

Cabinet Order Specifying the Designated Sectors of the Fishing Industry under Paragraph (1) of Article 52 of the Fishery Act

(Cabinet Order No. 6 of January 22, 1963)

The Cabinet establishes this Cabinet Order based on the provisions of paragraphs (1) and (3) of Article 52 of the Fishery Act (Act No. 267 of 1949).

- (1) The sectors of the fishing industry specified by Cabinet Order that are referred to in paragraph (1) of Article 52 of the Fishery Act are the following:
- (i) the offshore trawl fishing industry: the sector of the fishing industry in which fishing is done using a trawl net, by (a) powered fishing boat(s) with a gross tonnage of 15 tons or more in an area of the Pacific Ocean northward of the straight line from the point of 25 degrees, 15 seconds north latitude and 128 degrees, 29 minutes, 53 seconds east longitude to the point of 25 degrees, 17 seconds north latitude and 152 degrees, 59 minutes, 46 seconds east longitude, eastward of the following lines, and westward of the line 152 degrees, 59 minutes, 46 seconds east longitude:
 - (a) the line at 127 degrees, 59 minutes, 52 seconds east longitude northward of 33 degrees, 9 minutes, 27 seconds north latitude;
 - (b) the straight line from the point at 33 degrees, 9 minutes, 27 seconds north latitude and 127 degrees, 59 minutes, 52 seconds east longitude to the point at 33 degrees, 9 minutes, 27 seconds north latitude and 128 degrees, 29 minutes, 52 seconds east longitude;
 - (c) the straight line from the point at 33 degrees, 9 minutes, 27 seconds north latitude and 128 degrees, 29 minutes, 52 seconds east longitude to the point at 25 degrees, 15 seconds north latitude and 128 degrees, 29 minutes, 53 seconds east longitude.
 - (ii) the westward trawl fishing industry: the sector of the fishing industry in which fishing is done using a trawl net, by (a) powered fishing boat(s) with a gross tonnage of 15 tons or more in the area of the Pacific Ocean northward of the line at 10 degrees, 20 seconds north latitude and westward of the following lines:
 - (a) the lines set forth in (a) through (c) of the preceding item;
 - (b) the straight line from the point at 25 degrees, 15 seconds north latitude and 128 degrees, 29 minutes, 53 seconds east longitude to the point at 25 degrees, 15 seconds north latitude and 120 degrees, 59 minutes, 55 seconds east longitude;
 - (c) the line at 120 degrees, 59 minutes, 55 seconds east longitude southward of 25 degrees, 15 seconds north latitude.

- (iii) the distant water trawl fishing industry: the sector of the fishing industry in which fishing is done using a trawl net, by a powered fishing boat with a gross tonnage of 15 tons or more in the areas other than the Pacific Oceans northward of the line at 10 degrees, 20 seconds north latitude and westward of the following lines:
 - (a) the line at 152 degrees, 59 minutes, 46 seconds east longitude northward of 25 degrees, 17 seconds north latitude;
 - (b) the straight line from the point at 25 degrees, 17 seconds north latitude and 152 degrees, 59 minutes, 46 seconds east longitude to the point at 25 degrees, 15 seconds north latitude and 128 degrees, 29 minutes, 53 minutes east longitude;
 - (c) the lines set forth in (b) and (c) of the preceding item.
- (iv) the large and medium-scale purse seine fishing industry: the sector of the fishing industry in which fishing is done using a purse seine, by (a) powered fishing boat(s) with a gross tonnage of 40 tons or larger (or 15 tons or larger, if it is in the area of the Pacific Ocean southward of the due east line that passes through the center point of the straight line from the Esan beacon in Hokkaido to the Shiriyazaki beacon in Aomori, and eastward of the line from that center point to the nearest point at which that straight line intersects with the Aomori coastline at high tide and from that point of intersection along the high-tide coast line to the point that intersects with the line running due south from the Nojimazaki beacon in Chiba, as well as eastward of the due south line at that point of intersection);
- (v) large-scale whale fishery: the sector of the fishing industry in which fishing is done for baleen whales (excluding minke whales) or sperm whales, using a harpoon gun, in a powered fishing boat (excluding the fishery listed in item (vii))
- (vi) small-scale whale fishery: the sector of the fishing industry in which fishing is done for the minke whale or the toothed whales (excluding the sperm whale), using a harpoon gun, from a powered fishing boat (excluding what is listed in the following item);
- (vii) mother ship type whale fishery the sector of the fishing industry in which fishing is done by mother ship (meaning fishing carried out by a mother ship that has manufacturing equipment, refrigeration equipment and other processing equipment, together with independent boats pursuant to paragraph (1) of Article 52 of the Fishery Act that are engaged in the fishing) for whales, using a harpoon gun;
- (viii) the distant Water Skipjack/Tuna Fishery: the sector of the fishery in which fishing is done for skipjack, tuna, marlin, or shark using a pelagic long line or by pole and line, from a powered fishing vessel with a gross tonnage of 120 tons or more;

- (ix) the OffshoreSkipjack/Tuna Fishery: the fishery in which fishing is done for skipjack, tuna, marlin, or shark, using a pelagic long line or by pole and line, from a powered fishing vessel with a gross tonnage of 10 tons or more (or 20 tons or more in the area of the sea consisting of Japan's exclusive economic zone, territorial waters, and inland waters, and the area of the sea surrounded by Japan's exclusive economic zone (excluding the exclusive the economic zone and territorial waters of Minamitorishima Island, Ogasawara Village, Tokyo) and less than 120 tons;
- (x) the medium-scale salmon driftnet fishing industry: the sector of the fishing industry in which fishing is done for salmon using a drift net, from a powered fishing boat with a gross tonnage of 30 tons or more;
- (xi) the North Pacific saury fishing industry: the sector of the fishing industry in which fishing is done for saury using a stick-held dip net, from a powered fishing boat with a gross tonnage of 10 tons or more, in the area of the Pacific Ocean northward of the line at 34 degrees, 54 minutes, 6 seconds north latitude and eastward of the line at 139 degrees, 53 minutes, 18 seconds east longitude (excluding the Sea of Okhotsk and the Sea of Japan)
- (xii) the Sea of Japan red snow crab fishing industry: the sector of the fishing industry in which fishing is done for red snow crab using baskets in areas of the Sea of Japan other than the following:
 - (a) Japan's exclusive economic zone, territorial waters, and inland waters northward of the line at 41 degrees, 20 minutes, 9 seconds north latitude;
 - (b) the area of the Sea of Japan southward of the line at 41 degrees, 20 minutes, 9 seconds north latitude and eastward of the following lines:
 1. the straight line from the point at 41 degrees 20 minutes, 9 seconds north latitude and 137 degrees, 59 minutes, 48 seconds east longitude to the point at 40 degrees, 30 minutes, 9 seconds north latitude and 137 degrees, 59 minutes, 48 seconds east longitude;
 2. the straight line from the point at 40 degrees, 30 minutes, 9 seconds north latitude and 137 degrees, 59 minutes, 48 seconds east longitude to the point at 37 degrees, 30 minutes, 10 seconds north latitude and 134 degrees, 59 minutes, 50 seconds east longitude;
 3. the straight line from the point at 37 degrees, 30 minutes, 10 seconds north latitude and 134 degrees, 59 minutes, 50 seconds east longitude to the point at 37 degrees, 30 minutes, 10 seconds north latitude and 133 degrees, 59 minutes, 50 seconds east longitude;
 4. the line at 133 degrees, 59 minutes, 50 seconds east longitude southward of 37 degrees, 30 minutes, 10 seconds north latitude.
- (xiii) squid jigging fishing: jigging for squid, from a powered fishing boat with a gross tonnage of 30 tons or more.
- (2) With regard to the application of the provisions of the preceding paragraph,

the Bering Sea, the Sea of Okhotsk, the Sea of Japan, the Yellow Sea, the East China Sea, the South China Sea, the Gulf of Thailand, and the Seas in the East Indies are included in the Pacific Ocean.

Supplementary Provisions [Extract]

(Effective date)

Article 1 This Cabinet Order comes into effect on February 1, 1963.

(Transitional Measures for When Permission and Business Commencement Approvals under the Former Act Are in the Middle of the Application Process)

Article 2 (1) If, before the enforcement of the Act Partially Revising the Fishery Act (Act No. 156 of 1962, hereinafter referred to as the "Revisionary Act"), a type of fishing industry is required to receive the permission provided for in the provisions of paragraph (1) of Article 52 or paragraph (1) of Article 66-2 of the Fishery Act before its revision pursuant to the Revisionary Act (hereinafter referred to as "the Former Act"), or is required to receive approval pursuant to the provisions of the Ministerial Ordinance based on paragraph (1) of Article 65 of the Former Act (hereinafter referred to collectively as "permission under the Former Act"), if a person who has received permission under the Former Act for a fishing industry set forth as a designated fishing industry in paragraph (1) of Article 52 of the Fishery Act as revised pursuant to the Revisionary Act (hereinafter referred to as "the New Act") (hereinafter this type of fishing is referred to simply as "a designated fishing industry") (hereinafter this designated fishing industry is referred to as a "changing sector of the designated fishing industry") falls under any of the following items pursuant to the provisions of this Cabinet Order by the day before this Cabinet Order comes into effect (hereinafter referred to as the "effective date") and the permission under the Former Act that the person applies for or approval or the application for business commencement in connection with it has not been denied, it is deemed to be a case that falls under the items of Article 59 of the New Act, and if the application is connected with the medium-scale purse seine fishing industry provided for in paragraph (2) of Article 66-2 of the Former Act, the application is deemed to have been submitted to the competent minister and the provisions of Article 59 of the New Act apply. When such is the case, the phrase "the contents of previous permission or permission for business commencement" in the same Article is deemed to be replaced with "the contents of previous permission or permission for business commencement pursuant to the provisions of paragraph (1) of Article 52, Article 54 or paragraph (1) of Article 66-2 of the Fishery Act before its revision

(hereinafter referred to as "the Former Act") pursuant to the Act Partially Revising the Fishery Act (Act No. 156 of 1962) or pursuant to the provisions of Ministerial Ordinance or prefectural ordinance based on paragraph (1) of Article 65 of the Former Act":

- (i) when the person has re-applied for permission under the Former Act due to the end of the valid period of the permission under the Former Act for a changing sector of the designated fishing industry (excluding those falling under item (v) and items (xiii) to (xvii) of paragraph (1) in the main provisions, the same applies hereinafter in item (i) of paragraph (1) of the next Article);
 - (ii) when a person discontinues a sector of the fishing industry using a ship to which permission under the Former Act was given for a changing sector of the designated fishing industry, and applies for permission under the Former Act or an approval for business commencement in relation thereto for another ship;
 - (iii) when, because a vessel to which permission under the Former Act was given for a changing sector of the designated fishing industry is lost or sinks, a person applies for permission under the Former Act for another ship or an approval for business commencement in relation thereto within six months from the day on which the vessel is lost or sinks.
- (2) The preceding paragraph also applies when a person who is transferred, borrows from, or has a vessel for which permission under the Former Act has been given for a changing sector of the designated fishing industry returned to him/her by the person that was granted that permission under the Former Act, or a person who obtains the right to use such a vessel for reasons other than inheritance or merger, who seeks to engage in the fishing industry, applies for permission under the Former Act for a changing sector of the designated fishing industry with the vessel or applies for approval for business commencement in relation to it by the day before the effective date, and the application for permission under the Former Act or approval or the application for business commencement in connection with it has not been denied.
- (3) In a case under the preceding two paragraphs, the period of validity for the permission in a designated fishing industry set forth in the provisions of Article 59 of the New Act and the period of validity for the approval in a designated fishing industry in connection with approval for business commencement set forth pursuant to the provisions of same Article expires on the day specified by Cabinet Order referred to in paragraph (2) of Article 4 of the supplementary provisions of the Amended Act for each sector of the designated fishing industry.
- (4) In a case under paragraph (1) or (2), if an application under the relevant paragraph relates to medium-scale purse seine fishing as provided in

paragraph (2) of Article 66-2 of the Former Act, the prefectural governor shall send a complete set of the documents related to the application without delay to the Minister of Agriculture, Forestry and Fisheries after the enforcement of this Cabinet Order.

(Transitional Measures for When a Single Permission under the Former Act or Approval for Business Commencement Is Given to Two or More Types of Fishing Categorized as Designated Fishing)

Article 4 (1) With regard to the application of the provisions of paragraph (1) of Article 4 of the supplementary provisions of the Revised Act to permission under the Former Act or to an approval for business commencement for a person to whom permission under the Former Act or a single approval for business commencement in connection with permission under the Former Act has actually been given for two or more sectors of the fishing industry that are categorized as sectors of the designated fishing industry provided for in each item of paragraph (1) of the main provisions (hereinafter in this Article referred to as a "sectors of the fishing industry categorized as sectors of the designated fishing industry") with a single vessel at the time of the enforcement of this Cabinet Order, permission under the Former Act or the approval for business commencement is deemed to have become permission pursuant to the provisions of paragraph (1) of Article 52 of the New Act or approval for business commencement pursuant to the provisions of paragraph (1) of Article 54 of the New Act for each sector of the designated fishing industry using the relevant vessel, for the portion of the previous contents that corresponds to each of the two or more sectors of the fishing industry categorized as sectors of the designated fishing industry.

(2) With regard to the application of the provisions of each of the items of paragraph (1) or (2) of Article 2 of the supplementary provisions to when an application under the same paragraphs is a single application for permission under the Former Act or a single application for approval for business commencement in connection with permission under the Former Act for two or more sectors of the fishing industry categorized as sectors of the designated fishing industry with a single vessel, the application is deemed to be an application for permission under the Former Act or for approval for business commencement in connection with permission under the Former Act for a sector of the fishing industry categorized as a designated fishing industry with the vessel, for the portion of the contents that corresponds to each of the two or more sectors of the fishing industry categorized as sectors of the designated fishing industry. When such is the case, the phrase "is deemed to be replaced with 'the contents of previous permission or permission for business commencement pursuant to [...]' " in paragraph (1) of Article 2 of the

supplementary provisions is deemed to be replaced with "is deemed to be replaced with 'the portion of the contents that corresponds to a sector of the fishing industry categorized as a sector of the designated fishing industry, from among the contents of previous permission or approval for business commencement pursuant to [...]' and 'designated fishing industry' is deemed to be replaced with 'the relevant designated fishing industry.' "

- (3) In a case under paragraph (1) of the preceding Article, if a person who has received the permission under the Former Act provided for in each item of the same paragraph is a person who has received permission under the Former Act for two or more sectors of the fishing industry categorized as sectors of the designated fishing industry with a single vessel, an application for permission in a designated fishing industry or for approval for business commencement filed by a person who has received permission under the Former Act pursuant to the provisions of the same paragraph must be filed separately for each of the sectors of the designated fishing industry for the vessel or for another vessel, using a single set of contents constituting the portion of the contents of the previous permission that corresponds to each sector of the fishing industry categorized as a sector of the designated fishing industry. In a case under paragraph (2) of the same Article, if a person who could have filed an application under each item of the same paragraph is a person who could have filed an application for a single permission under the Former Act or for approval for business commencement in connection with a single permission under the Former Act for two or more sectors of the fishing industry categorized as sectors of the designated fishing industry for a single vessel, the same applies to an application, filed by a person who could have filed one of the former types of application, for permission in a designated fishing industry pursuant to the provisions of the same paragraph or for approval for business commencement in connection with it, that constitutes a sector of the fishing industry categorized as a sector of the designated fishing industry that is related to the permission under the Former Act or approval for business commencement in connection with it.
- (4) The provisions of the second sentence of paragraph (2) apply mutatis mutandis when the provisions of the second sentence of paragraph (1) of Article 2 of the supplementary provisions apply mutatis mutandis to permission in a designated fishing industry or approval for business commencement pursuant to the provisions of paragraph (4) of the preceding Article in relation to an application pursuant to the provisions of the preceding paragraph.

(Transitional Measures for the Large and Medium-scale Purse seine Fishery)
Article 6 (1) With regard to the application of the provisions of paragraph (1) of

Article 4 of the supplementary provisions of the Revised Act to permission under the Former Act or approval for business commencement when, as of the time of enforcement of this Cabinet Order, a single person has received two or more permissions under the Former Act or approvals for business commencement in connection with two or more permissions under the Former Act for a changing sector of the large and medium-scale purse seine fishery for a single vessel, such permissions under the Former Act are deemed to have become a single permission pursuant to the provisions of Article 52 of the New Act and such approvals for business commencement are deemed to have become a single approval for business commencement pursuant to the provisions of paragraph (1) of Article 54 of the New Act, with a content that encompasses the content of the previous permissions under the Former Act or the previous approvals for business commencement. When such is the case, with regard to the application of the provisions of paragraph (2) of Article 4 of the supplementary provisions of the Revised Act to a constructive permission or approval for business commencement, the remaining period under the same paragraph is the longest of the remaining periods for the two or more permissions under the Former Act.

- (2) With regard to the application of the provisions of paragraph (1) or (2) of Article 2 or paragraph (3) of Article 3 of the supplementary provisions when two or more applications pursuant to paragraph (1) or (2) of Article 2 of the supplementary provisions or the provisions of paragraph (1) or (2) of Article 3 of the supplementary provisions have been filed by a single person for permission under the Former Act for a changing sector of the large and medium-scale purse seine fishery or for approval for business commencement in connection with it for a single vessel, these two or more applications are deemed to be a single application for permission under the Former Act or a single application for approval for business commencement in connection with permission under the Former Act, with a content that encompasses that of the two or more applications. When such is the case, the phrase "the contents of a previous permission or approval for business commencement pursuant to the provisions" in the second sentence of paragraph (1) of Article 2 of the supplementary provisions (including when applied *mutatis mutandis* pursuant to paragraph (4) of Article 3 of the supplementary provisions) is deemed to be replaced with "a content that encompasses that of the two or more previous permissions or previous approvals for business commencement in the purse seine fishery (meaning a sector of the fishing industry that is categorized as the large or medium-scale purse seine fishery fishing industry) pursuant to the provisions."
- (3) In a case under the preceding paragraph, when two or more applications are deemed to be a single application pursuant to the provisions of the same

paragraph, the single application is deemed to be an application under the same paragraph in a case in which the relevant two or more applications include an application under paragraph (1) of Article 2 of the supplementary applications, and is deemed to be an application under the same paragraph in a case in which the two or more applications do not include an application under paragraph (1) of Article 2 of the supplementary provisions but include an application under paragraph (2) of the same Article that is deemed to be an application under the provisions of paragraph (1) of Article 3 of the supplementary provisions in other cases.

(Transitional Measures for the Deep-sea Bonito and Tuna Fishing Industry)

- Article 7 (1) When a person who has received permission under the Former Act or approval for business commencement connected with it for a changing sector of the designated fishing industry that is categorized as the deep-sea bonito and tuna fishing industry listed in item (x) of paragraph (1) of the main provisions using a powered fishing boat with a gross tonnage of 40 tons or more and less than 100 tons engages in another sector of the fishing industry using the vessel that received that permission under the Former Act or the approval for business commencement in connection with it, if that permission under the Former Act is one that the Minister of Agriculture, Forestry and Fisheries designates as having a valid period (or, for an approval for business commencement, a planned valid period for the permission under the Former Act connected with the approval for business commencement) of within six months, in accordance with the business status of combined operations, and if it is deemed to be permission or approval for business commencement that has been given in the deep-sea bonito and tuna fishing industry pursuant to the provisions of paragraph (1) of Article 52 or paragraph (1) of Article 54 of the New Act or pursuant to paragraph (1) of Article 4 of Supplementary Provisions of the Revisionary Act, the operating period in the deep-sea bonito and tuna fishing industry in connection with the permission or approval for business commencement is the period of no longer than six months that is set forth annually by the Minister of Agriculture, Forestry and Fisheries.
- (2) The designation of the permission under the Former Act and the setting forth of the operating period pursuant to the provisions of the preceding paragraph must be effected by public notice, and when the Minister of Agriculture, Forestry and Fisheries has effected the designation and specification, he/she shall notify a person who is deemed to have received the permission or approval for business commencement of the designation and specification without delay.

Supplementary Provisions [Cabinet Order No. 373 of December 7, 1963]

[Extract]

- (1) This Cabinet Order comes into force as of the day of its promulgation.

Supplementary Provisions [Cabinet Order No. 372 of December 16, 1965]

- (1) This Cabinet Order comes into force as of the day on which the Agreement on Fishing between Japan and the Republic of Korea comes into effect.
- (2) Permission pursuant to the provisions of paragraph (1) of Article 52 of the Fishery Act or approval for business commencement pursuant to the provisions of paragraph (1) of Article 54 of the same Act that has been given in the westward trawl fishing industry listed in item (ii) of paragraph (1) of the Cabinet Order that specifies designated sectors of the fishing industry referred to in paragraph (1) of Article 52 of the Fishery Act before its revision, and that is actually valid at the time of the enforcement of this Cabinet Order is deemed to be permission or approval for business commencement that has been given for the westward trawl fishing industry provided for in the same item following the revision of the Act.
- (3) With regard to the application of penal provisions to activities engaged in prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.

Supplementary Provisions [Cabinet Order No. 49 of March 28, 1967]

[Extract]

- (1) This Cabinet Order comes into force as of April 1, 1967.
- (2) Permission pursuant to the provisions of paragraph (1) of Article 52 or approval for business commencement pursuant to the provisions of paragraph (1) of Article 54 of the Fishery Act (hereinafter referred to as "the Act") that has been given for the loading depot ship-based bonito and tuna fishing industry listed in item (xi) of paragraph (1) or the self-navigating depot ship-based bonito and tuna fishing industry listed in item (xii) of the same paragraph of the Cabinet Order that specifies designated sectors of the fishing industry referred to in paragraph (1) of Article 52 of the Fishery Act before its revision (hereinafter referred to as "the Former Ordinance"), and that is actually valid at the time of the enforcement of this Act is deemed to be permission or approval for business commencement that has been given in the depot ship-based bonito and tuna fishing industry set forth in item (xi) of paragraph (1) of the Ordinance after its revision (hereinafter referred to as "the New Ordinance").
- (4) With regard to the application of penal provisions to activities engaged in

prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.

Supplementary Provisions [Cabinet Order No. 88 of April 27, 1972]

- (1) This Cabinet Order comes into force as of May 1, 1972
- (2) With regard to the application of the provisions on the deep-sea bonito and tuna fishing industry listed in item (x) of paragraph (1) of Cabinet Order after its revision and with regard to the application of the provisions of the Act on the coastal bonito and tuna fishing industry listed in item (x)-2 of the same paragraph and the application of the provisions of any order based on the Act, a powered fishing boat with a gross tonnage of 70 tons or more and less than 80 tons that has received permission as of the time of enforcement of this Cabinet Order pursuant to the provisions of paragraph (1) of Article 52 or received approval for business commencement pursuant to the provisions of paragraph (1) of Article 54 of the Fishery Act (hereinafter referred to as "the Act") in the deep-sea bonito and tuna fishing industry listed in item (x) of paragraph (1) of the Cabinet Order that specifies designated sectors of the fishing industry referred to in paragraph (1) of Article 52 of the Fishery Act before its revision, is deemed to be a powered fishing boat with a gross tonnage of 80 tons until July 31, 1980.
- (3) With regard to the application of penal provisions to activities engaged in prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.

Supplementary Provisions [Cabinet Order No. 229 of July 1, 1977]

- (1) This Cabinet Order comes into force as of August 1, 1977.
- (2) With regard to the application of penal provisions to activities engaged in prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.

Supplementary Provisions [Cabinet Order No. 230 of July 1, 1977]

This Cabinet Order comes into force as of the day of its promulgation.

Supplementary Provisions [Cabinet Order No. 193 of July 12, 1982]

- (1) This Cabinet Order comes into force as of July 18, 1982.
- (2) With regard to the sector of the fishing industry for catching bonito, tuna, marlin, or shark using a floating long line or by angling from a powered fishing

boat that has been constructed or on which construction has begun before the enforcement of this Cabinet Order (hereinafter referred to as "an existing vessel"), the provisions then in force remain applicable, notwithstanding the provisions of item (x) of paragraph 1 and item (x)-2 after the revision. However, this does not apply to a sector of the fishing industry for catching bonito, tuna, marlin, or shark using a floating long line or by angling from an existing vessel on which any specific repair (meaning a specific repair in paragraph (1) of Article 3 of the supplementary provisions of the Act on Tonnage Measurement of Ships (Act No. 40 of 1980); the same applies hereinafter) has been made, after the day on which re-measurement or measurement is made pursuant to the Ships Act (Act No. 46 of 1899) or an Order based on it after its revision by the Act on Tonnage Measurement of Ships, in line with a specific repair that was first made after the enforcement of this Cabinet Order.

- (3) With regard to the application of penal provisions to activities engaged in prior to the enforcement of this Cabinet Order and to those engaged in after the enforcement of this Cabinet Order to which the provisions previously in force are to remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force remain applicable.

**Supplementary Provisions [Cabinet Order No.1 of January 17, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into force as of April 1, 2002.

(Transitional Measures for the Coastal Bonito and Tuna Fishing Industry, etc.)

Article 2 (1) A person who has received approval from the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of Ordinance of the Ministry of Agriculture, Forestry and Fisheries based on the provisions of paragraph (1) of Article 65 of the Fishery Act in a sector of the fishing industry categorized as the coastal bonito and tuna fishing industry listed in item (ix) of paragraph (1), the Sea of Japan red snow crab fishing industry listed in item (xii) of the same paragraph or the squid jigging fishing industry listed in item (xiii) of the same paragraph after its revision at the time of the enforcement of this Cabinet Order is deemed to have received permission in a designated fishing industry pursuant to the provisions of paragraph (1) of Article 52 of the same Act, with the same contents and restrictions or conditions as the contents and restrictions or conditions for which the person had previously received approval for the vessel that had received the approval. When such is the case, the valid period of the constructive permission must be set to expire on July 31, 2002, notwithstanding the provisions of Article 60 of the same Act.

(2) A license certificate showing permission may not be issued to a person who is deemed to have received permission in a designated fishing industry pursuant to the provisions of paragraph (1) of Article 52 of the Fishery Act pursuant to the provisions of the preceding paragraph.

Article 3 The provisions of paragraph (1) of Article 52 of the Fishery Act do not apply until July 31, 2002, to a sector of the fishing that is categorized as the coastal bonito and tuna fishing industry listed in item (ix) of paragraph (1) after the revision from a powered fishing boat with a gross tonnage of 10 tons or more and less than 20 tons by angling, that the person engaged in that fishing industry continues to engage in at the time of the enforcement of this Cabinet Order.

(Transitional Measures for Penal Provisions)

Article 4 With regard to the application of penal provisions to activities engaged in prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.