

Act No. 109 (December 13, 2013)

Basic Act on Measures Against Alcohol-related Health Harm

(Tentative translation)

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Chapter 1. General Provisions

(Purpose)

Article 1. Alcoholic beverages provide our life with richness and affluence. They are also deeply rooted in our life through tradition and culture. In view of this and also the fact that inappropriate drinking causes health problems that not only affect an individual's health but also have serious consequences for a person's family and a high risk of causing social problems, this Act aims to contribute toward realizing a society where we can live safely as well as protect our health by formulating basic principles, by clarifying the responsibilities of the national and local governments, etc. concerning measures against alcohol-related health harm and by specifying, etc. the matters which are the basis for the measures against alcohol-related health harm; promoting measures against alcohol-related health harm comprehensively and systematically; preventing alcohol-related health harm from occurring, progressing and relapsing; and fully preparing support for persons experiencing alcohol-related health harm, etc.

(Definition)

Article 2. The term "alcohol-related health harm" as used in this Act shall mean mental and physical health harm caused by influence of inappropriate drinking such as alcohol dependence, other heavy consumption of alcoholic beverages, underage drinking and drinking by pregnant women.

(Basic Principles)

Article 3. Measures against alcohol-related health harm shall be taken according to the basic principles listed in the following items:

- (1) To take appropriate preventive measures according to each stage where alcohol-related health harm occurs, progresses and relapses, and to support those who have or have had alcohol-related health harm along with their family so that they may lead a smooth daily and social life; and

(2) In implementing measures against alcohol-related health harm, considering that alcohol-related health harm is closely connected with problems such as driving under the influence of alcohol, violence, abuse and suicide, to give consideration as necessary so as to organically coordinate the measures to these problems in order to contribute to fundamental solutions to these problems generated in connection with alcohol-related health harm.

(Responsibilities of the National Government)

Article 4. Based on the basic principles of the preceding Article, the national government shall be responsible for formulating measures against alcohol-related health harm and implementing them comprehensively.

(Responsibilities of Local Governments)

Article 5. Based on the basic principles of Article 3, the local governments shall be responsible for formulating measures against alcohol-related health harm specific to the conditions existing in their areas and for implementing them in tandem with the national government.

(Responsibilities of Business Operators)

Article 6. Business operators who produce or sell alcoholic beverages (here and hereafter, including parties that serve the same) shall cooperate with the measures undertaken by the national and local government against alcohol-related health harm, and, in conducting their business activities, shall endeavor to consider preventing alcohol-related health harm from occurring, progressing and relapsing.

(Responsibilities of Citizens)

Article 7. The citizens shall endeavor to exert effort to deepen concern and understanding about alcohol-related problems (here and hereafter, meaning alcohol-related health harm and related problems such as driving under the influence of alcohol, violence, abuse and suicide) and to pay necessary attention to the prevention of alcohol-related health harm.

(Responsibility of Physicians, etc.)

Article 8. Physicians and other medical persons shall endeavor to cooperate with the national and local governments in their measures against alcohol-related health harm, contribute to the prevention of alcohol-related health harm from occurring, progressing and relapsing, and provide high-quality and appropriate medical care concerning alcohol-related health harm.

(Responsibilities of Health Promotion Service Providers)

Article 9. Health Promotion Service Providers (referring to health promotion service providers as prescribed under Article 6 of the Health Promotion Act (Act No.103 of 2002)) shall endeavor to cooperate with the measures undertaken by the national and local governments against alcohol-related health harm.

(Awareness Week on Alcohol-related Problems)

Article 10.

1. An awareness week on alcohol-related problems shall be established for citizens to broadly deepen their concern and understanding on alcohol-related problems.
2. The awareness week on alcohol-related problems shall be from November 10 to November 16.
3. The national and local governments shall endeavor to implement events suitable for the purpose of the

awareness week on alcohol-related problems.

(Legislative Measures, etc.)

Article 11. The national government shall undertake necessary measures such as legislation, finance, taxation or any other measures against alcohol-related health harm.

Chapter 2. Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm

(Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm)

Article 12.

1. The national government shall formulate a basic plan concerning the promotion of measures against alcohol-related health harm (hereinafter referred to as the "Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm") within two years after enforcement of this Act in order to promote measures against alcohol-related health harm comprehensively and systematically.
2. In principle, specific targets for the measures set forth in the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm, and the time to achieve such target shall be specified.
3. In addition to prior consultations with the heads of each relevant administrative organ, the Prime Minister shall also obtain the opinions from Committee of Persons Involved in Measures Against Alcohol-related Health Harm, formulate a draft of the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm and request a decision from the Cabinet.
4. Upon formulation of the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm, the national government shall report the fact thereof to the Diet and announce it in an appropriate manner including use of the Internet without delay.
5. The national government shall examine the status of achieving the targets prescribed under the provisions of Paragraph 2 and announce the results thereof in an appropriate manner including use of the Internet from time to time.
6. The national government shall review the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm at least every five years to reflect any changes in the situation concerning alcohol-related health harm and the results of evaluations of the effectiveness of measures against alcohol-related health harm, and when regarded as necessary, the Plan shall be changed.
7. The provisions of Paragraph 3 and Paragraph 4 shall apply mutatis mutandis to any change of the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm.

(Requests to Relevant Administrative Organs)

Article 13. When determined to be necessary, the Prime Minister may request the heads of each the relevant administrative organs to submit materials necessary to formulate the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm or implement the requisite matters within the jurisdiction of said administrative organs in connection with measures specified by the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm.

(Plans for the Promotion of Measures Against Alcohol-related Health Harm by Prefectures)

Article 14.

1. The Prefectures shall regard the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm as the basic framework and endeavor to formulate plans concerning the promotion of measures against alcohol-related health harm appropriate for the actual conditions that exist in their areas (hereinafter referred to as the "Plans for the Promotion of Measures Against Alcohol-related Health Harm by Prefectures").
2. The Plans for the Promotion of Measures Against Alcohol-related Health Harm by Prefectures shall include the medical plans prescribed under Paragraph 1 of Article 30-4 of the Medical Care Act (Act No. 205 of 1948), the Health Promotion Plans by Prefectures prescribed under Paragraph 1 of Article 8 of the Health Promotion Act and other plans as prescribed under other laws and regulations such as to be consistent with the matters prescribed for health, medical treatment and social welfare.
3. The Prefectures shall review their Plans for the Promotion of Measures Against Alcohol-related Health Harm by Prefectures at least every five years to reflect any changes in the situation concerning alcohol-related health harm and the results of evaluations of the effectiveness of measures against alcohol-related health harm, and when regarded as necessary, the Plans shall be changed.

Chapter 3. Basic Measures

(Promotion, etc. of Education)

Article 15. The national and local governments shall take necessary measures to spread knowledge concerning alcohol-related problems through actions such as education, promotion of learning and public relation activities concerning alcohol-related problems at home, school, the workplace and any various other places so that citizens are able to deepen their concern and understanding of alcohol-related problems and pay necessary attention to their prevention.

(Preventing Inducement of Inappropriate Drinking)

Article 16. While respecting measures voluntarily undertaken by business operators who produce or sell alcoholic beverage concerning the presentation, advertisement and any methods for the selling of alcoholic beverages, the national government shall take necessary measures so as not to induce inappropriate drinking which may generate alcohol-related health harm.

(Health Examinations and Health Guidance)

Article 17. The national and local governments shall take necessary measures to ensure that discovery of alcohol-related health harm and guidance about drinking can be appropriately conducted in health examinations and health guidance to contribute to preventing alcohol-related health harm from occurring, progressing and relapsing.

(Full Development, etc. of Medical Treatment related to Alcohol-related Health Harm)

Article 18. With respect to medical treatment of alcohol-related health harm, the national and local governments shall take necessary measures including full development of offering guidance for reducing or eliminating the consumption of alcohol to prevent alcohol-related health harm from progressing and offering guidance on receiving specialized treatment and rehabilitation for alcohol dependence, full development of such specialized treatment and rehabilitation, and ensuring coordination of medical

institutions that provide such specialized treatment and rehabilitation and other medical institutions.

(Guidance, etc. for Persons Who Have Driven Under the Influence of Alcohol in Conjunction With Alcohol-related Health Harm)

Article 19. For persons who have driven under the influence of alcohol, committed violent acts or abuse, or attempted suicide or done other behaviors in conjunction with alcohol-related health harm, the national and local governments shall take necessary measures to promote guidance, advice, support and the like concerning alcohol-related health harm according to the situation of alcohol-related problems specific to such persons.

(Consultation and Support, etc.)

Article 20. The national and local governments shall take necessary measures to promote consultation and support, etc. for persons who have or have had alcohol-related health harm together with their families.

(Support for Rehabilitation into Society)

Article 21. The national and local governments shall take necessary measures to promote support for persons who have suffered from alcohol dependence to facilitate their smooth re-entry into society by assisting with their entry into the work-force and any other support.

(Support for Activities by Private Bodies)

Article 22. The national and local governments shall take necessary measures to support voluntary activities undertaken by private bodies concerning measures against alcohol-related health harm such as activities for those persons who have suffered from alcohol dependence to help each other to prevent relapses.

(Securing Staff Resources, etc.)

Article 23. For those persons who are engaged in work related to alcohol-related problems including medical treatment, health, social welfare, education and correction, the national and local governments shall take necessary measures to secure and train staff resources that have sufficient knowledge concerning alcohol-related problems and improve their quality.

(Promotion, etc. of Research and Study)

Article 24. The national and local governments shall take necessary measures to promote research on the methods to prevent alcohol-related health harm from occurring, progressing and relapsing along with its treatment, relevant fact-finding survey and any other research and study concerning alcohol-related problems.

Chapter 4. Council for the Promotion of Measures Against Alcohol-related Health Harm

Article 25.

1. The national government shall establish a Council for the Promotion of Measures Against Alcohol-related Health Harm composed of persons from the Cabinet Office, Ministry of Justice, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, National Police Agency and any other relevant government bodies to coordinate efforts to promote measures against alcohol-related health harm comprehensively, systematically, effectively and efficiently.
2. When conducting the aforementioned coordination, the Council for the Promotion of Measures Against

Alcohol-related Health Harm shall obtain opinions from the Committee of Persons Involved in Measures Against Alcohol-related Health Harm.

Chapter 5. Committee of Persons Involved in Measures Against Alcohol-related Health Harm

Article 26.

1. A Committee of Persons Involved in Measures Against Alcohol-related Health Harm (hereinafter referred to as "the Committee ") shall be established within the Cabinet Office.
2. The Committee shall handle the following affairs:
 - (1) The matters prescribed in Paragraph 3 of Article 12 (including cases subject to the mutatis mutandis application of Paragraph 7 of the same Article) concerning the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm; and
 - (2) When conducting the coordination stated in Paragraph 1 of the preceding Article, expressing opinions to the Council for the Promotion of Measures Against Alcohol-related health Harm.

Article 27.

1. The Committee shall be composed of not more than 20 members.
2. The members of the Committee shall be appointed by the Prime Minister from among persons who have professional knowledge concerning alcohol-related problems and persons representing others who presently have or have experienced alcohol-related health harm and their families.
3. The members of the Committee shall be part-time members.
4. In addition to the matters prescribed in the preceding three paragraphs, necessary matters concerning the organization and management of the Committee shall be prescribed by the Cabinet Order.

Supplementary Provisions

(Effective Date)

Article 1.

1. This Act shall take effect on a date prescribed Cabinet Order that falls within six months from the day of promulgation; provided, however, that the provisions of Articles 3, 4, 6 and 7 of the Supplementary Provisions shall take effect on a date prescribed by Cabinet Order that falls within three years from the day of formulation of the Basic Plan for Promotion of Measures Against Alcohol-related Health Harm.
2. In prescribing a Cabinet Order as under the proviso of the preceding paragraph, the national government shall take into consideration the status of implementation of the measures prescribed in the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm.

(Review)

- Article 2.** Concerning the provisions of this Act, the status of implementation shall be reviewed approximately in five years following after enforcement hereof, and when regarded as necessary, any required measures shall be taken based on the results of such review.

(Partial Amendment of the Basic Act on Measures Against Alcohol-related Health Harm)

Article 3. The Basic Act on Measures against Alcohol-related Health Harm (Act No. 109 of 2013) shall be partially amended as follows:

The words "within two years after enforcement of this Act" stated in Paragraph 1 of Article 12 shall be deleted; paragraphs 3 and 4 of the same Article shall be deleted; the words "Paragraph 2" stated in Paragraph 5 of the same Article shall be amended to "the preceding paragraph" and said paragraph shall be renumbered as Paragraph 3 of the same Article, Paragraph 6 of the same Article shall be renumbered as Paragraph 4 thereof, Paragraph 7 of the same Article shall be deleted, and the following two paragraphs shall be added to the same article.

5. If the Minister of Health, Labour and Welfare intends to change the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm, in addition to prior consultations with the heads of each relevant administrative organ, the Minister shall also obtain opinions from the Committee of Persons Involved in Measures Against Alcohol-related Health Harm, formulate a draft of changes of the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm and request a decision from the Cabinet.

6. If the national government has changed the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm, the national government shall report the fact thereof to the Diet and announce it in an appropriate manner including use of the Internet without delay.

The words "the Prime Minister" stated in Article 13 shall be amended to "the Minister of Health, Labour and Welfare" and the word "formulate" therein shall be amended to "change"; the words "the Cabinet Office" stated in Paragraph 1 of Article 26 shall be amended to "the Ministry of Health, Labour and Welfare"; and the words "Paragraph 3 of Article 12 (including cases subject to the mutatis mutandis application of Paragraph 7 of the same Article)" stated in Item (1) of Paragraph 2 of the same Article shall be amended to "Paragraph 5 of Article 12."

The words "the Prime Minister" stated in Paragraph 2 of Article 27 shall be amended to "the Minister of Health, Labour and Welfare."

(Interim Measures Concerning the Committee of Persons Involved in Measures Against Alcohol-related Health Harm)

Article 4. The members of the Committee of Persons Involved in Measures Against Alcohol-related Health Harm established within the Cabinet Office serving at the time when the provisions prescribed in the proviso of Paragraph 1 of Article 1 of the Supplementary Provisions become effective shall be deemed to have been appointed as members of the Committee of Persons Involved in Measures Against Alcohol-related Health Harm to be established within the Ministry Health, Labour and Welfare on the day when the provisions prescribed in the proviso of the same paragraph become effective according to the provisions of Paragraph 2 of Article 27 of the Basic Act on Measures Against Alcohol-related Health Harm as amended by the provisions of the preceding Article.

(Partial Amendment of the Act for Establishment of the Cabinet Office)

Article 5. The Act for Establishment of the Cabinet Office (Act No. 89 of 1999) shall be partially amended as follows:

The following Item shall be added following Item (46-3) of Paragraph 3 of Article 4:

(46-4) The matters concerning formulation and promotion of the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm (referring to the matters prescribed in Paragraph 1 of Article 12 of the Basic Act on Measures Against Alcohol-related Health Harm (Act. No.109 of 2013).

The following shall be added following the paragraph on Commission on Policy for Persons with Disabilities in the table of Paragraph 3 of Article 37:

The Committee of Persons Involved in Measures Against Alcohol-related Health Harm	The Basic Act on Measures Against Alcohol-related Health Harm
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Article 6. The Act for Establishment of the Cabinet Office shall be partially amended as follows:

Item (46-4) of Paragraph 3 of Article 4 shall be deleted.

The paragraph on the Committee of Persons Involved in Measures Against Alcohol-related Health Harm in the table of Paragraph 3 of Article 37 shall be deleted.

(Partial Amendment of the Act for Establishment of the Ministry of Health, Labour and Welfare)

Article 7. The Act for Establishment of the Ministry of Health, Labour and Welfare (Act No. 97 of 1999) shall be partially amended as follows:

The following Item shall be added following Item (89) of Paragraph 1 of Article 4:

(89-2) The matters concerning formulation (limited to the matters related to change) and promotion of the Basic Plan for the Promotion of Measures Against Alcohol-related Health Harm prescribed in Paragraph 1 of Article 12 of the Basic Act on Measures Against Alcohol-related Health Harm (Act No.109 of 2013).

The words "Labor Insurance Appeal Committee" stated in Paragraph 2 of Article 6 shall be amended to "Labor Insurance Appeal Committee, Committee of Persons Involved in Measures Against Alcohol-related Health Harm."

The following Article shall be added following Article 13:

(The Committee of Persons Involved in Measures Against Alcohol-related Health Harm)

Article 13-2. The Committee of Persons Involved in Measures Against Alcohol-related Health Harm shall be as prescribed in the Basic Act on Measures against Alcohol-related Health Harm (including any Orders issued pursuant hereto).

The words "through Item (89), from Item (90)" shall be added under the words "from Item (87)" stated in Paragraph 1 of Article 18.

(Signed by the Prime Minister and Ministers of Justice; Finance; Education, Culture, Sports, Science and Technology; and Health, Labour and Welfare)