

# The 38 Selected Japanese Laws Related to Persons with Disabilities

2004

---

**jica** Japan International Cooperation Agency

---

Japanese Society for Rehabilitation of Persons with Disabilities

---

## Foreword

Japan International Cooperation Agency (JICA) has conducted 15 training courses related to disability issues, and a number of nongovernmental organizations in Japan have also implemented similar programs to introduce the current situation of persons with disabilities and services for them in Japan. Japanese Society for Rehabilitation of Persons with Disabilities (JSRPD) has been entrusted by JICA since 1983 to conduct group training courses in “Vocational Rehabilitation and Employment Promotion of Persons with Disabilities” and “Leaders of Persons with Disabilities” every year.

JSRPD has been commissioned by JICA to organize the follow-up program for these two JICA training courses in 2004. The publication of this booklet is part of this program.

We are very pleased to be able to offer this booklet, which introduces 38 related laws regarding disability in Japan. This publication will be distributed to people taking part in these programs as well as former participants. It will also be made available to others interested in this field.

We hope this publication will enhance the relationship between Japan and the countries of the programs’ participants through an exchange of information.

This booklet is the revised and updated version of *The 30 Selected Japanese Laws Related to Persons with Disabilities*, which was issued in 1997.

Special thanks are extended to Ms. Naomi Epstein for her translation, Ms. Eiko Okuno and Ms. Etsuko Ueno for their support and Ms. Keiko Nakatani for her timeless efforts to accumulate and edit this booklet.

Japan International Cooperation Agency  
Japanese Society for Rehabilitation of Persons with Disabilities  
October 29, 2004

## **Contents**

---

### **I. The Constitution of Japan** ----- P. 1 - 2

### **II. Basic Principles** ----- P. 2 - 4

Law 1. Fundamental Law for Disabled Persons

### **III. Support for Independence and Participation in Society** -----P. 4 - 6

Law 2. Social Welfare Law

Law 3. Law for the Welfare of Physically Disabled Persons

Law 4. Child Welfare Law

Law 5. Law for the Welfare of Intellectually Disabled Persons

Law 6. Law Concerning Mental Health and Welfare for Mentally Disabled Persons

Law 7. Law for Special Aid to Wounded and Sick Veterans

### **IV. Health and Medical Care** -----P. 7

Law 6. Law Concerning Mental Health and Welfare for Mentally Disabled Persons

Law 8. Maternal and Child Health Law

Law 9. Long- Term Care Insurance Law

### **V. Education** -----P. 7 - 8

Law 10. School Education Law

Law 11. Law for Encouragement of School Attendance

at Special Schools for Blind Persons, Deaf Persons,

Physically Disabled Persons and Intellectually Disabled Persons

### **VI. Employment** -----P. 8 - 9

Law 12. Law for Employment Promotion, etc. of the Disabled Persons

Law 13. Employment Countermeasures Law

Law 14. Employment Insurance Law

Law 15. Human Resources Development Promotion Law

### **VII. Living Environment** -----P. 10 - 12

Law 16. Law for Buildings Accessible to and Usable

by the Elderly and Physically Disabled Persons

Law 17. Law for Promoting Easily Accessible Public Transportation

Infrastructure for the Elderly and Disabled Persons

Law 18. Law on Assistance Dogs for Disabled Persons

- Law 19. Law for Promotion of Research, Development and  
Distribution of Technical Aids and Equipment
- Law 20. Road Traffic Law
- Law 21. Law on Special Measures to Improve Roads
- Law 22. Law for Railway Business Enterprises
- Law 23. Mail Law
- Law 24. Telecommunications Service Law
- Law 25. Law for Promoting Businesses  
that Facilitate the Use of Communications  
and Broadcast Services by Physically Disabled Persons
- Law 26. Broadcast Law
- Law 27. Public Office Election Law

**VIII. Housing** -----P. 12

- Law 28. Public Housing Law

**IX. Income and Tax (Income Security and the Tax System)** -----P. 13 - 15

- Law 29. Special Child Rearing Allowance Law
- Law 30. Child Rearing Allowance Law
- Law 31. National Pension Law
- Law 32. Employees' Pension Law
- Law 33. Daily Life Security Law
- Law 34. Workmen's Accident Compensation Insurance Law
- Law 35. Income Tax law
- Law 36. Local Tax Law
- Law 37. Consumption Tax Law
- Law 38. Inheritance Tax Law

**X. Major Central Government Measures** -----P. 16 - 18  
**for Persons with Disabilities**

The Japanese laws contained in this publication are organized into categories dealing with various aspects of disabled individuals' everyday lives.

In addition to the laws covered in this booklet, measures at the central government level are carried out through Cabinet ordinances and ministerial ordinances. At the local government level, programs and services are instituted in accordance with a variety of regulations.

The following are the relevant articles of the Constitution of Japan, which serves as the basis for all of the country's legislation.

## **I. The Constitution of Japan**

### ***Article 11 - Fundamental human rights***

The people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.

### ***Article 12 - Prohibition of abuse of freedoms and rights***

The freedoms and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.

### ***Article 13 - Respect of individuals***

All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

### ***Article 14 - Equality under the law***

All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin.

### ***Article 25 - Right to a minimum standard of living***

All people shall have the right to maintain the minimum standards of wholesome and cultured living. In all spheres of life, the State shall use its endeavors for the promotion and extension of social welfare and security, and of public health.

### ***Article 26 - Rights to and obligations of education***

All people shall have the right to receive an equal education correspondent to their ability, as provided by law.

All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free.

***Article 27 - Rights and obligations to work***

All people shall have the right and the obligation to work.

Standards for wages, hours, rest and other working conditions shall be fixed by law. Children shall not be exploited.

## **II. Basic Principles**

### **Law 1. Fundamental Law for Countermeasures for Mentally and Physically Handicapped Persons**

→ **Fundamental Law for Disabled Persons** (1970, Law No. 84. Major revision in 1993)

The Fundamental Law for Countermeasures for Mentally and Physically Handicapped Persons was renamed in 1993 with its full-scale revision. The legislation was again amended in 2004 in order to respond to changes in the relevant movement towards the United Nations' international conventions on the rights of persons with disabilities and other socioeconomic trends. Below is a summary of the changes.

1. Respect for the individual, guarantee of a livelihood, guarantee of opportunities to take part in society, abolition of all discrimination based on disability, and protection of the rights of persons with disabilities are provided for as fundamental principles.
2. The central government, prefectural governments, and municipal governments are obliged to draw up and implement comprehensive policy plans to promote the independence of persons with disabilities and their participation in society.
3. Stipulations are made in a wide range of areas, including medical treatment, nursing care, livelihood assistance, pensions, education, occupation, employment, housing, facilities, access to information, and prevention of disability, to meet the individual needs of people with disabilities.

#### ***Article 1 - Purpose***

The purpose of this law is to advance the welfare of disabled persons by establishing fundamental principles, by clarifying the responsibilities of the State, local public entities and others, and by comprehensively and regularly promoting programs dealing with measures that provide support for the independence and social participation of disabled persons.

## ***Article 2 - Definition***

“Disabled persons” as defined in this law refers to individuals whose daily life or social life is substantially limited due to a physical, intellectual, or mental disability (hereinafter referred to as “disability”).

## ***Article 3 - Fundamental principles***

All disabled persons shall have their human dignity respected and shall have the right to lead a dignified life.

(Section 2) All disabled persons shall, as members of society, be ensured the opportunities to participate fully in social, economic, cultural, and all other activities of society.

(Section 3) No one may discriminate against disabled persons by reason of disability nor disturb their rights and benefits.

## ***Article 4 - Responsibilities of the central government and local public entities***

The state and local public bodies shall be responsible for advancing the welfare of disabled persons through measures advocating and supporting independence and social participation and the prevention of discrimination.

## ***Article 5 - Understanding of the nation***

The State and local public bodies shall take necessary measures to increase the proper understanding of the nation in regard to disabled persons.

## ***Article 6 – Responsibilities of the nation***

The nation shall, on the basis of social solidarity, endeavor to cooperate in advancing the welfare of disabled persons.

(Section 2) The nation shall, on the basis of social solidarity, endeavor to join in establishing a society where the rights of disabled persons are respected and where there is no discrimination against disabled persons, who may participate fully in social, economic, cultural and all other activities of society.

## ***Article 7 - Disabled Persons' Week***

A “Disabled Persons' Week” shall be held for the purpose of raising public awareness of the welfare of disabled persons and encouraging disabled persons to actively participate in social, economic, cultural, and other activities.

(Section 2) Disabled Persons' Week shall take place one week from December 3 to December 9 annually.

(Section 3) The State and local public bodies shall be responsible for implementing relevant programs to fulfill the aims of Disabled Persons' Week.

#### ***Article 8 - Fundamental policies***

The measures for the welfare of disabled persons shall be planned and carried out comprehensively and in good coordination, taking into consideration age and the severity of the disability.

(Section 2) The measures shall be designed to enable disabled persons to become self-reliant and live independently in their community as much as possible.

### **III. Support for Independence and Participation in Society**

#### **Law 2. Social Welfare Services Law (1951, Law No. 45)**

→**Social Welfare Law (amended in 2000)**

The law sets down the basic conditions for welfare services so that welfare programs can be properly implemented. This legislation also provides for the establishment of social welfare offices and social welfare juridical persons and the contents of their programs, as well as the qualification of services providers, such as social welfare officers. Under a major revision of the law in 2000, its name was changed and additional provisions were made, such as protection of the rights of service users.

#### **Law 3. Law for the Welfare of the Physically Disabled (1949, Law No. 283)**

→**Law for the Welfare of Physically Disabled Persons**

The following are provided to promote the independence and participation in society of persons with physical disabilities.

- Certificate of Persons with Physical Disability.
- Various counseling services.
- Grant of prosthetic appliances (prosthesis and orthosis), such as wheelchairs, canes, hearing aids, and artificial limbs.
- Community services, such as home helper, day care, and short stay programs.
- Technical aids for daily living, such as bathtubs, toilet facilities, beds, and communication aids (personal computers, tape recorders for the blind, and other devices).
- Rehabilitation services.
- Services necessary for participation in society, such as sign language interpreters, translation into Braille, guide helpers, and modification of motor vehicles
- Work opportunities.
- Specialized facilities for nursing care.
- Place for living.



Information and consultations on the above services are available at the Section of Welfare Services for Persons with Disabilities in local government offices that oversee welfare services for individuals with disabilities. Each local government has counselors for persons with physical disabilities, who are appointed by the prefectural governor. Rehabilitation centers for persons with disabilities can be found in all prefectures and specially designated cities.

#### **Law 4. Child Welfare Law (1947, Law No. 164)**

The law protects the human rights of all children and aims at their healthy upbringing. Services like health examinations and guidance on medical and educational care, early intervention, medical treatment, prosthesis and orthosis, specialized nonresidential facilities and facilities for education and care, and public assistance institutions are provided for children with disabilities. Information and consultation services are available at Social Welfare Offices, Child Guidance Centers, Public Health Centers in cities, prefectures, and specially designated cities.

#### **Law 5. Law for the Welfare of Mentally Retarded Persons (1960, Law No. 37)**

→**Law for the Welfare of Intellectually Disabled Persons** (amended in 1999)

This law provides for necessary support and protection in the aim of promoting the independence and participation in society of persons with intellectual disabilities.

- Specialized counseling provided by Social Welfare Offices and Rehabilitation Consultation Centers for Persons with Intellectual Disability.
- Various training programs for independence.
- Community services, such as home helper, day care, and short stay programs.
- Technical aids for daily living, such as electric toothbrushes, special type mats, and automatic fire extinguishers.
- Welfare homes, group homes, and other such arrangements.
- Residential facilities for rehabilitation, nonresidential facilities, and other such facilities.

The Certificate of Persons with Intellectual Disability is issued to enable quick access to various services. Information and consultation services are available at Social Welfare Offices in cities and prefectures and Rehabilitation Consultation Centers for Persons with Intellectual Disabilities as well as the sections in local government offices that oversee welfare services for individuals with disabilities. All local governments have counselors for persons with intellectual disabilities, who have been appointed by the prefectural governor.

For information on welfare services for persons with psychiatric disabilities, please see the next section, on Law 6.

## **Law 6. Mental Hygiene Law (1950, Law No. 123)**

→**Mental Health Law** (amended in 1987)

→**Law Concerning Mental Health and Welfare for Mentally Disabled Persons**  
(amended in 1995)

The law provides necessary support for persons with mental disabilities, including medical treatment, protection and prevention, and promotion of reintegration, independent living, and participation in society. It also aims to improve the mental health of the public.

The main measures are as follows:

- Establishment of Mental Health and Welfare Centers in all prefectures.
- Establishment of prefectural mental hospitals and designation of private hospitals.
- Issuance of the Certificate of Persons with Psychiatric Disability.
- Establishment of institutions for rehabilitation.
  - (1) Daily life adjustment training facilities
  - (2) Sheltered workshops
  - (3) Welfare homes
  - (4) Industrial workshops
  - (5) Community Life Support Centers
- Entrustment of occupational training programs to enterprises.
- Designation of Social Participation Promotion Centers.
- Supplement of medical fees by government funds.

Information and consultation services on the above are provided at Public Health Centers and Mental Health and Welfare Centers at prefecture level. Counselors for Mental Health and Welfare are placed in all prefectures.

With its amendment in 1995, the legislation was renamed and additional provisions were made, including the establishment of a system of designated psychiatrists for mental health and welfare, a notification requirement for compulsory hospitalization, issuance of the Certificate of Persons with Psychiatric Disability, and establishment of rehabilitation centers.

## **Law 7. Law for Special Aid to Wounded and Sick Veterans (1963, Law No. 168)**

The law provides for such measures as medical treatment and allowances for wounded and sick veterans, who were injured or fell ill in their line of official duty and have a disability at present. A disability pension is provided in line with the degree of disability. As of July 2004, 2,942 veterans were receiving disability pension benefits.

## **IV. Health and Medical Care**

**Law 6. Law Concerning Mental Health and Welfare for Mentally Disabled Persons (1950, Law No. 123)** Refer to Law 6 in the category of “Support for Independence and Participation in Society.”

**Law 8. Maternal and Child Health Law (1965, Law No. 141)**

Health examinations for expectant and nursing mothers, visiting health services for families with newborns and premature babies, and health examinations for infants and medical treatment for premature babies are provided under this law for the purpose of protecting the health of mothers and infants.

\*Other general laws provide rehabilitation services, medical treatment for children with disabilities, and medical fee grant for persons with disabilities by local public bodies.

**Law 9. Long-Term Care Insurance Law (1997, Law No. 123)**

The law provides a social insurance system for long-term care, which was implemented in April 2000. Under the legislation, individuals who need personal assistance for bathing, toileting, eating, occupational and physical therapy, nursing care, medical supervision and other treatment for physical conditions and changes brought about by advanced age, such as being bedridden or having dementia, can receive the necessary health care and welfare services.

## **V. Education**

**Law 10. Fundamental Education Law (1947, Law No.26)**

→**School Education Law**

The law provides education for children with disabilities, including regular classes, special classes, special schools, and itinerant teaching, etc.

Special classes in regular elementary and secondary schools comprise classes for students with intellectual disabilities, orthopedic disability, physical weakness, visual impairment, and hearing impairment. Special Schools for Children with Disabilities are established for the blind, the deaf, the orthopedically disabled, the intellectually disabled, and the physically weak children.

The City Education Committees or Consultation Centers for Education accept consultations concerning school registration.

**Law 11. Law for Encouragement of School Attendance at Special Schools for Blind Persons, Deaf Persons, Physically Disabled Persons and Intellectually Disabled Persons (1954, Law No.144)**

The law provides support for children and students registered at these schools through provision of books, meals (lunch), transportation fees for commuting and for school trips, and educational supplies.

\*Nursing services and community participation of children with disabilities are provided by programs under other laws.

**VI. Employment**

**Law 12. Physically Handicapped Persons' Employment Promotion Law  
(1960, Law No. 123)**

- Law for Employment Promotion of the Physically Disabled
- Law for Employment Promotion, etc. of the Disabled Persons

The Quota System and Levy and Grant System play a central role in promoting employment for persons with disabilities.

- The Quota System: General employers, including the government and municipal offices, are obligated to employ workers with disabilities in excess of the below quotas.

Governmental bodies: 2.1%

Private companies: 1.8% (Specialized juridical persons: 2.1%)

Boards of Education in prefectures : 2.0%

This ratio does not include persons with psychiatric disabilities. Employers are obligated to report the number of workers with disabilities they employ to the head of the Public Employment Security Office annually. This office may announce to the public the names of enterprises that fail to meet the quota and request that they draw up a plan to employ the legally mandated number.

- Levy and Grant System: This system works by collecting levies from enterprises that fail to meet the quota for employing workers with disabilities. The funds created by the levy system are used to encourage employers to employ persons with disabilities in excess of the quota and promote employment for workers with disabilities and improve working conditions.

*Amount of levy:* ¥50,000 a month per person not employed in companies with more than 300 full-time employees.

*Adjustment allowance:* ¥27,000 a month per person is paid to employers who employ workers with disabilities above the legal quota (in companies with more than 300 full-time employees).

*Rewards:* ¥21,000 per month per person is paid to employers who employ workers with disabilities in excess of the legal quota (in companies with fewer than 300 full-time employees).

*Amount of Grants:* Grants are provided for the establishment of work facilities, special employment management, vocational adjustment, ability development, and other such endeavors that promote the employment of persons with disabilities.

- Public vocational training allowance: This allowance is provided for persons with disabilities and a system of loans for purchasing technical aids and equipments.

### **Law 13. Employment Countermeasures Law (1966, Law No. 132)**

This law provides the following measures to improve vocational training for persons with disabilities and assist them to find employment.

- Vocational training facilities and improvement of the contents of training programs.
- Ensuring the training of training guidance workers and the enhancement of their quality.
- Supply of an allowance for adjustment training.
- Supply of a training allowance to employers.

### **Law 14. Employment Insurance Law (1974, Law No. 116)**

Unemployment benefits are provided to people who have lost their job to give them security until they find a new one. Re-employment allowance is also provided to individuals who find work within an allotted period of time.

- Payment of unemployment benefits: Additional days on payment are counted in case of persons with disabilities.
- Employment preparatory allowance: A payment equivalent to 30 days of unemployment benefits is granted if certain conditions for finding a new job are met.

### **Law 15. Human Resources Development Promotion Law (1969, Law No. 64)**

The law is aimed at creating opportunities to develop various vocational skills. Vocational Ability Development Schools for Persons with Disabilities are established under this law.

At present, there are 13 such schools that were established by the central government and 6 established by prefectural governments in Japan.

## **VII. Living Environment**

### **Law 16. Law for Buildings Accessible to and Usable by the Elderly and Physically Disabled Persons (1994, Law No. 44)**

The law aims to build public buildings that meet the needs of persons with disabilities. It is also called the “Heartful Building Law.”

The owners of specified buildings used by the public, such as hospitals, theaters, meeting places, exhibition centers, department stores, and hotels, are encouraged to modify the designs of entrances, corridors, stairs, washrooms, and other facilities. Prefectural governors may provide guidance, as well as order a modification or withdraw owner authorization. Subsidies for construction or remodeling are provided when the accessible design is approved.

### **Law 17. Law for Promoting Easily Accessible Public Transportation Infrastructure for the Elderly and Disabled Persons (2000, Law No. 68)**

This legislation, formulated from the standpoint of ensuring that the elderly and persons with disabilities can conduct their everyday activities independently and live in the community, is aimed at creating measures that improve their use of public transportation, other public facilities, roads, and station plazas. It is also called the “Traffic Barrier-free Law.”

### **Law 18. Law on Assistance Dogs for Disabled Persons (2002, Law No. 49)**

This legislation aims to raise good assistance dogs for persons with disabilities and facilitate the access to relevant facilities for those people taking assistant dogs with them so as to promoting their independence and social participation. Assistance dogs for persons with disabilities shall include guide dogs for blind persons, service dogs for persons with orthopedic disability, and hearing dogs for deaf persons. The government, local public corporations, public transportation service providers, and managers of facilities cannot in principle refuse the entry of these dogs when they accompany a person with disability.

### **Law 19. Law for Promotion of Research, Development and Distribution of Technical Aids and Equipment (1993, Law No. 38)**

This law aims to improve industrial technology in the goal of promoting the development and distribution of various technical aids and equipments and thereby providing assistance for the everyday and social activities of persons with physical and intellectual disabilities and the elderly.

## **Law 20. Road Traffic Law (1960, Law No. 105)**

This law stipulates the traffic rules for pedestrians and vehicles and the duties of drivers in order to ensure traffic safety and the smooth flow of vehicles, thereby contributing to the prevention of disabilities caused by road accidents. Persons with visual impairments are obliged to use white canes, and regulations are laid down on the use of electric wheelchairs on sidewalks. The law also provides for exemptions to no-parking zone rules for vehicles driven by persons with physical disabilities.

## **Law 21. Law on Special Measures to Improve Roads (tentative translation) (1956, Law No. 7)**

This law provides for the construction and maintenance of roads where passage money is collected from users (toll roads). Vehicles driven by persons with physical disabilities as well as vehicles used to transport persons with severe physical disabilities or intellectual disabilities are eligible for a 50% discount on the tolls.

## **Law 22. Law for Railway Business Enterprises (1986, Law No. 92)**

This legislation, enacted when the national railways were privatized, was formulated to protect the interests of railway users and ensure the sound development of railway businesses, thereby promoting the welfare of the public. The law provides for an authorization system for fares and other fees. Persons with a category one physical or intellectual disability (Certificate holder under 12 years old) are eligible for a 50% discount on fares for themselves as well as one person accompanying them. Those with a category two physical or intellectual disability (Certificate holder over 12 years old) may receive a 50% discount on their own fares.

## **Law 23. Mail Law (1947, Law No. 165)**

Braille materials and recorded mail for persons with visual impairments can be sent free of charge. Parcels for persons with visual or hearing disabilities can be mailed at half price. Periodicals published by groups active for persons with disabilities can be mailed at a reduced rate. This law stipulates the types of mail and corresponding rates and the special handling of mail in the aim of providing inexpensive, fair postal services.

## **Law 24. Telecommunication Service Law (1984, Law No. 86)**

Persons with visual disabilities may use the NTT telephone directory service for free. Persons with speech disorder may receive discounted rates at public telephones by using a credit card.

**Law 25. Law for Promoting Businesses that Facilitate the Use of Communications and Broadcast Services by Physically Disabled Persons  
(1993, Law No. 54)**

The law promotes services to make media like telecommunications and broadcast accessible to persons with disabilities so that they can take advantage of the growing availability of information. For instance, subsidies are given to broadcasting corporations for the production of television programs with captions for persons with hearing disabilities or programs with narrations that provide an account of the story for persons with visual disabilities.

**Law 26. Broadcast Law (1950, Law No. 132)**

This law mandates that public programs are compatible with and enhance the welfare of the public. Regulations are included on the operations of NHK (Japan Broadcasting Corporation). Indigent households with a member who has physical disability or severe intellectual disability are exempt from paying any subscription fees. Households headed by a person with visual, hearing, or severe orthopedic disability can receive a 50% reduction on such fees.

**Law 27. The Public Office Election Law (1950, Law No. 100)**

This law establishes voting rights, eligibility for elections, and voter registration for the election of members of the national Diet and local assembly members and chief executives. A system of voting by mail exists for persons who have orthopedic disability or internal organ disorder that prevents them from going to polling stations.

## **VIII. Housing**

**Law 28. Public Housing Law (1951, Law No. 193)**

Public housing comprises rental apartments and houses are built and maintained by local governments with central government subsidies for persons with disabilities and households with a limited income that would otherwise not be able to afford housing. Persons with a grade four or more severe disability and their families receive preferential treatment in the selection process.

This law also enables households living with a person with disability obtain a larger loan from the Government Housing Loan Corporation when building or purchasing a house, installing an elevator, or making an improvement to the bathroom or other facility.



## **IX. Income and Tax (Income Security and the Tax System)**

### **Law 29. Special Child Rearing Allowance Law (1964, Law No. 134)**

- Special Allowance for Persons with a Disability is provided to individuals 20 years of age or over who require special care and attention on a constant basis due to severe physical or intellectual disabilities. As of 2004, the monthly allowance was ¥26,520. (Individuals with disabilities whose yearly income exceeds ¥5,180,000 are not eligible to receive the allowance.)
- Special Child Rearing Allowance is granted to parents or guardians of children under 20 years of age with moderate or severe disabilities. As of 2004 the monthly allowance was ¥50,900 in cases where the child has a grade one disability and ¥33,900 in cases where the child has a grade two disability. (A family of four whose yearly income exceeds ¥7,707,000 is not eligible to receive the allowance.)
- Welfare Allowance for Children with Disabilities is provided to individuals under 20 years of age who require special care and attention on a constant basis due to severe physical or intellectual disabilities. As of 2004, the monthly allowance was ¥14,430. (Individuals with disabilities whose yearly income exceeds ¥5,180,000 are not eligible to receive the allowance.)

### **Law 30. Child Rearing Allowance Law (1961, Law No. 238)**

An allowance is provided to the mothers and other caregivers of a child with disability who lives apart from the father in order to contribute to the stability and independence of the household in which the child is raised.

### **Law 31. National Pension Law (1959, Law No. 1412)**

The national pension is a system that covers all residents of Japan, including the self-employed and individuals enrolled in employee insurance. There are three basic pensions, with benefits paid under the Old Age Basic Pension, Basic Disability Pension, and Bereaved Family Basic Pension.

The Basic Disability Pension, which is granted after having joined the insurance program (Case A) or when a certain degree of disability has occurred prior to the age of 20 years (Case B) In the latter case; however, there is an income limitation.

Grade one - ¥82,758 per month, 2004

Grade two - ¥66,208 per month, 2004

\*These grades differ from the degrees indicated in the Certificate of Persons with Physical Disability.

### **Law 32. Employees' Pension Law (1954, Law No. 115)**

According to the degree of the insured disability, Employee Disability Pension and Disability Allowance (a one time lump sum for minimal disabilities) are paid.

### **Law 33. Daily Life Security Law (1950, Law No. 144)**

Families who have difficulties in daily life because of their low income can receive Public Assistance Benefit to ensure a minimum standard of living. There is also a supplemental allowance for persons with disabilities, depending on the type and degree of the disability.

### **Law 34. Workmen's Accident Compensation Insurance Law (1947, Law No. 50)**

Workers' Compensation Insurance is a government-run system that provides benefits in the event of an injury, sickness, disability, or death of a worker while performing one's duties or commuting to or from work.

The system provides for a disability pension and lump-sum payments as well as special benefits, medical treatment, health care, and provision of prosthesis and orthosis.

### **Law 35. Income Tax Law (1965, Law No. 33)**

Taxpayers who have disability or who have a family member with disability can receive an income tax exemption. The exemptions are as follows:

- Persons with a grade one or two disability under the Certificate of Persons with Physical Disability or severe disability under the Certificate of Persons with Intellectual Disability qualify for the ¥400,000 Specified Disabled Persons' Exemption.
- Persons with disabilities other than the above qualify for a ¥270,000 Disabled Persons' Exemption.

### **Law 36. Local Tax Law (1950, Law No. 226)**

Local taxes are divided into prefectural and municipal taxes, depending on the authority imposing the tax. Like the income tax, the local tax system (residential tax) allows for various exemptions, including Disabled Persons' Exemption, Specified Disabled Persons' Exemption, and exemptions for specified disabled dependents living in the same household.

Local Resident Tax is also reduced for persons with disabilities with annual incomes of ¥1,250,000 or less. Exemption amounts are as follows:

Specified disabled persons – ¥300,000

Other disabled persons - ¥260,000

Persons with severe visual disabilities do not have to pay a business tax if they manage a clinic for massage or acupuncture. In addition, exemptions to the automobile tax and automobile acquisition tax are allowed for vehicles driven by persons with physical disabilities or renovated for the purpose of transporting persons with disabilities.

### **Law 37. Consumption Tax Law (1988, Law No. 108)**

The consumption tax is a national tax that was formulated from the perspective of imposing a broad-based, minimal burden on consumers. The tax is indirect, with a uniform rate levied on all domestic transactions. Specified items for persons with disabilities (e.g. prosthesis and orthosis, canes, artificial eyes, special type beds, and wheelchairs) are exempt from the consumption tax.

### **Law 38. Inheritance Tax Law (1950, Law No. 73)**

In the case of property inherited by persons with physical disabilities, a set amount can be deducted from their taxable income. The inheritance tax is reduced in the case of disabled persons' heirs.

- Up to 70 years of age – ¥120,000 for specified disabled persons
- Up to 70 years of age - ¥60,000 per year for disabled persons
- The gift tax is not levied on money or property up to ¥60,000,000 for specified disabled persons

\* Numbers in (    ) are the years the laws were enacted.

## **X. Major Central Government Measures for Persons with Disabilities**

### **Major Government Measures for Persons with Disabilities**

	Main measures	Relevant legislation
Cabinet Office	Formulation of the Basic Plan for Persons with Disabilities, awareness raising and public relations (Disabled Persons' Week, special gatherings, regional conferences to promote measures for persons with disabilities, programs to promote public awareness of persons with disabilities)	Fundamental Law for Disabled Persons
National Police Agency	Audible traffic signals for persons with visual impairments are installed, exception to the no-parking rule, consultation on driving aptitude, etc.	Law on Infrastructure Plans, Law on Equipping Traffic Safety Facilities, Road Traffic Law, etc.
Ministry of Internal Affairs and Communications	Reduction of and exemption from NHK broadcast subscription fees, Automated Telling Machines (ATM) for persons with visual impairments are installed, provision of welfare telephone, etc. Consideration on taxes (Local Tax.)	Broadcast Law, Cable Television Broadcast Law, Telecommunications Service Law, Law for Promoting Businesses that Facilitate the Use of Communications and Broadcast Services by the Physically Disabled Persons Local Tax Law
Ministry of Justice	Establishment of human rights consultation offices in each bureau and in district legal affairs and branch bureaus	
Ministry of Foreign Affairs	Technical cooperation in the rehabilitation related field for persons with disabilities	Japan International Cooperation Agency Law
Ministry of Finance	Measures for taxation (national tax)	Income Tax Law, Consumption Tax Law, Inheritance Tax Law, Special Measures Act concerning Temporary Tax Law, Customs Tariff Law, etc.

Ministry of Education, Culture, Sports, Science, and Technology	Special support education Commission for development of medical and technical equipments to be used at school.	<ul style="list-style-type: none"> <li>• School Education Law</li> <li>• Law for Encouragement of School Attendance at Special Schools for Blind Persons, Deaf Persons, Physically Disabled Persons, Intellectually Disabled Persons</li> <li>• School Health Law</li> </ul>
Ministry of Health, Labor and Welfare	<ul style="list-style-type: none"> <li>• Prevention of the cause of disabilities, early detection and treatment, various welfare measures, public assistance, medical care</li> <li>• Employment measures, vocational training, compensation of industrial accidents</li> </ul>	Maternal and Child Health Law, Child Welfare Law, Law for the Welfare of Physically Disabled Persons, Law for the Welfare of Intellectually Disabled Persons, Law Concerning Mental Health and Welfare for Mentally Disabled Persons, Special Child Rearing Allowance Law, Law for Special Aid to Wounded and Sick Veterans, Daily Life Security Law, National Pension Law, Employees' Pension Law, National Health Insurance Law, etc. Law for Employment Promotion, etc. of the Disabled Persons, Employment Countermeasures Law, Employment Insurance Law, Human Resources Development Promotion Law, Workmen's Accident Compensation Insurance Law, etc.
Ministry of Agriculture, Forestry, and Fisheries	Improvements to the eating habits and the living environment of farming, fishing, and mountain villages that take into account the needs of persons with disabilities	
Ministry of Economy, Trade, and Industry	Development of welfare related technical devices, equipment standardization	Law on Industrial Standardization, Law for Promotion of Research, Development and the Distribution of Technical Aids and Equipment
Ministry of Land, Infrastructure, and Transport	Improvement of public transportation Provision of public housing for persons with disabilities, prioritizing for getting into public housings, improvement of government facilities, public buildings, and roads, discount of fees for using toll highways, etc. System for Permission of developing emergency care and other facilities in areas prone to landslides	Law to Facilitate the Use of Public Transportation by Elderly and Disabled Persons, Law for Buildings Accessible to and Usable by the Elderly and Physically Disabled Persons, Public Housing Law, Urban Development Corporation Byelaws, Government Housing Loan Corporation Law Law to Promote Natural Disaster Preventative Measures in Areas Prone to Landslides

**“The 38 Selected Japanese Laws Related to Persons with Disabilities”**

**Published and Distributed by  
Japanese Society for Rehabilitation of Persons with Disabilities**

1-22-1, Toyama, Shinjuku, Tokyo 162-0052, Japan

TEL: +81-3-5273-0601 FAX: +81-3-5273-1523 E-mail: [inquiry@dinf.ne.jp](mailto:inquiry@dinf.ne.jp)