

The Basic Law for Persons with Disabilities

Law number 84 of 21 May 1970

**(Last amended in June 2004)
Japan**

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Part I General Provisions

Section 1: Purpose

The purpose of this Law is to promote welfare of persons with disabilities through establishing fundamental principles, clarifying the responsibilities of the Government and the local governments, and establishing comprehensive and steady measures for supporting independence and social participation of persons with disabilities.

Section 2: Definition

The term "persons with disabilities" in this Law means individuals whose daily life or social life is substantially and continuously limited due to physical, intellectual or mental disability (hereinafter referred to as "disability").

Section 3: Fundamental principles

1. Every person with disability shall have a right to be respected for his or her individual dignity and lead a decent life.

2. Every person with disability, as a member of the society, shall be entitled opportunities to participate in social, economic, cultural and all other activities in the society.
3. No one shall be allowed to discriminate against persons with disabilities or violate their rights and benefits on the basis of disability.

Section 4: Responsibilities of the Government and the local governments

The Government and the local governments have responsibilities to promote welfare of persons with disabilities through taking measures for advocating the rights of persons with disabilities, protecting them from discrimination and supporting their independence and social participation.

Section 5: People's understanding of persons with disabilities

The Government and the local governments shall take necessary measures to promote people's appropriate understanding of persons with disabilities.

Section 6: Responsibilities of the people

1. The people shall make efforts to cooperate with promotion of welfare of persons with disabilities on the basis of social solidarity.
2. The people shall make efforts to contribute to realisation of a society where persons with disabilities can participate in social, economic, cultural and all other activities, respected for their rights without discrimination, on the basis of social solidarity.

Section 7: Week of Persons with Disabilities

1. "Week of Persons with Disabilities" shall be established for the purpose of raising people's awareness of welfare of persons with disabilities and encouraging persons with disabilities to participate actively in social, economic, cultural and all other activities.
2. "Week of Persons with Disabilities" shall be for one week in every year from 3rd of December to 9th of December.
3. The Government and the local governments shall make efforts to implement relevant programmes in accordance with the purpose of "Week of Persons with Disabilities".

Section 8: Basic policies

1. Measures for welfare of persons with disabilities shall be designed and implemented comprehensively under organized collaboration in accordance with age and conditions of persons with disabilities.
2. Measures for welfare of persons with disabilities shall be considered to enable them to be respected for their autonomy and to live an independent life in the community to the fullest

extent possible.

Section 9: Basic Programme for Persons with Disabilities

1. The Government shall establish a basic programme concerning the measures for persons with disabilities (hereinafter referred to as "Basic Programme for Persons with Disabilities") in order to promote comprehensive and steady measures for welfare and prevention of disability for persons with disabilities.
2. Prefectural governments shall establish a basic programme concerning the measures for persons with disabilities in accordance with circumstances of persons with disabilities (hereinafter referred to as "Prefectural Government Basic Programme for Persons with Disabilities") based on "Basic Programme for Persons with Disabilities".
3. Municipal governments shall (a) establish a basic programme concerning the measures for persons with disabilities both in accordance with circumstances of persons with disabilities and concept set out in Subsection 4 of Section 2 of the Local Autonomy Law (Law number 67 of 1947), (hereinafter referred to as "Municipal Government Basic Programme for Persons with Disabilities") based on "Basic Programme for Persons with Disabilities" and "Prefectural Government Basic Programme for Persons with Disabilities".

(a). Subsection 3 of Section 9 of this Law shall come into force from 1 April 2007, while the current status of this section reads: Municipal government shall endeavour to establish a basic programme concerning the measures for persons with disabilities both in accordance with circumstances of persons with disabilities and concept set out in Subsection 4 of Section 2 of the Local Autonomy Law (Law number 67 of 1947), (hereinafter referred to as "Municipal Government Basic Programme for Persons with Disabilities") based on "Basic Programme for Persons with Disabilities" and "Prefectural Government Basic Programme for Persons with Disabilities".

4. Prime Minister shall, consulting with the head of relevant administrative agencies and the Central Council on Promotion of the Measures for Persons with Disabilities, prepare a draft of "Basic Programme for Persons with Disabilities" and submit it to the Cabinet for its approval.
5. Prefectural governments shall consult with the Local Council on Promotion of Measures for Persons with Disabilities in establishing "Prefectural Government Programme for Persons with Disabilities".
6. Municipal governments shall consult with the Local Council on Promotion of Measures for Persons with Disabilities in case that they have already established it, unless otherwise shall consult with persons with disabilities and relevant people in establishing "Municipal Government Basic Programme for Persons with Disabilities".
7. The Government shall report "Basic Programme for Persons with Disabilities" to the Diet and disseminate its summary when it is established.
8. Prefectural governors or municipal mayors shall report "Prefectural Government Programme for Persons with Disabilities" or "Municipal Government Programme for Persons with Disabilities" to respective councils and disseminate its summary when it is established pursuant to the provisions set out in Subsections 2 or 3 of this Section.
9. The provisions set out in Subsections 4 and 7 of this Section shall apply correspondingly to the modifications of "Basic Programme for Persons with Disabilities". The provisions set

out in Subsections 5 and 8 of this Section shall apply correspondingly to the modification of "Prefectural Government Programme for Persons with Disabilities". The provisions set out in Subsections 6 and 8 of this Section shall correspondingly apply to the modifications of "Municipal Government Programme for Persons with Disabilities".

Section 10: Legislative measures

The Government shall take necessary legislative and financial measures to achieve the purpose of this Law.

Section 11: Annual report

The Government shall annually submit a report on the measures taken for persons with disabilities to the Diet.

Part II Basic Measures for Welfare of Persons with Disabilities

Section 12: Medical and care services

1. The Government and the local governments shall take necessary measures to provide persons with disabilities with medical services and rehabilitation services that are necessary to restore, obtain and maintain their daily life activities.
2. The Government and the local governments shall promote research and development on medical services and rehabilitation services set out in Subsection 1 of this Section.
3. The Government and the local governments shall take necessary measures to provide persons with disabilities with medical treatment, care, daily life support and other appropriate support for their independence in accordance with their age and conditions of disability.
4. The Government and the local governments shall make efforts to educate and train medical and rehabilitation professionals necessary for taking measures set out in Subsections 1 and 3 of this Section.
5. The Government and the local governments shall take necessary measures to provide or rent assistive devices, service dogs and others for their daily life.
6. The Government and the local governments shall promote research and development on assistive devices and training of service dogs necessary for taking measures set out in Subsection 5 of this Section.

Section 13: Pension

The Government and the local governments shall take necessary measures for the system of pension and allowance for independence and stabilization of livelihood of persons with

disabilities.

Section 14: Education

1. The Government and the local governments shall take necessary measures to improve and enrich contents and method of education to enable persons with disabilities to receive adequate education in accordance with their age, capacity, and conditions of disability.
2. The Government and the local governments shall promote research and development and accommodations of school facilities for education of persons with disabilities.
3. The Government and the local governments shall promote mutual understanding between students with disabilities and students without disabilities through positively implementing exchange and cooperative study.

Section 15: Vocational counseling

1. The Government and the local governments shall take necessary measures to provide persons with disabilities with vocational counseling, vocational guidance, vocational training and job placement so that they can be engaged in appropriate job in accordance with their conditions of disability respecting for their freedom of choice for employment.
2. The Government and the local governments shall promote research and development on specific jobs and areas that are suitable for persons with disabilities.
3. The Government and the local governments shall take necessary measures to expand work activities places and vocational training facilities for persons with disabilities in the community through subsidizing the necessary costs.

Section 16: Employment promotion

1. The Government and the local governments shall take positive measures to promote employment of persons with disabilities in respect of specific jobs and areas that are suitable for persons with disabilities.
2. Employers shall make efforts to secure employment of persons with disabilities through evaluating their abilities properly, providing appropriate workplaces and proper employment management on the basis of social solidarity.
3. The Government and the local governments shall take necessary measures for employers of persons with disabilities to promote and maintain their employment through subsidizing employers' costs for adjustments of the facilities and equipment necessary for employment of persons with disabilities.

Section 17: Securing of housing

The Government and the local governments shall take necessary measures to stabilize livelihood of persons with disabilities through securing housing for persons with disabilities and

promoting adjustments of housing suitable for their daily life.

Section 18: Accessible public facilities

1. The Government and the local governments shall steadily make public facilities of their own, public transportation and other public facilities accessible to persons with disabilities in order to support their independence and social participation.
2. Service providers for public transportation and other public facilities shall make steady efforts to make public facilities accessible to persons with disabilities in order to support their independence and social participation on the basis of social solidarity.
3. The Government and the local governments shall take necessary measures in order to implement comprehensively and steadily the provisions set out in Subsections 1 and 2 of this Section.
4. The Government, the local governments and service providers that own public facilities shall make efforts to make their facilities accessible for persons with disabilities in accompanying their service dogs which assist them.

Section 19: Accessible communication

1. The Government and the local governments shall take necessary measures through disseminating accessible computers and accessible information technology devices, facilitating accessible telecommunication and accessible broadcasting services, and making adjustments of facilities that provide information for persons with disabilities so that they can make use of accessible communication and express their own will.
2. The Government and the local governments shall especially take into account accessibility for persons with disabilities in providing public information and promoting utilization of information technology.
3. Service providers for telecommunication, broadcasting, information, computer and other information technology devices shall make efforts to take into account accessibility for persons with disabilities in providing services or manufacturing devices on the basis of social solidarity.

Section 20: Consultation

The Government and the local government shall take necessary measures to alleviate economic burden of persons with disabilities and their carers and to promote independence of persons with disabilities through tax measures and reduction of fee for public facilities.

Section 21: Alleviation of economic burden

The Government and the local government shall take necessary measures to alleviate economic burden of persons with disabilities and their carers and to promote independence of

persons with disabilities through tax measures and reduction of fee for public facilities.

Section 22: Adjustments of conditions of cultural activities

The Government and the local governments shall take necessary measures to satisfy and evoke cultural motivation of persons with disabilities and encourage them to participate positively in cultural, recreation and sporting activities through adjusting the conditions of facilities, and assisting cultural and sporting activities.

Part III Basic Measures for Prevention of Disability

Section 23: Basic measures for prevention of disability

1. The Government and the local governments shall take necessary measures to promote research and development on cause and prevention of disability.
2. The Government and the local governments shall take necessary measures for the purpose of preventing disability through disseminating necessary knowledge, enhancing health care services for mother and child, and promoting early detection and intervention of disease causing disability.
3. The Government and the local governments shall make efforts, in respect of difficulty of prevention and medical treatment of intractable disease causing disability, to promote research and development on intractable disease causing disability and to take specific measures for persons with disabilities whose daily life or social life is substantially and continuously limited on the ground of disability.

Part IV The Council on Promotion of Measures for Persons with Disabilities

Section 24: The Central Council on Promotion of Measures for Persons with Disabilities

The Central Council on Promotion of Measures for Persons with Disabilities (hereinafter referred to as "The Central Council") shall be established in Cabinet Office to deal with matters set out in Subsection 4 of Section 9 (the case applied to Subsection 9 of Section 9 correspondingly shall be included).

Section 25: Membership of the Central Council

1. The Central Council shall consist of not more than 30 members.
2. The members of the Central Council shall be appointed from among persons with disabilities, persons who are engaged in welfare of persons with disabilities and experts who have knowledge or the needs of persons with disabilities by Prime Minister. In this case,

composition of the members shall be taken into account so that opinions of persons with various types of disabilities can be reflected in the consultations.

3. The members of the Central Council shall be part time.
4. Besides the provisions set out in Subsections 1, 2 and 3 of this Section, other necessary matters for organization and management of the Central Council shall be formulated by the ordinance of the Government.

Section 26: Local Council on Promotion of Measures for Persons with Disabilities

1. The Local Council on Promotion of Measures for Persons with Disabilities is established in every prefectural government (including designated cities set out in Subsection 1 of Section 252-19 of the Local Autonomy Law, hereinafter referred to as "designated cities").
2. The Local Council on Promotion of Measures for Persons with Disabilities in every prefectural government shall:
 - (1) Deal with matters set out in Subsection 5 of Section 9 (including the case of applying to Subsection 9 of Section 9) concerning "Prefectural Government Programme for Persons with Disabilities".
 - (2) Consult necessary matters for comprehensive and steady promotion of the prefectural government measures for persons with disabilities.
 - (3) Consult necessary matters for promotion of the prefectural government measures for persons with disabilities that require coordination among administrative organizations.
3. Relevant matters necessary to manage the Local Council on Promotion of Measures for Persons with Disabilities established in every prefectural government shall be formulated by the ordinance of prefectural government.
4. Every municipal government (except designated cities) is able to establish the Local Council on Promotion of Measures for Persons with Disabilities in accordance with the ordinance of municipal government.
5. The provisions set out in Subsections 2 and 3 of this Section are applied correspondingly when the Municipal Local Councils is established pursuant to the provisions set out in Subsection 4 of this Section. In this case, the phrase "in every prefectural government" set out in Subsection 2 of this Section is substituted to "in every municipal government", the phrase "Prefectural Programme for Persons with Disabilities" set out in Subsection 2-(1) of this Section is substituted to "Municipal Programme for Persons with Disabilities", the phrase "Subsection 5 of Section 9 (including the case of applying to Subsection 9 of Section 9)" set out in Subsection 2-(1) of this Section is substituted to "Subsection 6 of Section 9 (including the case of applying to Subsection 9 of Section 9)", and the phrase "prefectural government" in Subsection 3 of this Section is substituted to "municipal government (except designated cities)."

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