

鉱業法 Mining Act

(昭和二十五年十二月二十日法律第二百八十九号)
(Act No. 289 of December 20, 1950)

目次

Contents

第一章 総則（第一条—第十条）

Chapter I General Provisions (Articles 1 to 10)

第二章 鉱業権

Chapter II Mining Rights

第一節 通則（第十一条—第二十条）

Section 1 General Rules (Articles 11 to 20)

第二節 鉱業権の設定

Section 2 Establishment of Mining Rights

第一款 出願による鉱業権の設定（第二十一条—第三十七条）

Subsection 1 Establishment of Mining Rights based on Application
(Articles 21 to 37)

第二款 特定開発者の選定による鉱業権の設定（第三十八条—第四十二条）

Subsection 2 Establishment of Mining Rights based on the Selection of a
Specified Developer (Articles 38 to 42)

第三節 鉱業権の変更等（第四十三条—第五十八条）

Section 3 Changes to Mining Rights, etc. (Articles 43 to 58)

第四節 鉱業権の登録（第五十九条—第六十一条）

Section 4 Registration of Mining Rights (Article 59 to 61)

第五節 鉱業の実施（第六十二条—第七十条の二）

Section 5 Implementation of Mining (Articles 62 to 70-2)

第三章 租鉱権（第七十一条—第八十七条）

Chapter III Mining Lease Rights (Articles 71 to 87)

第四章 勧告及び協議（第八十八条—第一百条）

Chapter IV Recommendations and Consultation (Articles 88 to 100)

第四章の二 鉱物の探査（第一百条の二—第一百条の十一）

Chapter IV-2 Mineral Exploration (Articles 100-2 to 100-11)

第五章 土地の使用及び収用（第一百一条—第一百八条）

Chapter V Use and Expropriation of Land (Articles 101 to 108)

第六章 鉱害の賠償

Chapter VI Compensation for Mining Pollution

第一節 賠償義務（第九十条—第一百六条）

Section 1 Obligations for Compensation (Articles 109 to 116)

第二節 担保の供託（第百十七条—第百二十一条）

Section 2 Deposit of Collateral (Articles 117 to 121)

第三節 和解の仲介（第百二十二条—第百二十五条）

Section 3 Mediation of Settlement (Articles 122 to 125)

第七章 不服申立て（第百二十六条—第百三十五条）

Chapter VII Appeals (Articles 126 to 135)

第八章 補則（第百三十六条—第百四十六条）

Chapter VIII Auxiliary Provisions (Articles 136 to 146)

第九章 罰則（第百四十七条—第百五十二条）

Chapter IX Penal Provisions (Articles 147 to 152)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

（目的）

(Purpose)

第一条 この法律は、鉱物資源を合理的に開発することによつて公共の福祉の増進に寄与するため、鉱業に関する基本的制度を定めることを目的とする。

Article 1 The purpose of this Act is to provide for a basic system of mining to contribute to the improvement of public welfare by developing mineral resources in a reasonable manner.

（国の権能）

(Authority of the State)

第二条 国は、まだ掘採されない鉱物について、これを掘採し、及び取得する権利を賦与する権能を有する。

Article 2 The State has the authority to grant the right to mine and acquire minerals that have not yet been mined.

（適用鉱物）

(Applicable Minerals)

第三条 この条以下において「鉱物」とは、金鉱、銀鉱、銅鉱、鉛鉱、そう鉛鉱、すず鉱、アンチモニー鉱、水銀鉱、亜鉛鉱、鉄鉱、硫化鉄鉱、クロム鉄鉱、マンガン鉱、タングステン鉱、モリブデン鉱、ひ鉱、ニッケル鉱、コバルト鉱、ウラン鉱、トリウム鉱、りん鉱、黒鉛、石炭、亜炭、石油、アスファルト、可燃性天然ガス、硫黄、石こう、重晶石、明ばん石、ほたる石、石綿、石灰石、ドロマイト、けい石、長石、ろう石、滑石、耐火粘土（ゼーゲルコーン番号三十一以上の耐火度を有するものに限る。以下同じ。）及び砂鉱（砂金、砂鉄、砂すずその他ちゆう積鉱床をなす金属鉱をいう。以下同じ。）をいう。

Article 3 (1) The term "Mineral" as used in the following Articles of this Act means gold ore, silver ore, copper ore, lead ore, bismuth ore, tin ore, antimony ore, mercury ore, zinc ore, iron ore, iron sulfide ore, chrome iron ore, manganese ore, tungsten ore, molybdenum ore, arsenic ore, nickel ore, cobalt ore, uranium ore, thorium ore, phosphate ore, graphite, coal, lignite, oil, asphalt, combustible natural gas, sulfur, gypsum, barites, alunite, fluorine, asbestos, limestone, dolomite, silica, feldspar, agalmatolite, talc, fireclay (limited to those that have fire resistance of Seger cone number 31 or higher; the same shall apply hereinafter), and placer (alluvial gold, iron sand, stream tin and other metallic ores that constitute alluvial deposits; the same shall apply hereinafter).

2 前項の鉱物の廃鉱又は鉱さいであつて、土地と附合しているものは、鉱物とみなす。

(2) Waste of abandoned mines or slag of the Minerals mentioned in the preceding paragraph which are physically part of the land shall be deemed to be Minerals.

(鉱業)

(Mining)

第四条 この法律において「鉱業」とは、鉱物の試掘、採掘及びこれに附属する選鉱、製錬その他の事業をいう。

Article 4 The term "Mining" as used in this Act means business such as prospecting and digging up Minerals, and the related dressing and smelting of said Minerals.

(鉱業権)

(Mining Rights)

第五条 この法律において「鉱業権」とは、登録を受けた一定の土地の区域（以下「鉱区」という。）において、登録を受けた鉱物及びこれと同種の鉱床中に存する他の鉱物を掘採し、及び取得する権利をいう。

Article 5 The term "Mining Right" as used in this Act means the right to mine and acquire registered Minerals and other Minerals existing in the same type of ore deposit in a fixed area of registered land (hereinafter referred to as a "Mining Site").

(租鉱権)

(Mining Lease Rights)

第六条 この法律において「租鉱権」とは、設定行為に基き、他人の鉱区において、鉱業権の目的となつている鉱物を掘採し、及び取得する権利をいう。

Article 6 The term "Mining Lease Right" as used in this Act means the right to mine and acquire Minerals subject to Mining Rights in Mining Sites belonging to other parties based on an act of establishment.

(特定鉱物)

(Specified Minerals)

第六条の二 この法律において「特定鉱物」とは、鉱物のうち石油、可燃性天然ガスその他国民経済上重要な鉱物であつてその合理的な開発が特に必要なものとして政令で定める鉱物をいう。

Article 6-2 The term "Specified Minerals" as used in this Act means Minerals which are oils, combustible natural gases, and other Minerals important for the national economy and which are specified by Cabinet Order as Minerals whose reasonable development is particularly necessary.

(鉱物の掘採及び取得)

(Mining and Acquisition of Minerals)

第七条 まだ掘採されない鉱物は、鉱業権によるのでなければ、掘採してはならない。但し、左の各号に掲げる場合は、この限りでない。

Article 7 Minerals that have not yet been mined must not be mined unless Mining Rights allow for this; provided, however, that this shall not apply to the cases listed in the following items:

一 可燃性天然ガスを営利を目的としないで、単に一家の自用に供するとき。

(i) When combustible natural gas is provided to a household only for private use and not for profit.

二 鉱業権の目的となつていない石灰石、ドロマイト又は耐火粘土を営利を目的としないで、単に一家の自用に供するとき。

(ii) When limestone, dolomite and fireclay that are not subject to Mining Rights, are provided to a household only for private use and not for profit.

(分離鉱物の帰属)

(Ownership of Separated Minerals)

第八条 鉱区において、鉱業権又は租鉱権によらないで土地から分離された第五条の鉱物は、前条第一号に掲げる場合を除き、その鉱業権者又は租鉱権者の所有とする。

Article 8 (1) In Mining Sites, the Minerals in Article 5, which are detached from the land not through Mining Rights or Mining Lease Rights, shall be owned by those who have the Mining Rights thereof or the Mining Lease Rights thereof, except for in the case listed in item (i) of the preceding Article.

2 鉱区外において、土地から分離された鉱物は、無主の動産とする。

(2) Minerals which are detached from the land outside Mining Sites shall be ownerless movables.

(権利義務の承継)

(Succession of Rights and Duty)

第九条 この法律に規定する鉱業権者又は租鉱権者の権利義務は、鉱業権又は租鉱権とともに移転する。

Article 9 The rights and duties of those who have Mining Rights or Mining Lease Rights prescribed by this Act shall be transferred with Mining Rights or Mining Lease Rights.

(行為の効力の承継)

(Succession of the Effect of Acts)

第十条 この法律の規定によつてした手続その他の行為は、鉱業権の設定を受けようとする者、租鉱権者となろうとする者、鉱業出願人（第二十一条第一項の規定による鉱業権の設定の出願（以下「鉱業出願」という。）をした者をいう。以下同じ。）、鉱業権者、租鉱権者、土地の所有者又は関係人の承継人に対しても、その効力を有する。

Article 10 The procedures and other acts conducted according to the provisions of this Act shall remain in force for the successors of those who intend to create Mining Rights, those who intend to become holders of Mining Lease Rights, Mining Applicants (meaning those who have applied for the establishment of Mining Rights as prescribed in the provisions of Article 21, paragraph (1) (hereinafter referred to as a "Mining Application"); the same shall apply hereinafter), holders of Mining Rights, holders of Mining Lease Rights, landowners and other relevant persons.

第二章 鉱業権

Chapter II Mining Rights

第一節 通則

Section I General Rules

(種類)

(Type)

第十一条 鉱業権は、試掘権及び採掘権とする。

Article 11 Mining Rights shall mean prospecting rights and digging rights.

(性質)

(Nature of Rights)

第十二条 鉱業権は、物権とみなし、この法律に別段の定めがある場合を除く外、不動産に関する規定を準用する。

Article 12 Mining Rights shall be deemed to be real rights, and provisions related to real property shall be applied mutatis mutandis to them unless otherwise provided for in this Act.

第十三条 鉱業権は、相続その他の一般承継、譲渡、滞納処分、強制執行、仮差押え及び仮処分の目的となるほか、権利の目的となることができない。ただし、第二十一条第一項の規定により設定された採掘権にあつては抵当権及び租鉱権の、第四十条第三項若しくは第七項又は第四十一条第一項の規定により設定された採掘権にあつては抵

当権の目的となることができる。

Article 13 Mining Rights shall be the subject of general succession, including inheritance, assignment, disposition of delinquency, execution, provisional seizure and provisional disposition, but shall not be the subject of rights; provided, however, that digging rights established pursuant to the provisions of Article 21, paragraph (1) may be the subject of mortgages and Mining Lease Rights, and digging rights established pursuant to the provisions of Article 40, paragraph (3) or (7) or Article 41, paragraph (1) may be the subject of mortgages.

(処分の制限)

(Restrictions on Dispositions)

第十三条の二 鉱業権は、第五十一条の二第一項の許可を受けなければ、移転（相続その他の一般承継によるものを除く。同項及び同条第三項各号、第五十二条並びに第三十六条第九号において同じ。）の目的とすることができない。

Article 13-2 Unless the permission prescribed in Article 51-2, paragraph (1) is given, Mining Rights may not be the subject of transfers (except for transfers arising from general succession including inheritance; the same shall apply in said paragraph, the items of paragraph (3) of said Article, Article 52, and Article 136, item (ix)).

(鉱区及びその面積)

(Mining Sites and Their Areas)

第十四条 鉱区の境界は、直線で定め、地表の境界線の直下を限とする。

Article 14 (1) Boundaries of Mining Sites shall be established using straight lines, and boundary lines shall continue directly below those boundaries on the surface of the Earth.

2 鉱区の面積は、石炭、石油、アスファルト及び可燃性天然ガスについては十五ヘクタール、石灰石、ドロマイト、けい石、長石、ろう石、滑石及び耐火粘土については一ヘクタール、その他の鉱物については三ヘクタールを下ることができない。但し、砂鉱については、この限りでない。

(2) The area of a Mining Site for coal, oil, asphalt and combustible natural gas shall not be less than 15 hectares, that of limestone, dolomite, silica, feldspar, agalmatolite, talc and fireclay shall not be less than one hectare, and that of other Minerals shall not be less than three hectares; provided, however, that this shall not apply to placers.

3 鉱区の面積は、三百五十ヘクタールを超えることができない。ただし、鉱物の合理的な開発上やむを得ないときは、この限りでない。

(3) The area of a Mining Site shall not exceed 350 hectares; provided, however, that this shall not apply to cases where exceeding this is unavoidable for the reasonable development of Minerals.

4 第三十八条第一項の規定により指定された特定区域内において設定された鉱区にあつては、その面積は、前項本文の規定にかかわらず、当該特定区域の面積（当該特定区域の面積の変更があつたときは、その変更後のもの）を超えることができない。

(4) The area of a Mining Site which is established within a specified zone designated pursuant to the provisions of Article 38, paragraph (1) shall not exceed the area of the relevant specified zone (when the area of said specified zone has been changed, such changed area), irrespective of the provisions of the main clause of the preceding paragraph.

(鉱区に関する制限)

(Restrictions on Mining Sites)

第十五条 公害等調整委員会において、鉱物を掘採することが一般公益又は農業、林業若しくはその他の産業と対比して適当でない認め、鉱物を指定して鉱業権の設定を禁止した地域（以下「鉱区禁止地域」という。）は、その鉱物については、鉱区とすることができない。

Article 15 (1) No Mining Site can be established in areas which the Environmental Dispute Coordination Commission deems not suitable for mining Minerals, and prohibits the establishment of Mining Rights along with designating said Minerals (hereinafter referred to as a "Mining Prohibited Area").

2 公害等調整委員会は、前項の規定による禁止をした場合において、その鉱区禁止地域内における同項の規定により指定された鉱物の掘採が著しく公共の福祉に反するようになっていると認めるときは、経済産業大臣に対し、その鉱区禁止地域内に存する当該鉱物を目的とする鉱業権について第五十三条の規定による処分をすべきことを勧告することができる。

(2) In cases of prohibition pursuant to the provisions of the preceding paragraph, if the Environmental Dispute Coordination Commission finds that the mining of the Minerals designated pursuant to the preceding paragraph in a Mining Prohibited Area has come to have a substantially adverse effect on public welfare, the commission may recommend that the Ministry of Economy, Trade and Industry disposes of the Mining Right of which the subject is said Minerals located in the Mining Prohibited Area, pursuant to the provisions of Article 53.

第十六条 同一の地域においては、二以上の鉱業権を設定することができない。但し、異種の鉱床中に存する鉱物を目的とする場合及び第四十六条の場合は、この限りでない。

Article 16 (1) More than two sets of Mining Rights shall not be established for the same area; provided, however, that this shall not apply to cases where the subject of the Mining Rights are Minerals that are found in different types of ore deposits, or in the case specified in Article 46.

2 前項但書の場合においては、鉱業権者は、互にその権利を制限される。

(2) In cases referred to in the proviso to the preceding paragraph, the rights of holders of Mining Rights are mutually restricted.

(鉱業権者の資格)

(Qualifications of Holders of Mining Rights)

第十七条 日本国民又は日本国法人でなければ、鉱業権者となることができない。但し、条約に別段の定めがあるときは、この限りでない。

Article 17 Mining Rights shall be held only by the people of Japan or corporations of Japan; provided, however, that this shall not apply unless otherwise provided for in the treaty concerned.

(試掘権の存続期間及びその延長)

(Duration of Prospecting Rights and Their Extension)

第十八条 試掘権の存続期間は、登録の日から二年（石油又は可燃性天然ガスを目的とする試掘権については、四年）とする。

Article 18 (1) The duration of prospecting rights shall be two years (for prospecting rights of which the subject is oil or combustible natural gas, four years) from the date of registration.

2 前項の期間は、その満了に際し、試掘権者の申請により、二回に限り延長することができる。

(2) The period prescribed in the preceding paragraph may be extended twice through application filed by the prospecting right holder when the current period expires.

3 前項の規定により延長する期間は、一回ごとに二年とする。

(3) The period extended each time pursuant to the provisions of the preceding paragraph shall be two years.

4 第二項の申請は、経済産業省令で定める手続に従い、存続期間の満了前三箇月以上六箇月以内にしなければならない。

(4) The application prescribed in paragraph (2) above must be filed pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry within a period from the day six months prior to the expiration of duration to the day three months before the expiration of duration.

第十九条 経済産業大臣は、前条第二項の申請があつた場合においては、試掘権者が次の各号に該当するときでなければ、延長の許可をしてはならない。

Article 19 The Minister of Economy, Trade and Industry shall not permit extension unless the prospecting rights holder falls under any of the following items when the application prescribed in paragraph (2) of the preceding Article is filed:

一 誠実に探鉱をした事実が明らかであると認めるとき。

(i) When the clear fact that mineral Exploration is conducted in good faith is

recognized.

二 鉱床の状態を確認するため更に探鉱を継続する必要があると認めるとき。

(ii) When the necessity to further continue mineral Exploration to determine the condition of ore deposits is recognized.

三 当該申請に係る試掘権について現に鉱区税の滞納（天災その他やむを得ない事由によるものを除く。以下同じ。）をしていないとき。

(iii) When the payment of mining lot tax on the prospecting rights, for which the application for extension of duration is filed, is not actually delinquent (except for delinquency due to natural disasters and other unavoidable circumstances; the same shall apply hereinafter).

第二十条 第十八条第二項の申請があつたときは、試掘権の存続期間の満了の後でも、その申請が拒否されるまで、又は延長の登録があるまでは、その試掘権は、存続するものとみなす。

Article 20 If the application prescribed in Article 18, paragraph (2) is filed, the prospecting rights shall be deemed to remain effective until the application is refused or the extension is registered, even after the expiration of the duration thereof.

第二節 鉱業権の設定

Section 2 Establishment of Mining Rights

第一款 出願による鉱業権の設定

Subsection 1 Establishment of Mining Rights based on Application

(設定の出願)

(Application for Establishment)

第二十一条 鉱業権（特定鉱物以外の鉱物を目的とするものに限る。）の設定を受けようとする者は、経済産業大臣に出願して、その許可を受けなければならない。

Article 21 (1) Those who intend to establish a Mining Right (limited to those of which the subject is Minerals other than Specified Minerals) must file their application for permission to the Minister of Economy, Trade and Industry.

2 前項の規定による出願をしようとする者は、経済産業省令で定める手続に従い、引受時刻証明の取扱いとした第一種郵便物その他の経済産業省令で定める方法により、次に掲げる事項を記載した願書に区域図を添えて、経済産業大臣に提出しなければならない。

(2) Those who intend to file a written application pursuant to the provisions of the preceding paragraph must submit the application along with a map of the area, following the procedures specified by the Ministry of Economy, Trade and Industry, to the Minister of Economy, Trade and Industry, including a map of the zone, by recorded first-class mail or other means as specified by Ordinance of the Ministry of Economy, Trade and Industry.

一 出願の区域の所在地

(i) Location of the zone of the application

二 出願の区域の面積

(ii) Area of the zone of the application

三 目的とする鉱物の名称

(iii) Name of the Mineral to be mined

四 氏名又は名称及び住所

(iv) Name and address

3 同一の地域において二種以上の鉱物を掘採しようとするときは、各種の鉱物ごとに第一項の規定による出願をしなければならない。但し、同種の鉱床中に存する二種以上の鉱物を掘採しようとするときは、この限りでない。

(3) When the applicant intends to mine more than two types of Mineral in the same area, an application for each type of Mineral must be filed pursuant to the provisions of paragraph (1); provided, however, that this shall not apply when the applicant intends to mine more than two types of Mineral that are found in the same type of ore deposit.

(鉱床説明書)

(Description of Ore Deposit)

第二十二条 前条第一項の規定により採掘権の設定を受けようとする者は、同項の規定による出願と同時に、出願の区域について目的とする鉱物の鉱床の位置、走向、傾斜、厚さその他鉱床の状態を記述した鉱床説明書を提出しなければならない。

Article 22 (1) Those who intend to establish digging rights pursuant to the provisions of paragraph (1) of the preceding Article must submit a description of the ore deposits, which describes the location, strike, pitch, thickness and other conditions of the ore deposits of the Mineral to be mined in the zone of application at the same time as submitting the application prescribed in said paragraph.

2 前項の鉱床説明書には、同項の事項の外、予想される鉱害の範囲及び態様について記述しなければならない。

(2) The description of ore deposits prescribed in the preceding paragraph must contain the extent and conditions of mining pollution expected, in addition to what is provided for in the preceding paragraph.

(共同鉱業出願人)

(Joint Applicant for Mining)

第二十三条 二人以上共同して鉱業出願をした者（以下「共同鉱業出願人」という。）は、経済産業省令で定める手続に従い、そのうちの一人を代表者と定め、これを経済産業大臣に届け出なければならない。

Article 23 (1) If two or more persons jointly file a Mining Application (hereinafter referred to as "Joint Applicants for Mining"), they must designate

one of them as their representative pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry, and must notify the Minister of Economy, Trade and Industry of who the representative is.

2 前項の規定による届出がないときは、経済産業大臣は、代表者を指定する。

(2) If the notification prescribed in the preceding paragraph is not made, the Minister of Economy, Trade and Industry shall designate the representative.

3 前二項の代表者の変更は、経済産業大臣に届け出なければ、その効力を生じない。

(3) A change of representative designated pursuant to the provisions of the preceding two paragraphs shall not become effective unless the Minister of Economy, Trade is notified of such change.

4 代表者は、国に対して共同鉱業出願人を代表する。

(4) The representative shall represent the Joint Applicant(s) for Mining to the State.

5 共同鉱業出願人は、組合契約をしたものとみなす。

(5) Joint Applicant(s) for Mining shall be deemed to have concluded a partnership agreement.

(都道府県知事との協議)

(Consultation with Prefectural Governors)

第二十四条 経済産業大臣は、鉱業出願があつたときは、関係都道府県知事（国の所有する土地については、当該行政機関）に協議しなければならない。

Article 24 The Minister of Economy, Trade and Industry must consult with the governor of the prefecture concerned (or a competent administrative organ concerning nationally-owned land) when a Mining Application is filed.

(土地の所有者の意見書)

(Written Opinion of Landowners)

第二十五条 地表に近い部分に存する鉱物について第二十一条第一項の規定による採掘権の設定の出願（以下「採掘出願」という。）があり、その鉱物の掘採により土地の利用を妨害すると認めるときは、経済産業大臣は、採掘出願をした土地の区域（以下「採掘出願地」という。）に係る土地（国の所有するものを除く。）の所有者に出願があつた旨を通知し、相当の期限を付して意見書を提出する機会を与えなければならない。

Article 25 (1) When an application for the establishment of digging rights under the provisions of Article 21, paragraph (1) (hereinafter referred to as a "Digging Application") is filed for a Mineral that is found close to the surface of the Earth, and when mining of such Mineral is found to interfere with utilization of the land, the Minister of Economy, Trade and Industry must notify the owner of the land (except for nationally-owned land) involved in the area where a Digging Application is filed (hereinafter referred to as a "Digging Application Area") of such application, and give them an opportunity to submit

their written opinion within a reasonable period of time.

2 経済産業大臣は、前項の出願をした者に対し、相当の期限を付して採掘出願地に係る土地の所有者の氏名又は名称及び住所を記載した書面の提出を命ずることができる。

(2) The Minister of Economy, Trade and Industry may order those who have filed the application prescribed in the preceding paragraph to submit within a reasonable period of time a document that includes the name and address of the owner of the land involved in the Digging Application Area.

(設備設計書)

(Facility Design Specifications)

第二十六条 経済産業大臣は、鉱害を防止する方法を調査するため必要があると認めるときは、鉱業出願人に対し、相当の期限を付して事業の設備に関する設計書の提出を命ずることができる。

Article 26 The Minister of Economy, Trade and Industry may order Mining Applicants to submit within a reasonable period time design specifications of facilities for business, when they find it necessary to investigate the methods employed in preventing mining pollution.

(優先権)

(Right of Priority)

第二十七条 鉱業出願をした土地の区域（以下「鉱業出願地」という。）が重複するときは、その重複する部分については、願書の発送の日時が先である者が鉱業権の設定について優先権を有する。

Article 27 (1) When the areas of land for which Mining Applications are filed (hereinafter referred to as "Mining Application Areas") overlap, the person who sent their written application earliest shall have the right of priority concerning the establishment of Mining Rights for the overlapping area of land.

2 第二十一条第一項の規定による試掘権の設定の出願（以下「試掘出願」という。）をした土地の区域（以下「試掘出願地」という。）と採掘出願地とが重複する場合において、願書の発送の日時が同一であるときは、その重複する部分については、採掘出願をした者（以下「採掘出願人」という。）が優先権を有する。

(2) When the area of land for which an application for the establishment of prospecting rights under the provisions of Article 21, paragraph (1) (hereinafter referred to as a "Prospecting Application") is filed (hereinafter referred to as a "Prospecting Application Area") overlaps with the Digging Application areas, and the applicants sent their written applications on the same day and time, the person who filed the Digging Application (hereinafter referred to as the "Digging Applicant") shall have the right of priority for the overlapping area of land.

3 試掘出願地が重複し、又は採掘出願地が重複する場合において、願書の発送の日時が同一であるときは、経済産業大臣は、公正な方法でくじを行い、優先権者を定める。

- (3) When Prospecting Application Areas or Digging Application Areas overlap, and the applicants sent their written applications on the same day and time, the Minister of Economy, Trade and Industry shall decide who has the right of priority by using a fair method to draw lots.

(採掘出願の日時)

(Date and Time of Digging Application)

第二十八条 試掘出願をした者（以下「試掘出願人」という。）がその試掘出願地と重複してその目的となつている鉱物と同種の鉱床中に存する鉱物を目的として採掘出願をしたときは、その重複する部分については、試掘出願をしなかつたものとみなし、試掘権の設定の願書の発送の日時に採掘出願をしたものとみなす。ただし、前条第二項の場合においては、この限りでない。

Article 28 (1) When those who have filed Prospecting Applications (hereinafter referred to as "Prospecting Applicants") have filed Digging Applications covering their prospecting area for the Minerals that are found in the same type of ore deposit where the Minerals of Prospecting Application Areas are found, it shall be deemed, with regard to the overlapping area, that Prospecting Applications have not been filed and that Digging Applications have been filed on the date and time of sending a written application for the establishment of prospecting rights; provided, however, that this shall not apply to the case prescribed in paragraph (2) of the preceding Article.

2 前項本文の規定は、採掘出願人がその採掘出願地と重複してその目的となつている鉱物と同種の鉱床中に存する鉱物を目的として試掘出願をした場合に準用する。ただし、当該試掘権者がその鉱区と重複して採掘出願をし、その試掘権の消滅後更に試掘出願をしたときは、この限りでない。

(2) The provisions of the main clause of the preceding paragraph shall apply mutatis mutandis to cases where Digging Applicants have filed Prospecting Applications covering their digging application zone for the Minerals that are found in the same type of ore deposit where the Minerals of Digging Application Areas are found; provided, however, that this shall not apply to cases where the relevant holders of prospecting rights have filed Digging Applications covering the same Mining Site and have filed Prospecting Applications again after extinction of their prospecting rights.

3 前二項の規定は、第三十一条第一項、第三十二条第一項又は第三十三条第一項の規定による命令を受けた場合における期限経過後の出願には、適用しない。

(3) The provisions of the preceding two paragraphs shall not apply to applications that are filed after the time limit has expired in cases where orders are given pursuant to the provisions of Article 31, paragraph (1), Article 32, paragraph (1) or Article 33, paragraph (1).

(許可の基準)

(Requirements for Permission)

第二十九条 経済産業大臣は、第二十一条第一項の規定による出願が次に掲げる基準に適合していると認めるときでなければ、その出願を許可してはならない。

Article 29 (1) The Minister of Economy, Trade and Industry may not permit any application filed pursuant to the provisions of Article 21, paragraph (1), unless they find that such application satisfies the following requirements:

一 その出願に係る鉱業出願人が鉱物の合理的な開発を適確に遂行するに足りる経理的基礎及び技術的能力を有すること。

(i) The Mining Applicant of the relevant application has a sufficient financial foundation and technical capability sufficient to properly carry out reasonable development of Minerals;

二 その出願に係る鉱業出願人が十分な社会的信用を有すること。

(ii) The Mining Applicant of the relevant application has sufficient social credibility;

三 その出願に係る鉱業出願人が次のいずれにも該当しないこと。

(iii) The Mining Applicant of the relevant application does not fall under any of the following:

イ この法律又は鉱山保安法（昭和二十四年法律第七十号）第六十条（同法第三十三條第二項、第三十四條又は第三十五條の規定による命令の違反に係る部分に限る。）に規定する罪を犯し、刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者

(a) A person who has committed any of the offenses as provided for in this Act or Article 60 of the Mining Safety Act (Act No. 70 of 1949; limited to the portions pertaining to violation of orders pursuant to the provisions of paragraph (2) of Article 33, Article 34 or Article 35 of said Act), has been sentenced to a punishment and for whom two years have not elapsed since the day on which the execution of the sentence has been completed or who has come to be no longer subject to the execution of the sentence;

ロ 第五十五條の規定により鉱業権を取り消され、又は第八十三條第一項の規定により租鉱権を取り消され、その取消しの日から二年を経過しない者

(b) A person whose Mining Rights have been rescinded pursuant to the provisions of Article 55, or whose Mining Lease Rights have been rescinded pursuant to the provisions of Article 83, paragraph (1) and for whom two years have not elapsed from the day of such rescission;

ハ 法人であつて、その業務を行う役員のうちイ又はロのいずれかに該当する者があるもの

(c) A corporation, any of whose officers in charge of its business fall under either (a) or (b) above;

四 その出願に係る鉱業出願地が第三十八條第一項の規定により指定された特定区域（特定区域の変更があつたときは、その変更後のものとし、その願書の発送の時の属する日以前に、同条第七項の規定により公示されたものに限る。）と重複しない

こと。

(iv) The Mining Application Area of the relevant application does not overlap with the specified zone which has been designated pursuant to the provisions of Article 38, paragraph (1) (when a change has been made to said specified zone, said specified zone will be taken as it is after said change has been made, and shall be limited to that which has been publicly notified pursuant to the provisions of paragraph (7) of said Article on or before the day on which the time that the relevant written application was sent falls);

五 その出願に係る試掘出願地が願書の発送の時に於いてその目的とする鉱物と同種の鉱床中に存する鉱物の鉱区と重複しないこと。

(v) The Prospecting Application Area of the relevant application does not overlap with the Mining Sites of Minerals that are found in the same type of ore deposit where the Mineral which is the subject of the Prospecting Application is found at the time of sending the written application;

六 その出願に係る採掘出願地が願書の発送の時に於いて次のいずれにも該当しないこと。

(vi) The Digging Application Area of the relevant application does not fall under any of the following categories at the time of sending the written application:

イ その目的とする鉱物と同種の鉱床中に存する鉱物の他人の鉱区又は自己の採掘鉱区と重複すること。

(a) The relevant Digging Application Area overlaps with another person's Mining Site or the relevant applicant's own prospecting area of Minerals that are found in the same type of ore deposit where the Mineral which is the subject of the Digging Application is found;

ロ その目的とする鉱物と同種の鉱床中に存する鉱物の自己の試掘鉱区と重複する場合において、その重複する部分でなお試掘を要すること。

(b) Where the relevant Digging Application Area overlaps with the relevant applicant's own prospecting area of the Minerals that are found in the same type of ore deposit where the Mineral which is the subject of the Digging Application is found, prospecting such overlapping areas is still necessary;

ハ その目的とする鉱物と同種の鉱床中に存する鉱物の自己の試掘鉱区と重複する場合において、現に当該試掘鉱区に係る鉱区税の滞納があること。

(c) Where the relevant Digging Application Area overlaps with the relevant applicant's own prospecting area of the Minerals that are found in the same type of ore deposit where the Mineral which is the subject of the application is found, the payment of mining lot tax pertaining to the relevant prospecting area is in actual fact delinquent;

七 その出願に係る鉱業出願地がその目的となつてゐる鉱物と異種の鉱床中に存する鉱物の他人の鉱区と重複し、又はその目的となつてゐる鉱物と同種の鉱床中に存す

る鉱物の他人の鉱区と隣接する場合においては、当該鉱業出願地における鉱物の掘採が他人の鉱業の実施を著しく妨害するものでないこと。

(vii) When the Mining Application Areas of the relevant application overlaps with another person's Mining Site of Minerals that are found in different types of ore deposits than those where the Mineral which is the subject of said Mining Application is found, or is adjacent to another person's Mining Site of Minerals that are found in the same type of ore deposit where the Mineral which is the subject of said Mining Application is found, the mining of Minerals in the relevant Mining Application Areas does not significantly interfere with the implementation of Mining by other persons;

八 その出願に係る鉱業出願地における鉱物の掘採が、経済的に価値があり、かつ、保健衛生上害があり、公共の用に供する施設若しくはこれに準ずる施設を破壊し、文化財、公園若しくは温泉資源の保護に支障を生じ、又は農業、林業若しくはその他の産業の利益を損じ、公共の福祉に反するものでないこと。

(viii) The mining of Minerals in the Mining Application Area of the relevant application is found to have economic value, and does not have an adverse effect on public welfare by harming health and hygiene, resulting in the destruction of facilities for public use or any facility equivalent to this, disrupting the protection of cultural property, parks or hot spring resources or impairing the profit of agriculture, forestry or other industries; and

九 前各号に掲げるもののほか、その出願に係る鉱業出願地における鉱物の掘採が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。

(ix) In addition to what is listed in the preceding items, the mining of Minerals in the Mining Application Area of the relevant application is not extremely unsuitable in light of domestic and foreign social and economic circumstances and likely to hinder the promotion of public interest.

2 経済産業大臣は、次の各号に掲げる場合にあつては、出願の願書の発送の時が当該各号に定める期間を経過した後でなければ、その出願を許可してはならない。

(2) In the cases listed in the following items, the Minister of Economy, Trade and Industry must not permit the relevant application unless the time of the sending the written application is after the time when the periods specified in the respective items have elapsed:

一 試掘権がその存続期間の満了前に消滅し、又は試掘鉱区の減少があつた場合において、その試掘権の目的となつていた鉱物と同種の鉱床中に存する鉱物を目的とする試掘出願があつたとき（その試掘出願地がその消滅した試掘権の鉱区又は試掘鉱区の減少した部分に該当するときに限る。） その試掘権の消滅又は試掘鉱区の減少の日から六十日（試掘権の残存すべき期間又は残存する期間が六十日に満たないときは、その期間）

(i) When prospecting rights have become extinct before the expiration of their duration or prospecting areas have decreased, and Prospecting Applications

for the Minerals that are found in the same type of ore deposit where the Minerals which are the subject of the relevant prospecting rights are found are filed (limited to cases where the Prospecting Application Areas of the Prospecting Applications fall under the Mining Sites where the relevant prospecting rights have become extinct or the prospecting areas that have decreased): 60 days from the day of extinction of the relevant prospecting rights or decrease of the scale of the prospecting areas (if the period of prospecting rights to remain or the period of prospecting rights remaining is less than 60 days, such remaining period);

二 採掘権が第五十五条の規定により取り消された場合において、その採掘権を取り消された者以外の者による当該採掘権の目的となっていた鉱物と同種の鉱床中に存する鉱物を目的とする鉱業出願があつたとき（その鉱業出願地がその取り消された採掘権の鉱区に該当するときに限る。） その取消の日から六十日

(ii) When digging rights have been rescinded pursuant to the provisions of Article 55, and Mining Applications for the Minerals that are found in the same type of ore deposit where the Minerals which are the subject of said digging rights are found are filed by persons other than the person whose digging rights have been rescinded (limited to cases where the relevant Mining Application Areas fall under the Mining Site where the digging rights have been rescinded): 60 days from the day of such rescission;

三 第十五条第一項の規定による禁止が解除された場合において、その禁止を解除された鉱物を目的とする鉱業出願があつたとき（その鉱業出願地がその禁止を解除された地域に該当するときに限る。） その解除の日から三十日

(iii) When the prohibition prescribed in Article 15, paragraph (1) is cancelled and the Mining Applications for the Minerals of which the prohibition is cancelled are filed (limited to cases where the relevant Mining Application Area falls under the area where such prohibition has been cancelled): 30 days from the day of cancellation.

(鉱業出願地の増減)

(Increase or Decrease of the Scale of Mining Application Areas)

第三十条 鉱業出願人は、鉱業出願地の増減の出願をすることができる。

Article 30 (1) Mining Applicants may file applications regarding the increase or decrease of the scale of Mining Application Areas.

2 第二十一条、第二十二条及び第二十四条から前条までの規定は、前項の出願に準用する。

(2) The provisions of Articles 21 and 22, and those from Articles 24 through 29 shall apply mutatis mutandis to the applications prescribed in the preceding paragraph.

(採掘出願地の増減命令)

(Orders to Increase or Decrease the Scale of Digging Application Areas)

第三十一条 経済産業大臣は、採掘出願地の位置形状が鉱床の位置形状と相違し、採掘出願地の位置形状を変更しなければその鉱床の完全な開発ができないと認めるときは、採掘出願地の位置形状が鉱床の位置形状に合致するように、採掘出願地の増減の出願を命ずることができる。

Article 31 (1) When the location and shape of a Digging Application Area are different from that of the area of ore deposits and it is found that the ore deposits cannot be completely developed unless the location and shape of the Digging Application Area is changed, the Minister of Economy, Trade and Industry may give an order to increase or decrease the scale of the Digging Application Area to make the location and shape thereof agree with that of the area of ore deposits.

2 前項の規定による命令に基づいてその命令書の到達の日から三十日以内にした採掘出願地の増減の出願は、その採掘権の設定の願書の発送の日時にしたものとみなす。ただし、既に他人の鉱区となつている部分又は他人の鉱業出願が許可されている部分については、この限りでない。

(2) It shall be deemed that an application for the increase or decrease of the scale of Digging Application Areas, which is filed pursuant to the order prescribed in the provisions of the preceding paragraph within 30 days from the day of arrival of the order, was filed on the day of the sending of the written application for the establishment of digging rights; provided, however, that this shall not apply to an area that is already a Mining Site belonging to other persons or an area where the Mining Application of other persons is permitted.

3 経済産業大臣は、採掘出願人が第一項の規定による命令書の到達の日から三十日以内に採掘出願地の増減の出願をしないときは、採掘出願を許可してはならない。

(3) When a Digging Applicant does not file their application for the increase or decrease of the scale of Digging Application Areas within 30 days from the day of arrival of the order prescribed in paragraph (1) above, the Minister of Economy, Trade and Industry must not permit their Digging Application.

(転願命令)

(Application Order)

第三十二条 経済産業大臣は、試掘出願地における鉱物の存在が明らかであり、その鉱量、品位等に鑑み、試掘出願地が採掘権の設定に適すると認めるときは、採掘出願を命ずることができる。

Article 32 (1) When it is found that the presence of Minerals in a Prospecting Application Area is evident and the Prospecting Application Area is suitable for the establishment of digging rights in consideration of the amount, quality, etc. of Minerals, the Minister of Economy, Trade and Industry may give an order to file a Digging Application.

2 経済産業大臣は、試掘出願人が前項の規定による命令書の到達の日から三十日以内

に採掘出願をしないときは、試掘出願を許可してはならない。

- (2) When a prospecting applicant does not file their Digging Application within 30 days from the day of arrival of the order pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry shall not permit their Prospecting Application.

第三十三条 経済産業大臣は、採掘出願地における鉱物の存在が明らかでなく、あらかじめ試掘を要すると認めるときは、試掘出願を命ずることができる。

Article 33 (1) When it is found that the presence of Minerals in a Digging Application Area is not evident and the area must be prospected in advance, the Minister of Economy, Trade and Industry may give an order to file a Prospecting Application.

2 経済産業大臣は、採掘出願人が前項の規定による命令書の到達の日から三十日以内に試掘出願をしないときは、採掘出願を許可してはならない。

- (2) When a Digging Applicant does not file their Prospecting Application within 30 days from the day of arrival of the order pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry must not permit their Digging Application.

(命令の手續)

(Procedures for Orders)

第三十四条 経済産業大臣は、第三十一条第一項、第三十二条第一項又は前条第一項の規定による命令をしようとするときは、あらかじめ当該鉱業出願人の出頭を求めて、公開による意見の聴取を行わなければならない。

Article 34 (1) The Minister of Economy, Trade and Industry must, when they intend to give an order pursuant to the provisions of Article 31, paragraph (1), Article 32, paragraph (1) or paragraph (1) of the preceding Article, request the attendance of the Mining Applicant in advance and hold a public hearing of their opinions.

2 経済産業大臣は、前項の意見の聴取をしようとするときは、その期日の一週間前までに、事案の要旨並びに意見の聴取の期日及び場所を当該鉱業出願人に通知し、かつ、これを公示しなければならない。

(2) The Minister of Economy, Trade and Industry must, when they intend to hold a hearing of opinions pursuant to the provisions of the preceding paragraph, notify the Mining Applicant of the outline of the matters in question and the date and place for said hearing of opinions by one week prior to the hearing, and also make a public notification of this.

3 第一項の意見の聴取に際しては、鉱業出願人及び利害関係人に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。

(3) When a hearing of opinions is held pursuant to the provisions of paragraph (1) above, the evidence of the matters in question must be presented to the

Mining Applicant and interested parties, and the opportunity to state their opinion must be given to them.

(鉱業出願人の地位の承継)

(Succession of Mining Applicant Positions)

第三十五条 鉱業出願人の地位は、承継することができる。

Article 35 Mining Applicant positions may be succeeded to.

第三十六条 相続その他の一般承継又は死亡による共同鉱業出願人の脱退の場合以外の場合において承継前の鉱業出願人（以下「旧鉱業出願人」という。）の地位を承継しようとする者は、経済産業省令で定める手続に従い、その承継に係る鉱業出願をしなければならない。

Article 36 (1) In cases other than cases of general succession, including inheritance or the withdrawal of a Joint Applicant for Mining due to death, the person who intends to succeed to a Mining Applicant position prior to succession (hereinafter referred to as a "Former Mining Applicant") must file a Mining Application in relation to such succession pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

2 相続その他の一般承継又は死亡による共同鉱業出願人の脱退により鉱業出願人の地位を承継した場合において、その承継人が旧鉱業出願人の地位を承継しようとするときは、当該承継人は、経済産業省令で定める手続に従い、遅滞なく、その承継に係る鉱業出願をしなければならない。ただし、承継人が旧鉱業出願人の地位を承継しないときは、この限りでない。

(2) When a successor has succeeded to a Mining Applicant position because of general succession, including inheritance, or the withdrawal of a Joint Applicant for Mining due to death, if such successor intends to succeed to the position of the former Mining Applicant, said successor must file a Mining Application in relation to such succession without delay pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry; provided, however, that this shall not apply to cases where the successor does not succeed to the position of the former Mining Applicant.

3 承継人は、前項ただし書の旧鉱業出願人の地位を承継しないときは、経済産業省令で定める手続に従い、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(3) When a successor does not succeed to the position of the former Mining Applicant as referred to in the proviso to the preceding paragraph, they must notify the Minister of Economy, Trade and Industry to that effect without delay, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

4 第一項又は第二項の規定による出願があつたときは、旧鉱業出願人の願書の発送の日時に当該承継人が当該承継に係る鉱業出願をしたものとみなす。

(4) If the application pursuant to the provisions of paragraph (1) or (2) is filed,

the relevant successor shall be deemed to have filed a Mining Application in subject to such succession, at the date of the sending of the written application by the former Mining Applicant.

(許可の失効)

(Invalidation of Permission)

第三十七条 鉱業出願人が鉱業出願の許可の通知を受けた日から三十日以内に、経済産業省令で定める手続に従い、登録免許税を納付しないときは、許可は、その効力を失う。

Article 37 If a Mining Applicant does not pay the registration and license tax pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry within 30 days from the day of receipt of a notice of permission to file a Mining Application, said permission shall cease to be effective.

第二款 特定開発者の選定による鉱業権の設定

Subsection 2 Establishment of Mining Rights based on the Selection of a Specified Developer

(特定区域の指定)

(Designation of Specified Areas)

第三十八条 経済産業大臣は、特定鉱物の鉱床が存在し、又は存在する可能性がある区域について、当該特定鉱物の開発により公共の利益の増進を図るためには、当該区域における当該特定鉱物の開発を最も適切に行うことができる者（以下「特定開発者」という。）を選定し、その特定開発者に当該特定鉱物の試掘又は採掘を行わせる必要があると認めるときは、当該区域を特定区域として指定することができる。

Article 38 (1) With regard to an area in which an ore deposit of a Specified Mineral is found or is likely to be found, if the Minister of Economy, Trade and Industry finds it necessary to select a person highly capable of suitably developing the Specified Mineral in the area (hereinafter referred to as a "Specified Developer"), and to have said Specified Developer carry out the prospecting or digging of said Specified Mineral, for the promotion of public interest through the development of the Specified Mineral, they may designate such an area as a specified zone.

2 前項の規定による指定は、設定しようとする鉱業権の目的とする特定鉱物の種類に応じた第十四条第二項に規定する面積以上の面積を有する土地の区域であつて、かつ、その指定の際現にある鉱区、鉱業出願地又は他の特定区域と重複していないものに限つてするものとする。ただし、その指定の際現にある鉱区又は鉱業出願地の目的となつている鉱物と異種の鉱床中に存する特定鉱物を目的とする鉱業権を設定しようとするときは、当該鉱区又は当該鉱業出願地と重複して指定することができる。

(2) The designation as provided for in the preceding paragraph shall be limited to

an area of land that is larger than the area prescribed in Article 14, paragraph (2) according to the type of Specified Mineral which is the subject of the Mining Right intended to be established, and which does not overlap with the Mining Site, Mining Application Area or other specified zone that actually exists at the time of such designation; provided, however, that if the establishment of a Mining Right is intended for a Specified Mineral that is found in different types of ore deposit than those where the Mineral which is the subject of the Mining Site or Mining Application Area that is actually in existence at the time of the designation is found, the designation may be made in overlap with said Mining Site or said Mining Application Area.

3 経済産業大臣は、第一項の特定区域を指定したときは、特定区域ごとに、特定開発者の募集に係る実施要項（以下単に「実施要項」という。）を定めなければならない。

(3) When the Minister of Economy, Trade and Industry designates a specified zone as provided for in paragraph (1), they must establish an implementation guideline for inviting applicants for the position of a Specified Developer (hereinafter simply referred to as "Implementation Guideline") for each specified zone.

4 実施要項は、次に掲げる事項を定めるものとする。

(4) The Implementation Guideline shall determine the following particulars:

一 特定区域の所在地

(i) Location of the specified zone;

二 特定区域の面積

(ii) Area of the specified zone;

三 設定する鉱業権の種類及びその目的とする特定鉱物の名称

(iii) The type of Mining Right to be established, as well as the name of the Specified Mineral which is the subject thereof;

四 特定開発者の募集を開始する日及び募集の期間

(iv) The day on which the invitation to applicants for the position of a Specified Developer begins and the invitation period;

五 特定鉱物の掘採計画を定めるべき期間

(v) The period during which the mining plan for the Specified Mineral should be formulated;

六 特定開発者を選定するための評価の基準

(vi) The evaluation requirements for selecting a Specified Developer; and

七 前各号に掲げるもののほか、特定開発者の募集に必要な事項

(vii) In addition to what is listed in the preceding items, particulars necessary for inviting applicants for the position of a Specified Developer.

5 前項第四号に規定する期間は、六月を下らない期間を定めるものとする。ただし、経済産業省令で定める緊急を要する特別の事情があるときは、この限りでない。

(5) With regard to the period provided for in item (iv) of the preceding paragraph, a period of not less than six months shall be established; provided, however,

that this shall not apply if there is any special circumstance requiring urgency as prescribed by Ordinance of the Ministry of Economy, Trade and Industry.

6 第四項第六号に規定する評価の基準は、設定する鉱業権の目的とする特定鉱物の合理的な開発その他の公共の利益の増進を図る見地から定めるものとする。

(6) The evaluation requirements provided for in paragraph (4), item (vi) shall be established from the standpoint of reasonable development of the Specified Mineral which is the subject of the Mining Right to be established, and of the promotion of public interest.

7 経済産業大臣は、第一項の規定により特定区域を指定し、又は第三項の規定により実施要項を定めたときは、遅滞なく、特定区域を表示する図面と併せてこれらを公示しなければならない。これらを変更し、特定区域の指定を解除し、又は実施要項を廃止するときも、同様とする。

(7) When the Minister of Economy, Trade and Industry designates a specified zone pursuant to the provisions of paragraph (1), or provides an Implementation Guideline pursuant to the provisions of paragraph (3), they must make a public notification of them along with drawings that show the specified zone, without delay. The same shall apply when they make any changes to them, cancel the designation of the specified zone, or abolish the Implementation Guideline.

8 第二項の規定は、特定区域の変更に準用する。

(8) The provisions of paragraph (2) shall apply mutatis mutandis to the change of a specified zone.

(設定の申請)

(Application for the Establishment of Rights)

第三十九条 前条第一項の規定により指定された特定区域（特定区域の変更があつたときは、その変更後のもの。以下同じ。）において特定鉱物を目的とする鉱業権の設定を受けようとする者は、当該特定区域に係る実施要項に従つて、経済産業大臣に申請して、その許可を受けなければならない。

Article 39 (1) Those who intend to create a Mining Right for a Specified Mineral in a specified zone as designated pursuant to the provisions of paragraph (1) of the preceding Article (when the specified zone has been changed, the changed specified zone; the same shall apply hereinafter) must file an application with and obtain permission from the Minister of Economy, Trade and Industry in accordance with the Implementation Guideline for said specified zone.

2 前項の規定による申請をしようとする者は、経済産業省令で定める手続に従い、次に掲げる事項を記載した申請書に、事業計画書及び区域図を添えて、経済産業大臣に提出しなければならない。

(2) Those who intend to file the application prescribed in the provisions of the preceding paragraph must submit an application, with reference made to the following particulars, to the Minister of Economy, Trade and Industry along

with a business plan and map of the area, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry:

一 申請の区域の所在地

(i) Location of the application zone;

二 申請の区域の面積

(ii) Area of the application zone; and

三 氏名又は名称及び住所

(iii) Name and address.

3 前項の事業計画書には、次に掲げる事項を記載しなければならない。

(3) The business plan set forth in the preceding paragraph must contain the following particulars:

一 前条第四項第五号に規定する期間中の特定鉱物の掘採計画

(i) The mining plan for the Specified Mineral during the period prescribed in paragraph (4), item (v) of the preceding Article;

二 掘採の方法（前条第四項第三号に規定する特定鉱物が石油又は可燃性天然ガスの場合にあつては、石油若しくは可燃性天然ガスの鉱床以外の地下の部分にある流体が当該鉱床に浸入し、又は当該鉱床内の石油若しくは可燃性天然ガスが当該鉱床以外の地下の部分に漏出しないための措置その他の当該鉱床の保全のための措置を含む。第四十一条第二項第二号において同じ。）

(ii) The method of mining (in cases where the Specified Mineral prescribed in paragraph (4), item (iii) of the preceding Article is oil or combustible natural gas, measures for preventing fluid found in underground sections other than ore deposits of oil or combustible natural gas are from permeating into said ore deposits, or measures for preventing the oil or combustible natural gas found in the ore deposits from leaking into underground sections other than said ore deposits, and other measures for the conservation of said ore deposits shall be included; the same shall apply in Article 41, paragraph (2), item (ii));

三 掘採を行うための資金計画

(iii) A financial plan for the mining;

四 掘採を行うための体制

(iv) A system for the mining;

五 予想される鉱害の範囲及び態様

(v) The extent and conditions of mining pollution expected;

六 前各号に定めるもののほか、特定鉱物の掘採に関し経済産業省令で定める事項

(vi) In addition to what is listed in the preceding items, particulars specified by Ordinance of the Ministry of Economy, Trade and Industry regarding the mining of Specified Minerals.

4 第二十三条第一項から第四項まで、第二十五条第一項及び第二十六条の規定は、第一項の申請に準用する。

(4) The provisions of paragraphs (1) through (4) of Article 23, Article 25,

paragraph (1) and Article 26 shall apply mutatis mutandis to the application prescribed in paragraph (1).

(特定開発者の選定等)

(Selection of Specified Developers)

第四十条 経済産業大臣は、前条第二項の申請書を受理したときは、その申請に係る募集の期間の終了後遅滞なく、その申請が次に掲げる基準に適合しているかどうかを審査しなければならない。

Article 40 (1) The Minister of Economy, Trade and Industry must, when they receive a written application as prescribed in paragraph (2) of the preceding Article, examine whether the application satisfies the following requirements without delay after the termination of the period for inviting applicants for a position as a Specified Developer:

一 その申請に係る鉱業権の設定の申請（以下「鉱業申請」という。）をした者（以下「鉱業申請人」という。）が特定区域において鉱物の合理的な開発を適確に遂行するに足りる経理的基礎及び技術的能力を有すること。

(i) The person who has applied for the establishment of Mining Rights (hereinafter referred to as the "Mining Applicant") and regarding the application (hereinafter referred to as the "Mining Application") has a sufficient financial foundation and the technical capability enough to properly carry out the reasonable development of Minerals in the specified zone;

二 その申請に係る鉱業申請人が十分な社会的信用を有すること。

(ii) The Mining Applicant pertaining to the relevant application has sufficient social credibility;

三 その申請に係る鉱業申請人が第二十九条第一項第三号イからハまでのいずれにも該当しないこと。

(iii) The Mining Applicant pertaining to the relevant application does not fall under any of (a) through (c) of Article 29, paragraph (1), item (iii);

四 その申請に係る鉱業申請をした土地の区域（以下「鉱業申請地」という。）がその目的となつている鉱物と異種の鉱床中に存する鉱物の他人の鉱区と重複し、又はその目的となつている鉱物と同種の鉱床中に存する鉱物の他人の鉱区と隣接する場
合においては、当該鉱業申請地における鉱物の掘採が他人の鉱業の実施を著しく妨害するものでないこと。

(iv) When the area of land where a Mining Application is filed (hereinafter referred to as the "Mining Application Area") pertaining to the relevant application overlaps with another person's Mining Site for Minerals that are found in different types of ore deposits than those where the Mineral which is the subject of said Mining Application is found, or is adjacent to another person's Mining Site of Minerals that are found in the same type of ore deposit where the Mineral which is the subject of said Mining Application is

found, the mining of Minerals in the relevant Mining Application Areas does not significantly interfere with the implementation of the Mining of other persons;

五 その申請に係る鉱業申請地における鉱物の掘採が、経済的に価値があり、かつ、保健衛生上害があり、公共の用に供する施設若しくはこれに準ずる施設を破壊し、文化財、公園若しくは温泉資源の保護に支障を生じ、又は農業、林業若しくはその他の産業の利益を損じ、公共の福祉に反するものでないこと。

(v) The mining of Minerals in the Mining Application Area pertaining to the relevant application is found to have economic value, is not harmful to health and hygiene, does not result in the destruction of facilities for public use or any facility equivalent to this, does not disrupt the protection of cultural property, parks or hot spring resources, or impair the profit of agriculture, forestry and other industries, and does not have an extremely adverse effect on public welfare; and

六 前各号に掲げるもののほか、その申請に係る鉱業申請地における鉱物の掘採が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。

(vi) In addition to what is listed in the preceding items, the mining of Minerals in the Mining Application Area pertaining to the relevant application is not extremely unsuitable in light of domestic and foreign social and economic circumstances, nor is it likely to hinder the promotion of public interest.

2 経済産業大臣は、前項の規定により審査した結果、鉱業申請人の申請が同項各号に掲げる基準に適合していると認められるときは、第三十八条第四項第六号に規定する評価の基準に従って、その適合していると認められた全ての鉱業申請人の事業計画書について評価を行うものとする。

(2) The Minister of Economy, Trade and Industry shall, when they find that the applications filed by the Mining Applicants satisfy the requirements set forth in the items of the preceding paragraph as a result of the examination under said paragraph, evaluate the business plans of all of the Mining Applicants who were found to have satisfied said requirements, in accordance with the evaluation requirements prescribed in Article 38, paragraph (4), item (vi).

3 経済産業大臣は、前項の評価に従い、特定鉱物の開発を最も適切に行うことができると認められる者を選定し、その者に対し、その申請に係る鉱業権の設定の許可をするものとする。

(3) The Minister of Economy, Trade and Industry shall select the person found most capable of developing the Specified Mineral appropriately in accordance with the evaluation under the preceding paragraph, and grant permission to such person to create a Mining Right in relation to their application.

4 経済産業大臣は、前項の規定により鉱業権の設定の許可をしようとするときは、関係都道府県知事（国の所有する土地については、当該行政機関）に協議しなければならない。

- (4) The Minister of Economy, Trade and Industry must, when they intend to grant permission for the establishment of a Mining Right pursuant to the preceding paragraph, consult with the governors of the prefectures concerned (or a competent administrative organ concerning nationally-owned land).
- 5 経済産業大臣は、第三項の許可を受けた者に対し、その申請に係る鉱業権の設定の登録をしたときは、当該許可を受けた者以外の者がした鉱業申請については、同項の許可を与えないこととし、その者に対し、その旨の通知をするものとする。
- (5) The Minister of Economy, Trade and Industry shall not, when they have registered the establishment of a Mining Right pertaining to an application filed by a person who obtained permission as prescribed in paragraph (3), grant permission as prescribed in said paragraph to Mining Applications filed by persons other than said person who obtained said permission, and shall notify said other persons to that effect.
- 6 第三項の許可は、その許可を受けた者が当該許可の通知を受けた日から三十日以内に、経済産業省令で定める手続に従い、登録免許税を納付しないときは、その効力を失う。
- (6) If a person who has obtained permission as prescribed in paragraph (3) does not pay the registration and license tax pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry within 30 days from the day of receipt of the notice of permission, said permission shall cease to be effective.
- 7 前項の場合において、経済産業大臣は、第二項の評価に従い、第三項の許可を受けた者の次に特定鉱物の開発を適切に行うことができると認められる者を選定し、その者に対し、その申請に係る鉱業権の設定の許可をするものとする。
- (7) In the case referred to in the preceding paragraph, the Minister of Economy, Trade and Industry shall select the person found second most capable of developing the Specified Mineral appropriately in comparison to the person who obtained the permission prescribed in paragraph (3), in accordance with the evaluation prescribed in paragraph (2), and grant permission to such second person to create a Mining Right in relation to their application.
- 8 第四項から第六項までの規定は、前項の許可に準用する。
- (8) The provisions of paragraphs (4) through (6) shall apply mutatis mutandis to the permission prescribed in the preceding paragraph.

(特定開発者である試掘権者による採掘権の設定の申請)

(Application for the Establishment of Digging Rights by a Holder of Prospecting Rights Who is a Specified Developer)

第四十一条 前条第三項又は第七項の規定により特定開発者として選定され、試掘権の設定を受けた試掘権者は、その試掘鉱区における特定鉱物の試掘の状況を踏まえ、当該試掘鉱区に重複してその特定鉱物を目的とする採掘権の設定を受けようとするときは、経済産業大臣に申請して、その許可を受けなければならない。

Article 41 (1) When a holder of a prospecting right who has been selected as a Specified Developer pursuant to the provisions of paragraph (3) or (7) of the preceding Article and for whom a prospecting right has been established intends to establish a digging right for the Specified Mineral in the same area as the relevant prospecting area, taking into consideration the status of the prospecting of such Specified Mineral in the prospecting area, they must file an application with and obtain permission from the Minister of Economy, Trade and Industry.

2 前項の規定による申請をしようとする者は、経済産業省令で定める手続に従い、その試掘権の登録番号その他経済産業省令で定める事項を記載した申請書に次に掲げる事項を記載した事業計画書を添えて、経済産業大臣に提出しなければならない。

(2) A person who intends to file an application pursuant to the provisions of the preceding paragraph shall submit the written application to the Minister of Economy, Trade and Industry, along with a business plan stating the following particulars, stating the registration number of their prospecting right and other particulars specified by Ordinance of the Ministry of Economy, Trade and Industry, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry:

一 経済産業省令で定める期間中の特定鉱物の掘採計画

(i) The mining plan for the Specified Mineral during the period specified by Ordinance of the Ministry of Economy, Trade and Industry;

二 掘採の方法

(ii) The method of mining;

三 掘採を行うための資金計画

(iii) A financial plan for mining;

四 掘採を行うための体制

(iv) A system for mining;

五 予想される鉱害の範囲及び態様

(v) The extent and conditions of expected mining pollution; and

六 前各号に定めるもののほか、特定鉱物の掘採に関し経済産業省令で定める事項

(vi) In addition to what is provided for in the preceding items, particulars specified by Ordinance of the Ministry of Economy, Trade and Industry in regard to the mining of Specified Minerals.

3 経済産業大臣は、第一項の規定による申請が次に掲げる基準に適合していると認めるときでなければ、その申請を許可してはならない。

(3) The Minister of Economy, Trade and Industry shall not grant permission for the application prescribed in paragraph (1), unless such application is found to satisfy the following requirements:

一 その申請に係る鉱業申請人が特定区域において鉱物の合理的な開発を適確に遂行するに足りる経理的基礎及び技術的能力を有すること。

(i) The Mining Applicant of the relevant application has a sufficient financial

- foundation and technical capability enough to properly carry out the reasonable development of Minerals in the specified zone;
- 二 その申請に係る鉱業申請人が十分な社会的信用を有すること。
- (ii) The Mining Applicant of the relevant application has sufficient social credibility;
- 三 その申請に係る鉱業申請人が第二十九条第一項第三号イからハまでのいずれにも該当しないこと。
- (iii) The Mining Applicant of the relevant application does not fall under any of (a) through (c) of Article 29, paragraph (1), item (iii);
- 四 その申請に係る鉱業申請地がなお試掘を要するものでないこと。
- (iv) The Mining Application Area of the relevant application does not require further prospecting;
- 五 その申請に係る試掘権について鉱区税の滞納がないこと。
- (v) The payment of mining lot tax on the prospecting right, for which the application was filed, is not delinquent;
- 六 その申請に係る鉱業申請地がその目的となつている鉱物と異種の鉱床中に存する鉱物の他人の鉱区と重複し、又はその目的となつている鉱物と同種の鉱床中に存する鉱物の他人の鉱区と隣接する場合においては、当該鉱業申請地における鉱物の掘採が他人の鉱業の実施を著しく妨害するものでないこと。
- (vi) When the Mining Application Area of the relevant application overlaps with another person's Mining Site of Minerals that are found in different types of ore deposits than those where the Mineral which is the subject of said Mining Application is found, or is adjacent to another person's Mining Site of Minerals that are found in the same type of ore deposit where the Mineral which is the subject of said Mining Application is found, the mining of Minerals in the relevant Mining Application Areas does not significantly interfere with the implementation of the Mining by other persons;
- 七 その申請に係る鉱業申請地における鉱物の掘採が、経済的に価値があり、かつ、保健衛生上害があり、公共の用に供する施設若しくはこれに準ずる施設を破壊し、文化財、公園若しくは温泉資源の保護に支障を生じ、又は農業、林業若しくはその他の産業の利益を損じ、公共の福祉に反するものでないこと。
- (vii) The mining of Minerals in the Mining Application Area of the relevant application is found to have economic value, and does not have an adverse effect on public welfare by harming health and hygiene, resulting in the destruction of facilities for public use or any facility equivalent to this, disrupting the protection of cultural property, parks or hot spring resources or impairing the profit of agriculture, forestry or other industries; and
- 八 前各号に掲げるもののほか、その申請に係る鉱業申請地における鉱物の掘採が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。
- (viii) In addition to what is listed in the preceding items, the mining of

Minerals in the Mining Application Area of the relevant application is not extremely unsuitable in light of domestic and foreign social and economic circumstances and likely to hinder the promotion of public interest.

4 第二十三条第一項から第四項まで、第二十四条、第二十五条第一項、第二十六条及び第三十七条の規定は、第一項の申請に準用する。

(4) The provisions of paragraphs (1) through (4) of Article 23, Article 24, Article 25, paragraph (1), Article 26 and Article 37 shall apply mutatis mutandis to the application prescribed in paragraph (1).

(特定開発者である試掘権者の試掘権のみなし存続期間)

(Deemed Duration of Prospecting Rights Belonging to a Holder of Prospecting Rights Who is a Specified Developer)

第四十二条 前条第一項の規定による申請があつたときは、その試掘権の存続期間の満了の後でも、その申請の却下若しくは不許可の通知を受けるまで、又はその鉱物を目的とする採掘権の設定の登録があるまで、その試掘権は、存続するものとみなす。

Article 42 If the application prescribed in paragraph (1) of the preceding Article is filed, the prospecting right shall be deemed to remain effective until a notice of dismissal of or non-permission for the application is received or the establishment of a digging right for the Mineral is registered, even after the expiration of the duration of the prospecting right.

第三節 鉱業権の変更等

Section 3 Changes of Mining Rights

(共同鉱業権者)

(Joint Holders of Mining Rights)

第四十三条 鉱業権を共有する者（以下「共同鉱業権者」という。）は、経済産業省令で定める手続に従い、そのうちの一人を代表者と定め、これを経済産業大臣に届け出なければならない。

Article 43 (1) Those who jointly hold Mining Rights (hereinafter referred to as "Joint Holders of Mining Rights") must designate one of them as their representative pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry and notify the Minister of Economy, Trade and Industry of said representative.

2 前項の規定による届出がないときは、経済産業大臣は、代表者を指定する。

(2) If the notification pursuant to the preceding paragraph is not made, the Minister of Economy, Trade and Industry shall designate the representative.

3 前二項の代表者の変更は、経済産業大臣に届け出なければ、その効力を生じない。

(3) The change of the representative mentioned in the preceding two paragraphs above shall not become effective unless the Minister of Economy, Trade is notified of such change.

4 代表者は、国に対して共同鉱業権者を代表する。

(4) The representative shall represent the Joint Holder(s) of Mining Rights to the State.

5 共同鉱業権者は、組合契約をしたものとみなす。

(5) The Joint Holder(s) of Mining Rights shall be deemed to have concluded a partnership agreement.

(鉱区の増減)

(Increase or Decrease of the Scale of Mining Sites)

第四十四条 第二十一条第一項の規定により鉱業権の設定を受けた鉱業権者は、その鉱区の増減の出願をすることができる。

Article 44 (1) Holders of Mining Rights whose Mining Rights have been established pursuant to the provisions of Article 21, paragraph (1) may file an application for an increase or decrease of the scale of their Mining Sites.

2 前項の規定により採掘権者が抵当権が設定されている採掘権の鉱区の減少の出願をしようとするときは、あらかじめ抵当権者の承認を得なければ、その出願をすることができない。

(2) When the holders of digging rights intend to file an application for a decrease of the scale of Mining Sites for digging rights mortgaged pursuant to the provisions of the preceding paragraph, they may not file their application unless they are approved by mortgagees in advance.

3 第二十一条、第二十二条、第二十四条から第二十八条まで、第二十九条第一項（第三号を除く。）及び第二項並びに第三十七条の規定は、第一項の出願に準用する。

(3) The provisions of Articles 21 and 22, Articles 24 to 28, Article 29, paragraph (1) (excluding item (iii)) and paragraph (2), and Article 37 shall apply mutatis mutandis to the applications prescribed in paragraph (1) above.

(鉱区の増減の申請)

(Applications for Increase or Decrease of the Scale of Mining Sites)

第四十五条 特定区域内において鉱区を有する鉱業権者がその鉱区の増減をしようとするときは、経済産業省令で定める手続に従い、経済産業大臣に申請して、その許可を受けなければならない。

Article 45 (1) When the holders of Mining Rights who have Mining Sites within the specified zone intend to increase or decrease the scale of said Mining Sites, they must file an application with and obtain permission from the Minister of Economy, Trade and Industry, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の規定による申請が次に掲げる基準に適合していると認めるときでなければ、その申請を許可してはならない。

(2) The Minister of Economy, Trade and Industry must not grant permission for the application prescribed in the preceding paragraph, unless such application

is found to satisfy the following requirements:

一 その申請に係る鉱業申請人が特定区域において鉱物の合理的な開発を適確に遂行するに足りる経理的基礎及び技術的能力を有すること。

(i) The Mining Applicant for the relevant application has a sufficient financial foundation and technical capability to properly carry out reasonable development of Minerals in the specified zone;

二 その申請に係る鉱業申請人が十分な社会的信用を有すること。

(ii) The Mining Applicant for the relevant application has sufficient social credibility;

三 その申請に係る鉱業申請地がその目的となつている鉱物と異種の鉱床中に存する鉱物の他人の鉱区と重複し、又はその目的となつている鉱物と同種の鉱床中に存する鉱物の他人の鉱区と隣接する場合には、当該鉱業申請地における鉱物の掘採が他人の鉱業の実施を著しく妨害するものでないこと。

(iii) When the Mining Application Area for the relevant application overlaps with another person's Mining Site of Minerals that are found in different types of ore deposits than those where the Mineral which is the subject of said Mining Application is found, or is adjacent to another person's Mining Site of Minerals that are found in the same type of ore deposit where the Mineral which is the subject of said Mining Application is found, the mining of Minerals in the relevant Mining Application Areas does not significantly interfere with the implementation of the Mining of other persons;

四 その申請に係る鉱業申請地における鉱物の掘採が、経済的に価値があり、かつ、保健衛生上害があり、公共の用に供する施設若しくはこれに準ずる施設を破壊し、文化財、公園若しくは温泉資源の保護に支障を生じ、又は農業、林業若しくはその他の産業の利益を損じ、公共の福祉に反するものでないこと。

(iv) The mining of Minerals in the Mining Application Area of the relevant application is found to have economic value, is not harmful to health and hygiene, does not result in the destruction of facilities for public use or any facility equivalent to this, does not disrupt the protection of cultural property, parks or hot spring resources, or impair the profit of agriculture, forestry and other industries, and does not have an extremely adverse effect on public welfare; and

五 前各号に掲げるもののほか、その申請に係る鉱業申請地における鉱物の掘採が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。

(v) In addition to what is listed in the preceding items, the mining of Minerals in the Mining Application Area of the relevant application is not extremely unsuitable in light of domestic and foreign social and economic circumstances, nor is it likely to hinder the promotion of public interest.

3 第二十四条、第二十五条第一項、第二十六条、第三十七条及び前条第二項の規定は、第一項の申請に準用する。

(3) The provisions of Article 24, paragraph (1) of Article 25, Article 26, Article 37, and paragraph (2) of the preceding Article shall apply mutatis mutandis to the application prescribed in paragraph (1).

(掘進増区)

(Increase of the Scale of Excavation Sites)

第四十六条 第二十一条第一項の規定により採掘権の設定を受けた採掘権者（以下「一般採掘権者」という。）は、その採掘鉱区がその目的とする鉱物と同種の鉱床中に存する鉱物の他人の鉱区と隣接する場合において、鉱床の位置形状により隣接鉱区に掘進しなければその鉱床の完全な開発ができないときは、その隣接鉱区の鉱業権者及び抵当権者の承諾を得て、鉱床を定めて、鉱区の増加の出願をすることができる。この場合において、鉱業権者及び抵当権者は、正当な事由がなければ、その承諾を拒むことができない。

Article 46 (1) Holders of digging rights whose digging rights have been established pursuant to the provisions of Article 21, paragraph (1) (hereinafter referred to as "Holders of General Digging Rights") may, in cases where related digging areas are adjacent to Mining Sites of other persons where the targeted Minerals of digging areas are found in the same type of ore deposit, and if the ore deposit cannot be completely developed unless excavation is carried out into the adjacent Mining Site due to the location and shape of ore deposit, file an application to increase the scale of their Mining Sites by specifying the ore deposit to obtaining the approval of the holder of the Mining Rights and the mortgagee of the adjacent Mining Site. In this case, the holder of the Mining Rights and the mortgagee may not refuse to give such approval without justifiable grounds for doing so.

2 前項の出願については、第四十四条第三項の規定にかかわらず、第二十二条第二項及び第二十四条から第二十八条まで並びに第二十九条第一項（第五号から第八号までに係る部分に限る。）及び第二項の規定は、準用しない。

(2) Regarding the application prescribed in the preceding paragraph, the provisions of paragraph (2) of Article 22, Articles 24 through 28, and Article 29, paragraph (1) (limited to the portions pertaining to items (v) through (viii)) and paragraph (2) shall not apply mutatis mutandis irrespective of the provisions of Article 44, paragraph (3).

第四十七条 前条第一項の一般採掘権者は、同項の承諾を得ることができないときは、経済産業大臣の決定を申請することができる。

Article 47 (1) Holders of General Digging Rights as prescribed in paragraph (1) of the preceding Article may file an application for a decision by the Minister of Economy, Trade and Industry, if the approval prescribed in said paragraph cannot be obtained.

2 経済産業大臣は、前項の規定による決定の申請を受理したときは、その申請書の副

本を隣接鉱区の鉱業権者及び抵当権者に交付するとともに、当事者の出頭を求めて、公開による意見の聴取を行わなければならない。

(2) The Minister of Economy, Trade and Industry must, when they have received an application for a decision pursuant to the preceding paragraph, deliver copies of the application to the holder of the Mining Rights and mortgagee of the adjacent Mining Site, request the attendance of the parties concerned, and hold a public hearing of their opinions.

3 経済産業大臣は、前項の意見の聴取をしようとするときは、その期日の一週間前までに、事案の要旨並びに意見の聴取の期日及び場所を当事者に通知し、かつ、これを公示しなければならない。

(3) The Minister of Economy, Trade and Industry must, when they intend to hold a hearing of opinions pursuant to the provisions of the preceding paragraph, notify the parties concerned of the outline of the matters in question and the date and place for said hearing of opinions by one week prior to the hearing, and also make a public notification of this.

4 第二項の意見の聴取に際しては、当事者及び利害関係人に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。

(4) When a hearing of opinions is held pursuant to the provisions of paragraph (2) above, the evidence of the matters in question shall be presented to the parties concerned and interested parties, and the opportunity to state their opinion shall be given to them.

5 経済産業大臣は、第一項の決定をしたときは、決定書の謄本を当事者に交付しなければならない。

(5) The Minister of Economy, Trade and Industry shall, when they have made a decision as prescribed in paragraph (1) above, deliver certified copies of the written order to the parties concerned.

6 前項の決定があつたときは、隣接鉱区の鉱業権者及び抵当権者の承諾があつたものとみなす。

(6) When a decision order is made pursuant to the preceding paragraph, it shall be deemed that the holder of the Mining Rights and mortgagee of the adjacent Mining Site have given their approval.

(鉱区の増減命令)

(Orders to Increase or Decrease the Scale of Mining Sites)

第四十八条 経済産業大臣は、一般採掘権者の採掘鉱区について、その鉱区の位置形状が鉱床の位置形状と相違し、その鉱区の位置形状を変更しなければその鉱床の完全な開発ができないと認めるときは、当該一般採掘権者に対し、その鉱区の位置形状が鉱床の位置形状に合致するように、鉱区の増減の出願を命ずることができる。

Article 48 (1) When the location and shape of the digging area of a Holders of General Digging Rights are different from that of an ore deposit and it is found that the ore deposit cannot be completely developed unless the location and

shape of the digging area are changed, the Minister of Economy, Trade and Industry may order the relevant Holders of General Digging Rights to file an application to increase or decrease the scale of the digging area to make the location and shape thereof conform with that of the ore deposit.

2 第三十一条第二項の規定は、前項の場合に準用する。

(2) The provisions of Article 31, paragraph (2) shall apply mutatis mutandis to the case specified in the preceding paragraph.

3 経済産業大臣は、第一項の規定による命令をしようとするときは、行政手続法（平成五年法律第八十八号）第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

(3) The Minister of Economy, Trade and Industry must, when they intend to give orders pursuant to the provisions of paragraph (1) above, conduct a hearing irrespective of the classification of procedures for making a statement of opinion as prescribed in Article 13, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993).

4 経済産業大臣は、前項の聴聞をしようとするときは、その期日の一週間前までに、行政手続法第十五条第一項の規定による通知をし、かつ、事案の要旨並びに聴聞の期日及び場所を公示しなければならない。

(4) The Minister of Economy, Trade and Industry must, when they intend to conduct a hearing as prescribed in the preceding paragraph, provide notice of said hearing pursuant to Article 15, paragraph (1) of the Administrative Procedure Act, and make a public notification of the outline of the matters in question and the date and place for said hearing of opinions by one week prior to the hearing.

5 第三項の聴聞の期日における審理は、公開により行わなければならない。

(5) The conducting of proceedings on the day of the hearing prescribed in paragraph (3) above must be open to the public.

6 第三項の聴聞の主宰者は、行政手続法第十七条第一項の規定により当該処分に係る利害関係人が当該聴聞に関する手続に参加することを求めたときは、これを許可しなければならない。

(6) If interested parties in such disposition request for their participation in the process of the hearing pursuant to Article 17, paragraph (1) of the Administrative Procedure Act, the chairperson of the hearing prescribed in paragraph (3) above must permit their participation.

（採掘出願命令）

（Orders for Digging Applications）

第四十九条 経済産業大臣は、第二十一条第一項の規定により試掘権の設定を受けた試掘権者（以下「一般試掘権者」という。）の試掘鉱区における鉱物の存在が明らかであり、その鉱量、品位等に鑑み、試掘鉱区が採掘権の設定に適すると認めるときは、採掘出願を命ずることができる。

Article 49 (1) When it is found that the presence of Minerals in the prospecting area of a holder of prospecting rights, whose prospecting rights have been established pursuant to the provisions of Article 21, paragraph (1) (hereinafter referred to as the "Holder of General Prospecting Rights") is evident and the prospecting area is appropriate for establishment of digging rights in consideration of the amount, amount, quality, etc of the Minerals, the Minister of Economy, Trade and Industry may give an order to file an application for establishment of digging rights.

2 経済産業大臣は、前項の規定による命令をしようとするときは、行政手続法第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

(2) The Minister of Economy, Trade and Industry must, when they intend to give orders pursuant to the provisions of the preceding paragraph, conduct a hearing irrespective of the classification of procedures for making a statement of opinion pursuant to Article 13, paragraph (1) of the Administrative Procedure Act.

3 前条第四項から第六項までの規定は、第一項の規定による命令に係る聴聞に準用する。

(3) The provisions of paragraphs (4) through (6) of the preceding Article shall apply mutatis mutandis to the hearing to be conducted pursuant the orders prescribed in the provisions of paragraph (1) above.

(鉱区の分割及び合併)

(Division and Merging of Mining Sites)

第五十条 一般採掘権者は、鉱区の分割又は同種の鉱床中に存する鉱物の鉱区の合併の出願をすることができる。

Article 50 (1) Holders of General Digging Rights may file an application for the division of Mining Sites or merging of Mining Sites of Minerals that are found in the same type of ore deposit.

2 一般採掘権者は、鉱区を分割してこれを同種の鉱床中に存する鉱物の他の鉱区に合併し、又は同種の鉱床中に存する鉱物の二以上の鉱区の各一部を分割しこれを合併して一の鉱区とする出願をすることができる。

(2) Holders of General Digging Rights may file an application to divide a Mining Site and merge a part of such Mining Site with another Mining Site which has Minerals that are found in the same type of ore deposit,, or separate off parts of more than one Mining Sites which have Minerals that are found in the same type of ore deposit and merge them into one Mining Site.

3 第二十一条及び第三十七条の規定は、前二項の出願に準用する。

(3) The provisions of Articles 21 and 37 shall apply mutatis mutandis to the application prescribed in the preceding two paragraphs.

第五十一条 一般採掘権者は、抵当権が設定されている採掘権については、あらかじめ抵当権者の承諾及び抵当権の順位に関する協定を経なければ、前条第一項又は第二項の出願をすることができない。

Article 51 Regarding digging rights on which a mortgage is established, Holders of General Digging Rights may not file the applications prescribed in paragraph (1) or (2) of the preceding Article unless they have been given approval by mortgagees and have concluded agreements with them on the priority of the mortgages in advance.

(鉱業権の移転)

(Transfer of Mining Rights)

第五十一条の二 鉱業権の移転をしようとするときは、当該鉱業権の移転を受けようとする者は、経済産業大臣に申請して、その許可を受けなければならない。

Article 51-2 (1) When a transfer of Mining Rights is intended to be made, the person who intends to receive the transfer of said Mining Rights must file an application with and obtain permission from the Minister of Economy, Trade and Industry.

2 前項の規定による申請をしようとする者は、経済産業省令で定める手続に従い、鉱業権の登録番号その他経済産業省令で定める事項を記載した申請書を、経済産業大臣に提出しなければならない。

(2) Any person who intends to file an application pursuant to the provisions of the preceding paragraph must submit a written application, stating the registration number of the Mining Right and other particulars specified by Ordinance of the Ministry of Economy, Trade and Industry, to the Minister of Economy, Trade and Industry, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

3 経済産業大臣は、第一項の規定による申請が次に掲げる基準に適合していると認めるときでなければ、その申請を許可してはならない。

(3) The Minister of Economy, Trade and Industry must not grant permission for the application pursuant to the provisions of paragraph (1), unless they find such application to satisfy the following requirements:

一 その申請に係る鉱業権の移転を受けようとする者が当該鉱業権の目的となつてい
る鉱物の合理的な開発を適確に遂行するに足りる経理的基礎及び技術的能力を有す
ること。

(i) The person who intends to receive the transfer of the Mining Rights pertaining to the relevant application has a financial foundation and technical capability enough to properly carry out the reasonable development of the Minerals which are the subject of said Mining Rights;

二 その申請に係る鉱業権の移転を受けようとする者が十分な社会的信用を有すこ
と。

(ii) The person who intends to receive the transfer of the Mining Rights

pertaining to the relevant application has sufficient social credibility;

三 その申請に係る鉱業権の移転を受けようとする者が第二十九条第一項第三号イからハまでのいずれにも該当しないこと。

(iii) The person who intends to receive the transfer of the Mining Rights pertaining to the relevant application does not fall under any of (a) through (c) of Article 29, paragraph (1), item (iii); and

四 その申請に係る鉱業権の移転を受けようとする者による鉱物の掘採が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。

(iv) In addition to what is listed in the preceding items, the mining of Minerals by the person who intends to receive the transfer of the Mining Rights pertaining to the relevant application is not extremely unsuitable in light of the domestic and foreign social and economic circumstances and likely to hinder the promotion of public interest.

4 第二十三条第一項から第四項まで及び第三十七条の規定は、第一項の申請に準用する。

(4) The provisions of paragraphs (1) through (4) of Article 23 and Article 37 shall apply mutatis mutandis to the application prescribed in paragraph (1).

(鉱業権の相続その他の一般承継)

(General Succession, Including Inheritance, of Mining Rights)

第五十一条の三 相続その他の一般承継によつて鉱業権を取得した者は、経済産業省令で定める手続に従い、取得の日から三月以内にその旨を経済産業大臣に届け出なければならない。

Article 51-3 (1) Those who have acquired Mining Rights due to general succession, including inheritance, must notify the Minister of Economy, Trade and Industry to that effect within three months from the date of such acquisition, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の規定による届出が、次に掲げる基準のいずれにも適合すると認めるときは、その旨をその届出をした者に通知し、いずれかに適合しないと認めるときは、鉱業権を譲渡するために通常必要と認められるものとして経済産業省令で定める期間内に譲渡すべき旨をその届出をした者に通知しなければならない。

(2) When the Minister of Economy, Trade and Industry finds that the notification made pursuant to the preceding paragraph satisfies all of the following requirements, they must notify the person who made such notification to that effect, and when they find that said notification fails to satisfy any of the following requirements, they must notify the person who made such notification to the effect that such person should transfer the Mining Right within the period specified by Ordinance of the Ministry of Economy, Trade and Industry, which is a period that is normally deemed necessary for

transferring Mining Rights:

一 その届出に係る鉱業権を取得した者が当該鉱業権の目的となつている鉱物の合理的な開発を適確に遂行するに足りる経理的基礎及び技術的能力を有すること。

(i) The person, who acquired Mining Rights pertaining to the relevant notification, has a sufficient financial foundation and technical capability to properly carry out reasonable development of the Mineral which is the subject of said Mining Rights;

二 その届出に係る鉱業権を取得した者が十分な社会的信用を有すること。

(ii) The person, who acquired Mining Rights pertaining to the relevant notification, has sufficient social credibility;

三 その届出に係る鉱業権を取得した者が第二十九条第一項第三号イからハまでのいずれにも該当しないこと。

(iii) The person, who acquired Mining Rights pertaining to the relevant notification, does not fall under any of (a) through (c) of Article 29, paragraph (1), item (iii); and

四 その届出に係る鉱業権を取得した者による鉱物の掘採が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。

(iv) The mining of Minerals by the person who acquired Mining Rights pertaining to the relevant notification is not extremely unsuitable in light of domestic and foreign social and economic circumstances, nor is it likely to hinder the promotion of public interest.

(取消し等の処分)

(Rescission and Other Dispositions)

第五十二条 経済産業大臣は、錯誤により、鉱業権の設定、鉱区の増減、分割若しくは合併又は鉱業権の移転の許可をしたときは、その錯誤を訂正するため、鉱業権の取消し又は変更の処分をしなければならない。

Article 52 The Minister of Economy, Trade and Industry must, when they have permitted the establishment of Mining Rights, the increase or decrease of the scale of Mining Sites, or the division or merging of Mining Sites, or the transfer of Mining Rights by mistake, make dispositions to correct said mistake such as the rescission or changing of such Mining Rights.

第五十三条 経済産業大臣は、鉱物の掘採が保健衛生上害があり、公共の用に供する施設若しくはこれに準ずる施設を破壊し、文化財、公園若しくは温泉資源の保護に支障を生じ、又は農業、林業若しくはその他の産業の利益を損じ、著しく公共の福祉に反するようになったと認めるときは、鉱区のその部分について減少の処分をし、又は鉱業権を取り消さなければならない。

Article 53 When the mining of Minerals is found to be harmful to health and hygiene, result in the destruction of facilities for public use or any facility

equivalent to this, to disrupt the protection of cultural property, parks or hot spring resources, or impair the profit of agriculture, forestry and other industries, and to have an extremely adverse effect on public welfare, the Minister of Economy, Trade and Industry must make dispositions to decrease the scale of such part of the Mining Site or rescind Mining Rights thereof.

第五十三条の二 国は、前条の規定による鉱区の減少の処分又は鉱業権の取消によつて生じた損失を当該鉱業権者（減少の処分に係る鉱区の部分又は取消に係る鉱業権の鉱区に租鉱権が設定されているときは、当該鉱業権者及び当該租鉱権者）に対し補償しなければならない。

Article 53-2 (1) The State must compensate holders of Mining Rights (holders of Mining Rights and holders of Mining Lease Rights in cases where Mining Lease Rights are established for part of the Mining Site which was decreased through a disposition, or in the Mining Site where Mining Rights are rescinded) for losses caused by a decrease of the scale of Mining Sites or rescission of Mining Rights through the disposition prescribed in the provisions of the preceding Article.

2 前項の規定により補償すべき損失は、前条の規定による鉱区の減少の処分又は鉱業権の取消によつて通常生ずべき損失とする。

(2) The losses to be compensated for pursuant to the provisions of the preceding paragraph shall be the losses that would generally be caused by the decrease of the scale of Mining Sites or rescission of Mining Rights pursuant to the provisions of the preceding Article.

3 経済産業大臣は、前条の規定による鉱区の減少の処分又は鉱業権の取消しによつて著しく利益を受ける者があるときは、その者に対し、その利益を受ける限度において第一項の規定による補償金の額の全部又は一部を負担させることができる。

(3) If there is any person who significantly benefits from the decrease of the scale of Mining Sites or rescission of Mining Rights pursuant to the provisions of the preceding Article, the Minister of Economy, Trade and Industry may have such person pay part or all of the compensation prescribed in the provisions of paragraph (1) above in relation to the extent that said person benefits.

4 第一項の規定による補償金及び前項の規定による負担金の額は、経済産業大臣が総合資源エネルギー調査会の意見を聴いて決定する。

(4) The amount of compensation prescribed in the provisions of paragraph (1) above and that of payment prescribed in the provisions of the preceding paragraph shall be decided by the Minister of Economy, Trade and Industry by listening to the opinion of the Advisory Committee for Natural Resources and Energy.

5 前項の決定に不服がある者は、その決定を知つた日から六箇月以内に、訴えをもつて補償金の増額又は負担金の減額を請求することができる。

(5) Any person who has an objection to the decision set forth in the preceding

paragraph may request an increase in compensation or a decrease of the amount to be borne by filing an action within six months from the day on which they come to know of the decision.

6 前項の訴えにおいては、国を被告とする。

(6) In the action prescribed in the preceding paragraph, the State shall be the defendant.

7 前条の規定により鉱区の減少の処分を受け、又は取り消された採掘権の上に抵当権があるときは、当該抵当権者の承諾を得た場合を除き、国は、その補償金を供託しなければならない。

(7) When Mining Sites are reduced through a disposition pursuant to the provisions of the preceding Article or a mortgage is arranged on rescinded digging rights, the State must deposit the compensation, except for cases where approval is given by the mortgagee.

8 前項の抵当権者は、同項の規定により供託した補償金に対して、その権利を行うことができる。

(8) The mortgagee in the preceding paragraph may exercise their rights on the compensation deposited pursuant to the provisions of the preceding paragraph.

第五十四条 経済産業大臣は、鉱物の掘採が他人の鉱業を著しく妨害するに至った場合において、他にその妨害を排除する方法がないと認めるときは、鉱区のその部分について減少の処分をし、又は鉱業権を取り消すことができる。

Article 54 If the mining of Minerals significantly interferes with the Mining conducted by other persons, the Minister of Economy, Trade and Industry may decrease the scale of the responsible part of Mining Sites through a disposition or rescind said Mining Rights, if they find that there is no other way to eliminate such interference.

第五十五条 経済産業大臣は、鉱業権者が次の各号のいずれかに該当するときは、鉱業権を取り消すことができる。

Article 55 If holders of Mining Rights fall under any of the following items, the Minister of Economy, Trade and Industry may rescind said Mining Rights:

一 第二十九条第一項第三号イ又はハに該当するに至ったとき。

(i) They come to fall under (a) or (c) of Article 29, paragraph (1), item (iii);

二 第四十八条第一項又は第四十九条第一項の規定による命令に従わないとき。

(ii) They do not comply with the order issued pursuant to the provisions of Article 48, paragraph (1) or Article 49, paragraph (1);

三 第五十一条の三第一項の規定による届出をしなかつたとき。

(iii) They failed to make the notification pursuant to the provisions of Article 51-3, paragraph (1);

四 第五十一条の三第二項の期間内に鉱業権の譲渡がされないとき。

(iv) Their Mining Rights have not been transferred within the period specified

in Article 51-3, paragraph (2)

五 第六十二条第一項若しくは第二項の規定に違反して事業に着手しないとき、又は同条第三項の規定に違反して引き続き一年以上休業したとき。

(v) They do not start business in violation of paragraph (1) or (2) of Article 62, or they continue to suspend business operations for one year or longer in violation of paragraph (3) of said Article;

六 第六十三条又は第六十三条の二の施業案によらないで鉱業を行つたとき。

(vi) They conduct Mining without any operational plan as prescribed in Article 63 or Article 63-2;

七 第一百二十条の規定による命令に従わないとき。

(vii) They do not comply with the orders issued pursuant to the provisions of Article 120; and

八 鉱山保安法第三十三条第二項、第三十四条又は第三十五条の規定による命令に従わないとき。

(viii) They do not comply with the orders issued pursuant to the provisions of paragraph (2) of Article 33, Article 34 or Article 35 of the Mining Safety Act (Act No. 70 of 1949).

第五十六条 経済産業大臣は、第五十三条又は第五十四条の規定による鉱区の減少の処分をしようとするときは、行政手続法第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない

Article 56 (1) The Minister of Economy, Trade and Industry must, when they intend to decrease the scale of Mining Sites through a disposition pursuant to the provisions of Article 53 or 54, conduct a hearing irrespective of the classification of procedures for statements of opinion as prescribed in Article 13, paragraph (1) of the Administrative Procedure Act.

2 第四十八条第四項から第六項までの規定は、第五十三条、第五十四条又は前条の規定による処分に係る聴聞に準用する。

(2) The provisions of paragraphs (4) through (6) of Article 48 shall apply mutatis mutandis to the hearings pertaining to dispositions prescribed in the provisions of Article 53, 54 or the preceding Article.

3 第五十三条、第五十四条又は前条の規定による処分の名あて人となるべき者の所在が判明しない場合における行政手続法第十五条第三項の規定の適用については、同項中「当該行政庁の事務所の掲示場に掲示することによって」とあるのは「鉱業権者の鉱業原簿に記載された住所の所在地の市役所、町村役場又はこれに準ずるものの掲示場に掲示するとともに、その掲示をした旨及びその要旨を官報に掲載することによって」と、「掲示を始めた日から二週間を経過したとき」とあるのは「掲示を始めた日又は官報に掲載した日のいずれか遅い日から十四日を経過した日」とする。

(3) Regarding application of the provisions of Article 15, paragraph (3) of the Administrative Procedure Act in cases where the location of the person subject to the disposition pursuant to the provisions of Articles 53, 54 or the preceding

Article is not identified, the expression "by posting a notice at the posting area of the office of the administrative agency" shall be deemed to be replaced with "by posting a notice at the posting area of a city office or town hall or any facility equivalent thereto in the vicinity of the Mining Applicant's address mentioned in the Mining registry, and also by publishing the details and outline of the notice in an official gazette, " and the expression "when two weeks have passed since the starting day of posting the notice" shall be deemed to be replaced with "on whichever is later between the day when 14 days have passed since the starting day of posting the notice, and the day of publication of the notice in an official gazette."

(採掘権の取消しと抵当権)

(Rescission of Digging Rights and Mortgages)

第五十七条 経済産業大臣は、採掘権の取消しによる消滅の登録をしたときは、直ちにその旨を抵当権者に通知しなければならない。

Article 57 (1) The Minister of Economy, Trade and Industry must, when they have registered the extinction of digging rights through rescission, immediately notify the mortgagee thereof.

2 抵当権者は、前項の規定による通知の到達の日から三十日以内に、採掘権の競売の申立をすることができる。但し、第五十二条から第五十四条までの規定による採掘権の取消の場合は、この限りでない。

(2) The mortgagee may apply to auction digging rights within 30 days from the day of arrival of the notice prescribed in the provisions of the preceding paragraph; provided, however, that this shall not apply in cases of rescission of digging rights pursuant to the provisions of Articles 52 through 54.

3 採掘権は、前項の期間内又は競売の手続が完結する日までは、競売の目的の範囲内で、なお存続するものとみなす。

(3) It shall be deemed that the digging rights remain effective within the scope of the purpose of the auction in the period prescribed in the preceding paragraph or until the day when the procedures for the auction are concluded.

4 買受人が代金を納付したときは、採掘権の取消しは、その効力を生じなかつたものとみなす。

(4) When a purchaser has paid the costs, it shall be deemed that the rescission of digging rights has not become effective.

5 競売による売却代金は、競売の費用及び抵当権者に対する債務の弁済に充て、その残余は、国庫に帰属する。

(5) The proceeds from the auction shall be appropriated to the payment of the expenses of the auction and that of obligation to the mortgagee, and the remainder shall belong to the national treasury.

(採掘権の放棄と抵当権)

(Waiver of Digging Rights and Mortgages)

第五十八条 前条の規定は、経済産業大臣が採掘権の放棄による消滅の登録をした場合に準用する。

Article 58 The provisions of the preceding Article shall apply mutatis mutandis to cases where the Minister of Economy, Trade and Industry registers extinction of digging rights due to a waiver.

第四節 鉱業権の登録

Section 4 Registration of Mining Rights

(登録)

(Registration)

第五十九条 左に掲げる事項は、鉱業原簿に登録する。

Article 59 (1) The following particulars shall be registered with the Mining registry:

一 鉱業権の設定、変更、存続期間の延長、移転、消滅及び処分の制限

(i) Establishment of and changes to Mining Rights, extension of the duration, transfer, extinction, and restriction on dispositions thereof;

二 共同鉱業権者の脱退

(ii) Withdrawal of Joint Holders of Mining Rights;

三 採掘権を目的とする抵当権の設定、変更、移転、消滅及び処分の制限

(iii) Establishment of and changes to mortgages on digging rights, and restrictions on the transfer, extinction and disposition thereof.

2 前項の規定による登録は、登記に代るものとする。

(2) The registration made pursuant to the provisions of the preceding paragraph shall replace a registry.

3 登録に関する規程は、政令で定める。

(3) The rules on registration shall be prescribed by Cabinet Order.

4 第一項の規定による登録に関する処分については、行政手続法第二章及び第三章の規定は、適用しない。

(4) Regarding dispositions concerning registration made pursuant to the provisions of paragraph (1) above, the provisions of Chapter II and Chapter III of the Administrative Procedure Act shall not apply.

5 鉱業原簿については、行政機関の保有する情報の公開に関する法律（平成十一年法律第四十二号）の規定は、適用しない。

(5) Regarding the Mining registry, the provisions of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999) shall not apply.

6 鉱業原簿に記録されている保有個人情報（行政機関の保有する個人情報の保護に関する法律（平成十五年法律第五十八号）第二条第三項に規定する保有個人情報をいう。）については、同法第四章の規定は、適用しない。

(6) Regarding retained personal information (meaning the retained personal information prescribed in Article 2, paragraph (3) of the Act on the Protection of Personal Information Held by Administrative Organs (Act No. 58 of 2003)) recorded in the Mining registry, the provisions of Chapter IV of said Act shall not apply.

(登録の効力)

(Effect of Registration)

第六十条 前条第一項に掲げる事項は、相続その他の一般承継、死亡による共同鉱業権者の脱退、混同若しくは担保する債権の消滅による抵当権の消滅又は存続期間の満了による鉱業権の消滅の場合を除き、登録しなければ、その効力を生じない。

Article 60 The particulars listed in paragraph (1) of the preceding Article shall not become effective unless they are registered, except for cases of extinction of Mining Rights as a result of the withdrawal of Joint Holders of Mining Rights due to general succession, including inheritance or death; extinction of a mortgage due to the extinction merged or secured obligation; or the expiration of duration of the mortgage.

(表示の変更)

(Change of Indications)

第六十一条 経済産業大臣は、鉱区の所在地の名称若しくは地目、境界又は面積についての鉱区図の記載が事実と相違することを発見したときは、その鉱区図を更正し、当該鉱業権につき変更の登録をした後、その旨を鉱業権者に通知しなければならない。

Article 61 The Minister of Economy, Trade and Industry must, when they find that the name or land classification, boundary or area of the location of Mining Site are different from those listed in the map of the Mining Site, correct the map and register the changes made to the Mining Rights, and then notify the holder of Mining Rights thereof.

第五節 鉱業の実施

Section 5 Implementation of Mining

(事業着手の義務)

(Obligation to Initiate Business)

第六十二条 鉱業権者は、鉱業権の設定又は移転の登録があつた日から六箇月以内に、事業に着手しなければならない。

Article 62 (1) Holders of Mining Rights must start business operations within six months from the day of registration of establishment or the transfer of Mining Rights.

2 鉱業権者は、やむを得ない事由により前項の期間内に事業に着手することができないときは、期間を定め、事由を付して、経済産業大臣の認可を受けなければならない。

(2) If holders of Mining Rights cannot start business operations within the period prescribed in the preceding paragraph due to unavoidable circumstances, they must specify the period and give the grounds for this, and receive authorization from the Minister of Economy, Trade and Industry.

3 鉱業権者は、引き続き一年以上その事業を休止しようとするときは、期間を定め、事由を付して、経済産業大臣の認可を受けなければならない。

(3) If holders of Mining Rights intend to continue to suspend business operations for one year or longer, they must specify the period and give the grounds for this, and receive authorization from the Minister of Economy, Trade and Industry.

4 鉱業権者は、前項の認可を受けて休止した事業を開始したときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(4) When holders of Mining Rights start business operations that they suspended based on the authorization prescribed in the provisions of the preceding paragraph, they must notify the Minister of Economy, Trade and Industry thereof without delay.

(施業案)

(Operational Plan)

第六十三条 一般試掘権者は、事業に着手する前に、経済産業省令で定める手続に従い、施業案を定め、これを経済産業大臣に届け出なければならない。これを変更したときも、同様とする。

Article 63 (1) Holders of general prospecting rights must formulate their operational plans pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry before starting their businesses operations, and submit them to the Minister of Economy, Trade and Industry. The same shall apply when operational plans are changed.

2 一般採掘権者は、事業に着手する前に、経済産業省令で定める手続に従い、施業案を定め、経済産業大臣の認可を受けなければならない。これを変更するときも、同様とする。

(2) Holders of General Digging Rights must formulate their operational plans pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry before starting their business operations, and receive authorization from the Minister of Economy, Trade and Industry. The same shall apply when operational plans are changed.

3 前二項の鉱業権者は、第一項の規定により届出をし、又は前項の規定により認可を受けた施業案によらなければ、鉱業を行ってはならない。

(3) The holders of Mining Rights as prescribed in the preceding two paragraphs must not conduct Mining unless they make the notification pursuant to the provisions of paragraph (1) above or comply with the operational plans that are authorized pursuant to the provisions of the preceding paragraph.

第六十三条の二 第四十条第三項又は第七項の規定により鉱業権の設定を受けた鉱業権者は、事業に着手する前に、経済産業省令で定める手続に従い、第三十九条第二項の事業計画書の内容に即して施業案を定め、経済産業大臣の認可を受けなければならない。これを変更するときも、同様とする。

Article 63-2 (1) The holders of Mining Rights whose Mining Rights have been granted pursuant to the provisions of paragraph (3) or (7) of Article 40 must formulate their operational plans in line with the content of the business plan prescribed in Article 39, paragraph (2) pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry before starting their business operations, and receive authorization from the Minister of Economy, Trade and Industry. The same shall apply when operational plans are changed.

2 第四十一条第一項の規定により採掘権の設定を受けた採掘権者は、事業に着手する前に、経済産業省令で定める手続に従い、同条第二項の事業計画書の内容に即して施業案を定め、経済産業大臣の認可を受けなければならない。これを変更するときも、同様とする。

(2) The holders of digging rights whose digging rights have been established pursuant to the provisions of Article 41, paragraph (1) must formulate their operational plans in line with the business plan prescribed in paragraph (2) of said Article pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry, and receive authorization from the Minister of Economy, Trade and Industry. The same shall apply when operational plans are changed.

3 前二項の鉱業権者は、前二項の規定により認可を受けた施業案によらなければ、鉱業を行ってはならない。

(3) The holders of Mining Rights as prescribed in the preceding two paragraphs must not conduct Mining unless they comply with their operational plans that are authorized pursuant to the provisions of the preceding two paragraphs.

第六十三条の三 第四十条第三項若しくは第七項又は第四十一条第一項の規定により設定された鉱業権の移転があつたときは、移転前の鉱業権者が前条第一項又は第二項の認可を受けた施業案を、その鉱業権の移転を受けた者が認可を受けた施業案とみなして、同条第三項の規定を適用する。

Article 63-3 When the Mining Rights which have been established pursuant to the provisions of paragraph (3) or (7) of Article 40 or Article 41, paragraph (1) have been transferred, the operational plans for which the holders of Mining Rights prior to the transfer thereof have obtained approval pursuant to paragraph (1) or (2) of the preceding Article shall be deemed to be the operational plans for which the persons who received the transfer of such Mining Rights have obtained authorization, and the provisions of paragraph (3)

of said Article shall apply.

(掘採の制限)

(Restrictions on Mining)

第六十四条 鉱業権者は、鉄道、軌道、道路、水道、運河、港湾、河川、湖、沼、池、橋、堤防、ダム、かんがい排水施設、公園、墓地、学校、病院、図書館及びその他の公共の用に供する施設並びに建物の地表地下とも五十メートル以内の場所において鉱物を掘採するには、他の法令の規定によつて許可又は認可を受けた場合を除き、管理庁又は管理人の承諾を得なければならない。但し、当該管理庁又は管理人は、正当な事由がなければ、その承諾を拒むことができない。

Article 64 Holders of Mining Rights must obtain the approval of competent agencies or administrators when they mine Minerals at places located within 50 meters, both on the Earth's surface and underground, from railroads, tracks, roads, waterworks, waterways, ports and harbors, rivers, lakes, swamps, ponds, bridges, banks, dams, irrigation and drainage facilities, parks, cemeteries, schools, hospitals, libraries, and other facilities and buildings for public use, except for in cases where they are given permission or authorization under the provisions of other laws and regulations; provided, however, that such competent agencies or administrators may not refuse to give such approval without justifiable grounds for doing so.

第六十四条の二 鉱業権者は、前条の管理人の承諾を得ることができないときは、経済産業大臣の決定を申請することができる。

Article 64-2 (1) Holders of Mining Right may file an application for a decision by the Minister of Economy, Trade and Industry, if they cannot obtain approval from administrators as prescribed in the preceding Article.

2 第四十七条第二項から第六項までの規定は、前項の決定に準用する。

(2) The provisions of paragraphs (2) through (6) of Article 47 shall apply mutatis mutandis to the decision prescribed in the provisions of the preceding paragraph.

3 経済産業大臣は、第一項の決定をしようとするときは、あらかじめ公害等調整委員会の承認を得なければならない。

(3) The Minister of Economy, Trade and Industry must, when they make the decision prescribed in the provisions of paragraph (1) above, receive approval from the Environmental Dispute Coordination Committee in advance.

(重複鉱区における鉱業)

(Mining in Overlapping Mining Sites)

第六十五条 第四十六条第一項の規定により隣接鉱区に重複して鉱区の増加の出願をし、その登録を受けた一般採掘権者は、その重複する部分においては、同項の承諾を得て定めた鉱床以外の鉱床に掘進することができない。ただし、隣接鉱区の鉱業権が消滅

した後は、この限りでない。

Article 65 Holders of General Digging Rights who filed an application for an increase of the scale of Mining Sites to overlap with adjacent Mining Sites pursuant to the provisions of Article 46, paragraph (1) and received registration thereof may not carry out excavation into an ore deposit other than those ore deposits that are specified upon approval under said paragraph in the overlapping areas; provided, however, that this shall not apply after extinction of the Mining Rights of adjacent Mining Sites.

第六十六条 異種の鉱床中に存する鉱物の鉱区が重複するときは、その重複する部分について鉱業権の設定又は鉱区の増加による変更の登録を得た日が後である者は、その先である者の承諾を得なければ、その部分において鉱物を掘採してはならない。但し、鉱業権の設定又は鉱区の増加による変更の登録を得た日が先である者は、正当な事由がなければ、その承諾を拒むことができない。

Article 66 (1) If Mining Sites of Minerals that are found in different types of ore deposits overlap, the holder of Mining Rights whose day of obtaining the registration of establishment of Mining Rights or that of changes thereof due to an increase of the scale of Mining Sites in the overlapping areas is later than that of the other holder of Mining Rights, said holder may not mine any Minerals in the overlapping areas unless they obtain approval from said other holder; provided, however, that the holder of Mining Rights whose day of obtaining the registration of establishment of Mining Right or that of changes thereof due to an increase of the scale of Mining Sites is earlier may not refuse to give such approval without any justifiable grounds for doing so.

2 異種の鉱床中に存する鉱物の鉱区が重複する場合において、その重複する部分について鉱業権の設定又は鉱区の増加による変更の登録を得た日が同日であるときは、鉱業権者は、他の鉱業権者と協議し、その協議のととのつたところによらなければ、その部分において鉱物を掘採してはならない。

(2) If Mining Sites of Minerals that are found in different types of ore deposits overlap, and the holders of Mining Rights obtained the registration of establishment of Mining Rights or that of changes thereof due to an increase of the scale of Mining Sites in the overlapping areas on the same day, they may not mine any Mineral in the overlapping areas unless one holder consults with and reaches agreement with the other holders.

3 一般試掘権者が試掘権の存続期間中に、同種の鉱床中に存する鉱物について試掘鉱区に重複して採掘出願をし、その許可を受けたときは、前二項の規定の適用については、その重複する部分に限り、試掘権の設定又は試掘鉱区の増加による変更の登録があつた日に採掘権の設定又は採掘鉱区の増加による変更の登録があつたものとみなす。

(3) If a Holder of General Prospecting Rights files a Digging Application for Minerals that are found in the same type of ore deposit in an overlapping part of their prospecting area during the duration of their prospecting rights and

obtains permission for it, it shall be deemed, in applying of the provisions of the preceding two paragraphs, that the registration of establishment of digging rights or that of changes thereof due to an increase of the scale of digging areas was made on the day when the registration of establishment of prospecting rights or that of changes thereof due to an increase of the scale of prospecting areas was made only in relation to the overlapping areas.

4 第一項の承諾を得ることができないとき、又は第二項の規定による協議をすることができず、若しくは協議が調わないときは、鉱業権者は、経済産業大臣の決定を申請することができる。

(4) If the approval prescribed in the provisions of paragraph (1) above cannot be obtained, or if the consultation prescribed in the provisions of paragraph (2) cannot be arranged or no agreement can be reached, holders of Mining Rights may file an application for a decision by the Minister of Economy, Trade and Industry.

5 第四十七条第二項から第六項までの規定は、前項の決定に準用する。

(5) The provisions of paragraphs (2) through (6) of Article 47 shall apply mutatis mutandis to the decision prescribed in the provisions of the preceding paragraph.

(鉱種名の変更)

(Change of Type of Minerals)

第六十七条 鉱業権者は、その鉱区において、登録を受けた鉱物と同種の鉱床中に存する他の鉱物を掘採しようとするときは、説明書を添えて経済産業局長大臣に届け出て、その鉱物の存在の確認を受けなければならない。

Article 67 Holders of Mining Rights must, when they intend to mine in their Mining Sites other Minerals that are found in the same type of ore deposit of the Minerals registered, make a notification to the Minister of Economy, Trade and Industry with a written explanation and have the presence of such Minerals confirmed.

(鉱業事務所)

(Mining Office)

第六十八条 鉱業権者は、事業に着手したときは、遅滞なく、鉱区の所在地又はその附近に鉱業事務所を定め、その所在地及び着手の年月日を経済産業大臣に届け出なければならない。

Article 68 When holders of Mining Rights have started their business operations, they must establish Mining offices without delay at the location of their Mining Sites or in their vicinity, and notify the Minister of Economy, Trade and Industry of their locations, and the date of commencement of said business.

(試掘工程表)

(Prospecting Schedule)

第六十九条 試掘権者は、経済産業省令で定める手続に従い、試掘工程表を作成し、鉱業事務所に備えて置かなければならない。

Article 69 Holders of prospecting rights must prepare prospecting schedules pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry, and keep them at their Mining offices.

(坑内実測図及び鉱業簿)

(Survey Maps of the Interior of Mining Pits and Mining Registry)

第七十条 採掘権者は、経済産業省令で定める手続に従い、坑内実測図及び鉱業簿を作成し、鉱業事務所に備えて置かなければならない。

Article 70 Holders of digging rights must prepare a survey map of the interior of mining pits, and Mining registries pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry, and keep them at their Mining offices.

(定期の報告)

(Periodical Reports)

第七十条の二 第四十条第三項若しくは第七項又は第四十一条第一項の規定により鉱業権の設定を受けた鉱業権者は、経済産業省令で定める手続に従い、経済産業省令で定める期間ごとに、当該鉱業権の鉱区における特定鉱物の掘採の状況、当該特定鉱物の鉱床の状態その他の経済産業省令で定める事項を経済産業大臣に報告しなければならない。

Article 70-2 (1) Holders of Mining Rights whose Mining Rights have been established pursuant to the provisions of paragraph (3) or (7) of Article 40 or Article 41, paragraph (1) must report to the Minister of Economy, Trade and Industry on the status of the Mining of the Specified Minerals in the Mining Sites pertaining to the relevant Mining Rights, the conditions of the ore deposit of the Specified Minerals, and other particulars specified by Ordinance of the Ministry of Economy, Trade and Industry, for each period specified by Ordinance of the Ministry of Economy, Trade and Industry and pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

2 前項の規定は、第二十一条第一項の規定により鉱業権の設定を受けた鉱業権者が第六十七条の規定により特定鉱物の存在の確認を受けた場合に準用する。

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to cases where the holders of Mining Rights whose Mining Rights have been established pursuant to the provisions of Article 21, paragraph (1) have had the presence of the Specified Mineral confirmed pursuant to the provisions of Article 67.

第三章 租鉱権

Chapter III Mining Lease Rights

(性質)

(Nature of Rights)

第七十一条 租鉱権は、物権とみなし、この法律に別段の定がある場合を除く外、不動産に関する規定を準用する。

Article 71 Mining Lease Rights shall be deemed to be real rights, and provisions related to real property shall be applied mutatis mutandis to them unless otherwise provided for in this Act.

第七十二条 租鉱権は、相続その他の一般継の目的となる外、権利の目的となることができない。

Article 72 Mining Lease Rights cannot become the subject of rights other than inheritance, or other forms of general succession,

(租鉱区)

(Mining Lease Area)

第七十三条 租鉱権の区域（以下「租鉱区」という。）の境界は、直線で定め、地表の境界線の直下を限とする。

Article 73 The boundaries of sites of Mining Lease Rights (hereinafter referred to as "Mining Lease Sites") shall be established using straight lines, and boundary lines shall continue directly below the boundaries on the surface of the Earth.

(設定)

(Establishment of Rights)

第七十四条 租鉱権は、特定の鉱床を目的として設定することができる。

Article 74 Mining Lease Rights may be established with specific ore deposits as their subject.

第七十五条 同一の鉱区中同一の区域においては、二以上の租鉱権を設定することができない。但し、前条の場合は、この限りでない。

Article 75 Two or more Mining Lease Rights may not be established in the same area of the same Mining Site; provided, however, that this shall not apply to the preceding Article.

(存続期間及びその延長)

(Duration and Extension Thereof)

第七十六条 租鉱権の存続期間は、登録の日から十年以内とする。

Article 76 (1) The duration of Mining Lease Rights shall be ten years or less,

from the day of registration.

2 前項の期間は、その満了に際し、延長することができる。

(2) The duration referred to in the provisions of the preceding paragraph may be extended upon its expiration.

3 前項の規定により延長する期間は、五年をこえることができない。

(3) A duration extended pursuant to the provisions of the preceding paragraph cannot be extended for more than five years.

4 租鉱権者及び一般採掘権者は、第二項の規定により存続期間を延長しようとするときは、経済産業省令で定める手続に従い、契約書を添えて経済産業大臣に申請し、その認可を受けなければならない。

(4) Holders of Mining Lease Rights and Holders of General Digging Rights must, when they intend to extend the duration thereof pursuant to the provisions of paragraph (2) above, apply with attached contracts to and receive authorization from the Minister of Economy, Trade and Industry pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

(設定の申請)

(Application for the Establishment of Rights)

第七十七条 租鉱権を設定しようとするときは、一般租鉱権者となろうとする者及び採掘権者は、経済産業省令で定める手続に従い、次に掲げる事項を記載した申請書に区域図、租鉱権の設定を必要とする理由を記載した書面及びその設定に関する契約書を添えて、経済産業大臣に提出し、その認可を受けなければならない。

Article 77 (1) Those who intend to become holders of general Mining Lease Rights and holders of digging rights must, when they intend to create said Mining Lease Rights, submit the application, with reference made to the following particulars, to the Minister of Economy, Trade and Industry and attach a map of the area under application and a document giving reasons for requiring the establishment of Mining Lease Rights, and a contract in relation to the establishment pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry, and receive authorization from the Minister of Economy, Trade and Industry:

一 申請の区域の所在地

(i) Location of the application zone;

二 申請の区域の面積

(ii) Area of the application zone;

三 目的とする鉱物の名称

(iii) Name of the Mineral to be mined;

四 採掘権の登録番号

(iv) Registration number of digging rights;

五 鉱床を特定したときは、その鉱床

(v) Ore deposit (if specified);

六 存続期間

(vi) Duration;

七 租鉱料を支払うべきときは、租鉱料並びにその支払の時期及び方法

(vii) Mining lease fee and the timing and method of payment thereof, if such fee is to be paid; and

八 氏名又は名称及び住所

(viii) Name and address.

2 特定の鉱床を目的として租鉱権を設定しようとするときは、前項の書類の外、申請書に鉱床図及びその説明書を添えなければならない。

(2) When they intend to create Mining Lease Rights with specific ore deposits as the subject, they must also submit their application with maps of ore deposits and a written explanation thereof attached, in addition to the documents prescribed in the preceding paragraph.

3 経済産業大臣は、第一項の申請が次に掲げる基準に適合していると認めるときでなければ、その申請を認可してはならない。

(3) The Minister of Economy, Trade and Industry must not authorize any application filed pursuant to the provisions of paragraph (1) above, unless they find that such application satisfies the following requirements:

一 その申請に係る残鉱の掘採その他鉱区の一部における鉱物の経済的開発を行うため必要があること。

(i) It is necessary in order to allow for the mining of residual Minerals and economically develop Minerals in parts of other Mining Sites in relation to the relevant application;

二 その申請に係る租鉱権者となろうとする者が前号の経済的開発を適確に遂行するに足りる経理的基礎及び技術的能力を有すること。

(ii) The person who intends to become the holder of Mining Lease Rights pertaining to the relevant application has a sufficient financial foundation and technical capability to properly implement the economical development set forth in the preceding item; and

三 その申請に係る租鉱権者となろうとする者が第二十九条第一項第三号イからハマでのいずれにも該当しないこと。

(iii) The person who intends to become the holder of Mining Lease Rights pertaining to the relevant application does not fall under any of (a) through (c) of Article 29, paragraph (1), item (iii);

4 租鉱権者となろうとする者が租鉱権の設定の認可の通知を受けた日から三十日以内に、経済産業省令で定める手続に従い、登録免許税を納付しないときは、認可は、その効力を失う。

(4) If those who intend to become a holder of Mining Lease Rights do not pay the registration and license tax pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry within 30 days from the day

when they received notification of the authorization of establishment of Mining Lease Rights, the approval shall cease to be effective.

(租鉱区の増減)

(Increase or Decrease of the Scale of Mining Lease Sites)

第七十八条 租鉱権者及び一般採掘権者は、租鉱区を増減することができる。

Article 78 (1) Holders of Mining Lease Rights and Holders of General Digging Rights may increase or decrease the scale of their Mining Lease Sites.

2 前条の規定は、租鉱区の増減に準用する。

(2) The provisions of the preceding Article shall apply mutatis mutandis to the increase or decrease of the scale of Mining Lease Sites.

(行為の効力の承継)

(Succession of the Effects of Actions)

第七十九条 租鉱権の設定又は租鉱区の増加があつたときは、この法律の規定により一般採掘権者がした手続その他の行為は、租鉱権の範囲内において、租鉱権者に対しても、その効力を有する。

Article 79 (1) When Mining Lease Rights are established or the scale of Mining Lease Sites are increased, the procedures and other actions taken by Holders of General Digging Rights pursuant to the provisions of this Act shall be effective for holders of Mining Lease Rights within the scope of Mining Lease Rights.

2 租鉱権の消滅又は租鉱区の減少があつたときは、この法律の規定により租鉱権者がした手続その他の行為は、第二十一条第一項の規定により設定された採掘権（以下「一般採掘権」という。）の範囲内において、一般採掘権者に対しても、その効力を有する。ただし、一般採掘権の消滅による租鉱権の消滅の場合は、この限りでない。

(2) When Mining Lease Rights have become extinct or Mining Lease Sites are decreased in scale, the procedures and other acts taken by holders of Mining Lease Rights pursuant to the provisions of this Act shall be effective for Holders of General Digging Rights within the scope of the digging right established pursuant to the provisions of Article 21, paragraph (1) (hereinafter referred to as a "General Digging Right"); provided, however, that, this shall not apply to cases where Mining Lease Rights have become extinct due to the extinction of General Digging Rights.

(採掘権の変更と租鉱権)

(Change of Digging Rights and Mining Lease Rights)

第八十条 一般採掘権者は、租鉱区について鉱区の減少又は分割の出願をしようとするときは、あらかじめ租鉱権者の承諾を得なければならない。一般採掘権の上に租鉱権が存する場合において、一般採掘権を放棄しようとするときも、同様とする。

Article 80 Holders of General Digging Rights must, when they intend to file an application for a decrease in scale of or division of Mining Lease Sites, obtain

the approval of the holders of Mining Lease Rights in advance. The same shall apply to the waiver of General Digging Rights in cases of Mining Lease Rights over General Digging Rights.

(消滅の請求)

(Request for Extinction)

第八十一条 一般採掘権者は、租鉱権者が租鉱料を支払うべき場合において、その支払を遅滞したときは、三月以上の期間を定めてその履行を催告し、その期間内に履行しないときは、租鉱権の消滅を請求することができる。

Article 81 In cases where holders of Mining Lease Rights are to pay Mining lease charges but they delay such payment, Holders of General Digging Rights may demand said payment by specifying a period of three months or longer in which to make said payment, and if the holders of Mining Lease Rights do not make such payment within the specified period, the Holders of General Digging Rights may request the extinction of the Mining Lease Rights of such holders.

(放棄)

(Waivers)

第八十二条 租鉱権者は、租鉱料を支払うべきときは、六箇月前に予告し、又は期限の到来しない六箇月分の租鉱料を支払わなければ、租鉱権を放棄することができない。但し、天災その他避けることのできない事由によつて、租鉱権を設定した目的を達することができなくなつたときは、この限りでない。

Article 82 When holders of Mining Lease Rights have to pay Mining lease fees, they may not waive their Mining Lease Rights unless they give prior notice of said waiver six months in advance or pay six-month's worth of Mining lease fees that are not yet due; provided, however, that this shall not apply if it becomes impossible to achieve the purpose of establishment of the Mining Lease Rights because of unavoidable circumstances such as the occurrence of natural disasters.

(取消し)

(Rescission)

第八十三条 経済産業大臣は、租鉱権者が次の各号のいずれかに該当するときは、租鉱権を取り消すことができる。

Article 83 (1) When holders of Mining Lease Rights fall under any of the following items, the Minister of Economy, Trade and Industry may rescind their Mining Lease Rights:

一 第二十九条第一項第三号イ又はハに該当するに至つたとき。

(i) They come to fall under (a) or (c) of Article 29, paragraph (1), item (iii);

二 第八十七条において準用する第六十三条第二項の施業案によらないで鉱業を行つたとき。

(ii) They conduct Mining without the operational plans prescribed in of Article 63, paragraph (2) as applied mutatis mutandis pursuant to Article 87;

三 第八十六条の規定に違反して事業に着手しないとき、又は引き続き六月以上休業したとき。

(iii) They do not start business operations or they continue to suspend business operations for six months or longer in violation of the provisions of Article 86;

四 鉱山保安法第三十三条第二項、第三十四条又は第三十五条の規定による命令に従わないとき。

(iv) They do not comply with the orders prescribed in the provisions of Article 33, paragraph (2), Article 34 or Article 35 of the Mining Safety Act.

2 第四十八条第四項から第六項までの規定は、前項の規定による租鉱権の取消しに係る聴聞に準用する。

(2) The provisions of paragraphs (4) through (6) of Article 48 shall apply mutatis mutandis to hearings to be held for the rescission of Mining Lease Rights under the provisions of the preceding paragraph.

(登録)

(Registration)

第八十四条 租鉱権の設定、変更、存続期間の延長、相続その他の一般承継による移転及び消滅は、鉱業原簿に登録する。

Article 84 (1) The establishment and change of Mining Lease Rights, the extension of their duration, and their transfer and extinction due to general succession, including inheritance, shall be registered in the Mining registry.

2 前項の規定による登録は、登記に代るものとする。

(2) The registration pursuant to the provisions of the preceding paragraph shall replace a registry.

3 登録に関する規程は、政令で定める。

(3) The rules on registration shall be prescribed by Cabinet Order.

4 第一項の規定による登録に関する処分については、行政手続法第二章及び第三章の規定は、適用しない。

(4) Regarding dispositions concerning the registration made pursuant to the provisions of paragraph (1) above, the provisions of Chapter II and Chapter III of the Administrative Procedure Act shall not apply.

(登録の効力)

(Effect of Registration)

第八十五条 前条第一項に掲げる事項は、相続その他の一般承継、一般採掘権者の採掘鉱区の減少による租鉱権の変更又は一般採掘権の消滅、採掘鉱区の減少、存続期間の満了若しくは混同による租鉱権の消滅の場合を除き、登録しなければ、その効力を生じない。

Article 85 The particulars listed in paragraph (1) of the preceding Article shall not become effective unless they are registered, except for in the case of the extinction of Mining Lease Rights caused by changes of Mining Lease Rights or extinction of General Digging Rights due to general succession, including inheritance, decrease of the scale of digging areas of the Holders of General Digging Rights, expiration of the duration of rights, or the extinction of Mining Lease Rights due to a merger.

(事業着手の義務)

(Obligation to Initiate Business)

第八十六条 租鉱権者は、租鉱権の設定又は移転の登録があつた日から六箇月以内に、事業に着手しなければならない。

Article 86 (1) Holders of Mining Lease Rights must start business operations within six months from the day of registration of the establishment or transfer of Mining Lease Rights.

2 租鉱権者は、引き続き六箇月以上その事業を休止してはならない。

(2) Holders of Mining Lease Rights must not continue to suspend business operations for six months or longer.

(準用)

(Application, Mutatis Mutandis)

第八十七条 第十七条、第二十条、第二十三条第一項から第四項まで、第二十六条、第四十三条第一項から第四項まで、第五十二条から第五十四条まで、第五十六条第一項及び第二項、第六十一条、第六十三条第二項及び第三項、第六十四条、第六十四条の二、第六十八条並びに第七十条の規定は、租鉱権及び租鉱権者の鉱業に準用する。

Article 87 The provisions of Article 17, Article 20, paragraphs (1) through (4) of Article 23, Article 26, paragraphs (1) through (4) of Article 43, Articles 52 through 54, paragraphs (1) and (2) of Article 56, Article 61, paragraphs (2) and (3) of Article 63, Article 64, Article 64-2, Article 68 and Article 70 shall apply mutatis mutandis to Mining Lease Rights and Mining business by holders of Mining Lease Rights.

第四章 勧告及び協議

Chapter IV Recommendations and Consultation

(鉱業権の交換又は売渡し)

(Exchange or Sale of Mining Rights)

第八十八条 経済産業大臣は、同種の鉱床中に存する鉱物の鉱区が錯そうする地域において、鉱業権の交換又は売渡しを行わせることによつてその地域の鉱床を経済的かつ能率的に開発し、公共の利益を増進することができることを認めるときは、鉱業権の交換又は売渡しについて、当該鉱業権者に勧告することができる。

Article 88 If the Minister of Economy, Trade and Industry finds it possible to economically and efficiently develop ore deposits and promote public interest by having holders of Mining Rights exchange or sell their Mining Rights in an area in which there are Mining Sites of Minerals that are found in the same type of ore deposits are complex and interrelated, they may give recommendations to such holders of Mining Rights concerning the exchange or sale of their Mining Rights.

(鉱区の増減)

(Increase or Decrease of the Scale of Mining Sites)

第八十九条 経済産業大臣は、一般採掘権者の同種の鉱床中に存する鉱物の採掘鉱区が隣接する場合において、鉱区の位置形状が鉱床の位置形状と相違し、その鉱区の位置形状を変更しなければその鉱床の完全な開発ができないと認めるときは、当該一般採掘権者に対し、鉱区の位置形状が鉱床の位置形状に合致するように、鉱区相互の間の鉱区の増減の出願について協議すべきことを勧告することができる。

Article 89 (1) When the location and shape of a Mining Site is different from that of an ore deposit, in cases when the digging areas of the Holders of General Digging Rights where Minerals that are found in the same type of ore deposit are found to be adjacent to each other, and it is found that said ore deposit cannot be completely developed unless the location and shape of the Mining Site are changed, the Minister of Economy, Trade and Industry may recommend that the Holders of General Digging Rights concerned hold a consultation with each other regarding application for the mutual increase or decrease of the scale of their respective Mining Sites in order to have the location and shape of their Mining Sites correspond with that of the ore deposit.

2 一般採掘権者は、同種の鉱床中に存する鉱物の採掘鉱区が隣接する場合において、鉱区の位置形状が鉱床の位置形状と相違し、その鉱区の位置形状を変更しなければその鉱床の完全な開発ができないときは、他の一般採掘権者に対し、鉱区の位置形状が鉱床の位置形状に合致するように、鉱区相互の間に鉱区の増減の出願をすることについて協議することができる。

(2) When the location and shape of a Mining Site is different from that of an ore deposit in cases when the digging areas of Minerals that are found in the same type of ore deposit are adjacent to each other, and it is found that said ore deposit cannot be completely developed unless the location and shape of the Mining Site are changed, the Holders of General Digging Rights concerned may hold a consultation with each other regarding application for the mutual increase or decrease of the scale of their respective Mining Sites in order to have the location and shape thereof correspond with that of the ore deposit.

3 前二項の規定による協議に基づく出願については、第四十四条第三項の規定にかかわらず、第二十二條、第二十四條から第二十八條まで並びに第二十九條第一項（第四号から第八号までに係る部分に限る。）及び第二項の規定は、適用しない。

(3) Regarding the applications to be filed based on the consultation prescribed in the provisions of the preceding two paragraphs, the provisions of Article 22, Articles 24 through 28, and Article 29, paragraph (1) (limited to the portions pertaining to items (iv) through (viii)) and paragraph (2) shall not apply, irrespective of the provisions of Article 44, paragraph (3).

4 第一項又は第二項の規定による協議に基づく出願は、当事者が連名でしなければならない。

(4) The applications to be filed based on the consultation prescribed in the provisions of paragraph (1) or (2) above must be jointly filed by the parties concerned.

(決定の申請)

(Application for a Decision)

第九十条 前条第一項又は第二項の規定による協議をすることができず、又は協議が調わないときは、当事者は、経済産業省令で定める手続に従い、経済産業大臣の決定を申請することができる。

Article 90 If the consultation pursuant to the provisions of paragraph (1) or (2) of the preceding Article cannot be carried out or no agreement can be reached, the parties concerned may file an application for a decision by the Minister of Economy, Trade and Industry pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

(意見の聴取)

(Hearing of Opinions)

第九十一条 経済産業大臣は、前条の規定による決定の申請を受理したときは、その申請書の副本を当該一般採掘権者並びに当該一般採掘権の抵当権者及び租鉱権者に交付するとともに、当事者の出頭を求めて、公開による意見の聴取を行わなければならない。

Article 91 (1) The Minister of Economy, Trade and Industry must, when they have received an application for a decision pursuant to the provisions of the preceding Article, deliver copies of the application to the relevant Holders of General Digging Rights and mortgagees thereof and holders of the Mining Lease Rights thereof, and request the attendance of the parties concerned and hold a public hearing of their opinions.

2 経済産業大臣は、前項の意見の聴取をしようとするときは、その期日の一週間前までに、事案の要旨並びに意見の聴取の期日及び場所を当事者に通知し、かつ、これを公示しなければならない。

(2) The Minister of Economy, Trade and Industry must, when they intend to hold a hearing of opinions prescribed in the preceding paragraph, notify the parties concerned of the outline of the matters in question and the date and place for said hearing of opinions by one week prior to the hearing date, and also make a

public notification of this.

3 第一項の意見の聴取に際しては、当事者及び利害関係人に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。

(3) In a hearing of opinions prescribed in paragraph (1) above, the evidence of the matters in question shall be presented to the parties concerned and other interested parties, and the opportunity to state their opinion must be given to them.

(処分の禁止)

(Prohibition of Dispositions)

第九十二条 第九十条の規定による決定の申請があつたときは、一般採掘権者は、その申請を拒否する旨の決定があるまで、第九十九条の規定によつて決定がその効力を失うまで、又は決定に基づき一般採掘権の変更の登録があるまでは、当該一般採掘権を譲渡し、又は変更することができない。

Article 92 When an application for a decision is filed pursuant to the provisions of Article 90, Holders of General Digging Rights may not transfer or change their General Digging Rights until a decision to refuse the application is made, until the decision ceases to be effective pursuant to the provisions of Article 99, or until changes to General Digging Rights are registered based on a decision.

(決定)

(Decisions)

第九十三条 経済産業大臣は、次に掲げる事項を定めて、鉱区相互の間の鉱区の増減の決定をしなければならない。

Article 93 The Minister of Economy, Trade and Industry must specify the following particulars and decide on the mutual increase or decrease of the scale of Mining Sites:

一 当該鉱区の所在地

(i) Location of the Mining Sites;

二 当該一般採掘権の登録番号

(ii) Registration numbers of the relevant General Digging Rights;

三 一般採掘権の変更の内容

(iii) Description of changes to the General Digging Rights; and

四 対価並びにその支払の時期及び方法

(iv) Consideration, timing and method of payment thereof.

(決定の方式)

(Method of Decisions)

第九十四条 前条の決定は、文書をもつて行い、且つ、理由を附さなければならない。

Article 94 (1) The decision prescribed in the preceding Article must be provided in the form of a document and be accompanied with the reason for the decision.

2 経済産業大臣は、前条の決定をしたときは、決定書の謄本を当事者に交付しなければならない。

(2) The Minister of Economy, Trade and Industry must, when they have made a decision prescribed in the preceding Article, deliver copies of the written decision to the parties concerned.

(決定の効果)

(Effects of Decisions)

第九十五条 第九十三条の決定があつたときは、当事者の間に、鉱区相互の間の鉱区の増減について協議がととのつたものとみなす。

Article 95 (1) When a decision prescribed in Article 93 is made, it shall be deemed that an agreement on the mutual increase or decrease of the scale of Mining Sites has been reached between the parties concerned.

2 前項の規定により協議がととのつたものとみなされたときは、当事者の一方は、第八十九条第四項の規定にかかわらず、単独で鉱区の増減の出願をすることができる。

(2) When an agreement is deemed to have been reached pursuant to the provisions of the preceding paragraph, one of the parties concerned may file an application independently for an increase or decrease of the scale of Mining Sites irrespective of the provisions of Article 89, paragraph (4).

(鉱区の増減と租鉱権)

(Increase or Decrease of the Scale of Mining Sites and Mining Lease Rights)

第九十六条 一般採掘権者の採掘鉱区のうち租鉱権が設定されている部分について、第九十三条の決定に基づき鉱区の減少の登録があつたときは、租鉱権は、鉱区の減少により租鉱区が減少した限度においては、鉱区の増加があつた一般採掘権の上にも存続するものとする。

Article 96 (1) Regarding the areas where Mining Lease Rights are established among the digging areas of Holders of General Digging Rights, when a decrease of the scale of a Mining Site is registered based on the decision prescribed in Article 93, such Mining Lease Rights shall remain effective over the General Digging Rights of which the area of Mining Sites have increased to the same extent as the corresponding decrease of the scale of Mining Lease Sites due to the decrease of the scale of Mining Sites.

2 経済産業大臣は、鉱区相互の間の鉱区の増減について、第九十三条の決定をする場合において、租鉱権が二以上の一般採掘権の上に存続することとなるときは、決定において租鉱権者が各一般採掘権者に対して支払うべき租鉱料の割合を定めなければならない。

(2) The Minister of Economy, Trade and Industry must specify the ratio of Mining lease charges to be paid by holders of Mining Lease Rights to each of the Holders of General Digging Rights upon making a decision, when the Mining Lease Right remains effective over two or more General Digging Rights

in cases where a decision on the mutual increase or decrease of the scale of Mining Sites is made pursuant to the provisions of Article 93.

(対価の不服の訴え)

(Action for Objection to Amounts of Consideration)

第九十七条 第九十三条の決定のうち対価について不服のある者は、その決定書の謄本の交付を受けた日から六箇月以内に、訴えをもつてその額の増減を請求することができる。

Article 97 (1) Those who among the decisions made pursuant to the provisions of Article 93 object to the amount of consideration, may request to increase or decrease such prices by filing an action within six months from the day of receipt of transcripts of the written decision.

2 前項の訴えにおいては、第九十条の規定による決定の申請をした者又は当該一般採掘権者を被告とする。

(2) In the action prescribed in the preceding paragraph, those who have applied for a decision pursuant to the provisions of Article 90 or the Holders of General Digging Rights concerned shall be the defendants.

(対価の供託)

(Deposit of Consideration)

第九十八条 次に掲げる場合においては、対価を支払うべき者は、その対価を供託しなければならない。

Article 98 (1) In the following cases, those who pay consideration must deposit said consideration:

一 対価を受けるべき者がその受領を拒んだとき、又はこれを受領することができないとき。

(i) Those who are to receive consideration refuse to receive it or are unable to receive it;

二 決定のうち対価について不服の訴があつたとき。

(ii) Actions for objection to the amount of consideration among the decisions made are taken; or

三 当該一般採掘権について抵当権が存するとき。ただし、抵当権者の承諾を得たときは、この限りでない。

(iii) There is a mortgage on the General Digging Right concerned; provided, however, that, this shall not apply if approval is obtained from the mortgagee.

2 前項第三号の場合においては、抵当権者は、供託金に対しても、その権利を行うことができる。

(2) In the case specified in item (iii) of the preceding paragraph, the mortgagee may exercise their right over deposits.

(決定の失効)

(Invalidation of Decisions)

第九十九条 対価を支払うべき者が第九十三条の決定において定めた対価の支払の時期までに、その対価の全部の支払又は供託をしないときは、決定は、その効力を失う。

Article 99 If those who are to pay consideration do not pay or deposit all of the consideration within the payment period, which is specified by the decision made in accordance with Article 93, the decision shall cease to be effective.

(施業案の変更)

(Changes to Operational Plans)

第一百条 経済産業大臣は、第四十条第三項又は第七項の規定により試掘権の設定を受けた試掘権者（以下この条において「特定試掘権者」という。）の施業案を変更しなければその鉱区の完全な開発に資することができないと認めるときは、当該特定試掘権者に対し、施業案を変更すべきことを勧告することができる。

Article 100 (1) If it is found that the Mining Sites cannot be completely developed unless the operational plans of holders of prospecting rights whose prospecting rights have been established pursuant to the provisions of paragraph (3) or (7) of Article 40 (hereinafter referred to as the "Specified Holders of Prospecting Rights" in this Article) are changed, the Minister of Economy, Trade and Industry may recommend that such Specified Holders of Prospecting Rights change their operational plans.

2 経済産業大臣は、採掘権者又は租鉱権者の施業案を変更しなければその鉱区又は租鉱区の鉱床の完全な開発ができないと認めるときは、採掘権者又は租鉱権者に対し、施業案を変更すべきことを勧告することができる。

(2) If it is found that ore deposits of Mining Sites or Mining Lease Sites cannot be completely developed unless the operational plans of holders of digging rights or Mining Lease Rights are changed, the Minister of Economy, Trade and Industry may recommend that such holders of digging rights or Mining Lease Rights change their operational plans.

3 経済産業大臣は、特定試掘権者又は採掘権者又は租鉱権者が前二項の規定による勧告を受けた日から六十日以内に施業案を変更しないときは、施業案の変更を命ずることができる。

(3) If Specified Holders of Prospecting Rights or holders of digging rights or Mining Lease Rights do not change their operational plans within 60 days from the day on which they are given the recommendation pursuant to the provisions of the preceding two paragraphs, the Minister of Economy, Trade and Industry may order them to change their operational plans.

4 経済産業大臣は、前項の規定による命令をしようとするときは、行政手続法第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

(4) The Minister of Economy, Trade and Industry must, when they give the order

pursuant to the provisions of the preceding paragraph, conduct a hearing irrespective of the classification of procedures for giving a statement of opinion pursuant to the provisions of Article 13, paragraph (1) of the Administrative Procedure Act.

- 5 第四十八条第四項から第六項までの規定は、第三項の規定による命令に係る聴聞に準用する。
- (5) The provisions of paragraphs (4) through (6) of Article 48 shall apply mutatis mutandis to the hearing pertaining to the order prescribed in the provisions of paragraph (3) above.

第四章の二 鉱物の探査

Chapter IV-2 Exploration of Minerals

(鉱物の探査の許可)

(Permission for the Exploration of Minerals)

第百条の二 鉱物の探査（鉱物資源の開発に必要な地質構造等の調査（鉱物の掘採を伴わないものに限る。）であつて、地震探鉱法その他一定の区域を継続して使用するものとして経済産業省令で定める方法によるものをいう。以下単に「探査」という。）を行おうとする者は、経済産業大臣に申請して、その許可を受けなければならない。

Article 100-2 (1) Those who intend to carry out the exploration of Minerals (meaning investigations into the geological structure, etc. that are necessary for developing Mineral resources (limited to investigations that do not accompany the mining of Minerals) and which employ a seismic survey method or a method specified by Ordinance of the Ministry of Economy, Trade and Industry as that which uses a fixed area on a continuous basis; hereinafter simply referred to as "Exploration"), must file applications with and obtain permission from the Minister of Economy, Trade and Industry.

- 2 前項の規定による申請をしようとする者は、経済産業省令で定める手続に従い、次に掲げる事項を記載した申請書に探査を行おうとする区域を表示する図面を添えて、経済産業大臣に提出しなければならない。

(2) Those who intend to file an application pursuant to the provisions of the preceding paragraph must submit an application, with reference made to the following particulars, to the Minister of Economy, Trade and Industry, with drawings attached that show the area where the Exploration is intended to be carried out, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry:

一 申請の区域の所在地

(i) Location of the zone of application;

二 探査の期間

(ii) Period of Exploration;

三 探査の方法

(iii) Method of Exploration;

四 氏名又は名称及び住所

(iv) Name and address; and

五 その他経済産業省令で定める事項

(v) Other particulars specified by Ordinance of the Ministry of Economy, Trade and Industry.

3 経済産業大臣は、第一項の許可をしたときは、許可証を交付しなければならない。

(3) The Minister of Economy, Trade and Industry must, when they have granted the permission as prescribed in paragraph (1), issue a certificate of permission.

4 前項の規定により許可証の交付を受けた者は、当該許可に係る探査を行うときは、当該許可証を携帯していなければならない。

(4) When the person who has received the issuance of a certificate of permission pursuant to the provisions of the preceding paragraph carries out Exploration pertaining to such permission, they must carry said certificate of permission.

5 第三項の許可証の再交付及び返納その他許可証に関する手続的事項は、経済産業省令で定める。

(5) The reissuance and return of a certificate of permission provided for in paragraph (3) and other procedural particulars concerning certificates of permission shall be specified by Ordinance of the Ministry of Economy, Trade and Industry.

(探査の許可の基準)

(Requirements for Granting Permission for Exploration)

第百条の三 経済産業大臣は、前条第一項の規定による申請が次に掲げる基準に適合していると認めるときでなければ、その申請を許可してはならない。

Article 100-3 The Minister of Economy, Trade and Industry must not grant permission for the application prescribed in paragraph (1) of the preceding Article, unless such application is found to satisfy the following requirements:

一 その申請に係る探査の方法が経済産業省令で定める基準に適合するものであること。

(i) The method of Exploration pertaining to the relevant application satisfies the standards specified by Ordinance of the Ministry of Economy, Trade and Industry;

二 その申請に係る者が次のいずれにも該当しないこと。

(ii) The person concerned with the relevant application does not fall under any of the following categories:

イ この法律に規定する罪を犯し、刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から二年を経過しない者

(a) A person who has committed any of the offenses as provided for in this Act, has been sentenced to punishment and for whom two years have not yet passed since the day on which the execution of the sentence has been

completed or the sentence has become no longer applicable;

ロ 第百条の五（第三号を除く。）の規定により許可を取り消され、その取消の日から二年を経過しない者

(b) A person whose permission has been rescinded pursuant to the provisions of Article 100-5 (excluding item (iii)), and for whom two years have not yet passed since the date of such rescission; or

ハ 法人であつて、その業務を行う役員のうちイ又はロのいずれかに該当する者があるもの

(c) A corporation, any of whose officers who execute its business fall under either (a) or (b);

三 その申請に係る探査が、他人の鉱区で行われるものであつて、当該鉱区における他人の鉱業の実施を著しく妨害するものでないこと。

(iii) The Exploration pertaining to the relevant application is to be conducted within the Mining Site of other persons and does not significantly interfere with the Mining of other persons in said Mining Site;

四 その申請に係る探査が、公共の用に供する施設若しくはこれに準ずる施設を破壊し、文化財、公園若しくは温泉資源の保護に支障を生じ、又は農業、林業若しくはその他の産業の利益を損じ、公共の福祉に反するものでないこと。

(iv) The Exploration pertaining to the relevant application does not result in the destruction of facilities for public use or any facility equivalent to this, does not disrupt the protection of cultural property, parks or hot spring resources, or impair the profit of agriculture, forestry and other industries, and does not have an extremely adverse effect on public welfare; and

五 前各号に掲げるもののほか、その申請に係る探査が内外の社会的経済的事情に照らして著しく不適切であり、公共の利益の増進に支障を及ぼすおそれがあるものでないこと。

(v) In addition to what is listed in the preceding items, the Exploration pertaining to the relevant application is not extremely unsuitable in light of domestic and foreign social and economic circumstances, nor is it likely to hinder the promotion of public interest.

(変更の許可等)

(Permission for Change, etc.)

第百条の四 第百条の二第一項の許可を受けた者は、当該許可に係る同条第二項各号（第四号を除く。）に掲げる事項の変更をしようとするときは、経済産業省令で定める手続に従い、経済産業大臣の許可を受けなければならない。ただし、経済産業省令で定める軽微な変更については、この限りでない。

Article 100-4 (1) When those who have obtained the permission prescribed in Article 100-2, paragraph (1) intend to change the particulars set forth in the items (excluding item (iv)) of paragraph (2) of said Article that are related to said permission, they must obtain permission from the Minister of Economy,

Trade and Industry pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry; provided, however, that, this shall not apply to the minor changes specified by Ordinance of the Ministry of Economy, Trade and Industry.

2 前条の規定は、前項の許可について準用する。

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to the permission prescribed in the preceding paragraph.

3 第百条の二第一項の許可を受けた者は、同条第二項第四号に掲げる事項に変更があったとき、又は第一項ただし書の経済産業省令で定める軽微な変更をしたときは、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(3) A person who has obtained the permission prescribed in Article 100-2, paragraph (1) must, when any changes have been made to the particulars set forth in item (iv) of paragraph (2) of said Article, or they have made the minor changes specified by Ordinance of the Ministry of Economy, Trade and Industry as prescribed in the proviso to paragraph (1), notify the Minister of Economy, Trade and Industry to that effect without delay.

(探査の許可の取消し)

(Rescission of Permission for Exploration)

第百条の五 経済産業大臣は、第百条の二第一項の許可を受けた者が次の各号のいずれかに該当するときは、同項の許可を取り消すことができる。

Article 100-5 When a person who has obtained the permission prescribed in Article 100-2, paragraph (1) falls under any of the following items, the Minister of Economy, Trade and Industry may rescind the permission granted pursuant to said paragraph:

一 その者が行う探査の方法が第百条の三第一号の基準に適合しなくなつたとき。

(i) When the method of Exploration employed by the person no longer satisfies the requirement set forth in Article 100-3, item (i);

二 第百条の三第二号イ又はハに該当するに至つたとき。

(ii) When the person comes to fall under (a) or (c) of Article 100-3, item (ii);

三 その者が行う探査が第百条の三第三号又は第四号のいずれかに適合しなくなつたとき。

(iii) When the Exploration carried out by the person no longer conforms with any of item (iii) or (iv) of Article 100-3;

四 第百条の七第一項の規定により付された条件に違反したとき。

(iv) When the person has violated the conditions imposed on the permission pursuant to the provisions of Article 100-7, paragraph (1); or

五 偽りその他不正の行為により第百条の二第一項又は前条第一項の許可を受けたとき。

(v) When the person has obtained the permission prescribed in Article 100-2, paragraph (1) or paragraph (1) of the preceding Article by means of deception

or other wrongful practice.

(違反行為に対する措置)

(Measures Against Violations)

第百条の六 経済産業大臣は、次の各号のいずれかに該当する者に対し、当該違反行為に係る作業の中止、当該違反行為に係る探査に使用した装置若しくは物件の除去又は原状の回復を命ずることができる。

Article 100-6 The Minister of Economy, Trade and Industry may order a person who falls under any of the following items to discontinue the work pertaining to the relevant violation, remove the equipment or items used for Exploration in relation to the violation, or restore the original state prior to said exploration:

一 第百条の二第一項又は第百条の四第一項の規定に違反して探査を行つた者

(i) A person who has carried out the Exploration in violation of the provisions of Article 100-2, paragraph (1) or Article 100-4, paragraph (1); or

二 次条第一項の規定により付された条件に違反した者

(ii) A person who has violated the conditions imposed on the permission pursuant to the provisions of paragraph (1) of the following Article.

(許可の条件)

(Conditions for Permission)

第百条の七 第百条の二第一項又は第百条の四第一項の許可には、条件を付し、及びこれを変更することができる。

Article 100-7 (1) Conditions may be imposed on the permission prescribed in Article 100-2, paragraph (1) or Article 100-4, paragraph (1), and such conditions may be changed.

2 前項の条件は、当該許可の趣旨に照らして、又は当該許可に係る事項の確実な実施を図るために必要な最小限度のものに限り、かつ、当該許可を受けた者に不当な義務を課することとなるものであつてはならない。

(2) The conditions set forth in the preceding paragraph shall be the minimum necessary in light of the purpose of the permission or for securing the implementation of the particulars pertaining to said permission, and must not impose any undue obligation on the person who obtained said permission.

(探査の許可を受けた者である法人の合併及び分割)

(Mergers or Division of Corporations that Obtained Permission for Exploration)

第百条の八 第百条の二第一項の許可を受けた者である法人の合併の場合（同項の許可を受けた者である法人と同項の許可を受けた者でない法人が合併する場合においては、同項の許可を受けた者である法人が存続する場合を除く。）又は分割の場合（当該許可に係る探査の事業の全部を承継させる場合に限る。）において当該合併又は分割について経済産業大臣の承認を受けたときは、合併後存続する法人若しくは合併により

設立された法人又は分割により当該事業の全部を承継した法人は、同項の許可を受けた者の地位を承継する。

Article 100-8 (1) In cases of the merging of a corporation which has obtained the permission prescribed in Article 100-2, paragraph (1) (in cases of the merging of a corporation which has obtained the permission prescribed in said paragraph with a corporation which has not obtained the permission prescribed in said paragraph, excluding cases where the corporation which has obtained the permission prescribed in said paragraph survives) or the division of a corporation which has obtained the permission prescribed in said paragraph (limited to cases where such corporation maintains all of Exploration business pertaining to such permission succeeded to), if the approval of the Minister of Economy, Trade and Industry has been obtained, the corporation that survives after the merger, the corporation established by the merger, or the corporation that succeeded to all of the relevant business shall succeed to the status of the person who has obtained the permission prescribed in said paragraph.

2 第百条の三（第二号及び第五号に係る部分に限る。）の規定は、前項の承認について準用する。この場合において、同条第二号中「その申請に係る者」とあるのは、「合併後存続する法人若しくは合併により設立される法人又は分割により当該許可に係る探査の事業の全部を承継する法人」と読み替えるものとする。

(2) The provisions of Article 100-3 (limited to the portion pertaining to item (ii) or (v)) shall apply mutatis mutandis to the approval set forth in the preceding paragraph. In this case, the phrase "The person concerned with the relevant application" in item (ii) of said Article shall be deemed to be replaced with "The corporation that survives after the merger, the corporation established by the merger, or the corporation that succeeds to all of Exploration business pertaining to the permission through a division."

（探査の許可を受けた者の相続）

(Inheritance from the Person Who Obtained Permission for Exploration)

第百条の九 第百条の二第一項の許可を受けた者が死亡した場合においては、相続人（相続人が二以上ある場合においては、その全員の同意により当該許可に係る探査の事業を承継すべき相続人を選定したときは、その者。以下この条において同じ。）が当該許可に係る探査の事業を引き続き行おうとするときは、その相続人は、被相続人の死亡後六十日以内に経済産業大臣に申請して、その承認を受けなければならない。

Article 100-9 (1) In cases where the person who obtained the permission prescribed in Article 100-2, paragraph (1) dies, if the heir (in cases where there are two or more heirs, when the heir who is to succeed to the Exploration business pertaining to said permission has been selected by unanimous consent, such heir; hereinafter the same shall apply in this Article) intends to continue to carry out the Exploration business pertaining to said permission, such heir

must file an application for approval with and obtain approval from the Minister of Economy, Trade and Industry within 60 days after the death of the decedent.

2 相続人が前項の承認の申請をした場合においては、被相続人の死亡の日からその承認を受ける日又は承認をしない旨の通知を受ける日までは、被相続人に対してした第百条の二第一項の許可は、その相続人に対してしたものとみなす。

(2) In cases where the heir has filed the application for approval as prescribed in the preceding paragraph, the permission prescribed in Article 100-2, paragraph (1) which has been granted to the decedent shall be deemed to have been granted to such heir, during the period from the death of the decedent until the day on which the heir obtains the approval or a notice not to grant said approval.

3 第百条の三（第二号イ及びロ並びに第五号に係る部分に限る。）の規定は、第一項の承認について準用する。

(3) The provisions of Article 100-3 (limited to the portions pertaining to (a) and (b) of item (ii), and item (v)) shall apply mutatis mutandis to the approval set forth in paragraph (1).

4 第一項の承認を受けた相続人は、被相続人に係る第百条の二第一項の許可を受けた者の地位を承継する。

(4) The heir who has obtained the approval set forth in paragraph (1) shall succeed to the status of the person who obtained the permission prescribed in Article 100-2, paragraph (1) pertaining to the decedent.

（国に関する特例）

(Special Provisions in Relation to the State)

第百条の十 国の機関が行う探査については、第百条の二第一項の許可を受けることを要しない。この場合において、当該国の機関は、その探査を行おうとするときは、あらかじめ、経済産業大臣に協議しなければならない。

Article 100-10 Exploration to be conducted by a national government organ shall not be required to receive the permission prescribed in Article 100-2, paragraph (1). In this case, when such national government organ intends to carry out such Exploration, it must consult with the Minister of Economy, Trade and Industry in advance.

（探査の結果の報告）

(Report of Results of Exploration)

第百条の十一 経済産業大臣は、鉱物の存在状況を把握し、又は探査の適正な実施を確保するため必要があると認めるときは、経済産業省令で定めるところにより、第百条の二第一項の許可を受けた者に対し、その探査の結果を報告すべきことを命ずることができる。

Article 100-11 When the Minister of Economy, Trade and Industry finds it

necessary in understanding the status of the presence of Minerals, or to secure the proper implementation of Exploration, they may order the person who has obtained the permission prescribed in Article 100-2, paragraph (1) to report the results of such Exploration, pursuant to the provisions of Ordinance of the Ministry of Economy, Trade and Industry.

第五章 土地の使用及び収用

Chapter V Use and Expropriation of Land

(土地の立入り)

(Entry into Land)

第百一条 鉱業に関する測量又は実地調査のため必要があるときは、鉱業権の設定を受けようとする者、租鉱権者となろうとする者、鉱業出願人、鉱業権者又は租鉱権者は、経済産業大臣の許可を受けて、他人の土地に立ち入り、又は支障となる竹木を伐採することができる。

Article 101 (1) When it is necessary for surveying and on-the-spot investigation concerning Mining, those who intend to create their Mining Rights or those who intend to become holders of Mining Lease Rights, Mining Applicants, and holders of Mining Rights or Mining Lease Rights may enter the land of other persons or fell obtrusive bamboo and trees with the permission of the Minister of Economy, Trade and Industry.

2 経済産業大臣は、前項の許可の申請があつたときは、土地の所有者及び占有者並びに竹木の所有者にその旨を通知し、意見書を提出する機会を与えなければならない。

(2) When applications for the permission prescribed in the preceding paragraph are filed, the Minister of Economy, Trade and Industry must notify owners and possessors of land and owners of bamboo and trees therein to that effect, and give them the opportunity to submit their written opinion.

3 第一項の許可を受けた者は、他人の土地に立ち入り、又は竹木を伐採するときは、あらかじめ土地の占有者及び竹木の所有者に通知しなければならない。

(3) When those who are given the permission prescribed in paragraph (1) above enter the land of other persons or fell bamboo and trees, they must notify the owners and possessors of land and owners of bamboo and trees therein in advance.

第百二条 前条の規定により他人の土地に立ち入り、又は竹木を伐採しようとする者は、経済産業大臣の許可を受けたことを証する書面を携帯し、土地の占有者又は竹木の所有者の請求があつたときは、これを提示しなければならない。

Article 102 Those who intend to enter the land of other persons or fell bamboo and trees pursuant to the provisions of the preceding Article must carry a document that proves that permission was given by the Minister of Economy, Trade and Industry, and present it if requested to do so by possessors of land

or owners of bamboo and trees.

第百三条 第百一条の規定により他人の土地に立ち入り、又は竹木を伐採した者は、これによつて生じた損失を補償しなければならない。

Article 103 Those who enter the land of other persons or those who fell bamboo and trees pursuant to the provisions of Article 101 must compensate for losses caused by said entry and felling.

(使用の目的)

(Purpose of Use)

第百四条 鉱業権者又は租鉱権者は、鉱区若しくは租鉱区又はその附近において他人の土地を左に掲げる目的のため利用することが必要且つ適当であつて、他の土地をもつて代えることが著しく困難なときは、これを使用することができる。

Article 104 When it is necessary and appropriate to use the land of other persons in their Mining Sites or Mining Lease Sites or in the vicinity thereof for the following purposes, and it is extremely difficult to substitute said land with other land, holders of Mining Rights or Mining Lease Rights may use the land of other persons:

一 坑口又は坑井の開設

(i) To open a pithead or a well;

二 露天掘による鉱物の掘採

(ii) To mine Minerals by open-pit mining;

三 探鉱又は鉱物の掘採作業のため必要な機械設備の設置

(iii) To install machinery and equipment necessary for prospecting or the mining of Minerals;

四 坑木、火薬類、燃料、カーバイドその他の重要資材、鉱物、土石、鉱さい又は灰じんの置場又は捨場の設置

(iv) To establish an area or dumping ground to stock or dump timber, explosives, fuels, carbide and other important materials, Minerals, earth and stones, slag or ash;

五 選鉱又は製錬用の施設の設置

(v) To install a facility for dressing or smelting;

六 鉄道、軌道、索道、石油若しくは可燃性天然ガスの輸送管、道路、運河、港湾、用排水路、池井又は電気工作物の開設

(vi) To open a railroad, a track, a cableway, a pipeline for oil or combustible natural gas, a road, a waterway, a harbor, a channel, a pond or a well, or an electric facility;

七 鉱害の予防又は回復のため必要な施設

(vii) To install a facility necessary for the prevention or restoration of mining pollution; or

八 鉱業用の事務所又は鉱業に従事する者の宿舎若しくは保健衛生施設の設置

(viii) To build an office for Mining, or accommodation or a health and hygiene facility for those who are engaged in Mining.

(収用の目的)

(Purpose of Expropriation)

第百五条 採掘権者は、鉱区又はその附近において他人の土地を左に掲げる目的に供した結果、その土地の形質を変更し、これを原状に回復することが著しく困難となつた場合において、なおその土地をその目的に利用することが必要且つ適当であつて、他の土地をもつて代えることが著しく困難なときは、他人の土地を収用することができる。

Article 105 Holders of digging rights may expropriate the land of other persons in cases where the land of other persons is used for the following purposes in their Mining Sites or in the vicinity thereof, and as a consequence the characteristics of the land are changed and restoration of the land to its original condition is extremely difficult, yet it is still necessary and appropriate to use the land for this purpose and it is extremely difficult to substitute said land with other land:

一 坑口又は坑井の開設

(i) Open a pithead or a well;

二 土石又は鉱さいの捨場の設置

(ii) Establish an area or dumping ground to dump earth and stones or slag;

三 選鉱又は製錬用の施設の設置

(iii) Install a facility for dressing or smelting; or

四 鉄道、軌道、索道、道路、運河、港湾、用排水路又は池井の開設

(iv) Open a railroad, a track, a cableway, road, waterway, harbor, channel, or pond or well.

(許可及び公告)

(Permission and Public Notification)

第百六条 鉱業権者又は租鉱権者は、前二条の規定により他人の土地を使用し、又は収用しようとするときは、経済産業省令で定める手続に従い、経済産業大臣に申請して、その許可を受けなければならない。

Article 106 (1) Holders of Mining Rights or Mining Lease Rights must, when they intend to use or expropriate the land of other persons pursuant to the provisions of the preceding two Articles, file applications with and receive permission from the Minister of Economy, Trade and Industry pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の規定による許可の申請があつたときは、関係都道府県知事に協議するとともに、鉱業権者又は租鉱権者並びに土地の所有者及び土地に関して権利を有する者の出頭を求めて、公開による意見の聴取を行わなければならない。

- (2) When applications for permission are filed pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry must consult with the governors of the prefectures concerned, request the attendance of holders of Mining Rights or Mining Lease Rights, owners of land and those who have any rights concerning the land, and hold a public hearing of their opinions.
- 3 経済産業大臣は、前項の意見の聴取をしようとするときは、その期日の一週間前までに、事案の要旨並びに意見の聴取の期日及び場所を当事者に通知し、かつ、これを公示しなければならない。
- (3) The Minister of Economy, Trade and Industry must, when they intend to hold a hearing of opinions pursuant to the provisions of the preceding paragraph, notify the parties concerned of the outline of matters in question and the date and place of the hearing of opinions by one week prior to the hearing, and also make a public notification of this.
- 4 第二項の意見の聴取に際しては、当事者に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。
- (4) When a hearing of opinions is conducted pursuant to the provisions of paragraph (2) above, the evidence of the matters in question shall be presented to the parties concerned, and the opportunity to state their opinion must be given to them.
- 5 経済産業大臣は、第一項の許可をしたときは、次に掲げる事項を公告しなければならない。
- (5) The Minister of Economy, Trade and Industry must, when they have given the permission prescribed in paragraph (1) above, make a public notification of the following particulars:
- 一 土地を使用し、又は収用しようとする者の氏名又は名称及び住所
 - (i) Name and address of those who intend to use or expropriate the land:
 - 二 使用又は収用の目的
 - (ii) Purpose of use or expropriation;
 - 三 使用し、又は収用しようとする土地の所在地及び区域
 - (iii) Location and area of the land to be used or expropriated; and
 - 四 使用し、又は収用しようとする土地を表示する図面の縦覧場所
 - (iv) Place where the drawings that show the land to be used or expropriated are available for public inspection
- 6 経済産業大臣は、第一項の許可をしたときは、直ちに、関係都道府県知事を経由して、使用し、又は収用しようとする土地が所在する市町村の長にその旨を通知するとともに、その土地を表示する図面を送付しなければならない。
- (6) The Minister of Economy, Trade and Industry must, when they have given the permission prescribed in paragraph (1) above, immediately notify the mayors of municipalities where the land to be used or expropriated is located through the prefectural governors concerned, and send them the drawings that show said

land.

(使用又は収用の手続の保留)

(Reservation of Procedures for Use or Expropriation)

第百六条の二 鉱業権者又は租鉱権者は、使用し、又は収用しようとする土地の全部又は一部について、前条第一項の許可後の使用又は収用の手続を保留することができる。

Article 106-2 (1) Holders of Mining Rights or Mining Lease Rights may reserve the procedures for use or expropriation concerning all or part of the land that they intend to use or expropriate after the permission prescribed in paragraph (1) of the preceding Article is granted.

2 鉱業権者又は租鉱権者は、前項の規定によつて使用又は収用の手続を保留しようとするときは、経済産業省令で定める手続に従い、前条第一項の規定による申請と同時に、その旨を記載した申立書を提出しなければならない。

(2) Holders of Mining Rights or Mining Lease Rights must, when they intend to reserve the procedures for use or expropriation pursuant to the provisions of the preceding paragraph, submit a written application with a statement to that effect concurrently with the application prescribed in paragraph (1) of the preceding Article, pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

3 経済産業大臣は、前項の規定による申立てがあつたときは、前条第五項又は第六項の規定による公告又は通知の際、あわせて同条第一項の許可後の使用又は収用の手続が保留される旨及び手続が保留される土地の区域を公告し、又は通知しなければならない。

(3) When applications are filed pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry must also make a public notification of or notify of the reservation of procedures for use or expropriation after the permission prescribed in paragraph (1) of the preceding Article is granted, and the area of land where such procedures are reserved, together with the public notification or notification prescribed in the provisions of paragraph (5) or (6) of the preceding Article.

(土地収用法の適用)

(Application of the Land Expropriation Act)

第百七条 第百四条又は第百五条の規定による土地の使用又は収用に関しては、この法律に別段の定がある場合を除く外、土地収用法（昭和二十六年法律第二百十九号）の規定を適用する。

Article 107 (1) Regarding use or expropriation of land pursuant to the provisions of Article 104 or 105, the provisions of the Land Expropriation Act (Act No. 219 of 1951) shall apply unless otherwise provided for in this Act.

2 第百四条又は第百五条の規定による土地の使用又は収用については、第百六条第一項又は第五項の規定による許可又は公告があつたときは、土地収用法第二十条の規定

による事業の認定又は第二十六条第一項の規定による事業の認定の告示があつたものとみなし、第百六条第六項の規定による通知は同法第二十六条の二第一項の規定による通知と、第百六条第六項の規定により市町村長が送付を受けた図面は同法第二十六条の二第二項の規定により公衆の縦覧に供すべき図面と、前条第三項の規定による公告は同法第三十三条の規定による告示とみなす。

(2) Regarding the use or expropriation of land pursuant to the provisions of Article 104 or 105, when permission or public notification is given pursuant to the provisions of paragraph (1) or (5) of Article 106, the business shall be deemed to be certified pursuant to the provisions of Article 20 of the Land Expropriation Act or a public notification shall be deemed to have been given for the certification of business pursuant to the provisions of Article 26, paragraph (1) of said Act; the notice pursuant to the provisions of Article 106, paragraph (6) shall be deemed to be the notice pursuant to the provisions of Article 26-2, paragraph (1) of said Act; the drawings that are sent to mayors of municipalities pursuant to the provisions of Article 106, paragraph (6) shall be deemed to be the drawings to be made available for public inspection pursuant to the provisions of Article 26-2, paragraph (2) of said Act; and the public notification pursuant to the provisions of paragraph (3) of the preceding Article shall be deemed to be the public notification pursuant to the provisions of Article 33 of said Act.

3 経済産業大臣は、第百六条第五項の規定による公告をしたときは、土地収用法第二十六条第二項及び第三項の規定にかかわらず、公害等調整委員会又は収用委員会の要求があつた場合においては、土地の使用又は収用の許可に関する書類の写しを、公害等調整委員会又は収用委員会に送付しなければならない。

(3) The Minister of Economy, Trade and Industry must, when they have given the public notification pursuant to the provisions of Article 106, paragraph (5), send copies of the documents related to the permission of use or expropriation of land to the Environmental Dispute Coordination Commission or the Expropriation Commission when requested to do so by these commissions irrespective of the provisions of paragraphs (2) and (3) of the said Act.

(水の使用)

(Use of Water)

第百八条 土地の使用及び収用に関する規定は、水の使用に関する権利に準用する。

Article 108 The provisions concerning the use and expropriation of land shall apply mutatis mutandis to the right of use of water.

第六章 鉱害の賠償

Chapter VI Compensation for Mining Pollution

第一節 賠償義務

Section 1 Obligation for Compensation

(賠償義務)

(Obligation for Compensation)

第百九条 鉱物の掘採のための土地の掘さく、坑水若しくは廃水の放流、捨石若しくは鉱さいのたい積又は鉱煙の排出によつて他人に損害を与えたときは、損害の発生の際における当該鉱区の鉱業権者（当該鉱区に租鉱権が設定されているときは、その租鉱区については、当該租鉱権者）が、損害の発生の際既に鉱業権が消滅しているときは、鉱業権の消滅の際における当該鉱区の鉱業権者（鉱業権の消滅の際に当該鉱業権に租鉱権が設定されていたときは、その租鉱区については、当該租鉱権者）が、その損害を賠償する責に任ずる。

Article 109 (1) If other persons suffer damage caused by the excavation of land to mine Minerals, the discharge of mine water or wastewater, deposits of waste rock or slag, or the discharge of metallurgical smoke, such damage shall be compensated by the holder of Mining Rights in the Mining Sites concerned at the time of the occurrence of damage (or the holder of Mining Lease Rights, if a Mining Lease Right is established in the Mining Site concerned), or if the Mining Rights have already become extinct at the time of the occurrence of damage, such damage shall be compensated by the holder of Mining Rights in the Mining Site concerned at the time of extinction of the Mining Rights (or the holder of Mining Lease Rights, if a Mining Lease Right was established in the Mining Site concerned at the time of extinction of the Mining Right).

2 前項の場合において、損害が二以上の鉱区又は租鉱区の鉱業権者又は租鉱権者の作業によつて生じたときは、各鉱業権者又は租鉱権者は、連帯して損害を賠償する義務を負う。損害が二以上の鉱区又は租鉱区の鉱業権者又は租鉱権者の作業のいずれによつて生じたかを知ることができないときも、同様とする。

(2) In the case referred to in the preceding paragraph, if damage is caused by the work conducted by holders of Mining Rights or Mining Lease Rights in two or more Mining Sites or Mining Lease Sites, each of the holders of the Mining Rights or Mining Lease Rights shall have the obligation to jointly and severally compensate for said damage. The same shall apply to cases where it cannot be established that the damage was caused by the work of one of the holders of Mining Rights or Mining Lease Rights in two or more Mining Sites or Mining Lease Sites.

3 前二項の場合において、損害の発生後に鉱業権の譲渡があつたときは、損害の発生の際の鉱業権者及びその後の鉱業権者が、損害の発生後に租鉱権の設定があつたときは、損害の発生の際の鉱業権者及び損害の発生後に租鉱権者となつた者が、連帯して損害を賠償する義務を負う。

(3) In the cases specified in the preceding two paragraphs, if a Mining Right is transferred after occurrence of damage, the holders of the Mining Right at the time of and after the occurrence of damage shall have the obligation to jointly and severally compensate for said damage, or if a Mining Lease Right was

established after the occurrence of damage, the holder of the Mining Right at the time of the occurrence of said damage and the person who became the holder of the Mining Lease Right after the occurrence of damage shall have the obligation to jointly and severally compensate for said damage.

4 第一項又は第二項の規定により租鉱権者が損害を賠償すべき場合においては、損害の発生の時当該租鉱権が設定されている鉱区の鉱業権者及びその後の鉱業権者が、損害の発生の時既に鉱業権が消滅しているときは鉱業権の消滅の時における鉱業権者が、租鉱権者と連帯して損害を賠償する義務を負う。

(4) In cases where a holder of a Mining Lease Right is to compensate for damage pursuant to the provisions of paragraph (1) or (2) above, the holder of Mining Rights and the succeeding holder thereof in the Mining Site where the Mining Lease Right was established at the time of the occurrence of damage shall have the obligation to jointly and severally compensate for said damage, and in cases where the Mining Right already became extinct at the time of the occurrence of damage, the holder of the Mining Right at the time of the extinction of the Mining Rights and the holder of the Mining Lease Right shall have the obligation to jointly and severally compensate for the damage.

5 前四項の規定による賠償については、共同鉱業権者又は共同租鉱権者（租鉱権を共有する者をいう。）の義務は、連帯とする。

(5) Regarding the compensation prescribed in the preceding four paragraphs, the obligation of Joint Holders of Mining Rights or Joint Holders of Mining Lease Rights (meaning those who share Mining Lease Rights) shall be collective.

（負担部分と償還請求）

(Share of Costs and Claims for Reimbursement)

第百十条 前条第二項に規定する連帯債務者相互の間においては、その各自の負担部分は、等しいものと推定する。

Article 110 (1) Regarding the joint obligors prescribed in the provisions of paragraph (2) of the preceding Article, it shall be presumed that their share of the costs is equal.

2 前条第三項の場合において、鉱業権を譲り受けた者又は損害の発生後に租鉱権者となつた者が賠償の義務を履行したときは、同条第一項又は第二項の規定により損害を賠償すべき者に対し、償還を請求することができる。同条第四項の場合において鉱業権者が賠償の義務を履行したときも、同様とする。

(2) In the case specified in paragraph (3) of the preceding Article, if the obligation of compensation is fulfilled by those who accepted Mining Rights or those who became holders of Mining Lease Rights after the occurrence of damage, they may claim reimbursement of the costs from those who are to compensate for damage pursuant to the provisions of paragraph (1) or (2) of the preceding Article. The same shall apply in cases where the obligation of compensation is fulfilled by holders of Mining Rights in the cases specified in

paragraph (4) of the preceding Article.

(賠償)

(Compensation)

第百十一条 損害は、公正且つ適切に賠償されなければならない。

Article 111 (1) Damage must be compensated for in a fair and appropriate manner.

2 損害の賠償は、金銭をもつてする。但し、賠償金額に比して著しく多額の費用を要しないで原状の回復をすることができるときは、被害者は、原状の回復を請求することができる。

(2) Damage shall be compensated for by money; provided, however, that when the original state can be restored without requiring an extremely large amount of expense relative to the amount of compensation, the aggrieved party may demand restoration to said original state.

3 賠償義務者の申立があつた場合において、裁判所が適当であると認めるときは、前項の規定にかかわらず、金銭をもつてする賠償に代えて原状の回復を命ずることができる。

(3) If those who have an obligation to compensate file their applications, the court may, when it finds appropriate, order restoration instead of monetary compensation irrespective of the provisions of the preceding paragraph.

(賠償についての基準)

(Standards of Compensation)

第百十二条 経済産業大臣は、損害の賠償に関する争議の予防又は解決に資するため、総合資源エネルギー調査会に諮問して、損害の賠償の範囲、方法等についての公正かつ適切な一般的基準を作成し、これを公表することができる。

Article 112 (1) The Minister of Economy, Trade and Industry may formulate fair and appropriate general standards concerning the scope and methods of compensation for damage upon consultation with the Advisory Committee for Natural Resources and Energy and publicize such standards to contribute to the prevention or solution of disputes over compensation for damage.

2 何人も、前項の基準に拘束されるものではない。

(2) No one shall be bound by the standards prescribed in the preceding paragraph.

(賠償についてのしんしやく)

(Consideration for Compensation)

第百十三条 損害の発生に関して被害者の責に帰すべき事由があつたときは、裁判所は、損害賠償の責任及び範囲を定めるのについて、これをしんしやくすることができる。天災その他の不可抗力が競合したときも、同様とする。

Article 113 If there is any cause attributable to an aggrieved party concerning

the occurrence of damage, the court may take such cause into consideration in order to specify the responsibility and scope of compensation for damage. The same shall apply to cases where natural disasters and other force majeure are found.

(損害賠償の予定)

(Schedule of Compensation for Damage)

第百十四条 損害賠償の額が予定された場合において、その額が著しく不相当であるときは、当事者は、その増減を請求することができる。

Article 114 (1) In cases where the amount of compensation for damage is scheduled, if the amount is extremely unsuitable, the parties concerned may request to increase or decrease said amount.

2 土地又は建物に関する損害について予定された賠償額の支払は、賠償の目的となる損害の原因及び内容並びに賠償の範囲及び金額について、政令で定めるところにより、登録をしたときは、その後その土地又は建物について権利を取得した者に対しても、その効力を生ずる。

(2) The payment of compensation scheduled for the damage of land or buildings shall also become effective for those who acquired the rights of the land or buildings thereafter, if the cause and description of the damage subject to compensation and the scope and amount of compensation are registered pursuant to Cabinet Order.

(消滅時効)

(Extinctive Prescription)

第百十五条 損害賠償請求権は、被害者が損害及び賠償義務者を知った時から三年間行わないときは、時効によつて消滅する。損害の発生時から二十年を経過したときも、同様とする。

Article 115 (1) The right to seek compensation for damage shall become extinct due to prescription if an aggrieved party does not make a claim for damages within three years from the day on which they came to know of the damage or of the person who has the obligation to compensate for said damage. The same shall apply when 20 years have passed since the occurrence of said damage.

2 前項の期間は、進行中の損害については、その進行のやんだ時から起算する。

(2) Regarding damage in progress, the period prescribed in the preceding paragraph shall commence from the day when the progress thereof ceases.

(適用除外)

(Exclusion from Application)

第百十六条 この章の規定は、鉱業に従事する者の業務上の負傷、疾病及び死亡に関しては、適用しない。

Article 116 The provisions in this Chapter shall not apply to on-the-job injuries,

diseases and the death of those who are engaged in Mining.

第二節 担保の供託

Section 2 Deposit of Collateral

(供託)

(Deposit)

第百十七条 石炭又は亜炭を目的とする鉱業権者又は租鉱権者は、経済産業省令で定める手続に従い、当該鉱区又は租鉱区に関する損害の賠償を担保するため、その前年中に掘採した石炭又は亜炭の数量に応じて、毎年一定額の金銭を供託しなければならない。

Article 117 (1) Holders of Mining Rights or Mining Lease Rights who intend to mine coal or lignite must deposit a certain amount of money every year in proportion to the quantity of coal or lignite mined in the previous year pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry to ensure compensation for damage caused in the Mining Sites concerned or Mining Lease Sites concerned.

2 前項の規定により供託すべき金銭の額は、前年中に掘採した石炭又は亜炭の数量一トンにつき二十円を超えない範囲内において経済産業大臣が毎年鉱区又は租鉱区ごとに定める額とする。

(2) The amount of money to be deposited pursuant to the provisions of the preceding paragraph shall be specified every year by the Minister of Economy, Trade and Industry for each Mining Site or each Mining Lease Site, with said amount not exceeding 20 yen per ton of coal or lignite mined within the previous year.

3 経済産業大臣は、石炭及び亜炭以外の鉱物を目的とする鉱業権者又は租鉱権者について、当該鉱区又は租鉱区に関する損害の賠償を担保するため必要があると認めるときは、当該鉱区又は租鉱区において前年中に掘採した鉱物の価額の百分の一を超えない範囲内において定める額の金銭を供託すべきことを命ずることができる。

(3) The Minister of Economy, Trade and Industry may, when they find it necessary to ensure compensation for damage caused in the Mining Sites concerned or Mining Lease Sites concerned, order holders of Mining Rights or Mining Lease Rights who intend to mine Minerals other than coal and lignite to deposit the amount of money, which is specified and does not exceed one-hundredth of the value of Minerals mined within the previous year in the Mining Sites concerned or Mining Lease Sites concerned.

4 第一項又は前項の規定により供託すべき金銭は、その金額に相当する国債（その権利の帰属が社債等の振替に関する法律（平成十三年法律第七十五号）の規定による振替口座簿の記載又は記録により定まるものとされるものを含む。）をもつてこれに代えることができる。

(4) The money to be deposited pursuant to the provisions of paragraph (1) or the

preceding paragraph may be substituted by national government bonds equivalent to this amount of money (including those of which the ownership of rights is determined by the entries or records in the transfer account book pursuant to the provisions of Act on Transfer of Corporate Bonds, etc. (Act No. 75 of 2001)).

第百十八条 被害者は、損害賠償請求権に関し、前条の規定により当該鉱区又は租鉱区に関する賠償を担保するため供託された金銭につき、他の債権者に優先して弁済を受ける権利を有する。

Article 118 (1) Regarding the right to seek compensation for damage, an aggrieved party shall have the right with higher priority than other persons to receive payment of the money deposited to ensure compensation for damage caused in the Mining Sites concerned or Mining Lease Sites concerned pursuant to the provisions of the preceding Article.

2 前項の権利の実行に関する手続は、政令で定める。

(2) The procedures for execution of the rights prescribed in the preceding paragraph shall be prescribed by Cabinet Order.

(取戻し)

(Recovery)

第百十九条 鉱業権者若しくは租鉱権者又は鉱業権者若しくは租鉱権者であつた者は、次に掲げる場合においては、経済産業省令で定める手続に従い、経済産業大臣の承認を受けて、供託した金銭を取り戻すことができる。

Article 119 In the following cases, holders of Mining Rights or Mining Lease Rights or those who used to be holders of Mining Rights or Mining Lease Rights may recover the money they deposited pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry upon approval by the Minister of Economy, Trade and Industry:

一 当該鉱区又は租鉱区に関する損害を賠償したとき。

(i) Damage in the Mining Site concerned or Mining Lease Sites concerned is compensated for;

二 鉱業権の消滅又は鉱業権の消滅若しくは鉱区の減少による租鉱権の消滅の後十年を経過しても、損害が生じないとき。

(ii) No damage is caused for ten years after extinction of Mining Rights or extinction of Mining Lease Rights due to a decrease in the scale of Mining Sites.

(事業の停止)

(Suspension of Business Operations)

第百二十条 経済産業大臣は、供託をしなければならない者が供託をしないときは、その事業の停止を命ずることができる。

Article 120 If those who are required to deposit money do not deposit said money, the Minister of Economy, Trade and Industry may order them to suspend their business operations.

(権利の移転)

(Transfer of Rights)

第二百一十一条 鉱業権者が鉱業権を譲渡したときは、供託した金銭に対する権利は、それによつて譲受人に移転する。

Article 121 (1) When holders of Mining Rights transfer their Mining Rights, the right to the money they deposited shall be thereby transferred to transferees.

2 租鉱権が消滅したときは、鉱業権の消滅又は鉱区の減少による場合を除き、供託した金銭に対する権利は、鉱業権者に移転する。

(2) When Mining Lease Rights become extinct, the right to the money deposited shall be transferred to holders of Mining Rights, except for in the case of the extinction of Mining Lease Rights due to the extinction of Mining Rights or a decrease of the scale of Mining Sites.

第三節 和解の仲介

Section 3 Mediation in Settlements

(和解の仲介の申立て)

(Application for Mediation of Settlements)

第二百二十二条 鉱害の賠償に関して争議が生じたときは、当事者は、経済産業省令で定める手続に従い、経済産業大臣に和解の仲介の申立てをすることができる。

Article 122 If a dispute arises concerning compensation for mining pollution, the parties concerned may file an application with the Minister of Economy, Trade and Industry for the mediation of settlement pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

(仲介員名簿の作成)

(Preparation of a List of Mediators)

第二百二十三条 経済産業大臣は、毎年仲介員候補者十五人以内を委嘱し、その名簿を作成して置かなければならない。

Article 123 (1) The Minister of Economy, Trade and Industry shall commission up to 15 mediator candidates every year, and must prepare a list thereof.

2 前項の仲介員候補者は、一般公益を代表する者並びに鉱業、農業、林業又はその他の産業に関し知識経験を有する者のうちから、委嘱されなければならない。

(2) The candidate mediators prescribed in the preceding paragraph must be commissioned from those who represent public interest in general and those who have knowledge and experience about mining, agriculture, forestry and other industries.

(仲介員の指定)

(Designation of Mediators)

第二百二十四条 経済産業大臣は、第二百二十二条の規定による申立てがあつたときは、前条第一項の名簿に記載されている者のうちから、仲介員五人以内を指定しなければならない。

Article 124 (1) The Minister of Economy, Trade and Industry must, when an application is filed pursuant to the provisions of Article 122, designate five or fewer mediators from those who are listed in the list prescribed in paragraph (1) of the preceding Article.

2 前項の場合において、鉱害が農業、林業又はその他の産業に関するものであるときは、仲介員のうち、少くとも一人は、当該産業に関し知識経験を有するものの中から、指定されなければならない。

(2) In the case referred to in the preceding paragraph, if mining pollution involves agriculture, forestry or other industries, at least one of the mediators must be designated from those who have knowledge and experience of the industry concerned.

(仲介員の任務)

(Duty of Mediators)

第二百五条 仲介員は、争議の実情を詳細に調査し、事件が公正に解決されるように努めなければならない。

Article 125 Mediators must endeavor to investigate the facts of disputes in detail and have cases settled in a fair manner.

**第七章 不服申立て
Chapter VII Appeal**

(意見の聴取の開始)

(Commencement of Hearings of Opinions)

第二百二十六条 経済産業大臣は、この法律又はこの法律に基づく命令の規定による処分についての審査請求又は異議申立てがあつたときは、これを却下する場合を除き、審査請求又は異議申立てを受理した日から三十日以内に、意見の聴取を開始しなければならない。

Article 126 When an application for the examination of or objection to a disposition pursuant to the provisions of this Act or an order based on this Act is filed, the Minister of Economy, Trade and Industry must commence with a hearing of opinions within 30 days from the day of reception of said application for examination or objection, except for in cases where they dismiss it .

第二百二十七条 経済産業大臣は、前条の意見の聴取の期日及び場所を定め、審査請求人

又は異議申立人に通知しなければならない。

Article 127 (1) The Minister of Economy, Trade and Industry must specify the date and place of the hearing of opinions prescribed in the preceding Article, and notify the applicant for examination or the petitioner for objection.

2 経済産業大臣は、前項の規定による通知をしたときは、事案の要旨並びに意見の聴取の期日及び場所を公示しなければならない。

(2) The Minister of Economy, Trade and Industry must, when they have made the notice pursuant to the provisions of the preceding paragraph, make a public notification of the outline of the matter in question, and the date and place of the hearing of opinions.

(参加)

(Participation)

第二百二十八条 審査請求人又は異議申立人のほか、第二百二十六条の意見の聴取に参加して意見を述べようとする者は、利害関係のある理由及び主張の要旨を記載した文書をもって、経済産業大臣に、利害関係人として参加する旨を申し出て、その許可を受けなければならない。

Article 128 In addition to the applicant for examination or petitioner for objection, those who intend to participate in the hearing prescribed in Article 126 and state their opinion must file an application for participation as an interested party with the Minister of Economy, Trade and Industry with a document that state the reason for said interest and the outline of their arguments, and receive permission from the Minister of Economy, Trade and Industry.

(証拠の提示等)

(Presentation of Evidence, etc.)

第二百二十九条 第二百二十六条の意見の聴取に際しては、審査請求人又は異議申立人、当該処分の手方及び前条の規定により参加した者に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。

Article 129 In the hearing prescribed in Article 126, the applicant for examination or petitioner for objection, the other party in the disposition concerned, and those who participate in the hearing pursuant to the provisions of preceding Article must be given the opportunity to present evidence and state their opinion concerning the matters in question.

(執行停止及びその取消しの公示及び通知)

(Stay of Execution and the Public Notification and Notice of Rescission)

第三十条 経済産業大臣は、行政不服審査法（昭和三十七年法律第百六十号）第三十四条の規定により審査請求に係る処分の執行停止をしたとき、又は同法第四十八条において準用する同法第三十四条の規定により異議申立てに係る処分の執行停止をした

ときは、その旨を公示するとともに、審査請求人又は異議申立人及び当該処分の手方にその旨を通知しなければならない。同法第三十五条（同法第四十八条において準用する場合を含む。）の規定によりその執行停止を取り消したときも、同様とする。

Article 130 The Minister of Economy, Trade and Industry must, when they have granted a stay of execution of a disposition pertaining to an application for examination pursuant to the provisions of Article 34 of the Administrative Appeal Act (Act No. 160 of 1962), or stayed an execution of disposition pertaining to the objection pursuant to the provisions of Article 34 of said Act as applied mutatis mutandis pursuant to Article 48 of said Act, present a public notification thereof, and notify the applicant for examination or the petitioner for objection and the other party of the disposition concerned. The same shall apply to cases where a stay of execution is rescinded pursuant to the provisions of Article 35 of the said Act (including the cases where applied mutatis mutandis pursuant to Article 48 of said Act).

（裁決又は決定の要旨の公示等）

(Public Notification of the Outline of Determinations or Decisions)

第百三十一条 経済産業大臣は、裁決又は決定をしたときは、その要旨を公示しなければならない。

Article 131 (1) The Minister of Economy, Trade and Industry must, when they have made a determination or a decision, make a public notification of the outline thereof.

2 裁決書又は決定書の謄本は、第百二十八条の規定により参加した者にも送付しなければならない。

(2) Transcripts of written determinations or decisions must also be sent to those who participated pursuant to the provisions of Article 128.

（意見の聴取の手続）

(Procedures for the Hearing of Opinions)

第百三十二条 この章に定めるもののほか、第百二十六条の意見の聴取に関する手続は、経済産業省令で定める。

Article 132 In addition to what is provided for in this Chapter, other procedures for the hearing prescribed in Article 126 shall be prescribed by Ordinance of the Ministry of Economy, Trade and Industry.

（裁定の申請）

(Application for a Ruling)

第百三十三条 次に掲げる者は、公害等調整委員会に対して裁定の申請をすることができる。

Article 133 The following persons may file an application for a ruling with the Environmental Dispute Coordination Commission:

一 第二十一条第一項（第四十四条第三項において準用する場合を含む。次号において同じ。）の許可に不服のある者（第二十九条第一項（第四十四条第三項において準用する場合を含む。同号において同じ。）に規定する基準（第二十九条第一項第八号に係る部分に限る。次号において同じ。）に適合していないことを理由とする場合に限る。）

(i) Any person who has an objection to the permission prescribed in Article 21, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 44, paragraph (1); the same shall apply in the following item) (limited to cases where the objection is based on the grounds that the requirements set forth in Article 29, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 44, paragraph (3); the same shall apply in said item) (limited to the portion of the requirements which pertains to Article 29, paragraph (1), item (viii); the same shall apply in the following item) have not been satisfied);

二 第二十九条第一項に規定する基準に適合していないことを理由とする第二十一条第一項の不許可に不服のある者

(ii) Any person who has an objection to the non-permission issued pursuant to Article 21, paragraph (1) on the grounds that the requirements set forth in Article 29, paragraph (1) have not been satisfied;

三 第四十条第三項又は第七項の許可に不服のある者（同条第一項に規定する基準（同項第五号に係る部分に限る。次号において同じ。）に適合していないことを理由とする場合に限る。）

(iii) Any person who has an objection to the permission prescribed in paragraph (3) or (7) of Article 40 (limited to cases where the objection is based on the grounds that the requirements set forth in paragraph (1) of said Article (limited to the portion pertaining to item (v) of said paragraph; the same shall apply in the following item) have not been satisfied);

四 第四十条第一項に規定する基準に適合していないことを理由とする同条第五項（同条第八項において準用する場合を含む。）の不許可に不服のある者

(iv) Any person who has an objection to the non-permission issued pursuant to Article 40, paragraph (5) (including cases where applied mutatis mutandis pursuant to paragraph (8) of said Article) on the grounds that the requirements set forth in paragraph (1) of said Article have not been satisfied;

五 第四十一条第一項の許可に不服のある者（同条第三項に規定する基準（同項第七号に係る部分に限る。次号において同じ。）に適合していないことを理由とする場合に限る。）

(v) Any person who has an objection to the permission issued pursuant to Article 41, paragraph (1) (limited to cases where the objection is based on the grounds that the requirements set forth in paragraph (3) of said Article (limited to the portion pertaining to item (vii) of said paragraph; the same

- shall apply in the following item) have not been satisfied);
- 六 第四十一条第三項に規定する基準に適合していないことを理由とする同条第一項の不許可に不服のある者
- (vi) Any person who has an objection to the non-permission issued pursuant to Article 41, paragraph (1) on the grounds that the requirements set forth in paragraph (3) of said Article have not been satisfied;
- 七 第四十五条第一項の許可に不服のある者（同条第二項に規定する基準（同項第四号に係る部分に限る。次号において同じ。）に適合していないことを理由とする場合に限る。）
- (vii) Any person who has an objection to the permission issued pursuant to Article 45, paragraph (1) (limited to cases where the objection is based on the grounds that the requirements set forth in paragraph (2) of said Article (limited to the portion pertaining to item (iv) of said paragraph; the same shall apply in the following item) have not been satisfied);
- 八 第四十五条第二項に規定する基準に適合していないことを理由とする同条第一項の不許可に不服のある者
- (viii) Any person who has an objection to the non-permission issued pursuant to Article 45, paragraph (1) on the grounds that the requirements set forth in paragraph (2) of said Article have not been satisfied;
- 九 第五十三条（第八十七条において準用する場合を含む。）の規定による鉱区若しくは租鉱区の減少の処分又は鉱業権若しくは租鉱権の取消しに不服のある者
- (x) Any person who has an objection to the decrease of the scale of Mining Sites or Mining Lease Sites or the rescission of Mining Rights or Mining Lease Rights pursuant to the provisions of Article 53 (including cases where applied mutatis mutandis pursuant to Article 87);
- 十 第百条の二第一項又は第百条の四第一項の許可に不服のある者（第百条の三（第百条の四第二項において準用する場合を含む。次号において同じ。）に規定する基準（第百条の三第四号に係る部分に限る。次号において同じ。）に適合していないことを理由とする場合に限る。）
- (x) Any person who has an objection to the permission issued pursuant to Article 100-2, paragraph (1) or Article 100-4, paragraph (1) (limited to cases where such objection is based on the grounds that the requirements set forth in Article 100-3 (including the cases where applied mutatis mutandis pursuant to Article 100-4, paragraph (2); the same shall apply in the following item) (limited to the portion of the requirements which pertains to item (iv) of Article 100-3; the same shall apply in the following item) have not been satisfied);
- 十一 第百条の三に規定する基準に適合していないことを理由とする第百条の二第一項又は第百条の四第一項の不許可に不服のある者
- (xi) Any person who has an objection to the non-permission issued pursuant to Article 100-2, paragraph (1) or Article 100-4, paragraph (1) on the grounds

that the requirements set forth in Article 100-3, have not been satisfied;
十二 第百条の三第四号に適合しなくなつたことを理由とする第百条の五の規定による第百条の二第一項の許可の取消しに不服のある者

(xii) Any person who has an objection to the rescission of the permission prescribed in Article 100-2, paragraph (1) pursuant to the provisions of Article 100-5 on the grounds that Article 100-3, item (iv) is no longer satisfied;

十三 第百六条第一項の許可又は不許可に不服のある者

(xiii) Any person who has an objection to the permission or non-permission issued pursuant to Article 106, paragraph (1); and

十四 第百七条第一項の規定により適用される土地収用法の規定による土地の使用又は収用に関する裁決に不服のある者

(xiv) Any person who has an objection to the ruling on determinations concerning the use or expropriation of land applied pursuant to the provisions of Article 107, paragraph (1).

(不服申立ての制限)

(Restrictions on Appeals)

第百三十四条 前条の規定により裁定の申請をすることができる場合には、行政不服審査法による不服申立てをすることができない。

Article 134 (1) In cases where an application for ruling may be filed pursuant to the provisions of the preceding Article, no appeal may be raised pursuant to the Administrative Appeal Act.

2 行政不服審査法第十八条の規定は、前条の処分につき、処分庁が誤つて審査請求又は異議申立てをすることができる旨を教示した場合に準用する。

(2) The provisions of Article 18 of the Administrative Appeal Act shall apply mutatis mutandis to cases where the administrative agency ordering the disposition has made mistakes in instructing applications for examinations, or objections may be filed with regard to the disposition prescribed in the preceding Article.

3 第九十三条の規定による決定についての審査請求又は異議申立てにおいては、決定のうち対価についての不服をその決定についての不服の理由とすることができない。

(3) Regarding the application for examination of or objection to the decisions pursuant to Article 93, any objection against values among such decisions may not be used as a reason for an objection against said decision.

4 第百七条第一項の規定により適用される土地収用法の規定による土地の使用又は収用に関する裁決についての裁定の申請においては、損失の補償についての不服をその裁決についての不服の理由とすることができない。

(4) Regarding the application for a ruling on determinations concerning the use or expropriation of land pursuant to the provisions of the Land Expropriation Act that is applied in accordance with the provisions of Article 107, paragraph

(1), any objection against compensation for loss may not be used as a reason for an objection against said determination.

(不服申立てと訴訟との関係)

(Relationship between Appeals and Actions)

第百三十五条 この法律又はこの法律に基づく命令の規定による処分取消しの訴えは、当該処分についての審査請求又は異議申立てに対する裁決又は決定を経た後でなければ、提起することができない。

Article 135 An action for the rescission of dispositions pursuant to the provisions of this Act or those of an order based on this Act may not be filed before the determination or decision about the application for an examination or objection concerning said disposition is made.

第八章 補則

Chapter VIII Auxiliary Provisions

(手数料)

(Fees)

第百三十六条 次に掲げる者は、実費を勘案して政令で定める額の手数料を納付しなければならない。

Article 136 The following persons must pay the fees that are prescribed by Cabinet Order in consideration of actual costs:

一 第十八条第二項の規定により試掘権の存続期間の延長の申請をする者

(i) Persons who file an application for the extension of the duration of their prospecting rights pursuant to the provisions of Article 18, paragraph (2);

二 第二十一条第一項の規定により鉱業出願をする者

(ii) Persons who file a Mining Application pursuant to the provisions of Article 21, paragraph (1);

三 第三十条第一項の規定により鉱業出願地の増減の出願をする者

(iii) Persons who file an application for the increase or decrease of the scale of Mining Application Areas pursuant to the provisions of Article 30, paragraph (1);

四 第三十九条第一項の規定により鉱業申請をする者

(iv) Persons who file a Mining Application pursuant to the provisions of Article 39, paragraph (1);

五 第四十一条第一項の規定により採掘権の設定の申請をする者

(v) Persons who file an application for the establishment of digging rights pursuant to the provisions of Article 41, paragraph (1);

六 第四十四条第一項の規定により鉱区の増減の出願をする者

(vi) Persons who file an application for increase or decrease of the scale of Mining Sites pursuant to the provisions of Article 44, paragraph (1);

- 七 第四十五条第一項の規定により鉱区の増減の申請をする者
(vii) Persons who file an application for the increase or decrease of the scale of Mining Sites pursuant to the provisions of Article 45, paragraph (1);
- 八 第五十条第一項又は第二項の規定により採掘鉱区の分割又は合併の出願をする者
(viii) Persons who file an application for the division or merger of digging areas pursuant to the provisions of paragraph (1) or (2) of Article 50;
- 九 第五十一条の二第一項の規定により鉱業権の移転の許可の申請をする者
(ix) Persons who file an application for permission for the transfer of Mining Rights pursuant to the provisions of Article 51-2, paragraph (1);
- 十 第五十一条の三第一項の規定による届出をする者
(x) Persons who make the notification pursuant to the provisions of Article 51-3, paragraph (1);
- 十一 第六十六条第四項の規定により決定の申請をする者
(xi) Persons who file an application for decisions pursuant to the provisions of Article 66, paragraph (4);
- 十二 第六十七条の規定による届出をする者
(xii) Persons who make a notification pursuant to the provisions of Article 67;
- 十三 第七十六条第四項の規定により租鉱権の存続期間の延長の申請をする者
(xiii) Persons who file an application for the extension of the duration of their Mining Lease Rights pursuant to the provisions of Article 76, paragraph (4);
- 十四 第七十七条第一項の規定により租鉱権の設定の認可の申請をする者
(xiv) Persons who file an application for authorization of the establishment of Mining Lease Rights pursuant to the provisions of Article 77, paragraph (1);
- 十五 第七十八条第一項の規定により租鉱区の増減の申請をする者
(xv) Persons who file an application for an increase or decrease of the scale of Mining Lease Sites pursuant to the provisions of Article 78, paragraph (1);
- 十六 第九十条の規定により決定の申請をする者
(xvi) Persons who file an application for a decision pursuant to the provisions of Article 90;
- 十七 第一百一条第一項の規定により土地の立入り又は竹木の伐採の許可の申請をする者
(xvii) Persons who file an application for permission to enter land or fell bamboo and trees pursuant to the provisions of Article 101, paragraph (1);
- 十八 第一百六条第一項の規定により土地の使用又は収用の許可の申請をする者
(xviii) Persons who file an application for permission to use or expropriate land pursuant to the provisions of Article 106, paragraph (1); and
- 十九 第一百四十条第一項の規定により実地調査を依頼する者
(xix) Persons who make a request for an on-the-spot investigation pursuant to the provisions of Article 186, paragraph (1).

(修正又は補充)

(Correction or Supplementation)

第百三十七条 経済産業大臣は、鉱業に関する出願、申請及び届出の書面並びに図面が完備していないときは、相当の期限を付してその修正又は補充を命ずることができる。

Article 137 If the written applications, notifications and drawings concerning Mining are not complete, the Minister of Economy, Trade and Industry may order the correction thereof or supplementation thereto within a reasonable time limit.

(立会通知)

(Notification of Attendance)

第百三十八条 経済産業大臣は、鉱業権若しくは租鉱権の設定若しくは変更に関する出願若しくは申請又は鉱区若しくは租鉱区について実地調査の必要があると認めるときは、調査に従事する職員、調査事項、立会場所及び調査日時を指定し、鉱業出願人、鉱業申請人、租鉱権者となろうとする者、鉱業権者又は租鉱権者に立会いを命ずることができる。この場合においては、調査日時を指定することができないときは、予定期日を定め、確定日時は、調査に従事する職員の指定によることを命じなければならない。

Article 138 The Minister of Economy, Trade and Industry may, when they find it necessary to conduct an on-the-spot investigation concerning an application for the establishment of or changes to Mining Rights or Mining Lease Rights, or Mining Sites or Mining Lease Sites, designate the personnel who are to conduct the investigation, the particulars to be investigated, place of attendance, and the date and time of the investigation, and order Mining Applicants, those who intend to become holders of Mining Lease Rights, or holders of Mining Rights or Mining Lease Rights to attend the investigation. In this case, if they are unable to designate the date and time of investigation, they must specify a scheduled date, and order the personnel who are to conduct the investigation to designate the fixed date.

(却下)

(Dismissal)

第百三十九条 経済産業大臣は、次に掲げる場合においては、鉱業権の設定又は変更に関する出願又は申請を却下しなければならない。

Article 139 The Minister of Economy, Trade and Industry must dismiss applications for the establishment or change of Mining Rights in the following cases:

一 第二十五条第二項の規定による命令を受けた場合において、同項の規定により指定した期限までに同項の書面を提出しないとき。

(i) In cases where the order pursuant to the provisions of Article 25, paragraph (2) is given, the applicant does not submit the documents prescribed in said paragraph by the time limit designated under said paragraph;

二 第二十六条（第三十九条第四項及び第四十一条第四項において準用する場合を含む。以下この号において同じ。）の規定による命令を受けた場合において、第二十六条の規定により指定した期限までに同条の設計書を提出しないとき。

(ii) In cases where the order pursuant to the provisions of Article 26 (including the cases where applied mutatis mutandis pursuant to Article 39, paragraph (4) and Article 41, paragraph (4); hereinafter the same shall apply in this item) is given, the applicant does not submit the design specifications prescribed in Article 26 by the time limit designated under said Article;

三 第百三十七条の規定による命令を受けた場合において、同条の規定により指定した期限までに修正又は補充をしないとき。

(iii) In cases where the order pursuant to the provisions of Article 137 is given, the applicant does not make any corrections or provide supplementation by the time limit designated under said Article; and

四 前条の規定による命令を受けた場合において、実地調査に際し出願の区域を明示することができず、又は同条の規定により指定した日時に立会いをしないとき。

(iv) In cases where the order pursuant to the preceding Article is given, the applicant is unable to clearly indicate the areas for on-the-spot investigation in an application or does not attend on the date and time designated under said Article.

(鉱区等の調査)

(Investigation of Mining Sites, etc.)

第百四十条 隣接する鉱区又は租鉱区の鉱業権者又は租鉱権者その他の利害関係人は、他人の鉱区又は租鉱区について、経済産業大臣に、その実地調査を依頼することができる。

Article 140 (1) Holders of Mining Rights or Mining Lease Rights and other interested parties in neighboring Mining Sites or Mining Lease Sites may request of the Minister of Economy, Trade and Industry an on-the-spot investigation of Mining Sites or Mining Lease Sites of other persons.

2 前項の実地調査を依頼しようとする者は、経済産業省令で定める手続に従い、申請書に理由書を添えて提出しなければならない。

(2) Those who intend to request an on-the-spot investigation as prescribed in the preceding paragraph must submit an application with a written statement of reasons pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

3 第一項の実地調査を依頼しようとする者は、調査に要する人員及び物品を提供しなければならない。

(3) Those who intend to request an on-the-spot investigation as prescribed in paragraph (1) above must provide the personnel and articles required for said investigation.

(公示)

(Public Notification)

第百四十一条 経済産業大臣は、この法律又はこの法律に基づく命令の規定による処分をしたときは、経済産業省令で定める手続に従い、その要旨を公示しなければならない。

Article 141 The Minister of Economy, Trade and Industry must, when they have conducted a disposition pursuant to the provisions of this Act or that of an order based on this Act, make a public notification of the outline thereof pursuant to the procedures specified by Ordinance of the Ministry of Economy, Trade and Industry.

(掲示)

(Posting)

第百四十二条 経済産業大臣は、第二十一条第一項（第三十条第二項、第四十四条第三項又は第五十条第三項において準用する場合を含む。）、第五十二条、第五十五条、第八十三条第一項若しくは第百三十九条の規定による処分の通知、第二十五条第一項、第三十四条第二項、第四十七条第三項（第六十四条の二第二項又は第六十六条第五項において準用する場合を含む。）、第五十七条第一項、第九十一条第二項、第一百条第二項若しくは第百六条第三項の規定による通知、第三十一条第一項、第三十二条第一項、第三十三条第一項、第四十八条第一項、第四十九条第一項、第百三十七条若しくは第百三十八条の規定による命令又は第四十七条第五項（第六十四条の二第二項又は第六十六条第五項において準用する場合を含む。）若しくは第九十四条第二項の規定による決定書の謄本の交付をする場合において、相手方が知れないとき、又はその所在が不分明なときは、鉱業出願人、鉱業権者若しくは抵当権者にあつては願書若しくは鉱業原簿に記載された住所の所在地の、土地の所有者にあつては採掘出願地の所在地の市役所、町村役場又はこれに準ずるものの掲示場に、その通知若しくは命令又は決定書の謄本の内容を掲示するとともに、その掲示をした旨及びその要旨を官報に掲載しなければならない。この場合においては、掲示を始めた日又は官報に掲載した日のいずれか遅い日から十四日を経過した日に、その通知若しくは命令又は決定書の謄本は、相手方に到達したものとみなす。

Article 142 When the Minister of Economy, Trade and Industry makes a notification of a disposition pursuant to the provisions of Article 21, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 30, paragraph (2), Article 44, paragraph (3), or Article 50, paragraph (3)), Article 52, Article 55, of Article 83, paragraph (1) or Article 139, makes a notification pursuant to the provisions of Article 25, paragraph (1), Article 34, paragraph (2), Article 47, paragraph (3) (including cases where applied mutatis mutandis to Article 64-2, paragraph (2) or Article 66, paragraph (5)), Article 57, paragraph (1), Article 91, paragraph (2), Article 101, paragraph (2), or Article 106, paragraph (3) gives an order pursuant to the provisions of Article 31, paragraph (1), Article 32, paragraph (1), Article 33, paragraph (1), Article 48,

paragraph (1), Article 49, paragraph (1), Article 137 or Article 138, or delivers transcripts of the written decision pursuant to the provisions of Article 47, paragraph (5) (including cases where applied mutatis mutandis to Article 64-ii, paragraph (2) or Article 66, paragraph (5)) or Article 94, paragraph (2) they must post the description of such notice, such order and the transcripts of such written decision at the posting area of the city office, or town hall or any facility equivalent thereto associated with the location of the address mentioned in the written application or Mining registry in the case of a Mining Applicant, holder of Mining Rights or a mortgagee, or at the posting area of the city office, or town hall or any facility equivalent to the above associated with the location of the Digging Application Area in the case of the land owner, if the other party or the location thereof is unknown, and publish such posting and the outline thereof in an official gazette. In this case, such notice, such orders and the transcripts of such written decisions shall be deemed to have reached the other party on the day on which 14 days have elapsed from whichever is later of the day of the commencement of posting or the day of publication in an official gazette.

(強制徴収)

(Compulsory Collection)

第四百三十三条 経済産業大臣は、第五十三条の二第三項の規定による負担金を納付しない者があるときは、期限を指定して、これを督促しなければならない。

Article 143 (1) When any person does not pay the compensation prescribed in Article 53-2, paragraph (3), the Minister of Economy, Trade and Industry must designate a time limit and demand payment.

2 経済産業大臣は、前項の規定により督促をするときは、督促状を発する。この場合において、督促状により指定すべき期限は、督促状を発する日から起算して十日以上経過した日でなければならない。

(2) The Minister of Economy, Trade and Industry shall, when they demand payment pursuant to the preceding paragraph, send a demand notice. In this case, the time limit designated in the demand note must be set for a day which is at least ten days after the day when the demand note is sent out.

3 経済産業大臣は、第一項の規定による督促を受けた者がその指定の期限までにその督促に係る負担金を納付しないときは、国税滞納処分の例により、これを処分する。

(3) If a person who is given a demand to pay the compensation pursuant to the provisions of paragraph (1) does not pay the compensation demanded of them by the time limit specified, the Minister of Economy, Trade and Industry shall make a disposition on such nonpayment by the same procedures as used in the disposition of national tax delinquency.

4 経済産業大臣は、第一項の規定により督促をしたときは、その督促に係る負担金の金額につき年十四・五パーセントの割合で、納期限の翌日からその納付の日の前日ま

での日数により計算した延滞金を徴収する。ただし、経済産業省令で定めるときは、この限りでない。

(4) The Minister of Economy, Trade and Industry shall, when they have demanded payment pursuant to the provisions of paragraph (1), collect an arrears charge that is calculated based on the number of days from the day following the time limit for payment to the day before payment is actually made, at a rate of 14.5% per annum on the amount of compensation demanded; provided, however, that this shall not apply to the cases prescribed by Ordinance of the Ministry of Economy, Trade and Industry.

5 第一項に規定する負担金及び前項の延滞金の先取特権の順位は、国税及び地方税に次ぐものとする。

(5) The priority of statutory lien of the compensation prescribed in paragraph (1) above and that of the arrears charge prescribed in the preceding paragraph shall come after national tax and local tax.

6 国税通則法（昭和三十七年法律第六十六号）第十二条及び第十四条の規定は、第一項に規定する負担金及び第四項の延滞金に関する書類の送達に準用する。

(6) The provisions of Articles 12 and 14 of the Act on General Rules for National Taxes (Act No. 66 of 1962) shall apply mutatis mutandis to the delivery of documents concerning the compensation prescribed in paragraph (1) above and the arrears charge prescribed in paragraph (4) above.

（報告及び検査）

(Reports and Inspection)

第百四十四条 経済産業大臣は、この法律の施行に必要な限度において、鉱業権者若しくは租鉱権者からその業務の状況に関する報告を徴し、又はその職員にその事業所若しくは事務所に入り、業務の状況若しくは帳簿書類を検査させることができる。

Article 144 (1) The Minister of Economy, Trade and Industry may, to the extent necessary for enforcing this Act, request reports from holders of Mining Rights or Mining Lease Rights concerning the state of business thereof or have the officials enter the places of business or offices thereof and inspect the state of business or books and documents thereof.

2 経済産業大臣は、この法律の施行に必要な限度において、探査を行う者に対し、その行為に関して報告若しくは資料の提出を命じ、又はその職員にその事業所、事務所若しくは自動車若しくは船舶（以下この項において「自動車等」という。）に入り、その行為の状況、自動車等若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

(2) The Minister of Economy, Trade and Industry may, to the extent necessary for enforcing this Act, order a person who carries out Exploration to report or submit materials regarding their conduct, or have the officials enter the places of business, offices, or automobiles or vessels (hereinafter collectively referred to as "Automobiles, etc." in this paragraph) of said person and inspect the

status of their conduct, automobiles, etc., books, documents and other articles, or question the persons concerned.

3 前二項の規定により立入検査をする職員は、その身分を示す証票を携帯し、関係人に提示しなければならない。

(3) The official who enters and conducts inspections as prescribed in the preceding two paragraphs must carry a certificate of identification and present it to the people concerned.

4 第一項及び第二項の規定による検査の権限は、犯罪捜査のために認められたものと解してはならない。

(4) The authority of inspection prescribed in the provisions of paragraphs (1) and (2) must not be construed as authority approved for criminal investigation.

(権限の委任)

(Delegation of Authority)

第百四十五条 この法律に規定する経済産業大臣の権限は、経済産業省令で定めるところにより、経済産業局長に委任することができる。

Article 145 The authority of the Minister of Economy, Trade and Industry prescribed in this Act may be delegated to the Director of the Regional Bureau of Economy, Trade and Industry, pursuant to the provisions of Ordinance of the Ministry of Economy, Trade and Industry.

(経過措置)

(Transitional Measures)

第百四十六条 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 146 In cases where an order is established, revised or abolished under the provisions of this Act, the necessary transitional measures (including transitional measures concerning penal provisions) may be prescribed in said order, to the extent considered reasonably necessary for the establishment, revision or abolition of said order.

第九章 罰則

Chapter IX Penal Provisions

第百四十七条 左の各号のいずれかに該当する者は、五年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 147 (1) Any person who falls under any of the following items shall be punished by either imprisonment with required labor for up to five years or a fine of up to 1,000,000 yen, or by their cumulative imposition:

一 第七条の規定に違反した者

(i) A person who violates the provisions of Article 7;

二 前号の犯罪に係る鉱物を、情を知つて運搬し、保管し、有償若しくは無償で取得し、又は処分の媒介若しくはあつせんをした者

(ii) A person who knowingly transports, retains, acquires with or without compensation or mediates or arranges the disposal of Minerals pertaining to the offenses specified in the preceding item; or

三 偽りその他不正の行為により鉱業権の設定又は移転の許可を受けた者

(iii) A person who receives permission for the establishment or transfer of Mining Rights by means of deception or other wrongful practice.

2 過失により鉱区外又は租鉱区外に侵掘した者は、百万円以下の罰金に処する。

(2) A person who negligently mines into areas outside their own Mining Site or Mining Lease Sites shall be punished by a fine of up to 1,000,000 yen.

第四百八条 次の各号のいずれかに該当する者は、五年以下の懲役若しくは二百万円以下の罰金に処し、又はこれを併科する。

Article 148 Any person who falls under any of the following items shall be punished by either imprisonment with required labor for up to five years or a fine of up to 2,000,000 yen, or by their cumulative imposition:

一 第百条の二第一項又は第百条の四第一項の規定に違反して探査を行つた者

(i) A person who carries out Exploration in violation of the provisions of Article 100-2, paragraph (1) or Article 100-4, paragraph (1);

二 偽りその他不正の行為により第百条の二第一項又は第百条の四第一項の許可を受けた者

(ii) A person who receives the permission prescribed in Article 100-2, paragraph (1) or Article 100-4, paragraph (1) by means of deception or other wrongful practices; or

三 第百条の六の規定による命令に違反した者

(iii) A person who violates the order issued pursuant to the provisions of Article 100-6.

第四百九条 次の各号のいずれかに該当する者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 149 Any person who falls under any of the following items shall be punished by either imprisonment with required labor for up to one year or a fine of up to 500,000 yen:

一 第六十三条第三項（第八十七条において準用する場合を含む。）又は第六十三条の二第三項の規定に違反した者

(i) A person who violates the provisions of Article 63, paragraph (3) (including the cases where applied mutatis mutandis to Article 87) or Article 63-2, paragraph (3);

二 第六十四条（第八十七条において準用する場合を含む。）の規定に違反して鉱物

を掘採した者

(ii) A person who, in violation of the provisions of Article 64 (including the cases where applied mutatis mutandis to Article 87), mines Minerals;

三 第百条第三項の規定による命令に違反した者

(iii) A person who violates an order pursuant to Article 100, paragraph (3); or

四 第百二十条の規定による命令に違反して事業を停止しなかつた者

(iv) A person who does not suspend their business operations in violation of an order pursuant to the provisions of Article 120.

第百五十条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 150 Any person who falls under any of the following items shall be punished by a fine of up to 300,000 yen:

一 第六十九条又は第七十条（第八十七条において準用する場合を含む。）の規定に違反した者

(i) A person who violates the provisions of Article 69 or 70 (including the cases where applied mutatis mutandis to Article 87)

二 第七十条の二の規定による報告をせず、又は虚偽の報告をした者

(ii) A person who fails to make a report pursuant to the provisions of Article 70-2 or makes a false report;

三 第百条の二第四項の規定に違反して許可証を携帯しないで探査を行つた者

(iii) A person who carries out Exploration without carrying a certificate of permission in violation of the provisions of Article 100-2, paragraph (4);

四 第百条の七第一項の規定により付された条件に違反した者

(iv) A person who violates the conditions imposed on them pursuant to the provisions of Article 100-7, paragraph (1);

五 第百条の十一の規定による報告をせず、又は虚偽の報告をした者

(v) A person who fails to make a report pursuant to the provisions of Article 100-11 or makes a false report;

六 第百二条の規定に違反して書面を携帯せず、又はこれを提示しなかつた者

(vi) A person who, in violation of the provisions of Article 102, does not carry documents or does not present them;

七 第百四十四条第一項の規定による報告をせず、又は虚偽の報告をした者

(vii) A person who fails to make a report pursuant to the provisions of Article 144, paragraph (1) or makes a false report;

八 第百四十四条第一項の規定による検査を拒み、妨げ、又は忌避した者

(viii) A person who refuses, precludes or avoids the inspection pursuant to the provisions of Article 144, paragraph (1); or

九 第百四十四条第二項の規定による報告若しくは資料の提出をせず、若しくは虚偽の報告若しくは資料の提出をし、同項の規定による検査を拒み、妨げ、若しくは忌避し、又は同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

(ix) A person who fails to make a report or submit materials pursuant to the provisions of Article 144, paragraph (2), makes a false report or submits false materials, refuses, precludes or avoids the inspection under the provisions of said paragraph, or fails to give answers to questions asked pursuant to said paragraph, or gives a false answer.

第百五十一条 第百条の四第三項の規定による届出をせず、又は虚偽の届出をした者は、十万円以下の過料に処する。

Article 151 A person who has failed to make the notification pursuant to the provisions of Article 100-4, paragraph (3), or has made a false notification shall be punished by a non-criminal fine of up to 100,000.

第百五十二条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 152 When the representative of corporations, agents of corporations or individuals, workers or other employees commit any of the violations set forth in the following items with regard to the business of the said corporations or individual, not only the offender shall be punished but also the said corporation shall be punished by the fine prescribed in the respective items, and the said individual shall be punished by the fines prescribed in the respective Articles:

一 第百四十七条第一項 一億円以下の罰金刑

(i) Article 147, paragraph (1): a fine of up to 100 million yen;

二 第百四十七条第二項及び第百四十八条から第百五十条まで 各本条の罰金刑

(ii) Article 147, paragraph (2) and Articles 148 through 150: a fine prescribed in the respective Articles.

附 則

Supplementary Provisions

1 この法律の施行期日は、公布の日から起算して六箇月をこえない期間内において、政令で定める。

(1) The effective date of this Act shall be specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

2 左に掲げる法律は、廃止する。

(2) The following Acts shall be repealed:

砂鉱法（明治四十二年法律第十三号）

The Placer Act (Act No. 13 of 1909)

附 則 〔昭和二十六年六月九日法律第二百二十号〕
Supplementary Provisions [Act No. 220 of June 9, 1951]

- 1 この法律は、新法施行の日から施行する。
(1) This Act shall come into effect as of the day of enforcement of the new Act.

附 則 〔昭和二十六年六月九日法律第二百二十二号〕 〔抄〕
Supplementary Provisions [Act No. 222 of June 9, 1951] [Extract]

(施行期日)

(Effective Date)

- 第一条 この法律は、昭和二十六年十月一日から施行する。
Article 1 This Act shall come into effect as of October 1, 1951.

(従前の調停事件)

(Former Conciliation Case)

- 第十三条 この法律施行前に裁判所が受理した調停事件については、なお従前の例による。
Article 13 With regard to conciliation cases received by the court prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

(調停委員となるべき者の選任等)

(Appointment of Conciliation Committee Members, etc.)

- 第十四条 この法律施行前に従前の法律の規定によつてした調停委員となるべき者の選任は、この法律の適用については、同法の規定によつてした選任とみなす。
Article 14 (1) The conciliation committee members who were appointed under the provisions of the previous act prior to the enforcement of this Act shall be deemed to have been appointed by the provisions of said Act, with regard to the application of this Act.
2 この法律施行後に同法の規定によつてした調停委員となるべき者の選任は、従前の法律の適用については、同法の規定によつてした選任とみなす。
(2) The conciliation committee members who are appointed under the provisions of this Act after its enforcement shall be deemed to have been selected by the provisions of the previous act, with regard to the application of said Act.
3 前二項の規定は、調停主任の指定に準用する。
(3) The provisions of the preceding two paragraphs shall apply mutatis mutandis to the appointment of a head conciliator.

(罰則の適用)

(Application of Penal Provisions)

第十五条 この法律施行前にした行為に対する罰則の適用については、なを従前の例による。

Article 15 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

附 則 〔昭和二十八年七月九日法律第五十七号〕 〔抄〕

Supplementary Provisions [Act No. 57 of July 9, 1953] [Extract]

1 この法律は、公布の日から起算して三十日を経過した日から施行する。但し、附則第三項の規定は、日本国との平和条約の最初の効力発生の日から適用する。

(1) This Act shall come into effect as of the day on which 30 days have elapsed since the day of promulgation; provided, however, that the provisions of paragraph (3) of the Supplementary Provisions shall apply from the first day on which the Treaty of Peace with Japan becomes effective.

2 労働基準法（昭和二十二年法律第四十九号）及び鉱山保安法（昭和二十四年法律第七十号）の適用に関しては、鉱業法施行法（昭和二十五年法律第二百九十号）第四条の規定により鉱物の掘採を継続することができる者は、鉱山保安法第二条第一項の鉱業権者と、その者が掘採の事業を行う事業場は、同条第二項の鉱山と、その事業場において掘採の事業に従事する者は、同条第三項の鉱山労働者とみなす。

(2) With regard to the application of the Labor Standards Act (Act No. 49 of 1947) and the Mining Safety Act (Act No. 70 of 1949), those who may continue to mine Minerals pursuant to the provisions of Article 4 of the Act for Enforcement of the Mining Act (Act No. 290 of 1950) shall be deemed as the holders of the Mining Rights prescribed in Article 2, paragraph (1) of the Mining Safety Act, and the workplaces where they conduct the business of mining shall be deemed as the mines prescribed in paragraph (2) of said Article, and those who are engaged in the business of mining at such workplaces shall be deemed as the mine workers prescribed in paragraph (3) of said Article.

附 則 〔昭和二十八年八月十三日法律第二百二十号〕 〔抄〕

Supplementary Provisions [Act No. 202 of August 13, 1953] [Extract]

1 この法律中、第三百三条、第三百七条、第三百十号、第三百二十一条の四第一項並びに第三百二十一条の五第一項及び第二項の改正規定並びに附則第九項の規定は昭和二十九年一月一日から、その他の規定（以下「その他の規定」という。）は公布の日から施行し、その他の規定中第九条、第十条、第十五条、第二百九十二条第十一号、第三百二十一条の八、第三百二十一条の十三、第七百四十二条の二及び第七百七十六条の二の改正規定並びに附則の規定以外の規定は、昭和二十八年度分（漁船保険中央会に係る市町村民税の法人税割及び法人の行う事業に対する事業税にあつては、昭和二十八年一月一日の属する事業年度分）の地方税から適用する。

(1) In this Act, the revised provisions in Articles 303, 307 and 310, Article 321-4, paragraph (1), paragraphs (1) and (2) of Article 321-5, and the provisions of paragraph (9) of the Supplementary Provisions shall come into effect as of January 1, 1954, and other provisions (hereinafter referred to as "Other Provisions") shall come into effect as of the day of promulgation. Of Other Provisions, those provisions other than the revised provisions in Articles 9, 10 and 15, item (xi) of Article 292, Articles 321-8 and 321-13, Article 742-2, 776-2 and the provisions of the Supplementary Provisions shall start applying to the local tax to be imposed for fiscal 1953 (the taxes involved in the corporate income tax imposed on the Central Association of Fishing Vessel Insurance and the enterprise tax on the business conducted by corporations shall be paid in the fiscal year in which January 1, 1953 was included).

附 則 [昭和三十年六月三十日法律第三十九号] [抄]

Supplementary Provisions [Act No. 39 of June 30, 1955] [Extract]

1 この法律は、昭和三十年七月一日から施行する。

(1) This Act shall come into effect as of July 1, 1955.

1 3 前項の規定による改正後の同項各号に掲げる法律の規定は、この法律の施行後に徴収する延滞金について適用する。ただし、当該延滞金の全部又は一部でこの法律の施行前の期間に対応するものについては、なお従前の例による。

(13) The provisions of the Act listed in the items of the preceding paragraph after the revision pursuant to the preceding paragraph shall be applied to the arrears charges to be collected after the enforcement of this Act; provided, however, that with regard to all or part of such arrears charges handled prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

附 則 [昭和三十年十二月十九日法律第百九十三号]

Supplementary Provisions [Act No. 193 of December 19, 1955]

(施行期日)

(Effective Date)

第一条 この法律は、昭和三十一年二月一日から施行する。

Article 1 This Act shall come into effect as of February 1, 1956.

(ウラン鉱及びトリウム鉱の掘採)

(Mining of Uranium Ore and Thorium Ore)

第二条 この法律の施行の際現にウラン鉱若しくはトリウム鉱を掘採している者又はその承継人は、この法律の施行の日から三月間は、従前の例によりその掘採を継続することができる。この法律の施行の日から三月以内に当該掘採者又はその承継人が当該

掘採区域についてウラン鉱又はトリウム鉱を目的とする鉱業権の設定の出願をした場合において、出願の却下若しくは不許可の通知を受けるまで、鉱業法第四十三条の規定によつて許可がその効力を失うまで、又は鉱業権の設定の登録があるまで、当該出願の区域について、また同様とする。

Article 2 Any person or their successor who has been mining uranium ore or thorium ore prior to the enforcement of this Act may continue to mine them for three months from the day of enforcement of this Act, as the provisions in force at that time shall remain applicable. In cases where such person or their successor files an application for the establishment of Mining Rights for uranium ore or thorium ore in the digging area concerned, the same shall apply to such application zone until said application is dismissed, a notice of non-permission is received, the permission ceases to be effective under the provisions of Article 43 of the Mining Act, or the establishment of a Mining Right is registered.

(優先権)

(Right of Priority)

第三条 この法律の施行の日の六月以前から引き続きウラン鉱若しくはトリウム鉱を掘採している者又はその承継人がこの法律の施行の日から三月以内にウラン鉱又はトリウム鉱を目的とする鉱業権の設定の出願をしたときは、当該掘採区域については、その者は、鉱業法第二十七条の規定にかかわらず、他の出願（この法律の施行前にした出願及び試掘権者がその試掘鉱区と重複してした採掘権の設定の出願を除く。）に対し優先権を有するものとし、かつ、鉱業法第十四条第二項、第十六条、第二十九条、第三十条及び第三十二条の規定は、その出願には、適用しない。

Article 3 If a person or their successor who continues to mine uranium ore or thorium ore six months prior to the enforcement of this Act files an application for the establishment of Mining Rights for uranium ore or thorium ore within three months from the day of enforcement of this Act, such person shall have the right of priority to other applications (except for the applications filed before the enforcement of this Act and the applications for the establishment of digging rights filed by holders of prospecting rights in their prospecting areas) in such digging areas, irrespective of the provision of Article 27 of the Mining Act, and the provisions of Article 14, paragraph (2) and Articles 16, 29, 30 and 32 of the Mining Act shall not apply to such application.

第四条 この法律の施行の日の一年以前から引き続きウラン鉱若しくはトリウム鉱の取得を目的とする土地の使用に関する権利を有している者（土地の所有者を除く。）又はその承継人がこの法律の施行の日から三月以内にウラン鉱又はトリウム鉱を目的とする鉱業権の設定の出願をしたときは、当該権利を行使することができる土地の区域については、その者は、鉱業法第二十七条の規定にかかわらず、他の出願（前条の規定による出願、この法律の施行前にした出願及び試掘権者がその試掘鉱区と重複して

した採掘権の設定の出願を除く。) に対し優先権を有するものとし、かつ、鉱業法第十四条第二項、第十六条、第二十九条、第三十条及び第三十二条の規定は、その出願には、適用しない。ただし、当該土地の区域について前条の規定によるウラン鉱又はトリウム鉱を目的とする鉱業権の設定の出願が許可されたときは、同法第十六条、第二十九条又は第三十条の規定については、この限りでない。

Article 4 If any person or their successor who continues to possess the right of use of land for acquisition of uranium ore or thorium ore (except for the owner of land) files an application for establishment of Mining Rights for uranium ore or thorium ore within three months from the day of enforcement of this Act, such person shall have the right of priority to other applications (except for the applications filed pursuant to the provisions of the preceding Article, the applications filed before the enforcement of this Act and the applications for the establishment of digging rights filed by holders of prospecting rights in their prospecting areas) in the area of land where such right can be exercised, irrespective of the provisions of Article 27 of the Mining Act, and the provisions of Article 14, paragraph (2) and Articles 16, 29, 30 and 32 of the Mining Act shall not apply to such application; provided, however, that, if the application for the establishment of Mining Rights for uranium ore or thorium ore in the area of such land as prescribed in the preceding Article is permitted, this shall not apply to the provisions of Articles 16, 29 and 30 of said Act.

第五条 土地の所有者がこの法律の施行の日から三月以内にウラン鉱又はトリウム鉱を目的とする鉱業権の設定の出願をしたときは、その所有する土地の区域については、その者は、鉱業法第二十七条の規定にかかわらず、他の出願（前二条又はこの条の規定による出願、この法律の施行前にした出願及び試掘権者がその試掘鉱区と重複してした採掘権の設定の出願を除く。）に対し優先権を有するものとし、かつ、鉱業法第十四条第二項及び第三十二条の規定は、その出願には、適用しない。

Article 5 If a landowner of land files an application for the establishment of Mining Rights for uranium ore or thorium ore within three months from the day of enforcement of this Act, such person shall have the right of priority to other applications (except for the applications filed pursuant to the provisions of the preceding two Articles, the applications filed before the enforcement of this Act and the applications for the establishment of digging rights filed by holders of prospecting rights in their prospecting areas) in the area of land owned by them, irrespective of the provisions of Article 27 of Mining Act, and the provisions of Article 14, paragraph (2) and Article 32 of the Mining Act shall not apply to such applications.

(重複する区域の出願等)

(Applications for Overlapping Areas)

第六条 附則第三条又は第四条の規定により試掘権の設定の出願をし、その設定の登録

を得た者がその試掘鉱区と重複してウラン鉱又はトリウム鉱を目的とする採掘権の設定の出願をしたときは、その重複する部分については、鉱業法第十六条及び第三十条の規定は、適用しない。

Article 6 (1) If a person, who filed an application for the establishment of prospecting rights pursuant to the provisions of Article 3 or 4 of the Supplementary Provisions and obtained the registration of said establishment, files an application for digging rights for uranium ore or thorium ore in their prospecting area, the provisions of Articles 16 and 30 of the Mining Act shall not apply to the overlapping area.

2 前三条の規定により試掘権の設定の出願をし、その設定の登録を得た者がその試掘鉱区の全部を含む区域についてウラン鉱又はトリウム鉱を目的とする採掘権の設定の出願をしたときは、鉱業法第十四条第二項の規定は、適用しない。

(2) If a person, who filed an application for the establishment of prospecting rights pursuant to the provisions of the preceding three Articles and obtained the registration of said establishment, files an application for the establishment of digging rights for uranium ore or thorium ore in an area that includes all of the prospecting area, the provisions of Article 14, paragraph (2) of the Mining Act shall not apply.

第七条 附則第三条若しくは第四条の規定による鉱業権の設定の出願に係る掘採区域若しくは権利を行使することができる土地の区域又は附則第三条、第四条若しくは前条第一項の規定によりその設定の出願をし、その設定の登録を得た鉱業権の鉱区と重複し、かつ、同種の鉱床中に存する鉱物を目的とする試掘鉱区の試掘権者がその重複する部分と重複して試掘権の目的となつている鉱物を目的とする採掘権の設定の出願をしたときは、その重複する部分については、鉱業法第十六条及び第三十条の規定は、適用しない。

Article 7 If a holder of prospecting rights, who is in the digging area involved in the application for the establishment of Mining Rights pursuant to the provisions of Article 3 or 4 of the Supplementary Provisions or in the area of land where said rights can be exercised, or in the prospecting area that overlaps with the Mining Site where they filed an application for establishment of Mining Rights pursuant to the provisions of Article 3 or 4 of the Supplementary Provisions or that of paragraph (1) of the preceding Article, and made registration of the said right that is aimed at the Minerals that are found in the same type of ore deposit as the subject of the prospecting rights, filed an application for the establishment of digging rights for said Minerals as the subject of prospecting rights in the overlapping area, the provisions of Articles 16 and 30 of the Mining Act shall not apply to the overlapping area.

(重複する鉱区の鉱業権等)

(Mining Rights, etc. in Overlapping Mining Sites)

第八条 鉱業権者は、その鉱区が附則第三条若しくは第四条の規定による鉱業権の設定の出願に係る掘採区域若しくは権利を行使することができる土地の区域又は附則第三条、第四条若しくは第六条第一項の規定によりその設定の出願をし、その設定の登録を得た鉱業権の鉱区と重複するときは、その重複する部分については、鉱業法第五条の規定にかかわらず、ウラン鉱又はトリウム鉱を掘採し、及び取得することができない。

Article 8 (1) If the Mining Site of a holder of Mining Rights overlaps the digging area involved in the application for the establishment of Mining Rights pursuant to the provisions of Article 3 or 4 of the Supplementary Provisions, or the Mining Site of the Mining Rights of which establishment is registered by filing an application pursuant to the provisions of Article 3 or 4 or Article 6, paragraph (1) of the Supplementary Provisions, they may not mine and acquire uranium ore or thorium ore in the overlapping area, irrespective of the provisions of Article 5 of the Mining Act.

2 前項に規定する場合のほか、鉱業権者は、この法律の施行の日から三月間は、鉱業法第五条の規定にかかわらず、その鉱業権の目的となつている鉱物と同種の鉱床中に存するウラン鉱又はトリウム鉱を掘採し、及び取得することができない。

(2) In addition to the case prescribed in the preceding paragraph, a holder of Mining Rights may not mine and acquire uranium ore or thorium ore that is found in the same type of ore deposit of the Mineral subject to the Mining Rights for three months from the day of enforcement of this Act, irrespective of the provisions of Article 5 of the Mining Act.

第九条 附則第三条、第四条又は第六条第一項の規定により鉱業権の設定の出願をし、その設定の登録を得た者は、その鉱区がウラン鉱又はトリウム鉱と同種の鉱床中に存する鉱物を目的とする他人の鉱区と重複するときは、その重複する部分については、鉱業法第五条の規定にかかわらず、ウラン鉱又はトリウム鉱以外の鉱物を掘採し、及び取得することができない。

Article 9 With regard to a person who filed an application for the establishment of Mining Rights pursuant to the provisions of Article 3 or 4 or Article 6, paragraph (1) of the Supplementary Provisions and obtained the registration of establishment, if their Mining Site overlaps the Mining Site of others targeting Minerals that are found in the same type of ore deposit as uranium ore or thorium ore, any Mineral other than uranium ore or thorium ore may not be mined and acquired in the overlapping area irrespective of the provisions of Article 5 of the Mining Act.

(協議及び決定)

(Consultation and Decision)

第十条 附則第三条、第四条又は第六条第一項の規定によりその設定の出願をし、その設定の登録を得た鉱業権の鉱区とウラン鉱又はトリウム鉱と同種の鉱床中に存する鉱

物を目的とする鉱業権の鉱区が重複する場合においては、鉱業権者は、その重複する部分において鉱物を掘採しようとするときは、他の鉱業権者と協議しなければならない。

Article 10 (1) If a Mining Site, where an application for establishment of Mining Rights is filed pursuant to the provisions of Article 3 or 4 or Article 6, paragraph (1) of the Supplementary Provisions and the establishment is registered, overlaps another Mining Site, of which the Mining Rights target Minerals that are found in the same type of ore deposit as uranium ore or thorium ore, the holder of Mining Rights, when they intend to mine Minerals in the overlapping area, shall consult with the opposing holder of Mining Rights.

2 前項の協議をすることができず、又は協議が調わないときは、鉱業権者は、経済産業局長の決定を申請することができる。

(2) If the consultation prescribed in the preceding paragraph cannot be arranged or an agreement cannot be reached, holders of the Mining Rights related to the consultation may file an application for a decision by the Director of Regional Bureau of Economy, Trade and Industry.

3 鉱業法第四十七条第二項から第六項までの規定は、前項の決定に準用する。

(3) The provisions of paragraphs (2) through (6) of Article 47 of the Mining Act shall apply mutatis mutandis to the decision prescribed in the preceding paragraph.

(補償金)

(Compensation)

第十一条 この法律の施行の際、ウラン鉱若しくはトリウム鉱を掘採している者又はウラン鉱若しくはトリウム鉱を目的とする土地の使用に関する権利を有している者から契約又は慣習により代償を受けている土地の所有者は、附則第三条、第四条又は第六条第一項の規定により鉱業権の設定の出願をし、その設定の登録を得た者に対して、ウラン鉱又はトリウム鉱の掘採について相当の補償金を請求することができる。

Article 11 (1) A landowner, who receives by contract or in practice, compensation from those who mine uranium ore or thorium ore or those who have the right of use of land for uranium ore or thorium ore, may demand those who file an application for the establishment of Mining Rights pursuant to the provisions of Article 3 or 4 or Article 6, paragraph (1) of the Supplementary Provisions and obtain the registration of such establishment to pay reasonable compensation for Mining of uranium ore or thorium ore.

2 前項の場合においては、土地の所有者は、鉱業権者に対して、補償金について相当の担保を提供すべきことを請求することができる。

(2) In the case referred to in the preceding paragraph, the landowner may request a holder of Mining Rights to provide reasonable collateral with respect to compensation.

3 前二項の場合においては、鉱業権者は、正当な理由がなければ、その承諾を拒むことができない。

(3) In the case referred to in the preceding two paragraphs, a holder of Mining Rights may not refuse approval of such demand and request without justifiable grounds for doing so.

4 土地の所有者は、前項の承諾を得ることができないときは、経済産業局長の決定を申請することができる。

(4) The landowner may, if they cannot obtain the approval prescribed in the preceding paragraph, file an application for a decision by the Director of Regional Bureau of Economy, Trade and Industry.

5 鉱業法第四十七条第二項から第六項までの規定は、前項の決定に準用する。

(5) The provisions of paragraphs (2) through (6) of Article 47 of the Mining Act shall apply mutatis mutandis to the decision prescribed in the preceding paragraph.

附 則 [昭和三十三年十二月十二日法律第百七十四号]

Supplementary Provisions [Act No. 174 of December 12, 1958]

1 この法律は、公布の日から起算して二十日を経過した日から施行する。

(1) This Act shall come into effect as of the day on which 20 days have elapsed since the day of promulgation.

附 則 [昭和三十四年四月二十日法律第百四十八号] [抄]

Supplementary Provisions [Act No. 148 of April 20, 1959] [Extract]

(施行期日)

(Effective Date)

1 この法律は、国税徴収法（昭和三十四年法律第百四十七号）の施行の日から施行する。

(1) This Act shall come into effect as of the day of enforcement of the National Tax Collection Act (Act No. 147 of 1959).

(公課の先取特権の順位の改正に関する経過措置)

(Transitional Measure for Revision of the Order of Statutory Lien of Public Charges)

7 第二章の規定による改正後の各法令（徴収金の先取特権の順位に係る部分に限る。）の規定は、この法律の施行後に国税徴収法第二条第十二号に規定する強制換価手続による配当手続が開始される場合について適用し、この法律の施行前に当該配当手続が開始されている場合における当該法令の規定に規定する徴収金の先取特権の順位については、なお従前の例による。

(7) The provisions of respective laws and regulations after the revisions pursuant

to the provisions of Chapter II (limited to the part pertaining to the order of statutory lien of collected money) shall apply only to cases where the dividends distribution procedures commence by the procedures for compulsory conversion into money as prescribed in item (xii) of Article 2 of the National Tax Collection Act. With regard to the order of statutory lien of collected money prescribed in relevant laws and regulations in cases where such dividends distribution procedures commenced prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

附 則 〔昭和三十七年三月三十一日法律第五十五号〕 〔抄〕
Supplementary Provisions [Act No. 55 of March 31, 1962] [Extract]

(施行期日)

(Effective Date)

- 1 この法律は、昭和三十七年四月一日から施行する。
- (1) This Act shall come into effect as of April 1, 1962.

附 則 〔昭和三十七年四月二日法律第六十七号〕 〔抄〕
Supplementary Provisions [Act No. 67 of April 2, 1962] [Extract]

(施行期日)

(Effective Date)

- 第一条 この法律は、昭和三十七年四月一日から施行する。
- Article 1 This Act shall come into effect as of April 1, 1962.

附 則 〔昭和三十七年五月四日法律第百五号〕 〔抄〕
Supplementary Provisions [Act No. 105 of May 4, 1962] [Extract]

- 1 この法律は、公布の日から起算して三月をこえない範囲内において政令で定める日から施行する。
- (1) This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding three months from the day of promulgation.

附 則 〔昭和三十七年五月十六日法律第百四十号〕 〔抄〕
Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

- 1 この法律は、昭和三十七年十月一日から施行する。
- (1) This Act shall come into effect as of October 1, 1962.
- 2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前に生じた事項にも適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

- (2) Provisions revised by this Act shall apply to the matters which have arisen prior to the enforcement of this Act, unless otherwise provided for in this Supplementary Provisions; provided, however, that any effect caused by the provisions prior to the revision by this Act shall not be precluded.
- 3 この法律の施行の際現に係属している訴訟については、当該訴訟を提起することができない旨を定めるこの法律による改正後の規定にかかわらず、なお従前の例による。
- (3) With regard to actions actually pending at the time of enforcement of this Act, the provisions in force at that time shall remain applicable irrespective of the provisions revised by this Act that prescribe that such actions may not be filed.
- 4 この法律の施行の際現に係属している訴訟の管轄については、当該管轄を専属管轄とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。
- (4) With regard to the jurisdictions of actions actually pending at the time of enforcement of this Act, the provisions in force at that time shall remain applicable irrespective of the provisions revised by this Act that designate such jurisdictions as exclusive jurisdictions.
- 5 この法律の施行の際現にこの法律による改正前の規定による出訴期間が進行している処分又は裁決に関する訴訟の出訴期間については、なお従前の例による。ただし、この法律による改正後の規定による出訴期間がこの法律による改正前の規定による出訴期間より短い場合に限る。
- (5) With regard to the time limit for filing an action concerning dispositions or determinations of which the time limit for filing an action as prescribed in the provisions prior to revision by this Act was actually in progress at the time of enforcement of this Act, the provisions in force at that time shall remain applicable; provided, however, that this shall apply only to cases where the time limit for filing an action as prescribed in the provisions revised by this Act is shorter than the time limit for filing an action as prescribed in the provisions prior to revision by this Act.
- 6 この法律の施行前にされた処分又は裁決に関する当事者訴訟で、この法律による改正により出訴期間が定められることとなつたものについての出訴期間は、この法律の施行の日から起算する。
- (6) With regard to public law related actions concerning dispositions or determinations made prior to the enforcement of this Act, the time limit for filing an action concerning the actions of which the time limit for filing an action is specified by revision by this Act shall commence from the day of the enforcement of this Act.
- 7 この法律の施行の際現に係属している処分又は裁決の取消しの訴えについては、当該法律関係の当事者の一方を被告とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。ただし、裁判所は、原告の申立てにより、決定をもつて、当該訴訟を当事者訴訟に変更することを許すことができる。
- (7) With regard to an action for the rescission of disposition or determination actually pending at the time of enforcement of this Act, the provisions in force

at that time shall remain applicable irrespective of the provisions revised by this Act that designate one party of such legal relationship as a defendant; provided, however, that the court may allow such action to be changed to a public law related action upon an order brought about at the request of a plaintiff.

8 前項ただし書の場合には、行政事件訴訟法第十八条後段及び第二十一条第二項から第五項までの規定を準用する。

(8) In the case referred to in the proviso to the preceding paragraph, the provisions of the second sentence of Article 18 and paragraphs (2) through (5) of Article 21 of the Administrative Case Litigation Act shall apply mutatis mutandis.

附 則 [昭和三十七年九月十五日法律第百六十一号] [抄]

Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act shall come into effect as of October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不作为その他この法律の施行前に生じた事項についても適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) Provisions revised by this Act shall apply to the disposition of administrative agencies before the enforcement of this Act, inaction of administrative agencies pertaining to applications filed prior to the enforcement of this Act, and other matters which have arisen prior to the enforcement of this Act, except as otherwise provided for in the Supplementary Provisions; provided, however, that the effect caused by provisions prior to revision by this Act shall not be precluded.

3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁判等にさらに不服がある場合の訴願等についても、同様とする。

(3) With regard to the petitions, applications for examination, objections and other appeals (hereinafter referred to as "Petitions, etc.") filed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable. The same shall apply to the determination, decision and other disposition (hereinafter referred to as "Determination, etc. ") of Petitions, etc., which were filed prior to the enforcement of this Act, or Petitions, etc. filed in the case of objection against a judgment, etc. made after the enforcement of this Act concerning the Petitions, etc. filed prior to the enforcement of this Act.

- 4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てをすることができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。
- (4) As for Petitions, etc. prescribed in the preceding paragraph, the petitions pertaining to dispositions, against which appeals may be filed under the Administrative Appeal Act after the enforcement of this Act, shall be deemed to be appeals filed under the Administrative Appeal Act for the application of acts other than said Act.
- 5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。
- (5) Regarding the Determination, etc. of applications for examination, objections and other appeals to be filed after the enforcement of this Act pursuant to the provisions of paragraph (3) above, no appeal may be entered under the Administrative Appeal Act.
- 6 この法律の施行前にされた行政庁の処分で、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったものについて、行政不服審査法による不服申立てを行うことができる期間は、この法律の施行の日から起算する。
- (6) Regarding the disposition of administrative agencies prior to the enforcement of this Act, for which Petitions, etc. may be filed pursuant to the provisions prior to revision by this Act and of which the period of filing was not specified, the period during which appeals may be filed under the Administrative Appeal Act shall commence from the day of enforcement of this Act.
- 8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (8) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.
- 9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。
- (9) In addition to what is provided for in the preceding eight paragraphs, the transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.
- 10 この法律及び行政事件訴訟法の施行に伴う関係法律の整理等に関する法律（昭和三十七年法律第百四十号）に同一の法律についての改正規定がある場合においては、当該法律は、この法律によつてまず改正され、次いで行政事件訴訟法の施行に伴う関係法律の整理等に関する法律によつて改正されるものとする。
- (10) If this Act and the Act Coordinating Related Acts Following Enforcement of the Administrative Case Litigation Act (Act No. 140 of 1962) have the revised provisions concerning said related Acts, those Acts shall be revised first by this Act, and then revised by the Act Coordinating Related Acts Following

Enforcement of the Administrative Case Litigation Act.

附 則 〔昭和四十二年六月十二日法律第三十六号〕 〔抄〕

Supplementary Provisions [Act No. 36 of June 12, 1967] [Extract]

1 この法律は、登録免許税法の施行の日から施行する。

(1) This Act shall come into effect as of the day of enforcement of the Registration and License Tax Act.

附 則 〔昭和四十二年七月二十一日法律第七十五号〕

Supplementary Provisions [Act No. 75 of July 21, 1967]

1 この法律（第一条を除く。）は、改正法の施行の日から施行する。

(1) This Act (except for Article 1 thereof) shall come into effect as of the day of enforcement of the revised Act.

附 則 〔昭和四十五年四月一日法律第十三号〕 〔抄〕

Supplementary Provisions [Act No. 13 of April 1, 1970] [Extract]

（施行期日）

（Effective Date）

第一条 この法律は、公布の日から施行する。

Article 1 This Act shall come into effect as of the day of promulgation.

（外航船舶建造融資利子補給臨時措置法等の一部改正に伴う経過措置）

（Transitional Measures for Partial Revision of the Act on Temporary Measures Concerning Interest Subsidies for Financing the Construction of Ocean-Going Ships）

第四条 第六条、第二十条及び第二十一条の規定による改正後の次に掲げる法律の規定は、施行日の前日以後に到来するこれらの規定に規定する納期限に係る延滞金の額の計算について適用し、同日前に到来した当該納期限に係る延滞金の額の計算については、なお従前の例による。

Article 4 The provisions of the following Acts after revisions pursuant to the provisions of Articles 6, 20 and 21 shall apply to the calculation of the amount of arrears charges concerning the time limit for payment prescribed in these provisions, which falls on or after the day preceding the date on which the Act comes into effect, and with regard to the calculation of the amount of arrears charges concerning said payment time limit that arrived before said date, the provisions in force at that time shall remain applicable:

一及び二 略

(i) and (ii) Omitted.

三 鉱業法第百八十九条の二第四項

(iii) Article 189-2, paragraph (4) of the Mining Act.

附 則 〔昭和四十七年六月三日法律第五十二号〕 〔抄〕

Supplementary Provisions [Act No. 52 of June 3, 1972] [Extract]

(施行期日等)

(Effective Date, etc.)

第一条 この法律は、公布の日から起算して三十日をこえない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding 30 days from the date of promulgation.

(土地調整委員会又は中央公害審査委員会がした処分等に関する経過措置)

(Transitional Measures on Disposition, etc. by the Land Coordination

Committee or the Central Public Pollution Investigation Commission)

第十六条 この法律の施行前にこの法律による改正前の法律の規定により土地調整委員会又は中央公害審査委員会がした処分その他の行為は、政令で別段の定めをするものを除き、この法律又はこの法律による改正後の法律の相当規定により、公害等調整委員会がした処分その他の行為とみなす。

Article 16 (1) Prior to the enforcement of this Act, dispositions and other acts committed by the Land Coordination Committee and the Central Public Pollution Investigation Commission pursuant to the provisions of the Act prior to its revision by this Act shall be deemed to be dispositions and other acts committed by the Environmental Dispute Coordination Commission pursuant to the corresponding provisions of this Act or the Act revised by this Act, except as otherwise provided by Cabinet Order.

2 この法律の施行の際現にこの法律による改正前の法律の規定により土地調整委員会又は中央公害審査委員会に対してされている申請その他の手続は、政令で別段の定めをするものを除き、この法律又はこの法律による改正後の法律の相当規定により、公害等調整委員会に対してされた手続とみなす。

(2) The applications and other procedures actually filed with the Land Coordination Committee or the Central Public Pollution Investigation Commission at the time of this Act being in effect pursuant to the provisions of the Act prior to its revision by this Act shall be deemed as the procedures filed with the Environmental Dispute Coordination Commission pursuant to the corresponding provisions of this Act or the Act revised by this Act, except as otherwise provided by Cabinet Order.

附 則 〔昭和五十三年四月二十四日法律第二十七号〕 〔抄〕

Supplementary Provisions [Act No. 27 of April 24, 1978] [Extract]

(施行期日)

(Effective Date)

- 1 この法律は、公布の日から施行する。ただし、第一条中不動産の鑑定評価に関する法律第十一条第一項の改正規定、第二条、第三条、第五条及び第六条の規定、第十九条中特許法第一百七条第一項の改正規定、第二十条中実用新案法第三十一条第一項の改正規定、第二十一条中意匠法第四十二条第一項及び第二項の改正規定、第二十二条中商標法第四十条第一項及び第二項の改正規定、第二十八条中通訳案内業法第五条第二項の改正規定並びに第二十九条及び第三十条の規定は、昭和五十三年五月一日から施行する。

- (1) This Act shall come into effect as of the day of promulgation; provided, however, that the revised provisions of Article 11, paragraph (1) of the Act on Real Estate Appraising and Valuation in Article 1 of this Act, the provisions of Articles 2, 3, 5 and 6, the revised provisions of Article 107, paragraph (1) of the Patent Act in Article 19 of this Act, the revised provisions of Article 31, paragraph (1) of the Utility Model Act in Article 20 of this Act, the revised provisions of paragraphs (1) and (2) of Article 42 of the Design Act in Article 21 of this Act, the revised provisions of paragraphs (1) and (2) of Article 40 of the Trademark Act in Article 22 of this Act, the revised provisions of Article 5, paragraph (2) of the Guide Interpreter Act in Article 28 of this Act, and the provisions of Articles 29 and 30 shall come into effect as of May 1, 1978.

附 則 〔昭和五十四年三月三十日法律第五号〕 〔抄〕

Supplementary Provisions [Act No. 5 of March 30, 1979] [Extract]

(施行期日)

(Effective Date)

- 1 この法律は、民事執行法（昭和五十四年法律第四号）の施行の日（昭和五十五年十月一日）から施行する。

- (1) This Act shall come into effect as of the day of enforcement (October 1, 1980) of the Civil Execution Act (Act No. 4 of 1979).

(経過措置)

(Transitional Measures)

- 2 この法律の施行前に申し立てられた民事執行、企業担保権の実行及び破産の事件については、なお従前の例による。

- (2) With regard to cases of civil execution, exercise of enterprise security rights and the execution of bankruptcy filed before the enforcement of this Act, the provisions in force at that time shall remain applicable.

- 3 前項の事件に関し執行官が受ける手数料及び支払又は償還を受ける費用の額については、同項の規定にかかわらず、最高裁判所規則の定めるところによる。

(3) The amount of fees or payment to be received by or the amount of expenses to be reimbursed to a court execution officer concerning the cases specified in the preceding paragraph shall be prescribed by the Rules of the Supreme Court irrespective of the provisions of said paragraph.

附 則 〔昭和五十六年五月十九日法律第四十五号〕 〔抄〕

Supplementary Provisions [Act No. 45 of May 19, 1981] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act shall come into effect as of the day of promulgation.

附 則 〔昭和五十九年五月一日法律第二十三号〕 〔抄〕

Supplementary Provisions [Act No. 23 of May 1, 1984] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して二十日を経過した日から施行する。

(1) This Act shall come into effect as of the day on which 20 days have elapsed since the date of promulgation.

附 則 〔平成五年十一月十二日法律第八十九号〕 〔抄〕

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the day of enforcement of the Administrative Procedures Act (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures on Adverse Dispositions Resulting from Consultations, etc.)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

Article 2 In cases where procedures for provision of the opportunity for a hearing or explanation pursuant to Article 13 of the Administrative Procedures Act and

other procedures equivalent to procedures for the statement of opinions are consulted on and requested of councils and other council system organs pursuant to laws and regulations prior to the enforcement of this Act, the provisions in force at that time shall remain applicable with regard to the procedures for adverse disposition resulting from such consultations and other requests irrespective of the provisions of Acts concerned, revised by this Act.

(罰則に関する経過措置)

(Transitional Measures on Penal Provisions)

第十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 13 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures on the Reorganization of Provisions Concerning Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 It shall be deemed that hearings or public hearings (excluding those pertaining to adverse dispositions) held pursuant to the provisions of Acts concerned prior to the enforcement of this Act or procedures for said hearings are conducted in accordance with the corresponding provisions of Acts concerned, revised by this Act.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 In addition to what is provided for from Article 2 to the preceding Article of the Supplementary Provisions, the transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.

附 則 〔平成九年十一月二十一日法律第百五号〕 〔抄〕

Supplementary Provisions [Act No. 105 of November 21, 1997] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act shall come into effect as of the day of promulgation.

附 則 〔平成十年四月二十四日法律第四十四号〕〔抄〕

Supplementary Provisions [Act No. 44 of April 24, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年七月一日から施行する。

Article 1 This Act shall come into effect as of July 1, 1998.

附 則 〔平成十一年五月十四日法律第四十三号〕〔抄〕

Supplementary Provisions [Act No. 43 of May 14, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政機関の保有する情報の公開に関する法律（平成十一年法律第四十二号。以下「情報公開法」という。）の施行の日から施行する。

Article 1 This Act shall come into effect as of the day of enforcement of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999; hereinafter referred to as the "Information Disclosure Act").

附 則 〔平成十一年七月十六日法律第百二号〕〔抄〕

Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of the day of enforcement of the Act on the Partial Revision of the Cabinet Act (Act No. 88 of 1999); provided, however, that the provisions listed in the following items shall come into effect as of the day specified by each item concerned:

二 附則第十条第一項及び第五項、第十四条第三項、第二十三条、第二十八条並びに第三十条の規定 公布の日

(ii) The provisions of paragraphs (1) and (5) of Article 10, paragraphs (1) and (5), Article 14, paragraph (3) and Articles 23, 28 and 30 of the Supplementary Provisions: the day of promulgation.

(職員の身分引継ぎ)

(Succession of Status as Officials)

第三条 この法律の施行の際現に従前の総理府、法務省、外務省、大蔵省、文部省、厚生省、農林水産省、通商産業省、運輸省、郵政省、労働省、建設省又は自治省（以下この条において「従前の府省」という。）の職員（国家行政組織法（昭和三十二年法律第二十号）第八条の審議会等の会長又は委員長及び委員、中央防災会議の委員、日本工業標準調査会の会長及び委員並びに これらに類する者として政令で定めるものを除く。）である者は、別に辞令を發せられない限り、同一の勤務条件をもって、この法律の施行後の内閣府、総務省、法務省、外務省、財務省、文部科学省、厚生労働省、農林水産省、経済産業省、国土交通省若しくは環境省（以下この条において「新府省」という。）又はこれに置かれる部局若しくは機関のうち、この法律の施行の際現に当該職員が属する従前の府省又はこれに置かれる部局若しくは機関の相当の新府省又はこれに置かれる部局若しくは機関として政令で定めるものの相当の職員となるものとする。

Article 3 Persons who were actually the officials of the former Prime Minister's Office and former Ministries of Justice; Foreign Affairs; Finance; Education; Health and Welfare; Agriculture, Forestry and Fisheries; International Trade and Industry; Transport; Posts and Telecommunications; Labor; Construction; or Home Affairs (hereinafter referred as "Former Offices and Ministries" in this Article) before the enforcement of this Act (except for presidents, chairpersons and members of the councils, etc. specified in Article 8 of National Government Organization Act (Act No. 120 of 1948), the members of the Central Disaster Prevention Council, the chairperson and members of the Japanese Industrial Standards Committee, and other similar persons specified by Cabinet Order) shall be the corresponding officials of the organs prescribed by Cabinet Order and are equivalent to the Former Offices and Ministries they formerly served from among the Cabinet Office and Ministries of Internal Affairs and Communications; Justice; Foreign Affairs; Finance; Education, Culture, Sports, Science and Technology; Health, Labour and Welfare; Agriculture, Forestry and Fisheries; Economy, Trade and Industry; Land, Infrastructure, Transport and Tourism; and the Environment (hereinafter referred as "New Offices and Ministries" in this Article) after the enforcement of this Act or departments and bureaus formed in the New Offices and Ministries with the same working conditions unless other appointments are announced.

（別に定める経過措置）

(Transitional Measures Prescribed Separately)

第三十条 第二条から前条までに規定するもののほか、この法律の施行に伴い必要となる経過措置は、別に法律で定める。

Article 30 In addition to what is provided for from Article 2 to the preceding Article, other transitional measures required for the enforcement of this Act shall be prescribed separately by other Acts.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。

Article 1 This Act (except for Articles 2 and 3) shall come into effect as of January 6, 2001.

附 則 〔平成十四年六月十二日法律第六十五号〕 〔抄〕

Supplementary Provisions [Act No. 65 of June 12, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十五年一月六日から施行する。

Article 1 This Act shall come into effect as of January 6, 2003.

(罰則の適用に関する経過措置)

(Transitional Measures on the Application of Penal Provisions)

第八十四条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 84 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, such provisions: hereinafter the same shall apply in this Article) and acts committed after the enforcement of this Act in cases where the provisions in force at that time shall remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions in force at the time remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Orders)

第八十五条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 85 In addition to what is provided for in these Supplementary Provisions, other transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.

(検討)

(Reviews)

第八十六条 政府は、この法律の施行後五年を経過した場合において新社債等振替法、金融商品取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一項に規定する加入者保護信託、金融商品取引法第二条第二十九項に規定する金融商品取引清算機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 86 When five years have passed since the enforcement of this Act, the government shall review the system pertaining to beneficiary protection trusts prescribed in Article 2, paragraph (11) of the new Act on the Transfer of Corporate Bonds, etc. and financial instruments clearing organizations prescribed in Article 2, paragraph (29) of the Financial Instruments and Exchange Act, taking into account the state of enforcement of the new Act on the Transfer of Corporate Bonds, etc., Financial Instruments and Exchange Act and changes in socioeconomic conditions, and shall, when it is deemed necessary to do so, take the required measures based on the review results.

附 則 [平成十四年十二月十三日法律第百五十二号] [抄]

Supplementary Provisions [Act No. 152 of December 13, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the day of enforcement of the Act on Use of Information and Communication Technology in Administrative Procedures, etc. (Act No. 151 of 2002).

(罰則に関する経過措置)

(Transitional Measures on the Application of Penal Provisions)

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 前三条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 5 In addition to what is provided for in the preceding three Articles, other transitional measures required for the enforcement of this Act shall be

prescribed by Cabinet Order.

附 則 〔平成十五年五月三十日法律第五十四号〕 〔抄〕

Supplementary Provisions [Act No. 54 of May 30, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act shall come into effect as of April 1, 2004.

(罰則の適用に関する経過措置)

(Transitional Measures on Penal Provisions)

第三十八条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 38 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条 この法律に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 39 In addition to what is provided for in this Act, other transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.

(検討)

(Reviews)

第四十条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 40 When five years have passed since the enforcement of this Act, the government shall review various financial systems after revision by this Act, taking into account the state of the enforcement of the provisions revised by this Act and changes in socioeconomic conditions, and shall, when it is deemed necessary to do so, take the required measures based on the review results.

附 則 〔平成十五年五月三十日法律第六十一号〕 〔抄〕

Supplementary Provisions [Act No. 61 of May 30, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act shall come into effect as of April 1, 2004.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第四条 前二条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 4 In addition to what is provided for in the preceding two Articles, other transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.

附 則 [平成十六年六月九日法律第八十八号] [抄]

Supplementary Provisions [Act No. 88 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して五年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding five years from the date of promulgation (hereinafter referred to as the "Date of Enforcement").

(罰則の適用に関する経過措置)

(Transitional Measures on Application of Penal Provisions)

第一百三十五条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 135 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act and acts committed after the enforcement of this Act in cases where the provisions in force at that time shall remain applicable pursuant to the provisions of these Supplementary Provisions and where such provisions shall remain in force, the provisions in force at that time shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第一百三十六条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 136 In addition to what is provided for in these Supplementary

Provisions, other transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.

(検討)

(Reviews)

第百三十七条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の株式等の取引に係る決済制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 137 When five years have passed since the enforcement of this Act, the government shall review the settlement system for the transaction of shares, etc. after revision by this Act, taking into account the state of the enforcement of the provisions revised by this Act and changes in socioeconomic conditions, and shall, when it finds it necessary to do so, take required measures based on the review results.

附 則 〔平成十六年六月九日法律第八十四号〕〔抄〕

Supplementary Provisions [Act No. 84 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(検討)

(Reviews)

第五十条 政府は、この法律の施行後五年を経過した場合において、新法の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 50 When five years have passed since the enforcement of this Act, the government shall review the state of enforcement of new Acts and shall, when it finds it necessary to do so, take required measures based on the review results.

附 則 〔平成十六年六月九日法律第九十四号〕〔抄〕

Supplementary Provisions [Act No. 94 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年四月一日から施行する。ただし、附則第七条及び第二十八条の規定は公布の日から、附則第四条第一項から第五項まで及び第九項から第十一項まで、第五条並びに第六条の規定は平成十六年十月一日から施行する。

Article 1 This Act shall come into effect as of April 1, 2005; provided, however, that the provisions of Articles 7 and 28 of the Supplementary Provisions shall come into effect as of the day of promulgation, and the provisions of paragraphs (1) to (5) and (9) to (11) of Article 4 and Articles 5 and 6 of the Supplementary Provisions shall come into effect as of October 1, 2004.

(処分等に関する経過措置)

(Transitional Measures on Dispositions, etc.)

第二十六条 この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 26 Dispositions, procedures and other acts committed pursuant to the provisions of respective Acts (including the orders based on such Acts; hereinafter the same shall apply in this Article) before the revisions prior to the enforcement of this Act, which are covered by corresponding provisions of respective Acts after revision, shall be deemed to be committed due to the corresponding provisions of the respective Acts after revision, except as otherwise provided for in these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures on Application of Penal Provisions)

第二十七条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 27 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at that time shall remain applicable.

(政令委任)

(Cabinet Order Delegation)

第二十八条 この附則に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 28 In addition to what is provided for in these Supplementary Provisions, other transitional measures required for the enforcement of this Act shall be prescribed by Cabinet Order.

(検討)

(Reviews)

第二十九条 政府は、この法律の施行後五年を経過した場合において、新鉱山保安法の施行の状況を勘案し、必要があると認めるときは、新鉱山保安法の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 29 When five years have passed since the enforcement of this Act, the government shall review the provisions of the new Mining Safety Act, taking into account the state of the enforcement of the new Mining Safety Act, and shall, when it is deemed necessary to do so, take required measures based on review results.

附 則 [平成二十三年七月二十二日法律第八十四号] [抄]
Supplementary Provisions [Act No. 84 of July 22, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、附則第二十五条の規定は、公布の日から施行する。

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of Article 25 of the Supplementary Provisions shall come into effect as of the date of promulgation.

(鉱業法の一部改正に伴う経過措置)

(Transitional Measures for Partial Revision of the Mining Act)

第二条 この法律の施行前に設定の登録がされた鉱業権（以下「旧鉱業権」という。）のうち石油を目的とする試掘権の存続期間については、第一条の規定による改正後の鉱業法（以下「新鉱業法」という。）第十八条の規定にかかわらず、なお従前の例による。

Article 2 With regard to the duration of Mining Rights which have been registered prior to the enforcement of this Act (hereinafter referred to as "Old Mining Rights") and which are prospecting rights for oils, irrespective of the provisions of Article 18 of the Mining Act revised by the provisions of Article 1 (hereinafter referred to as the "New Mining Act"), the provisions in force at that time shall remain applicable.

第三条 旧鉱業権のうち新鉱業法第六条の二に規定する特定鉱物（以下単に「特定鉱物」という。）を目的とする鉱業権は、新鉱業法第二十一条第一項の規定による設定を受けて鉱業権となったものとみなす。

Article 3 (1) Old Mining Rights which are Mining Rights for the Specified Minerals prescribed in Article 6-2 of the New Mining Act (hereinafter simply referred to as "Specified Minerals") shall be deemed to have been established pursuant to the provisions of Article 21, paragraph (1) of the New Mining Act.

2 この法律の施行の際現にされている第一条の規定による改正前の鉱業法（以下「旧鉱業法」という。）第二十一条第一項の規定による鉱業権の設定の出願であって、特定鉱物を目的とする鉱業権の設定に係るものは、新鉱業法第二十一条第一項の規定によりされた出願とみなす。

(2) The applications for the establishment of Mining Rights pursuant to the provisions of Article 21, paragraph (1) of the Mining Act prior to revision by the provisions of Article 1 (hereinafter referred to as the "Former Mining Act") which have been already filed at the time of the enforcement of this Act, and which are related to the establishment of Mining Rights for Specified Minerals, shall be deemed to be the applications filed pursuant to the provisions of Article 21, paragraph (1) of the New Mining Act.

3 第一項の規定により新鉱業法第二十一条第一項の規定による試掘権の設定を受けたとみなされた試掘権者又は前項の規定により同条第一項の規定による試掘権の設定の出願をした者とみなされて同項の規定による試掘権の設定を受けた試掘権者は、同項の規定にかかわらず、同項の規定による採掘権（当該試掘鉱区に重複してその目的となっている特定鉱物を目的とするものに限る。）の設定の出願をすることができる。

(3) The holders of prospecting rights whose prospecting rights have been deemed to be established under the provisions of Article 21, paragraph (1) of the New Mining Act pursuant to the provisions of paragraph (1), or the holders of prospecting rights who have been deemed to have filed applications for the establishment of prospecting rights under the provisions of paragraph (1) of said Article pursuant to the preceding paragraph and whose prospecting rights have been established pursuant to the provisions of said paragraph, may file applications for the establishment of prospecting rights under the provisions of paragraph (1) of said Article (limited to prospecting rights for Specified Minerals, which are already the subject of the respective prospecting area, in said prospecting area), irrespective of the provisions of said paragraph.

第四条 新鉱業法第五十一条の三の規定は、この法律の施行の日（以下「施行日」という。）前に相続その他の一般承継によって鉱業権を取得した場合には、適用しない。

Article 4 The provisions of Article 51-3 of the New Mining Act shall not apply to cases where the Mining Rights have been acquired by general succession, including inheritance, prior to the date of enforcement of this Act (hereinafter referred to as the "Date of Enforcement").

第五条 旧鉱業権の鉱業権者に対する新鉱業法第五十五条の規定による鉱業権の取消し及びこの法律の施行の際現に存する租鉱権者に対する新鉱業法第八十三条の規定による租鉱権の取消しに関しては、施行日前に生じた事由については、なお従前の例による。

Article 5 In respect to the rescission of Mining Rights pursuant to the provisions

of Article 55 of the New Mining Act made against the holders of Old Mining Rights and rescission of Mining Lease Rights pursuant to the provisions of Article 83 of the New Mining Act made against the holders of Mining Lease Rights who actually exist at the time of the enforcement of this Act, the provisions in force at that time shall remain applicable in regard to the circumstances which arose prior to the Date of Enforcement.

第六条 新鉱業法第七十条の二第二項の規定は、施行日前に鉱業権者が旧鉱業法第六十七条の規定により特定鉱物の存在の確認を受けた場合については、適用しない。

Article 6 The provisions of Article 70-2, paragraph (2) of the New Mining Act shall not apply in cases where the holders of Mining Rights have had the presence of the Specified Mineral confirmed pursuant to the provisions of Article 67 of the Former Mining Act prior to the Date of Enforcement.

第七条 この法律の施行の際現に新鉱業法第百条の二第一項に規定する探査を行っている者は、施行日から起算して一月間（当該期間内に同項の許可の申請について不許可の処分があったときは、当該処分があった日までの間）は、同項の規定にかかわらず、引き続き当該探査を行うことができる。その者がその期間内に同項の許可の申請をした場合において、その期間を経過したときは、その申請について許可又は不許可の処分があるまでの間も、同様とする。

Article 7 Any person who is already carrying out the Exploration prescribed in Article 100-2, paragraph (1) of the New Mining Act at the time of the enforcement of this Act may continue to carry out such Exploration for one month from the Date of Enforcement (if a disposition of non-permission has been determined for the application for permission prescribed in said paragraph within such period, for the period until the date of such disposition), irrespective of the provisions of said paragraph. The same shall apply, in cases where such person has filed an application for permission prescribed in said paragraph within said period, and when said period has elapsed, for the period until permission or non-permission is determined for such application.

（石油及び可燃性天然ガス資源開発法の廃止に伴う経過措置）

(Transitional Measures for the Abolition of Petroleum and Combustible Natural Gas Resources Development Act)

第八条 この法律の施行前に第二条の規定による廃止前の石油及び可燃性天然ガス資源開発法（以下「旧資源開発法」という。）第十六条の規定により交付の決定がされた鉱業権者又は租鉱権者に対する補助金については、なお従前の例による。

Article 8 With regard to the subsidies to holders of Mining Rights of Mining Lease Rights which have been ruled to be granted pursuant to the provisions of Article 16 of the Petroleum and Combustible Natural Gas Resources Development Act prior to abolishment by the provisions of Article 2 before the

enforcement of this Act (hereinafter referred to as the "Former Resources Development Act"), the provisions then in force shall remain applicable.

第九条 前条の規定によりなお従前の例によることとされる場合における施行日以後に旧資源開発法の規定によってした処分、手続その他の行為については、旧資源開発法第三条の規定は、なおその効力を有する。

Article 9 With regard to the dispositions, procedures and other actions made pursuant to the provisions of the Former Resources Development Act and on or after the Date of Enforcement in cases where the provisions at that time remain applicable pursuant to the provisions of the preceding Article, the provisions of Article 3 of the Former Resources Development Act shall remain in force.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions and Applications, etc.)

第二十三条 この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定により経済産業局長がした許可、認可その他の処分又は通知その他の行為は、この法律による改正後のそれぞれの法律の相当の規定に基づいて、経済産業大臣がした許可、認可その他の処分又は通知その他の行為とみなす。

Article 23 (1) The permission, authorization, other dispositions, or notices given, or any other acts made by the Director of the Regional Bureau of Economy, Trade and Industry pursuant to the provisions of the respective Acts prior to revision before the enforcement of this Act (including orders based on such Acts; hereinafter the same shall apply in this Article) shall be deemed to be the permission, authorization, other dispositions, or notices given, or any other acts made by the Minister of Economy, Trade and Industry, based on the corresponding provisions of the respective Acts revised by this Act.

2 この法律の施行の際現に改正前のそれぞれの法律の規定により経済産業局長に対してされている出願、申請、届出その他の行為は、この法律の施行後は、この法律による改正後のそれぞれの法律の相当の規定に基づいて、経済産業大臣に対してされた出願、申請、届出その他の行為とみなす。

(2) The applications, notifications and any other acts which have been actually made before the Director of the Regional Bureau of Economy, Trade and Industry pursuant to the provisions of the respective Acts prior to the revision at the time of enforcement of this Act shall, after the enforcement of this Act, be deemed to be the applications, notifications and other acts made before the Minister of Economy, Trade and Industry based on the corresponding provisions of the respective Acts revised by this Act.

3 この法律の施行前に改正前のそれぞれの法律の規定により経済産業局長に対し報告、届出その他の手続をしなければならないとされている事項で、施行日前にその手続が

されていないものについては、この法律の施行後は、これを、この法律による改正後のそれぞれの法律の相当の規定により経済産業大臣に対して、報告、届出その他の手続をしなければならないとされた事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(3) Any particulars for which reports, notifications and other procedures must be made to the Director of the Regional Bureau of Economy, Trade and Industry pursuant to the provisions of the respective Acts prior to revision before the enforcement of this Act, and for which such procedures have not been conducted before the Date of Enforcement shall, after the enforcement of this Act, be deemed to be the particulars for which reports, notifications and other procedures must be made to the Minister of the Economy, Trade and Industry pursuant to the corresponding provisions of the respective Acts revised by this Act and for which such procedures have not been conducted, and the provisions of the respective Act revised by this Act shall apply.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第二十四条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 24 With regard to the application of penal provisions to acts committed prior to the Date of Enforcement or acts committed on or after the Date of Enforcement in cases where the provisions prior to revision remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions prior to revision shall remain applicable.

(政令への委任)

(Delegation to Cabinet Order)

第二十五条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 25 In addition to what is provided for in these Supplementary Provisions, transitional measures required for the enforcement of this Act (including transitional measures concerning penal provisions) shall be prescribed by Cabinet Order.

(検討)

(Reviews)

第二十六条 政府は、この法律の施行後五年を経過した場合において、新鉱業法の施行の状況を勘案し、必要があると認めるときは、新鉱業法の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 26 The government shall, in cases where five years have passed since the

enforcement of this Act, if it finds it necessary to do so by taking into consideration the state of enforcement of the New Mining Act, review the provisions of the New Mining Act and take required measures based on the review results.