

Cabinet Order on Request for Provision of Information relating to Child's Domicile, etc. and Social Background of Child under the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 5 (1) of the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction (Act No.48 of 2013) (including the cases where it is applied mutatis mutandis pursuant to Article 20 of said Act) and Article 15 (1) of said Act (including the cases where it is applied mutatis mutandis pursuant to Article 25 of said Act).

(The Persons having the Information with regard to the Child and any Person who Lives together with the Child)

Article 1 The persons specified by the Cabinet Order set forth in Article 5 (1) of the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction (hereinafter referred to as the "Act") (including the cases where it is applied mutatis mutandis pursuant to Article 20 of the Act; the same shall apply in the following Article.) shall be the persons listed as follows:

- (i) Establishers of a school (which means the school prescribed in Article 1 of the School Education Act (Act No.26 of 1947) (excluding university), a specialized training college prescribed in Article 124 of said Act or a miscellaneous school prescribed in Article 134 (1) of said Act. The same shall apply in the following item.);
- (ii) Establishers of an educational institution other than school and university, which is exclusively for foreigners living in Japan and provides education similar to school education;

- (iii) Establishers of an institution prescribed in Article 59-2 (1) of the Child Welfare Act (Act No. 164 of 1947);
- (iv) Establishers of a hospital prescribed in Article 1-5 (1) of the Medical Care Act (Act No. 205 of 1948) or of a clinic prescribed in the paragraph (2) of said Article;
- (v) Water Supply Operators prescribed in Article 3 (5) of the Water Supply Act (Act No. 177 of 1957);
- (vi) General Electricity Utilities prescribed in Article 2 (1) (ii) of the Electricity Business Act (Act No. 170 of 1964);
- (vii) Specified Electricity Utilities prescribed in Article 2 (1) (vi) of the Electricity Business Act;
- (viii) Persons listed in the right-hand column of the table of Article 17 (1) of the Child Allowance Act (Act No. 73 of 1971) (including the cases where it is applied mutatis mutandis pursuant to Article 2 (3) of the Supplementary Provisions of said Act);
- (ix) Telecommunications carriers prescribed in Article 2 (v) of the Telecommunications Business Act (Act No. 86 of 1984);
- (x) Representatives of private body prescribed in Article 3 (5) of Act on the Prevention of Spousal Violence and the Protection of Victims (Act No. 31 of 2001) (including the cases where it is applied mutatis mutandis pursuant to Article 28-2 of said Act).

(Method of Request for Provision of Information relating to Child's Domicile, etc.)

Article 2 The Minister of Foreign Affairs, pursuant to the provision of Article 5 (1) of the Act, when he/she requests to provide the information

prescribed in said paragraph, shall specify the contents of such information as concretely as possible, and request in writing the heads of administrative organs of the State, etc., the heads of local public entities, other executive agencies prescribed in said paragraph, and the persons listed in each item of the preceding Article, which are considered to have said information, to submit a document describing said information.

(The persons having the information relating to Social Background of Child)

Article 3 The persons specified by the Cabinet Order set forth in Article 15 (1) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 25 of the Act; the same shall apply in the following Article.) shall be the persons listed as follows:

- (i) The persons listed in Article 1 (i) to (iv) or (x);
- (ii) Heads of a child welfare institution prescribed in Article 7 (1) of the Child Welfare Act;
- (iii) The Superintendent General for the Metropolitan Police Department or the Chiefs of the Prefectural Police Headquarters.

(Method of request for Provision of Information relating to Social Background of Child)

Article 4 The Minister of Foreign Affairs, pursuant to the provision of Article 15 (1) of the Act, when he/she requests to provide the information prescribed in said paragraph, shall specify the contents of such information as concretely as possible, and request in writing the heads of national administrative organs of the State, etc., the heads of local public entities, other executive agencies prescribed in said paragraph, and the persons listed in each item of the preceding Article, which are considered to have said information, to submit a document describing said information.

## Supplementary Provision

This Cabinet Order shall come into effect on the day of enforcement of the Act.