
Overview

Title: Analysis of the enactment of ordinances on consumer administration in local governments and its background

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Summary: Under Japan's governance structure, administrative duties are divided between the central government and the approximately 1,700 municipal governments, and to the extent possible, the latter are responsible for administration at the resident level. To facilitate administration, municipal government councils may enact ordinances through council resolutions, provided that they do not contravene national regulations. The enactment of an ordinance implies that lively discussions took place in each municipality during the council process.

Although municipal ordinances on consumer administration began to be enacted mainly in the 1970s, no comprehensive survey or study of all municipal ordinances has been conducted since 1980. This paper summarizes the results of the first such survey conducted for 40 years. The survey uses the Ordinance Web Archive Database, an ordinance search site run by Doshisha University, to examine the enactment status of the latest ordinances nationwide and their contents. The ordinances identified in the survey were categorized, and their number, contents, and enactment dates were organized and presented in a listable format as a resource.

Of the ordinances, 915 ordinances related to consumer administration were identified for analysis. These 915 ordinances were then categorized by content and analyzed by year of enactment, resulting in the following findings:

- (1) Of the 915 ordinances, 137 were consumer protection ordinances that broadly stipulate consumer administration, equivalent to the Basic Consumer Law or Consumer Safety Law, and 719 were ordinances that solely stipulate the establishment and operation of consumer affairs centers. In addition, there were 18 ordinances regarding specific policies, such as councils, 22 ordinances concerning funds related to consumer administration, and 19 ordinances concerning the safety of residents' lives.
- (2) Of the 137 consumer affairs ordinances, all 47 prefectures (Tokushima Prefecture enacted two ordinances) and 89 municipalities enacted ordinances.
- (3) Most of the ordinances on consumer administration stipulate some common contents, such as basic principles corresponding to the contents of the Basic Law for Consumers, and the responsibilities of local municipalities, businesses, and consumers.
- (4) As for the establishment and operation of consumer affairs centers, 719 ordinances stipulate just that. On the other hand, 45 consumer protection ordinances included this among the various provisions. All of them follow the draft model ordinances presented by the government, and their contents are almost the same.
- (5) The enactment of consumer protection ordinances occurred more frequently in 1974–1951, 1980, 2005–2006, 2009, and 2016 than in other years.

(6) It was found that many municipalities had enacted ordinances by the following year, if the government encouraged or made it legally obligatory to enact such ordinances.