

# I . Safeguarding System & Policy

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## 1. National Law/Act

### A. Definition of intangible cultural heritage

They are divided into three categories;

1) Intangible Cultural Properties

Stage arts, music, craft techniques, and other intangible cultural assets that possess high historic or artistic value to Japan

2) Intangible Folk Cultural Properties

Manners and customs related to food, clothing, and housing, to occupations, to religious faith, and annual events, etc. folk performing arts, folk skills

3) Selected Conservation Techniques

Techniques for the production of materials, restoration and conservation, necessary for the preservation of cultural properties

### B. Title of law

Act on Protection of Cultural Properties (Act No. 214 of 1950)

### C. Section/Division in charge

Traditional Culture Division, Cultural Properties Department, The Agency for Cultural Affairs

### D. Year of establishment

1950

## **E. Amendments**

It has been amended thirty seven times to date (as of September, 2013). Among these amendments, revisions of the law itself were made for seven times and the rest thirty times were the revision to relevant articles made according to the revision of other laws. (Please refer to Figure 1)

Among the seven amendments to the law, Intangible Cultural Heritage related amendments were the below three articles;

- 1) 29 May, 1954 [Third amendment]: Designation of Important Intangible Cultural Property and Recognition System of Skill Holder
- 2) 1 July, 1975 [Fourth amendment]: Selection of Cultural Property Conservation Technique and Recognition System of Skill Holders and Skill Holding Groups
- 3) 28 May, 2004 [Seventh amendment]: In the range of Intangible Folk Cultural Property, hitherto known manners and customs, folk performing arts, folk techniques were added. 6) Particular article(s) related to ICH:

Please refer to the Article 2. Definition of Cultural Property (2), (3), Chapter IV. Intangible Cultural Property (Article 71~77), Chapter V. Folk Cultural Property (Article 78~91), and Chapter X. Protection of Preservation Techniques for Cultural Property (Article 147~152) of the Act on Protection of Cultural Properties.

## **F. Responsible organization/department**

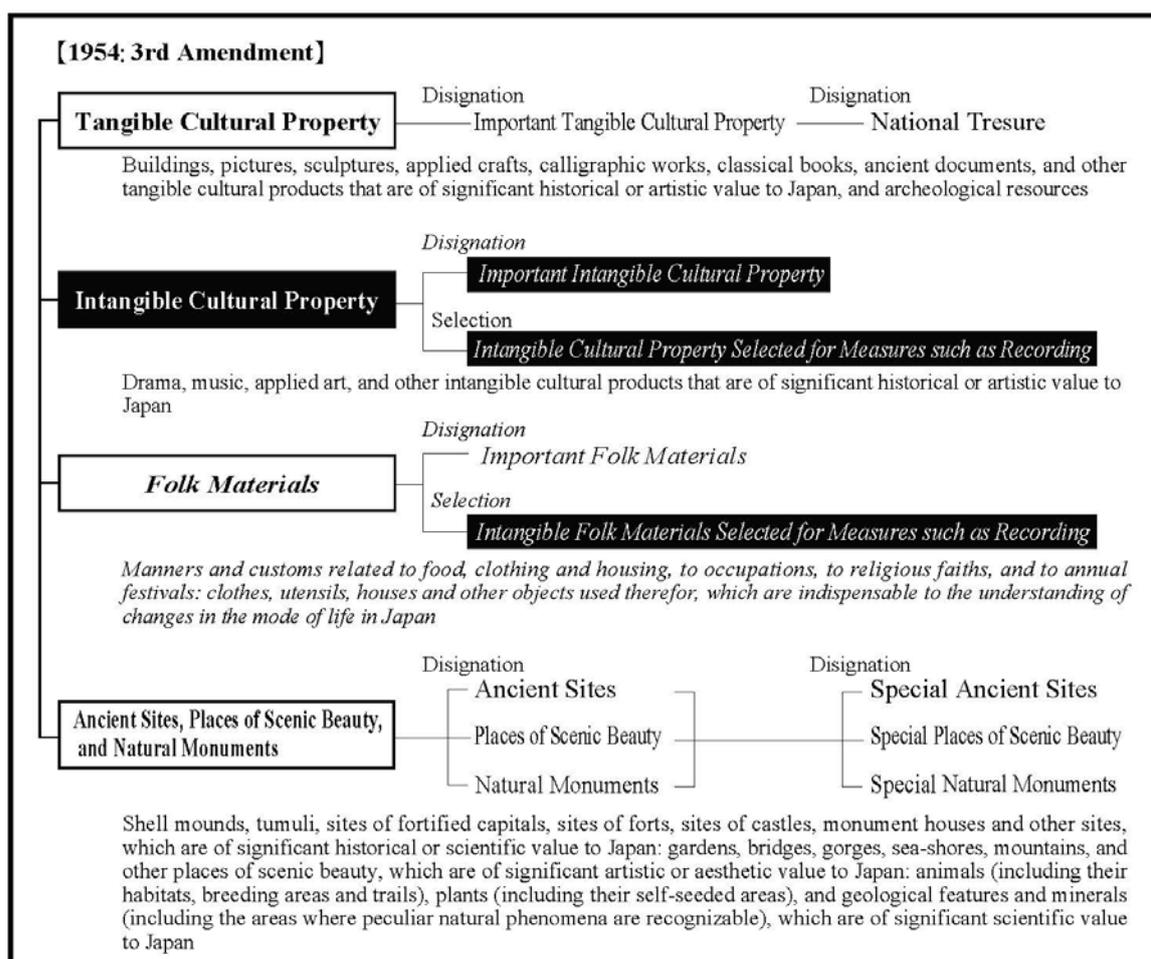
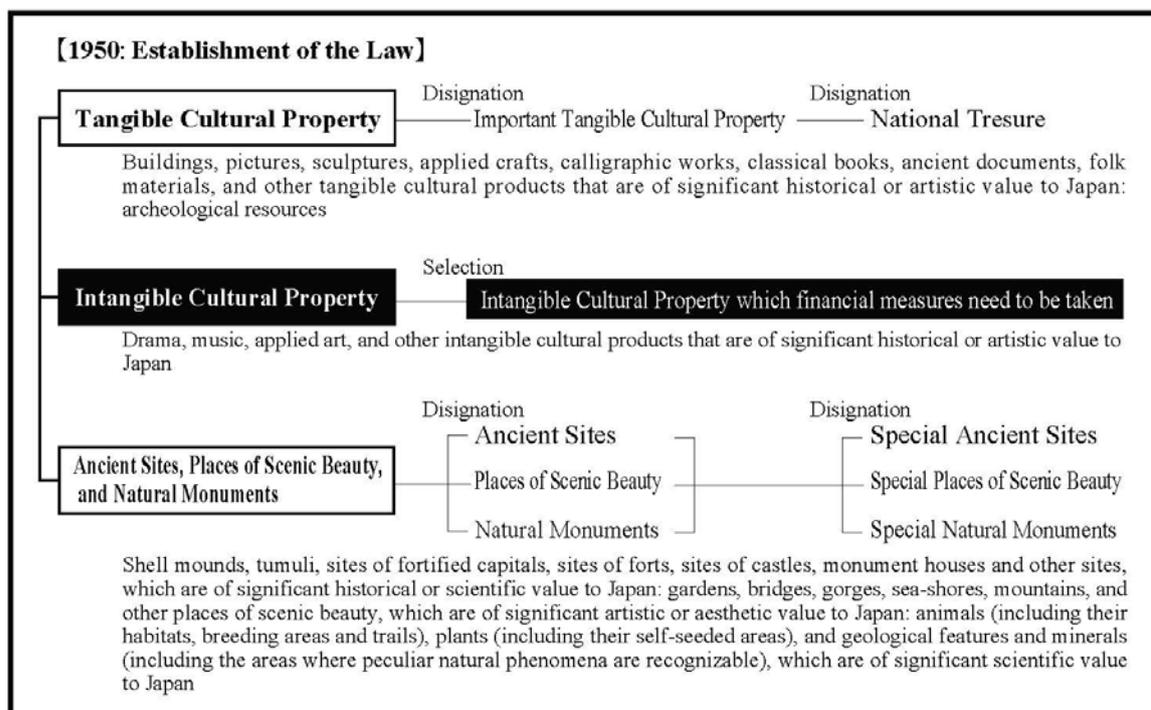
Traditional Culture Division, Cultural Properties Department, The Agency for Cultural Affairs

## **G. Contact details**

\* The person in charge will change every two to three years. Therefore, below

**H.** information would be the contact details.

Figure 1



**[1975: 4th Amendment]**

**Tangible Cultural Property** ——— Disignation ——— Important Tangible Cultural Property ——— Disignation ——— National Tresure

Buildings, pictures, sculptures, applied crafts, calligraphic works, classical books, ancient documents, and other tangible cultural products that are of significant historical or artistic value to Japan: archeological resources and other historical resources of significant scientific value

**Intangible Cultural Property** ——— Disignation ——— Important Intangible Cultural Property

Selection ——— Intangible Cultural Property Selected for Measures such as Recording

Drama, music, applied art, and other intangible cultural products that are of significant historical or artistic value to Japan

**Folk Cultural Property** ——— Disignation ——— Important Tangible Folk Cultural Property

Selection ——— Important Intangible Folk Cultural Property

Selection ——— Intangible Folk Materials Selected for Measures such as Recording

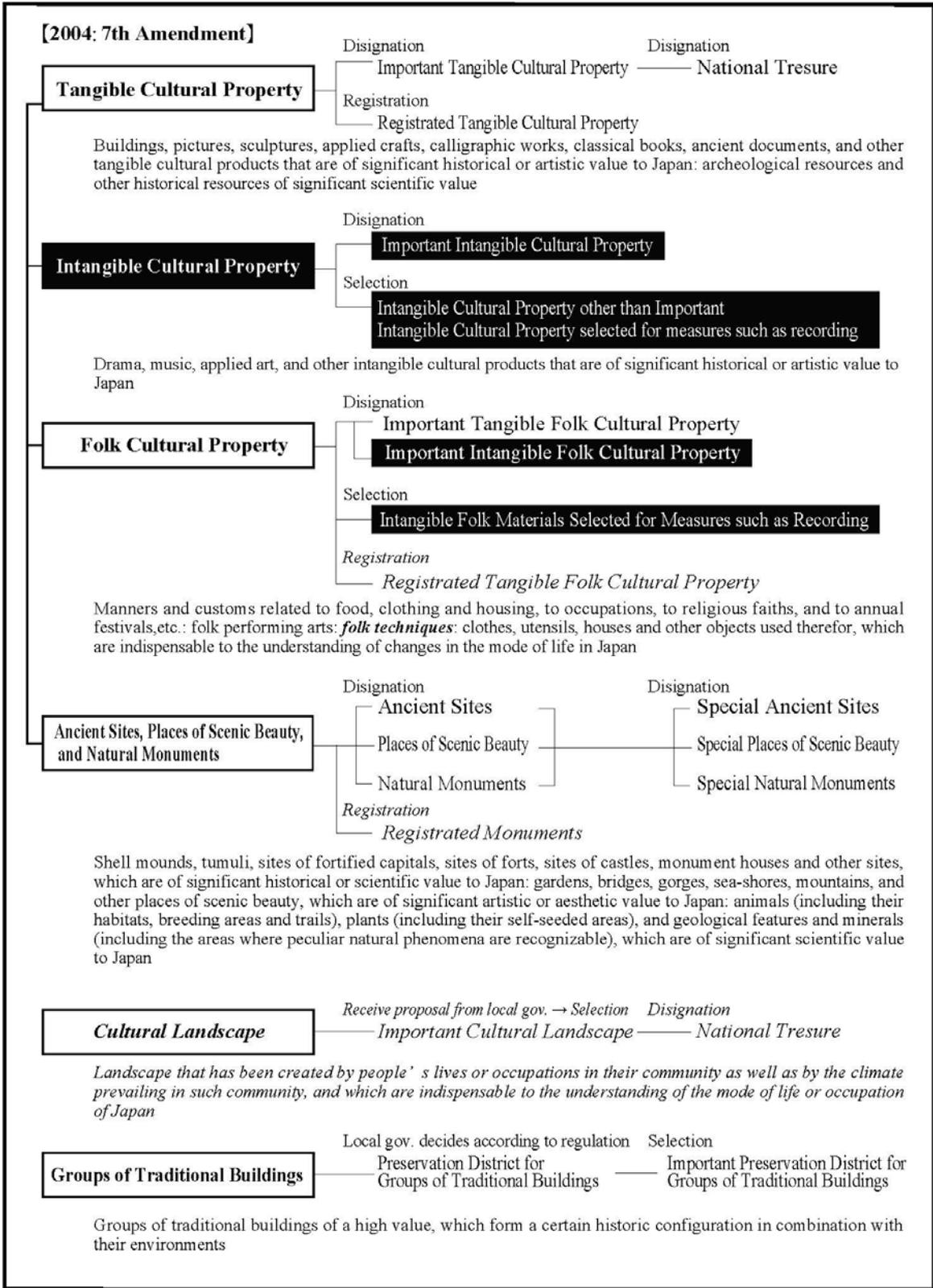
Manners and customs related to food, clothing and housing, to occupations, to religious faiths, and to annual festivals, etc.: folk performing arts: clothes, utensils, houses and other objects used therefor, which are indispensable to the understanding of changes in the mode of life in Japan

**Ancient Sites, Places of Scenic Beauty, and Natural Monuments** ——— Disignation ——— Ancient Sites ——— Disignation ——— Special Ancient Sites

Places of Scenic Beauty ——— Disignation ——— Special Places of Scenic Beauty

Natural Monuments ——— Disignation ——— Special Natural Monuments

Shell mounds, tumuli, sites of fortified capitals, sites of forts, sites of castles, monument houses and other sites, which are of significant historical or scientific value to Japan: gardens, bridges, gorges, sea-shores, mountains, and other places of scenic beauty, which are of significant artistic or aesthetic value to Japan: animals (including their habitats, breeding areas and trails), plants (including their self-seeded areas), and geological features and minerals (including the areas where peculiar natural phenomena are recognizable), which are of significant scientific value to Japan



## H. Information source

Traditional Culture Division, Cultural Properties Department,  
The Agency for Cultural Affairs

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\* Simply saying, issues related to Cultural Properties should be protected by the Law for the Protection of Cultural Property. However, in relation to below 2. Cultural Policy, and Chapter III. Relevant Organisations, if Intangible Cultural Heritage is included as part of Arts and Culture, Arts Promotion Basic Law, Japan Art Academy related Order of Culture, Award for Cultural Merit, Purple Ribbon Medal, and various types of conferment system can be included. Moreover, laws related to traditional industry for craft products, and also so-called “festival law” can be related from the tourism promotion and regional development point of view.

## 2. Cultural Policy

Below are the current national subsidiaries related to the safeguarding of intangible cultural heritage based on the Law for the Protection of Cultural Properties.

### A. Current National Subsidiaries

#### Intangible Cultural Property related items

- 1) **Grant for Important Intangible Cultural Property holders (individual recognition)**

It is granted to train transmitters by the individual recognition holders and to polish their own skills. Currently, 2 million JPY is provided to each holder every year and there are 116 recipients, total sum of 232 million JPY is subsidized.

**2) Grant for Important Intangible Cultural Property holding groups**

(a) Below projects organized by the group of holders, holding groups or the relevant local government of Important Intangible Cultural Properties are subsidized.

Currently, total sum of 560 million JPY is subsidized every year for (a) and below (b). Both (a) and (b) can select needed project to practise. After the recognition, a certain amount of subsidies are provided every year. The amount differs from each group (As of 2012).

- Seminar aimed for transmission, organizing training session and instructing practical skill
- Recital of seminar achievement subjected to transmission project
- Collecting and filing documents
- Products analysis examination and appearance examination (craft techniques) based on the designation criteria
- Technical research of the survey and seminar
- Producing and ensuring raw materials and tools that is indispensable to the transmission
- Fees for organising group activity (*Ningyo Jyoruri Bunraku*)

(b) Subsidies for the group projects that are recognized to have knowledge and skills for the undesignated intangible cultural properties

As a rule, a certain amount of subsidies are provided every year. The amount differs from each group.

- Seminar aimed for transmission, organizing training session and instructing practical skill
- Recital of seminar achievement subjected to transmission project
- Technical research of the surveys and seminars
- Producing and ensuring raw materials and tools that is indispensable to the transmission

3) **Subsidary for public display of Important Intangible Cultural Property**

Public performance (related to Performing Arts) by the group of holders of Important Intangible Cultural Property and for the traditional crafts exhibition (craft techniques) are subsidized. Currently, total sum of 46 million JPY is subsidized annually for the traditional performing arts, *Nohgaku* and *Kumiodori* performance, and for the traditional craftsmanship “Traditional Crafts Exhibition” (except in Tokyo). (As of 2012)

**Intangible Folk Cultural Property related items**

1) **Subsidies for research project on Intangible Folk Cultural Property**

The surveys conducted by the local government are subsidized, as well as for publishing survey report. In principal, survey should be conducted with undesignated (as national) Intangible Folk Cultural Properties. Upon receiving request and assessment of necessity and possibility of realization, total sum of 30 million JPY is subsidized every year. (As of 2012)

2) **Subsidies for the transmission of Important Intangible Folk Cultural Property**

Upon receiving request and assessment of necessity and possibility of realization, total sum of 70 million JPY is subsidized every year for the below (a) and (b). (As of 2012) Holding groups can select needed project from both (a) and (b).

(a) The project related to Important Intangible Folk Cultural Property

It is subsidized to the project organized by the local government in the region as follows; renovation of the facility, repair and purchase of new tools, facility and tools disaster recovery, training of transmitters, on-site public performance

(b) The project related to undesignated (as national) Intangible Folk Cultural Property

It is subsidized to the project organized by the local government in the region as follows; public display project, to hold transmission

class/training session/recital, and making and publishing documentation record/audio and visual documentation.

### **Items related to Cultural Property Conservation Techniques**

#### **1) Subsidiary for the skill holders of Selected Conservation Techniques**

After the recognition, a certain amount of subsidiary is provided to the skill holders of Selected Conservation Techniques for the purpose of training transmitter, polish their own skills, and for making and publishing record. Currently, JPY 1.1 million is provided to each holder every year and there are 54 recipients, total sum of 59 million JPY is subsidized. (As of 2012)

#### **2) Subsidiary for the skill holding group of Selected Conservation Techniques**

Currently, total sum of 255 million JPY is subsidized for below (a) and (b). (As of 2012)

(a) It is subsidized to the project conducted by the skill holding groups of Selected Conservation Techniques; training of transmitter, seminar recital, making and publishing record, and ensuring raw materials and tools. Each group can select needed project for the implementation. After the recognition, a certain amount of subsidiary is provided to the groups every year. The amount differs from each group.

(b) The group projects, such as training transmitter, seminar recital, polishing the skill, ensuring raw materials and tools, which are recognized to have knowledge and skills for the unselected (as national) Cultural Property Conservation Techniques is subsidized. Each group can select needed project for the implementation.

In principal, a certain amount of subsidiary is subsidized every year. The subsidiary amount differs from each group.

### **B. Background and development of subsidiary**

- 1) The Law for the Protection of Cultural Properties enacted in 1950 intended to protect intangible cultural heritage as Intangible Cultural Property. It was in 1952 when the grant for transmission of Intangible Cultural

Property started based on the Law for the Protection of Cultural Properties. At first, it was intended to subsidize only for those important and at risk of disappearance. The subsidized category were for traditional stage performance among Intangible Cultural Properties, folk performing arts and traditional craft techniques, and the grant was given to the performer, the group of technicians, and the local government where it is located. The granted projects were training transmitters, to ensure necessary tools, and research and making record. This has not been changed fundamentally henceforth. However, when looking at the examples of traditional craft techniques of Intangible Cultural Properties, it can be considered as various conservation techniques were included at that time.

- 2) The Law amended in 1954 was to determine the element according to their importance, not by the risk of disappearance, and the first designation of the Important Intangible Cultural Property and the recognition of holder were made in 1955. The grant project for the various types of intangible cultural heritage continued as well as to those newly designated Intangible Cultural Properties group of holders. Also, the grant for Important Intangible Cultural Property holders (individual recognition), so called living national treasure, has started in 1964.

As for the Folk Performing Arts domain, it was not designated as Important Intangible Cultural Property, but was designated as Performing Arts of Intangible Cultural Property and subsidiary was rather more focused on providing to those transmission and public display from around 1970. The field of Manners and Customs, such as annual events and festivals, were not included in the category of Intangible Cultural Property then. However, the research and publication of report were conducted by the expert from around 1957 as it was considered as intangible folk document.

In terms of traditional conservation techniques, it was not easy to be ascribed as so-called artistic activity, and therefore even though the techniques are important, it was not designated as Important Intangible Cultural Property.

- 3) By the amendment of the Law in 1975, system of Important Intangible Folk Cultural Property designation, selection of Selected Conservation Techniques, and recognition of holders and holding groups began. Prior to

that, Folk Performing Arts, which was classified as Performing Arts of Intangible Cultural Property and Intangible Folk Materials such as annual events and festivals were both categorized as Folk Cultural Property to designate important elements. By doing so, subsidiary for the preservation became more active.

For the traditional conservation techniques, subsidiary became more active after evaluating them from the point of necessity to preserve the Cultural Property and select the element and recognize holders and holding groups, rather than as Intangible Cultural Property itself.

- 4) As for the recent development, subsidiary and support towards undesignated and unselected (as national) intangible cultural heritage transmission have attracted attention. For example, subsidies for transmission on above Intangible Cultural Property- 2)(b) undesignated Intangible Cultural Property, as well as Cultural Property Conservation Techniques- 2)(b) unselected Cultural Property Conservation Techniques, began in 2011.

In the same year, subsidiary system for public display of local traditional events and performing arts, training transmitters, and repair and purchase of tools also began. However this is not mentioned above, as budget falls under the Promotion of Arts and Culture, and not as Cultural Property Preservation. Each 47 prefectures in Japan would have to apply by integrating total plan, and the budget of 2.42 billion JPY has currently ensured for this. (As of 2012)