

Section 5. Promotion of Information Disclosure and Protection of Personal Information

1. Enforcement of the Administrative Information Disclosure Law

Based on government accountability for its activities, the “Act on Access to Information Held by Administrative Organizations” (Administrative Information Disclosure Law, enforced on April 1, 2001) gives the right to anyone who wishes to access documents retained by governmental organizations. Along with existing efforts to provide a variety of information over the internet, enforcement of the law shall enable access to any administrative documents retained by the Ministry of Health, Labour and Welfare, except information classified as confidential pursuant to the law including ① personal information, ② information on juridical persons, ③ national security information, ④ public security information, ⑤ information on deliberations and examinations, and ⑥ information on administrative work and other services.

The number of requests for disclosure submitted to the Ministry of Health, Labour and Welfare from April 2006 to the end of March 2007 was 5,566, out of which 4,641 was received by the Ministry and 925 by Regional Bureaus and Affiliated institutions. This quantity was much higher than that with most other ministries and agencies and the requests for information disclosure covered extensive areas. This shows the high level of people’s interest in the Minister’s administrations that are closely related to citizen’s daily lives.

During the same period, the number of approved requests was 4,648 (1,015 requests being withdrawn) out of which 3,772 was received by the Ministry and 876 by others. Of approved requests, 466 resulted in full disclosure of the requested administrative documents, 3,811 were partially disclosed, and 371 ended in no disclosure.

2. Enforcement of the Administrative Institution Personal Information Protection Law

The “Act on the Protection of Personal Information Held by Administrative Organizations” (the Administrative Institution Personal Information Protection Law, enforced on April 1, 2005) aims at protecting individual’s rights and interests while maintaining appropriate and smooth administrations through providing basic matters regarding the handling of personal information by administrative institutions. The Ministry of Health, Labour and Welfare discloses personal information retained by the Ministry upon request, except for information classified as confidential pursuant to the law including ① information that is likely to cause harm to people’s lives, health, or property ② personal information other than that of the disclosure requester, ③ information on juridical persons, ④ national security information, ⑤ public security information, ⑥ information on

deliberations and examinations, and ⑦ information on administrative work and other services.

The number of requests for disclosure submitted to the Ministry of Health, Labour and Welfare from April 2006 to the end of March 2007 was 1,560, for correction 4, and for discontinuation of use 0. Of the disclosure requests 47 were received by the Ministry and 1,513 by Regional Bureaus and Affiliated institutions. This quantity was much higher than that with most other ministries and agencies, thus revealing the characteristic of the administrative work of the Ministry, which retains a large amount of personal information.

During the same period the number of approved requests was 1,502 (12 requests being withdrawn) out of which 43 was received by the Ministry and 1,459 by others. Of the approved requests 903 resulted in full disclosure of the requested personal information, 564 were partially disclosed, and 35 ended in no disclosure.

3. Enforcement of the Whistleblower Protection Act

The “Whistleblower Protection Act” was enforced on April 1, 2006 with the aim of protecting whistleblowers through invalidating their dismissal due to their whistle blowing acts and to provide measures to be taken by business operators and administrative institutions with whistle blowing and facilitate legislative compliance for protecting people’s lives, promoting compliance with the laws and regulations for protecting people’s lives, bodies, property, and other interests, and thereby contributing to the stabilization of people’s lives and the sound development of the socio-economy. The Ministry of Health, Labour and Welfare has established whistle blowing desks to listen to whistle blowing using both internal staff and external workers. The accepted whistle blowing information will be made confidential and the required investigations then conducted. And if the reported cases are verified to be true, dispositions or recommendations will then be made in accordance with the law.