



**RIC 2008  
Rulemaking Program**

**- The Japanese Regulatory Regime -**

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Government of Japan

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**Basic information of NISA**

- Established on January 6, 2001, by the reorganization of the national administrative organizations, as a part of the Ministry of Economy, Trade and Industry (METI).
- Mission: Securing safety of the public and preserving the environment
- Jurisdiction:
  - Nuclear safety on power plants and other nuclear fuel cycle facilities
  - Other Industrial safety such as electricity, gas, mining safety
- Code of conduct:
  - Strong sense of mission
  - Scientific and rational judgment
  - Transparency
  - Neutrality and justice

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**Talking Points**

- **The Challenges of the Japanese Regulatory Regime**
  - It is the key to secure “public confidence (*anshin*)” in addition to “safety (*anzen*)”.
- **Rulemaking process**
  - With regard to the technical basis, it is essential to gather the latest knowledge and experience. Therefore, human resource is the key.
  - This relates to the agency-wide management.

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**The Challenges of the Japanese  
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**What occurred in energy sector recently in Japan?**

March, 2007

- By the instruction of NISA, power companies reported that they falsified the data and hid the accidents in 316 cases.

July, 2007

- By the earthquake on July 16<sup>th</sup>, the fire was caused in the connecting terminal at the site of Kashiwazaki-Kariwa Power Plant, and it lasted more than 2 hours, mainly due to the broken fire-fighting equipment.
- In addition, the leakage occurred due to the same earthquake. They criticized the company for not disclosing this leakage in a timely manner.

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**In other industrial sectors, what occurred?**

April, 2005

- Over one hundred passengers were killed by the rail crash. They found that the train speeded and could not take a curve.

November, 2005

- They revealed that an architect falsified the data, which is necessary to calculate stability against earthquakes. Residents of apartment houses were obliged to evacuate.

July, 2006

- They found over 20 people were killed by carbon monoxide poisoning for over 20 years, which were caused by the defect of hot water boilers.

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**In other industrial sectors, what occurred? (continued)**

June, 2007

- They revealed that a meat processor labeled "100% beef" on its products, although they actually contained pork and other kinds of meat in them.

August, 2007

- They revealed that a confectioner falsified expiry dates of chocolate cakes.

October, 2007

- They revealed that a sweets maker falsified the date of production for over 30 years.

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**What is the problem?**

Uneasiness of the public causes a chain-reaction.



The public will not trust in the industries as well as in the government.



The basis of the regulatory regime will be eroded.

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**What is the chance?**

These events can provide the chance for the companies to be open and to do their business transparently.

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**What are the challenges?**

**For the industries**

- Develop corporate culture which lays its first priority on safety. That will enhance corporate value in long-term.

**For the regulators**

- Encourage the industries to develop safety culture.
- Enhance the public involvement in regulatory activities.

Goal = Regain the public confidence.

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**Rulemaking process**

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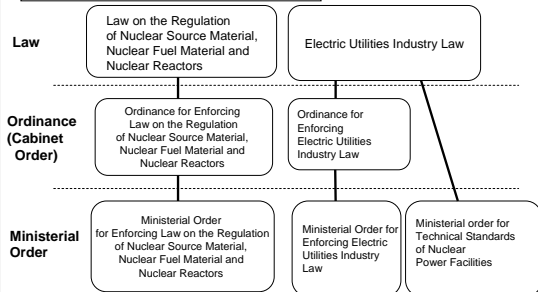
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**Structure of Laws and Regulations**




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**Previous amendments of the laws in NISA**

- 2007
- Introduced the regulation on high-level radioactive nuclear waste, by amending the Law on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Nuclear Reactors
- 2005
- Strengthened physical protection measures and developed decommissioning and clearance process, by amending the Law on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Nuclear Reactors.
- 2004
- Upgraded the regulation on mining safety, by amending the Mining Safety Law.

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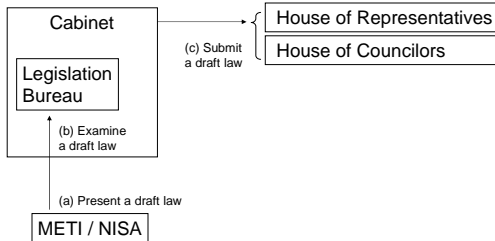
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**Process of submitting a draft law**




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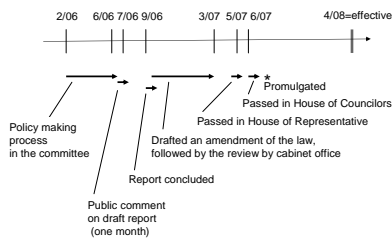
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**Rulemaking process (Law)**




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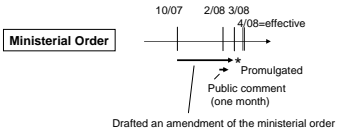
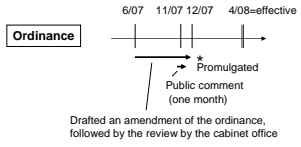
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**Rulemaking process (Ordinance and Ministerial Order)**



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