceding Article, and intended to be subjected to ex-post evaluation within the planning period

2. Policies which fall under any of the following categories during the planning period

(a) Those with respect to which the activity essential for achievement of the intended effects has not been initiated for a period of more than 5 years but not longer than 10 years and to be specified by Cabinet Order in accordance with the special characteristics of the policy from the taking of decisions on the policy

(b) Those with respect to which the effect the policy is intended to attain has not been achieved when a period equal to the period specified by the Cabinet Order specified in (a) added to a period of longer than 5 years but not longer than 10 years and to be specified by Cabinet Order in accordance with the characteristics of the policy has elapsed

3. Policies other than those specified in the preceding two Paragraphs and intended to be subjected to ex-post evaluation during the planning period

(3) When the head of an administrative organ has decided on the operational plan, or revised it, he/she shall notify the Minister of Public Management, Home Affairs, Posts and

Telecommunications of this and publish it without delay.

(Conduct of ex-post evaluation)

Article 8

The head of an administrative organ shall carry out the ex-post evaluation based on the basic plan and the operational plan.

(Conduct of ex-ante evaluation)

Article 9

The head of an administrative organ shall carry out the ex-ante evaluation when they intend to take a decision on policy pertaining to individual project of research and development, public works, or official development assistance, or any other policy that meets the following conditions, and to be specified by Cabinet Order.

1. It is expected that the policy has considerable impact on the lives of people and/or society and the economy, or a large amount of expense is incurred before the aims of the said policy are achieved.
2. It is an established knowledge that the method for acquiring information on policy effects and other methodology required for the conduct of ex-ante evaluation have been developed.

(Evaluation report)

Article 10

(1) When the head of an administrative organ has conducted the ex-post evaluation, he/she shall prepare a report containing the following items:

1. The policy subjected to evaluation
2. The department or organization that carried out the evaluation and the time
3. Standpoints adopted of the evaluation
4. Method employed and results of studying and acquiring information on policy effects

5. Matters related to acquisition and utilization of knowledge of persons of learning and experience

6. Matters related to materials and other information used in the course of conducting the evaluation

7. Results of the evaluation

(2) When the head of an administrative organ has prepared a report on the evaluation, he/she shall promptly forward the report to the Minister of Public Management, Home Affairs, Posts and Telecommunications and publish the report and its summary.

(Notification and publication of reflection of evaluation results in policy planning and development)

Article 11

The head of an administrative organ shall inform at least once a year the Minister of Public Management, Home Affairs, Posts and Telecommunications of how the results of evaluation have been reflected in the policy planning and development in the said administrative organ, and make such information public.

Chapter 4 Evaluation of Policy by the Ministry of Public Management, Home Affairs, Posts and Telecommunications

(Evaluation by the Ministry of Public Management, Home Affairs, Posts and Telecommunications)

Article 12

(1) The Ministry of Public Management, Home Affairs, Posts and Telecommunications shall carry out evaluation of a government policy with a view to ensuring its coherent and/or comprehensive implementation with regard to a policy commonly adopted by the two or more administrative organs and its evaluation is deemed necessary for the purpose of ensuring their government-wide coherence, or a policy that pertains to the

jurisdiction of two or more administrative organs and its evaluation is deemed necessary for the purpose of its comprehensive promotion.

(2) When the Ministry of Public Management, Home Affairs, Posts and Telecommunications finds, taking into account the conduct and progress of policy evaluation of an administrative organ, that the conduct of policy evaluation is not assured by the said administrative organ despite the Ministry's findings that the re-conduct of evaluation is necessary or that policy evaluation needs to be conducted in response to changes in the social and economic conditions, or that when it finds it necessary to carry out policy evaluation jointly with an administrative organ upon request of the said administrative organ, it shall conduct evaluation of the policy of the said administrative organ for the purpose of ensuring objective and rigorous implementation of policy evaluation in the government.

(3) The evaluation under the preceding two Clauses shall be conducted by studying and acquiring information on the effect of the policy to be subjected to evaluation, and from the standpoints of its necessity, efficiency, effectiveness or other standpoints as the special characteristics of the said policy may require.

(Plan on evaluation by the Ministry of Public Management, Home Affairs, Posts and Telecommunications)

Article 13

(1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall draw up each year the plan related to the evaluation under the provisions of Clauses 1 and 2 of the preceding Article for a term of three years.

(2) The plan under the preceding clause shall stipulate matters prescribed in the following:

1. Basic policy on the conduct of evaluation under the provisions of Clauses 1 and 2 of the preceding Article
2. Policies to be subjected to the evaluation under the provisions of Clause 1 of the preceding Article during the planning

3. Policies to be subjected to the evaluation under the provisions of Clause 1 of the preceding Article in the first year

4. Other important matters related to the evaluation under the provisions of Clauses 1 and 2 of the preceding Article

(3) When the Minister of Public Management, Home Affairs, Posts and Telecommunications has decided on or revised the plan under the provisions of Clause 1, he/she shall publish it without delay.

Article 14

The Ministry of Public Management, Home Affairs, Posts and Telecommunications shall carry out evaluation of the policy under the provisions of Article 12, Clauses 1 and 2, in accordance with the plan in Clause 1 of the preceding Article.

(Demand for submission of materials and investigation)

Article 15

(1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may call on the head of an administrative organ for the submission of materials as well as explanations, or may inspect operations of an administrative organ on the spot to the extent that it is necessary to conduct evaluation under the provisions of Article 12, Clauses 1 and 2.

(2) The Minister of Public Management, Home Affairs, Posts and Telecommunications may investigate the following operations, through inspecting documents or making on-the-spot inspection, in connection with the evaluation under the provisions of Article 12, Clauses 1 and 2. In this case, those subjected to investigation shall not refuse it.

1. Operations of independent administrative institutions (i.e. independent administrative institutions under the provisions of Article 2, Clause 1 of the Law on General Rules of Independent Administrative Institutions (Law Number 103 of 1999))

2. Operations of the legal persons established directly by law, or the legal persons

required by individual law to be established by a special procedure (except the legal persons to whom the provisions of Article 4, Clause 15 of the Ministry of Public Management, Home Affairs, Posts and Telecommunications Establishment Law (Law Number 91 of 1999) do not apply)

3. Operations of legal persons established by individual law and establishment of which requires approval of administrative authorities (limited to those more than half of whose capital is funded by the State and performing operations under subsidy of the State)

4. Operations under commission or subsidy by the State

(3) The Minister of Public Management, Home Affairs, Posts and Telecommunications may investigate through inspecting documents or making on-the-spot inspection of operations of local public entities, provided that such operations fall within No.1 legal entrusted operations under the provisions of Article 2, Clause 9, Paragraph 1 of the Local Autonomy Law (Law Number 67 of 1947) (limited to those which are required to be studied as an integral part of investigation of the operation of an administrative organ and excluding those under Paragraph 4 of the preceding Clause), to the minimum extent necessary for the attainment of objectives of the evaluation under Article 12, Clauses 1 and 2. The Minister of Public Management, Home Affairs, Posts and Telecommunications shall ask in advance the views of the local public entities concerned.

(4) The Minister of Public Management, Home Affairs, Posts and Telecommunications may ask public or private organizations as well as other persons concerned for cooperation in submitting materials as he/she may deem it necessary for the conduct of evaluation under the provisions of Article 12, Clauses 1 and 2.

(Evaluation report)

Article 16

(1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall prepare a report on the evaluation containing items specified in the provisions of each Paragraph, Article 10, Clause 1, when he/she has conducted the evaluation under

the provisions of Article 12, Clauses 1 and 2.

(2) When the Minister of Public Management, Home Affairs, Posts and Telecommunications has prepared a report on the evaluation, the Minister shall forward the report to heads of related administrative organs with necessary opinions attached, and publish the report and its summary and the opinions.

(Recommendation)

Article 17

(1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall recommend that heads of related administrative organs take necessary measures to reflect the results of the said evaluation in policy planning and development when he/she deems it necessary as a result of the evaluation under the provisions of Article 12, Clauses 1 and 2, and shall publish the said recommendations.

(2) When the Minister of Public Management, Home Affairs, Posts and Telecommunications makes recommendations under the provisions of the preceding Clause, he/she may ask the heads of administrative organs to report on measures taken based upon the recommendations.

(3) The Minister of Public Management, Home Affairs, Posts and Telecommunications, when he/she may deem it particularly necessary, shall offer an opinion for the Prime Minister to take necessary measures under the provision of Article 6 of the Cabinet Law (Law Number 5 of 1947), with regard to reflecting results of the evaluation under the provisions of Article 12, Clauses 1 and 2 in the policy planning and development.

(Ensuring linkage between policy evaluation and evaluation and inspection)

Article 18

When the Minister of Public Management, Home Affairs, Posts and Telecommunications carries out the evaluation under the provisions of Article 12, Clauses 1 and 2, he/she shall make efforts to ensure that appropriate links be maintained between the evaluation and the evaluation and inspection conducted under the provisions of Article 4, Clause 18 of

the Ministry of Public Management, Home Affairs, Posts and Telecommunications
Establishment Law.

Chapter 5 Miscellaneous rules

(Report to the Diet)

Article 19

The Government shall prepare each year a report on the status of policy evaluation and the evaluation under the provisions of Article 12, Clauses 1 and 2 (hereinafter referred to as "policy evaluation, etc") and on how the results of such evaluation have been reflected in policy planning and development, submit the report to the Diet and publish it.

(Promoting studies on methods of policy evaluation, etc.)

Article 20

The Government shall promote studies on methods of policy evaluation etc., and take necessary measures, including training to ensure the acquisition of capable personnel as policy evaluation staffs and the enhancement of staff capabilities.

(Utilization of information related to policy evaluation, etc.)

Article 21

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall take necessary measures in relation to sharing of information and data required for the conduct of policy evaluation etc. among administrative organs to facilitate the efficient and smooth implementation of policy evaluation, etc.

(Provision of guidance on information location)

Article 22

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall take the necessary measures to provide guidance on the location of information related

to policy evaluation , etc., including the results of evaluation, to assist those persons wishing to obtain such information.

Supplementary provisions

(Date of enforcement)

Article 1

The Law shall come into effect on April 1, 2002. The provisions of Article 5, however, shall come into effect from the date not later than six months after the date of promulgation and to be specified by Cabinet Order.

(Review)

Article 2

The Government shall review the status of enforcement of this Law when three years have elapsed from the date of its enforcement, and take any necessary measures based upon the results of such review.

(Transitional measures for operational plan for ex-post evaluation)

Article 3

Regarding application of the provisions of Article 7, Clause 1 to the operational plan established by the National Public Safety Commission, the Director of the Financial Services Agency or the Director of the National Police Agency for the first time after the Law comes into effect, "for each year" in the Clause shall be read as "for a planning period of not exceeding one year and specified by the National Public Safety Commission, the Director of the Financial Services Agency or the Director of the National Police Agency".

(Transitional measures for the operational plan for ex-post evaluation)

Article 4

The provisions of Article 7, Clause 2 (limited to the part related to Paragraph 2) shall be applied to the policy on which the decisions have been taken before enforcement of the Law but the period specified in (a) or (b) of the Paragraph has elapsed after the date on which the Law came into effect.

(Amendment of the Ministry of Public Management, Home Affairs, Posts and Telecommunications Establishment Law)

Article 5

The Ministry of Public Management, Home Affairs, Posts and Telecommunications Establishment Law shall be amended as follows:

"and this evaluation and inspection" in Article 4, Paragraph 19 is amended as "in the next paragraph"

"Paragraph 17" in Article 6, Clause 1 is deleted, and "administrative evaluation, etc." in Clause 2 of the same Article is amended as "evaluation or inspection specified in the provisions of Article 4, Paragraph 18 (hereinafter referred to as 'evaluation or inspection' in this Article)," and "administrative evaluation, etc." in provisions from Clause 3 to Clause 7 of the same Article are amended as "evaluation or inspection," and "by the provisions of Article 4, Paragraph 18" in Clause 8 of the same Article is deleted.