

CLAIR

Fact Sheet

An Outline of Local Government in Japan

The Legal Status of Local Government

Local government in Japan has its basis in the nation's Constitution, adopted in 1946, establishing the age of "local government," providing a legal basis for local government and recognizing the system of local government as part of the Constitutional system.

Under the heading "Local Government," Chapter 8 of the Constitution contains the following four Articles:

- Opening with a declaration of respect for local government and its basic principles;
- Providing that heads of local governments and members of assemblies be elected by direct public elections;
- Stating clearly that local governments should have a broad range of authority over a broad range of administrative functions, and granting local legislative authority within the local jurisdiction;
- Imposing restrictions on the enactment of special legislation applicable only to a given local government.

Accordingly, a number of laws were enacted concerning local government, but the core legislation for dealing with its organization and management is the Local Government Law.

The provisions of the Local Government Law deal mainly with residents' affairs, elected councils, and their executive bodies—all that which forms the core of local government. The Law also defines the status of local governments, including their relationship with national government as well as with other local governments, and has legal provisions for their financial affairs and other important administrative matters.

As such, local government is clearly defined in Japan's Constitution and other national laws.



Constitution of Japan (Extract) CHAPTER VIII LOCAL GOVERNMENT

Article 92. Regulations concerning organization and operations of local governments shall be fixed by law in accordance with the principle of local government.

Article 93. The local governments shall establish assemblies as their deliberative organs, in accordance with law.

The chief executive officers of all local governments, the members of their assemblies, and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.

Article 94. Local governments shall have the right to manage their property, affairs and administration and to enact their own regulations within law.

Article 95. A special law, applicable only to one local government, cannot be enacted by the Diet without the consent of the majority of the voters of the local government concerned, obtained in accordance with law.

**Council of Local Authorities for
International Relations**

The Basis of Local Government

The Local Government Law specifies that the basic units of local government shall be the prefectures and the municipalities.

Local government in Japan is based on a system introduced by the national government as part of its drive to modernize the country at the end of the last century. At that time the system reflected stronger national governmental control than that of today; the former practice of centrally appointed governors is just one example of how strong the control was.

Much of that early system has been passed down to the present, though it has to be said that local government's authority has increased substantially since the early post-war period, despite little structural change.

The Tiers of Local Government

In any system of local government the number of tiers is usually directly related to such factors as geographical conditions, population levels, the nature of local administration and the corresponding level of centralization.

In Japan, local government is two-tiered: prefectures serving wider areas, and municipalities providing local services.

In addition, there is a system by which municipalities of a certain size can deal with what is generally considered to be prefecture administrative work. By government decree, they are called designated cities, core cities or special case-cities.

The Scale and Number of Local Governments

Prefectures and municipalities vary widely in terms of population and area. Japan's 47 prefectures range in population from the Tokyo Metropolis (*Tokyo-to*) with more than 12 million, to Tottori Prefecture (*Tottori-ken*) with just over 610,000; and in size, from the Hokkaido Region (*Hokkaido*)

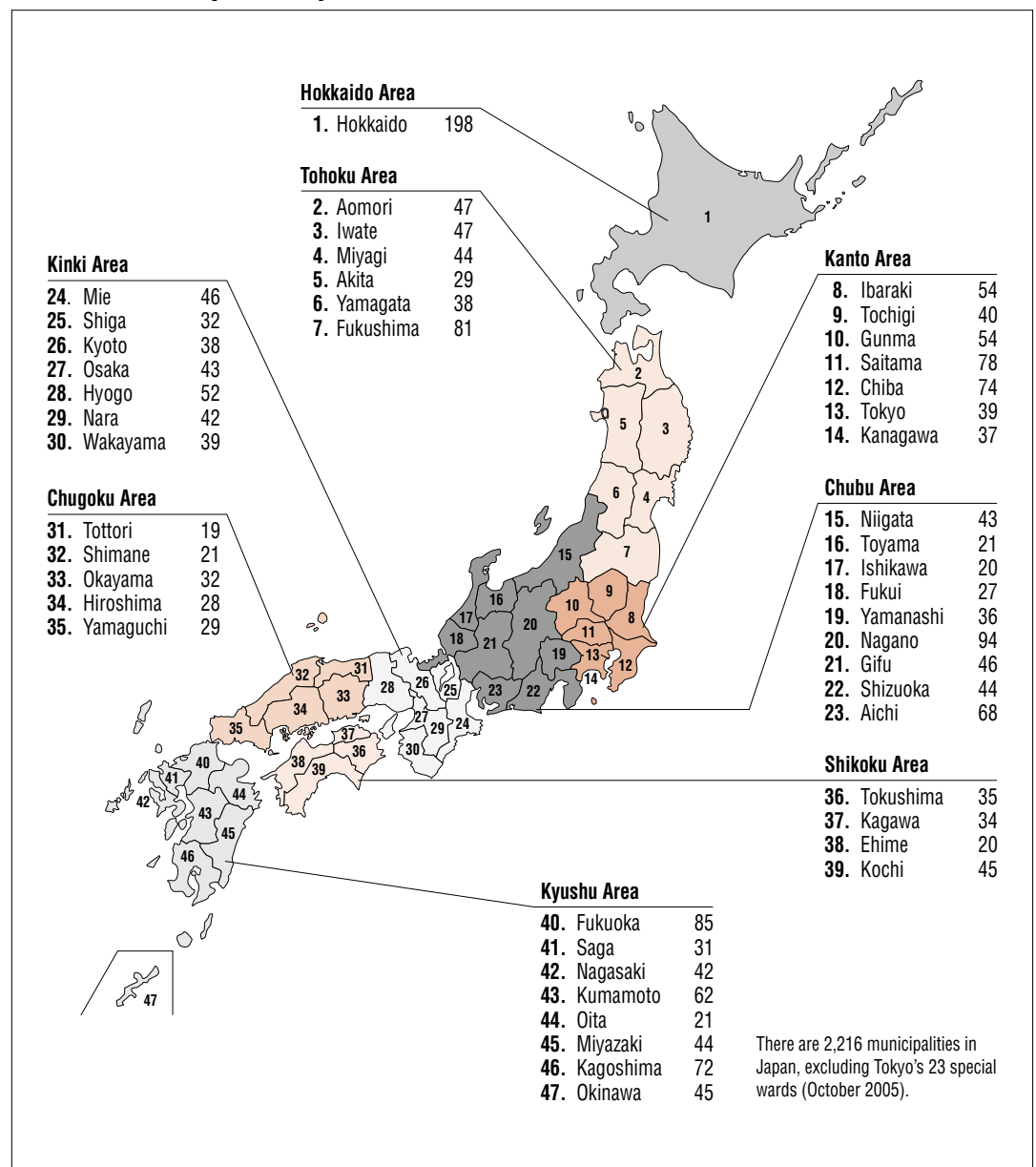
with an area exceeding 80,000 sq km, to Kagawa Prefecture (*Kagawa-ken*) with a little under 2,000 sq km.

The municipalities exhibit even greater variety. They range from Yokohama City (*Yokohama-shi*), with a population around 3.5 million, to Aogashima Village (*Aogashima-mura*) in

Tokyo, with a population of about 200. As for area, Takayama City (*Takayama-shi*) in Gifu Prefecture covers about 2,177.67 sq km, compared to Akaoka Town (*Akaoka-machi*) in Kochi Prefecture, at about 1.64 sq km.

The number of prefectures has remained unchanged since the system was adopted during

Number of Municipalities by Prefecture



Source: "Overview of the Nation's Cities, Towns, and Villages, 2005" edited by Study Group for Municipal Autonomy and published by Dai-ichi Hoki Co., Ltd.

the Meiji Period (1868-1912). But the number of municipalities has steadily decreased.

Since the Meiji Period, there have been two major periods of municipal mergers. In the "Great Merger of the Meiji Period," after the organization of municipalities had been implemented, the number of municipalities was reduced from approximately 70,000 to approximately 15,000, and, in the "Great Merger of the Showa Period (1926-1989)" during the late 1950s and early

1960s post-war period, the number fell from approximately 10,000 to about one-third of that figure. Currently, in order to create a strong basis for decentralization of authority, municipalities are being merged (known as the "Great Merger of the Heisei Period."). The number of municipalities, which stood at 3,229 on 1 April 1999, is forecast to fall to 1,821 by the end of March 2006 (on 1 April 2005, the number of municipalities in Japan stood at 2,395).

Local Authority Population and Area

Population

Population	Prefectures	Population	Cities	Special Wards	Population	Towns and Villages
10 million and above	1	1 million and above	10		40,000 and above	23
5 million and above	8	500,000 and above	14	7	30,000 and above	67
3 million and above	1	300,000 and above	45	4	20,000 and above	169
2 million and above	10	200,000 and above	39	5	10,000 and above	436
1 million and above	20	100,000 and above	140	5	5,000 and above	426
Less than 1 million	7	50,000 and above	254	1	1,000 and above	319
		30,000 and above	182	1	Less than 1,000	26
		Less than 30,000	66			
Total	47	Total	750	23	Total	1,466

Area

Area	Prefectures	Area	Cities	Special Wards	Area	Towns and Villages
10,000 km ² and above	7	1,000 km ² and above	15		1,000 km ² and above	6
5,000 km ² and above	21	500 km ² and above	93		500 km ² and above	59
3,000 km ² and above	13	300 km ² and above	86		300 km ² and above	90
2,000 km ² and above	4	200 km ² and above	112		200 km ² and above	134
1,000 km ² and above	2	100 km ² and above	164		100 km ² and above	271
Less than 1,000 km ²		50 km ² and above	133	3	50 km ² and above	323
		25 km ² and above	76	6	25 km ² and above	306
		Less than 25 km ²	71	14	Less than 25 km ²	277
Total	47	Total	750	23	Total	1,466

N.B: Population figures for prefectures and municipalities on 1 October 2005 are taken from the 31 March 2005 National Residents Register.

(Source: "Overview of the Nation's Cities, Towns, and Villages, 2005" edited by Study Group for Municipal Autonomy and published by Dai-ichi Hoki Co., Ltd.)

Prefectural Size and Population

	Population	Households	Area (km ²)
Hokkaido	5,632,133	2,545,184	83,455.33
Aomori	1,468,608	554,682	9,606.83
Iwate	1,396,637	490,322	15,278.68
Miyagi	2,347,970	864,882	7,285.53
Akita	1,164,389	412,097	11,612.22
Yamagata	1,218,875	389,949	9,323.39
Fukushima	2,107,800	722,230	13,782.75
Ibaraki	2,988,729	1,051,043	6,095.68
Tochigi	2,008,036	711,184	6,408.28
Gunma	2,020,734	726,738	6,363.16
Saitama	6,996,528	2,695,437	3,797.25
Chiba	6,014,584	2,378,540	5,156.54
Tokyo	12,168,247	5,861,647	2,187.09
Kanagawa	8,644,031	3,653,606	2,415.85
Niigata	2,445,807	815,799	12,582.60
Toyama	1,116,387	371,606	4,247.34
Ishikawa	1,172,133	420,319	4,185.43
Fukui	822,405	262,207	4,189.22
Yamanashi	880,947	321,970	4,465.37
Nagano	2,193,419	782,899	13,560.55
Gifu	2,106,293	709,304	10,622.85
Shizuoka	3,773,826	1,362,930	7,779.87
Aichi	7,062,762	2,677,488	5,162.51
Mie	1,858,026	680,837	5,776.60
Shiga	1,359,273	468,225	4,017.36
Kyoto	2,565,170	1,059,925	4,612.98
Osaka	8,651,301	3,691,611	1,893.76
Hyogo	5,571,148	2,210,725	8,394.10
Nara	1,434,548	529,866	3,691.09
Wakayama	1,067,114	413,636	4,725.82
Tottori	612,191	218,520	3,507.25
Shimane	747,469	268,392	6,707.52
Okayama	1,955,317	738,972	7,112.72
Hiroshima	2,868,251	1,171,748	8,477.75
Yamaguchi	1,504,917	624,250	6,111.17
Tokushima	818,998	307,039	4,145.48
Kagawa	1,027,405	393,116	1,876.23
Ehime	1,490,831	607,968	5,677.03
Kochi	804,721	343,143	7,104.94
Fukuoka	5,014,179	2,044,970	4,975.21
Saga	873,978	296,456	2,439.54
Nagasaki	1,502,058	594,045	4,094.64
Kumamoto	1,857,998	696,391	7,404.66
Oita	1,224,892	484,636	6,339.15
Miyazaki	1,172,940	479,372	7,734.77
Kagoshima	1,763,004	764,233	9,187.54
Okinawa	1,372,388	511,942	2,274.32
Total	126,869,397	50,382,081	377,845.95

Population and number of households: As of March 31, 2005

Area: As of October 1, 2004

Source: "Overview of the Nation's Cities, Towns, and Villages, 2005" edited by Study Group for Municipal Autonomy and published by Dai-ichi Hoki Co., Ltd.

Scope and Financial Structure of Administration Granted to Local Governments

As a basic legal principle, local governments in Japan, both prefecture and municipal, are uniformly granted comprehensive powers to allow them to fulfill, according to the characteristics of their local area, roles which are necessary to serve their local communities.

Furthermore, a local government's range of functions is extremely broad, and it is no exaggeration to say that a local government's responsibilities cover all aspects of the country's domestic life other than diplomacy, national security, trial and

prosecution.

Local government expenditure is extremely high, with its combined expenditure in Japan equaling that of the national government's general accounts. National government raises three fifths of all revenues to local governments' two fifths. Nevertheless, because of the large-scale financial transfers from central to local government in the form of the local allocation tax, the local transfer tax and national treasury disbursements, the ratio of national government to the combined local government

spending levels is three fifths local to two fifths national.

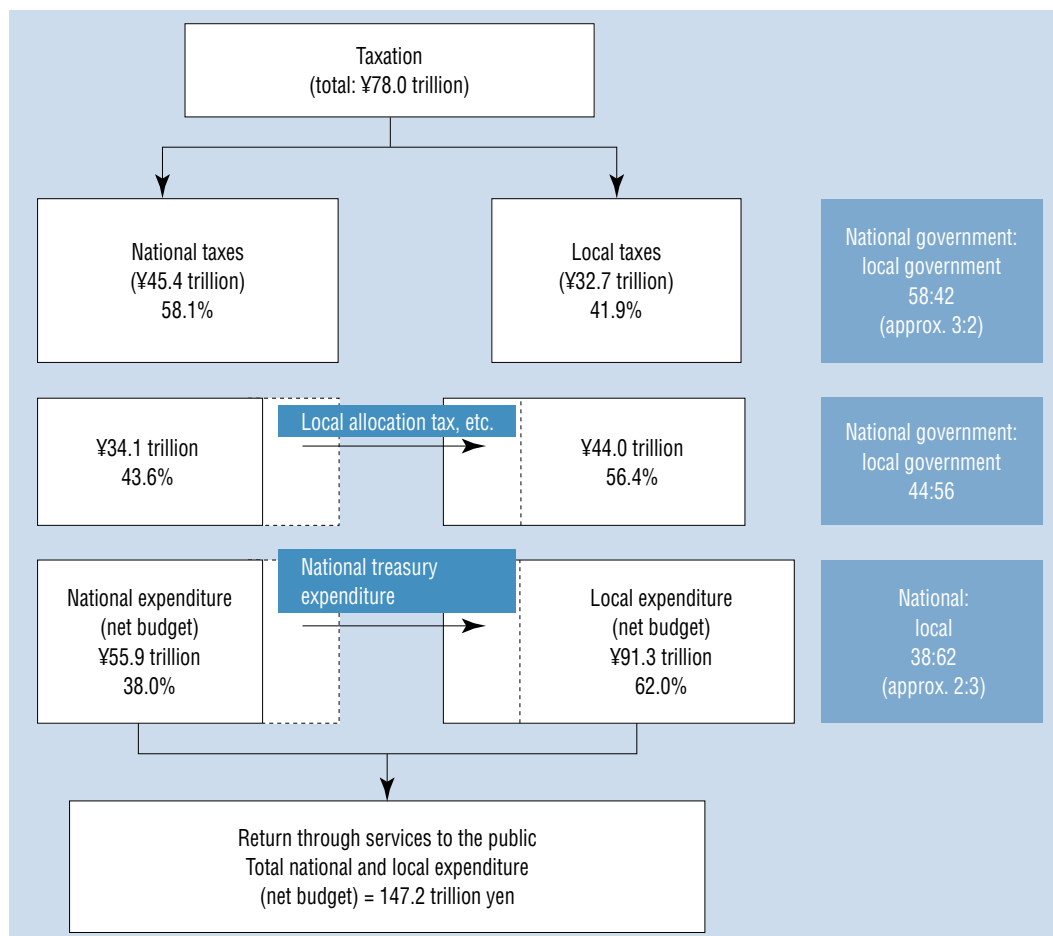
The Local Government Law divides the responsibility for providing services to Japan's citizens between prefectures and municipalities. Prefectures, in the main, provide regional services. Municipalities provide direct local services.

However, in reality, the allocation of government administration among national, prefecture and municipal governments is not always clear. Rather, administrative functions for any one service provision are nearly

always shared among different levels of government.

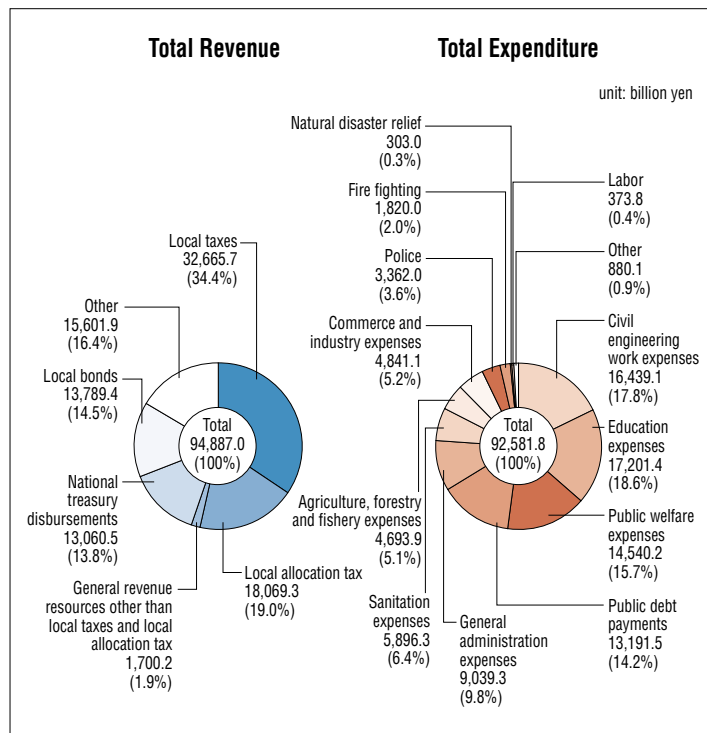
Currently, in order to promote structural reform to encourage regional autonomy, the so-called "The Trinity Reforms," are underway, whereby the financial relationship between national government and prefectures and municipal governments—the reform of national treasury subsidies, the revision of tax resource distribution, including the transfer of tax sources, and the reform of the local allocation tax—are being re-examined.

Distribution of Financial Resources Between the National and Local Governments



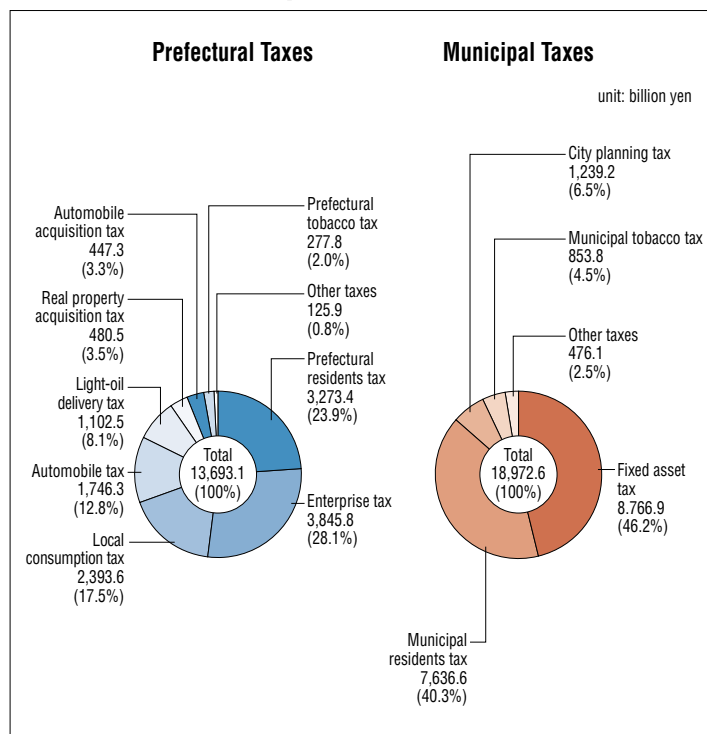
Source: "White Paper on Local Public Finance, 2005", (Illustrated), FY2003 settlement, Ministry of Internal Affairs and Communications

Financial Structure of Local Government (FY2003)



Source: "White Paper on Local Public Finance, 2005", FY2003 settlement, Ministry of Internal Affairs and Communications

Local Tax Revenue Composition (FY2003)



Source: "White Paper on Local Public Finance, 2005", (Illustrated), FY2003 settlement, Ministry of Internal Affairs and Communications

Prefecture Revenue and Expenditure

Prefecture	Revenue	Expenditure
Hokkaido	2,833,753	2,816,383
Aomori	816,413	800,614
Iwate	821,551	800,146
Miyagi	812,791	793,194
Akita	728,802	716,553
Yamagata	637,336	626,114
Fukushima	936,252	927,325
Ibaraki	1,061,795	1,047,467
Tochigi	821,168	802,144
Gunma	770,534	753,258
Saitama	1,572,529	1,555,088
Chiba	1,466,851	1,455,088
Tokyo	6,293,928	6,137,827
Kanagawa	1,710,637	1,697,599
Niigata	1,219,897	1,203,832
Toyama	560,748	535,792
Ishikawa	581,967	571,991
Fukui	516,120	502,469
Yamanashi	516,279	496,499
Nagano	890,301	866,067
Gifu	828,961	811,290
Shizuoka	1,170,775	1,146,740
Aichi	2,142,747	2,118,458
Mie	717,609	697,986
Shiga	550,798	541,396
Kyoto	797,112	789,951
Osaka	2,601,633	2,603,109
Hyogo	2,111,897	2,100,376
Nara	526,240	517,046
Wakayama	569,360	555,288
Tottori	431,847	410,155
Shimane	622,690	606,107
Okayama	764,518	755,693
Hiroshima	1,039,136	1,026,042
Yamaguchi	771,121	754,619
Tokushima	561,165	535,246
Kagawa	481,842	468,123
Ehime	661,407	635,577
Kochi	536,405	520,583
Fukuoka	1,478,211	1,450,522
Saga	449,320	439,996
Nagasaki	765,433	750,243
Kumamoto	796,621	770,987
Oita	648,730	632,328
Miyazaki	638,276	626,076
Kagoshima	932,205	912,027
Okinawa	645,321	635,611
Total	49,811,034	48,917,026

(unit: million yen)

Source: "White Paper on Local Public Finance, 2005", FY2003 settlement, Ministry of Internal Affairs and Communications

Local Government Organization

An ordinary local government consists of an executive branch and a legislature. The legislature (the elected council) determines budgets, enacts local legislation and makes decisions on its policies. It includes the prefectural or municipal assembly.

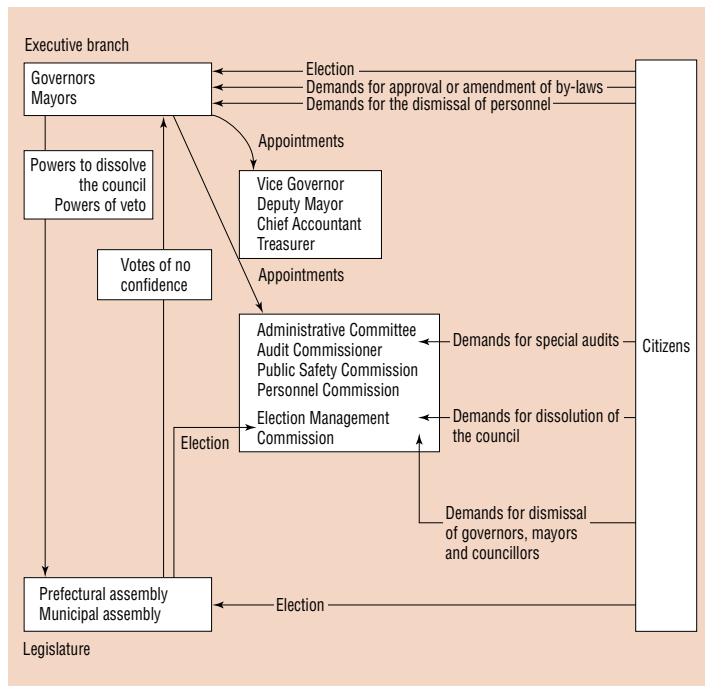
The executive branch implements the policies decided by the legislature. It includes governors, mayors and their executive committees.

Local government in Japan is based on the presidential system, where governors, mayors, and councillors are directly elected,

and functions on the principle of a separation of powers and internal checks and balances to ensure democratic local administration.

To prevent the over-concentration of power in one place, the executive branch also includes a number of administrative committees independent of the governor or mayor, for example, boards of education, or public safety, and election committees. These committees are wholly responsible for the management of their respective functions.

Organization of Local Government



Governors and Mayors

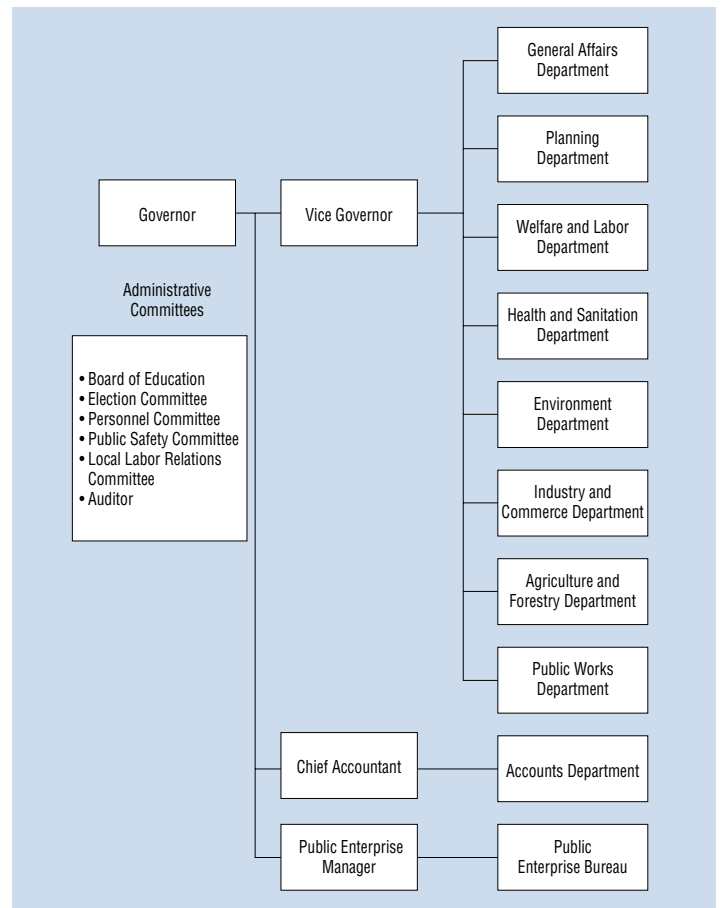
The representative of the executive branch of local government is either a governor or a mayor (governor in the case of a prefecture, mayor in the case of a municipality).

Governors and mayors are directly elected to serve four-year terms. They are not permitted to simultaneously serve as members of the Diet or local councillors, or to be regular officials. They cannot act as contractors to the local government.

They are responsible for ensuring the overall consistency of the local government's services and functions, and are authorized to represent the authority externally. Governors and mayors thus exercise general control over other executive organs such as administrative committees.

Important powers given to local chief executives include rights to enact regulations, to draft budgets, to introduce bills, and to appoint members of

Organization of a Typical Prefecture

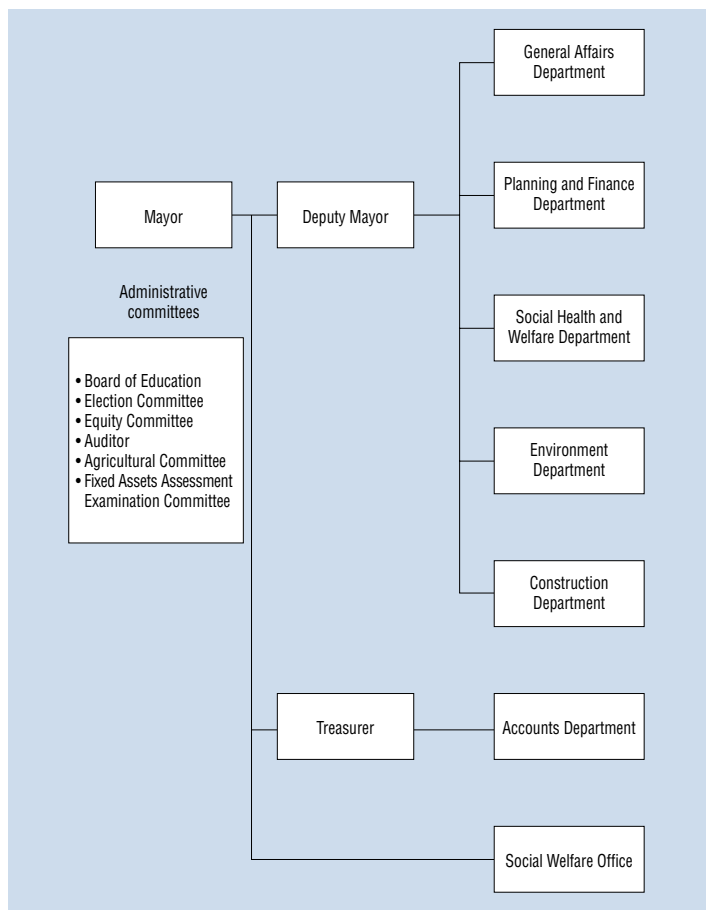


administrative committees such as the board of education and public safety committee, as well as vice governors (deputy mayors for municipalities), deputy mayors, a chief accountant (treasurer for municipalities), and other officials of their respective local governments.

In addition to these powers, governors and mayors are responsible for the execution of all affairs of the local government excluding those of the elected

council and the administrative committees. It does not mean, however, that they personally carry out all these broad functions. To assist them in actual execution, there are vice governors (deputy mayors for municipalities) and a chief accountant (treasurer for municipalities), and a large number of divisions, departments and sections, carrying out their respective assigned duties.

Organization of a Typical Municipality



The Elected Council

Consisting of directly elected councillors, the council is the body that decides the policies of the local government.

To qualify for election as a councillor, candidates must be Japanese nationals, at least 25 years old, and be on the local electoral roll. Once elected, their

term in office is four years.

Local governments determine the number of councillors by enacting bylaws, and the maximum number is fixed under stipulations in the Local Government Law and is based on the population of each area.

Upper Limit of Number of Councillors Allowed (Local Government Law)

Prefectures

Number of Residents	Upper Limit of Number of Councillors
- 749,999	40
750,000 - 999,999	1 extra councillor is added to 40 for every increment of 50,000 residents above 700,000
1,000,000 -	1 extra councillor is added to 45 for every increment of 700,000 residents above 930,000 (limit: 120)
	The number for the Tokyo Metropolitan Government is based on the population of the special wards divided by 1 million. The number may be increased by bylaw, but is limited to 130.

Cities and Towns and Villages

Number of Residents	Upper Limit of Number of Councillors
- 1,999	12
2,000 - 4,999	14
5,000 - 9,999	18
10,000 - 19,999	22
20,000 - 49,999	26
50,000 - 99,999	30
100,000 - 199,999	34
200,000 - 299,999	38
300,000 - 499,999	46
500,000 - 899,999	56
900,000 - 1,299,999	64
1,300,000 - 1,699,999	72
1,700,000 - 2,099,999	80
2,100,000 - 2,499,999	88
2,500,000 -	96

CLAIR Activities

In addition to providing support to projects initiated by Japanese local governments for the advancement of international exchange, the Council of Local Authorities for International Relations (CLAIR) performs research on systems and issues of local public finance and administration overseas. The Council also provides support for the overseas activities of Japanese

local governments, as well as for the training of local civil servants and the promotion of local level internationalization. In doing so, CLAIR aims to contribute to the development of local government.

To achieve these goals, CLAIR engages in a wide range of activities, in conjunction with its domestic branches and overseas offices. CLAIR's main activities are:

1. Development of overseas offices
2. Implementation of international exchange projects
3. Coordination of the Japan Exchange and Teaching (JET) Programme
4. Implementation of international personnel development programs
5. Collection and dissemination of information on

international exchange.

6. Publication of the *Jichitai Kokusaika Kyokai Forum Monthly*
7. Publication of the CLAIR Report
8. Distribution of information on international exchange lectures and specialists
9. Assistance for key local international exchange groups

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