

鉱業法施行規則

Regulation for Enforcement of the Mining Act

(昭和二十六年一月二十七日通商産業省令第二号)

(Order of the Ministry of International Trade and Industry No. 2 of January 27,
1951)

鉱業法（昭和二十五年法律第二百八十九号）の規定に基づき、および同法を実施するため、鉱業法施行規則を次のように制定する。

The Regulation for Enforcement of the Mining Act is established as follows based on the provisions of the Mining Act (Act No. 289 of 1950) for the purpose of enforcing that Act.

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第一章 通則

Chapter I General Provisions

(書面等の作成)

(Preparation of Documents)

第一条 鉱業に関する出願、申請、届出および登録免許税の納付の書面ならびに図面は、一件ごとに作成しなければならない。

Article 1 Documents and drawings for filing applications or notifications concerning mining business, and for paying the registration and license tax must be prepared for each case.

(書面等の提出の日)

(Date of Submission of Documents)

第二条 前条の書面又は図面を郵便物又は民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者が送達する同条第三項に規定する信書便物（以下「信書便物」という。）として提出した場合は、引受時刻証明の取扱いとしたときを除く外、通信日付印の表示の日に提出したものとみなす。通信日付印の表示がない場合又は不分明な場合において、書面又は図面を提出した者が郵便物又は信書便物の受領証によつて提出の日を証明したときも同様とする。

Article 2 If a person submits a document or drawing referred to in the preceding Article as correspondence mail prescribed in Article 2, paragraph (3) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) that is delivered by a general correspondence delivery service provider prescribed in paragraph (6) of that Article or a specified correspondence delivery service provider prescribed in paragraph (9) of that Article (hereinafter referred to as "Correspondence Mail"), that person is deemed to have submitted the document or drawing on the day indicated by the date stamp except for cases in which it is handled as mail with certification of acceptance time. The same applies when the date stamp is not affixed or is unclear and the person who submitted the document or drawing proves the date of submission with a receipt of a postal item or Correspondence Mail.

(出願番号等)

(Application Number)

第二条の二 経済産業大臣又は経済産業局長は、鉱業権の設定若しくは変更の願書若しくは申請書又は租鉱権の設定若しくは変更の申請書を受理したときは、様式第一によ

る出願番号又は申請番号を当該願書又は申請書に付し、これを当該出願人又は申請人に通知しなければならない。

Article 2-2 The Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry who receives an application for the establishment of or changes to mining rights, or an application for the establishment of or changes to mining lease rights must affix an application number using Form 1 to the written application and give a notice of the relevant number to the applicant.

(設定の出願の方法)

(Means of Application for the Establishment)

第二条の三 鉱業法（昭和二十五年法律第二百八十九号。以下「法」という。）第二十一条第二項の経済産業省令で定める方法は、引受時刻証明の取扱いとした第一種郵便物、信書便物のうち引受け及び配達の記録がなされたもの又は電子情報処理組織（経済産業大臣の使用に係る電子計算機（入出力装置を含む。以下同じ。）と、同条第一項の規定による出願をしようとする者の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。）を使用するものであつて法第二十七条第一項の願書を発した日時を記録する機能を備えたものとする。

Article 2-3 The means specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 21, paragraph (2) of the Mining Act (Act No. 289 of 1950; hereinafter referred to as the "Act") are first-class mails handled as those with certification of acceptance time, Correspondence Mails for which acceptance and delivery are recorded, or those using electronic data processing systems (meaning electronic data processing systems that connect computers used by the Minister of Economy, Trade and Industry (including input-output devices; the same applies hereinafter) and a computer used by a person who intends to file an application under paragraph (1) of that Article via a telecommunications line) that have a function to record the date and time of sending written applications referred to in Article 27, paragraph (1) of the Act.

(公示の方法)

(Means of Public Notice)

第三条 法第百四十一条の規定による処分の要旨の公示は、経済産業省又は経済産業局の掲示場に掲示することによつて行ふ。

Article 3 A public notice of the outline of a disposition under Article 141 of the Act is given by posting it on the notice board of the Ministry of Economy, Trade and Industry or a Regional Bureau of Economy, Trade and Industry.

(鉱区等の表示の方法)

(Means of Descriptions of Mining Sites)

第三条の二 鉱区の形状を示す多角形の頂点となる地点（以下「鉱区の頂点」とい

う。)および租鉱区の形状を示す多角形の頂点となる地点(以下「租鉱区の頂点」という。)の位置は、測量法(昭和二十四年法律第百八十八号)に基づく平面直角座標系(平成十四年一月国土交通省告示第九号で定めるものをいう。)による座標値で表示するものとする。

Article 3-2 Locations of the points constituting the vertices of a polygon that shows the shape of a mining site (hereinafter referred to as "Vertices of the Mining Site") and the points constituting the vertices of a polygon that shows the shape of a mining lease site (hereinafter referred to as "Vertices of the Mining Lease Site") are to be described with coordinate values based on the plane rectangular coordinate system (meaning the system specified by the Public Notice of the Ministry of Land, Infrastructure, Transport and Tourism No. 9 of January 2002) based on the Survey Act (Act No. 188 of 1949).

第二章 鉱業権の設定又は変更の出願等の手続

Chapter II Procedures for Filing Application for Establishment of or Changes to Mining Rights

第一節 出願による鉱業権の設定又は変更の出願等の手続

Section 1 Procedures for Establishment of Mining Rights through Application or Application for Changes

(願書の様式等)

(Forms of Written Applications)

第四条 法第二十一条第一項の規定により鉱業権の設定の出願をしようとする者は、様式第二による願書に、様式第二十六により次に掲げる事項を明示した区域図四葉を添えて、経済産業局長に提出しなければならない。

Article 4 (1) A person who intends to apply for the establishment of mining rights under Article 21, paragraph (1) of the Act must submit a written application using Form 2, together with four copies of a map of the area using Form 26 that clearly describes the following matters, to the Director of a Regional Bureau of Economy, Trade and Industry:

一 出願の区域の所在地

(i) location of the application area;

二 出願の区域の面積

(ii) dimensions of the application area;

三 目的とする鉱物の名称

(iii) names of the subject minerals;

四 縮尺

(iv) scale size;

五 出願の区域の形状を示す多角形の頂点となる地点(以下「出願の区域の頂点」という。)及び右回りに付したその番号

(v) the points constituting the vertices of a polygon that shows the shape of the

application area (hereinafter referred to as "Vertices of the Application Area") and the numbers of respective vertices assigned clockwise;

六 前条の平面直角座標系による出願の区域の頂点の座標値

(vi) coordinate values of the Vertices of the Application Area based on the plane rectangular coordinate system referred to in the preceding Article;

七 出願の区域の境界線

(vii) boundaries of the application area;

八 出願の区域及びその付近における地形

(viii) landform of the application area and its vicinity.

2 前項の願書には、二人以上共同して出願しようとするときは、共同鉱業出願人の全員が記名押印又は署名しなければならない。

(2) When two or more persons intend to jointly file an application, all of the joint applicants for mining must affix their names and seals or affix their signatures to the written application referred to in the preceding paragraph.

3 第一項の願書には、次の各号に掲げる書類を添えなければならない。ただし、二通以上の願書を同時に同一経済産業局長に提出しようとするときは、第一号、第六号及び第七号に規定する書類は、一通をもつて足りる。

(3) Documents set forth in the following items must be attached to the written application referred to in paragraph (1); provided, however, that when the applicant intends to submit two or more written applications simultaneously to the same Director of a Regional Bureau of Economy, Trade and Industry, submission of one copy each would suffice for documents prescribed in items (i), (vi), and (vii):

一 戸籍の謄本若しくは抄本若しくは登記事項証明書又は日本国民若しくは日本国法人であることを証する書面

(i) a transcript or extract of the applicant's family register, certificate of registered information, or a document proving that the applicant is a Japanese national or a corporation of Japan;

二 様式第二の一による事業計画書

(ii) the business plan using Form 2-1;

三 事業に要する資金の額及びその調達方法を記載した書類並びにこの資金の調達方法を確認すべき書類

(iii) a document stating the amount of funds required for the business and funding means therefor, and documents for confirming that funding means;

四 出願人が法人である場合にあっては、直前三年の各事業年度の貸借対照表及び損益計算書、定款並びに役員の履歴書

(iv) if the applicant is a corporation, balance sheets and profit and loss statements for each of the last three business years, articles of incorporation, and curricula vitae of officers;

五 主たる技術者の履歴書

(v) curricula vitae of major engineers;

六 鉱物の掘採に係る体制を記載した書面

(vi) a document stating the system for the mining of minerals;

七 法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を誓約する書面

(vii) a document pledging that the applicant does not fall under any of Article 29, paragraph (1), item (iii), (a) to (c) of the Act;

八 鉱害賠償が生じた場合に備えた支払い能力を証する書面その他経理的基礎及び技術的能力を確認するために必要となる書類

(viii) a document proving the ability to compensate in preparation for any event requiring compensation for mine damage, and other documents for confirming the financial basis and technical capability of the applicant.

4 前項の規定にかかわらず、経済産業局長が住民基本台帳法（昭和四十二年法律第八十一号）第三十条の七第三項の規定により都道府県知事（同法第三十条の十第一項の規定により指定情報処理機関に行わせることとした場合にあつては、指定情報処理機関。第十一条第四項において同じ。）から鉱業権の設定を受けようとする者が日本国民である事実を証する本人確認情報の提供を受けるときは、第一項の願書には、当該事実を証する書面を添付することを要しない。

(4) Notwithstanding the provisions of the preceding paragraph, when the Director of a Regional Bureau of Economy, Trade and Industry receives the provision of personal identification information proving that the person who intends to establish a mining right is a Japanese national from a prefectural governor (if it is decided to have a designated information processing organization undertake relevant duties under Article 30-10, paragraph (1) of the Residential Basic Book Act (Act No. 81 of 1967), from that designated information processing organization; the same applies in Article 11, paragraph (4)), pursuant to the provisions of Article 30-7, paragraph (3) of the Act, a document proving that fact does not need to be attached to the written application referred to in paragraph (1).

（鉱区税の納付等に関する証明書）

(Certificate on Payment of Mining Lot Tax)

第四条の二 一般試掘権者がその試掘鉱区において採掘出願をしようとするときは、前条第一項の願書に、当該試掘鉱区につき現に鉱区税を滞納していないことを証する書面又は現に鉱区税を滞納していることが天災その他やむを得ない事由によるものであることを証する書面（以下「納税証明書等」と総称する。）を添えて提出しなければならない。

Article 4-2 (1) When a holder of general prospecting rights intends to file a digging application in its own prospecting area, the holder must submit the written application referred to in paragraph (1) of the preceding Article, together with a document proving that the payment of mining lot tax pertaining to the relevant prospecting area is not delinquent or a document

proving that the delinquency of mining lot tax is due to a natural disaster or other unavoidable circumstances (hereinafter collectively referred to as "Certificate of Tax Payment, etc.").

- 2 前項の規定により納税証明書等を提出した後、採掘出願の許可又はその他の処分に係る通知を受ける前において、更に当該試掘鉱区に係る鉱区税の納期限が経過したときは、その鉱区税に係る納税証明書等を経済産業局長に提出しなければならない。

(2) If the mining lot tax pertaining to the relevant prospecting area becomes further overdue after submitting the Certificate of Tax Payment, etc. under the preceding paragraph but before receiving a notice of permission or any other disposition for the digging application, the holder of general prospecting rights must submit a Certificate of Tax Payment, etc. for that overdue mining lot tax to the Director of a Regional Bureau of Economy, Trade and Industry.

(鉱床説明書)

(Description of Ore Deposits)

第四条の三 採掘出願をしようとする者は、第四条第一項の願書に、様式第三により作成した鉱床説明書を添えて、経済産業局長に提出しなければならない。

Article 4-3 A person who intends to file a digging application must submit the written application referred to in Article 4, paragraph (1), together with a description of ore deposits using Form 3, to the Director of a Regional Bureau of Economy, Trade and Industry.

(面積超過の理由書)

(Written Statement of Reasons for Excess in Dimensions)

第五条 鉱業権の設定または変更の出願であつて、鉱業出願地または鉱区の面積が三百五十ヘクタールをこえる場合は、願書にその理由書を添えて提出しなければならない。

Article 5 If a person intends to file an application for the establishment of or changes to mining rights for a mining application area or a mining site that exceeds 350 ha, the person must submit a written statement of reasons together with a written application.

(共同鉱業出願人の代表者)

(Representative of Joint Applicants for Mining)

第六条 共同鉱業出願人は、願書とともに、全員が記名押印又は署名した代表者選定の届書を経済産業局長に提出しなければならない。

Article 6 (1) Joint applicants for mining must submit a written notification on the selection of the representative, to which all of them affix their names and seals or affix their signatures, to the Director of a Regional Bureau of Economy, Trade and Industry, together with a written application.

- 2 共同鉱業出願人は、願書に代表者を表示して、前項の届書に代えることができる。

(2) Joint applicants for mining may indicate their representative in a written

application in lieu of submitting the written notification referred to in the preceding paragraph.

3 共同鉱業出願人は、代表者を変更したときは、全員が記名押印又は署名した届書を経済産業局長に提出しなければならない。

(3) When joint applicants for mining change their representative, they must submit a written notification, to which all of them affix their names and seals or affix their signatures, to the Director of a Regional Bureau of Economy, Trade and Industry.

4 第一項及び第二項の規定は、鉱業出願人の地位の承継により鉱業出願人となるべき者が二人以上である場合に準用する。

(4) The provisions of paragraphs (1) and (2) apply mutatis mutandis to cases where there are two or more persons who are to be mining applicants as a result of succession of mining applicant positions.

(鉱業出願地の増減)

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

第七条 法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しようとする者は、様式第四による願書に、第四条第一項各号に掲げる事項のほか、様式第二の一による事業計画書及び新旧鉱業出願地の関係を明示した区域図四葉を添えて、経済産業局長に提出しなければならない。

Article 7 (1) A person who intends to file an application for an increase or decrease of the scale of mining application areas under Article 30, paragraph (1) of the Act must submit a written application using Form 4, together with four copies of a business plan using Form 2-1 and a map of the area that clearly describes the relationship between the former and new mining application areas, beyond the matters set forth in the items of Article 4, paragraph (1), to the Director of a Regional Bureau of Economy, Trade and Industry.

2 第四条第二項及び第三項（第一号及び第七号を除く。）の規定は前項の願書に、第四条の二及び第四条の三の規定は採掘出願地の増加又は増加及び減少の出願に準用する。

(2) The provisions of Article 4, paragraphs (2) and (3) (excluding items (i) and (vii)) apply mutatis mutandis to written applications referred to in the preceding paragraph, and the provisions of Articles 4-2 and 4-3 apply mutatis mutandis to applications for increases or for increases and decreases of the scale of digging application areas.

(鉱業出願人の地位の承継)

(Succession of Mining Applicant Positions)

第八条 法第三十六条第一項の規定により旧鉱業出願人の地位を承継しようとする者は、様式第五による願書を経済産業局長に提出しなければならない。

Article 8 (1) A person who intends to succeed to a position of a former mining applicant under Article 36, paragraph (1) of the Act must submit a written application using Form 5 to the Director of a Regional Bureau of Economy, Trade and Industry.

2 法第三十六条第二項の規定により鉱業出願人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、様式第六による願書に、その原因たる事実を証する書面を添えて提出しなければならない。

(2) When a successor of a mining applicant intends to succeed to a position of a former mining applicant under Article 36, paragraph (2) of the Act, the successor must submit a document proving the facts which constitute the grounds therefor, together with the written application using Form 6.

3 法第三十六条第三項の規定により相続人その他の一般承継人が旧鉱業出願人の地位を承継しないときは、当該承継人は、様式第六の一による届書に、その原因たる事実を証する書面を添えて提出しなければならない。

(3) When a heir or other general successor does not succeed to a position of a former mining applicant under Article 36, paragraph (3) of the Act, the successor must submit a document proving the facts which constitute the grounds therefor, together with the written notification using Form 6-1.

4 第四条第二項から第四項までの規定は第一項又は第二項の願書に、第四条の二の規定は鉱業出願人の地位の承継に係る鉱業出願に準用する。

(4) The provisions of Article 4, paragraphs (2) to (4) apply mutatis mutandis to written applications referred to in paragraph (1) or (2), and the provisions of Article 4-2 apply mutatis mutandis to mining applications in relation to succession of mining applicant positions.

5 第三項の規定による届出をする場合には、同一の経済産業局の管轄に属する二以上の出願については、同一の届書で届出をすることができる。

(5) A person who files a notification under paragraph (3) may do so with the same written notification with regard to two or more applications under the jurisdiction of the same Regional Bureau of Economy, Trade and Industry.

第九条 一般試掘権者がその試掘鉱区において採掘出願をした後、採掘出願人の名義を変更しようとする場合は、前条第一項又は第二項の願書に、試掘権の移転を証する書面を添えなければならない。

Article 9 If a holder of general prospecting rights files a digging application in its own prospecting area and intends to change the name of the digging applicant thereafter, the holder must attach a document proving the transfer of the prospecting rights to the written application referred to in paragraph (1) or (2) of the preceding Article.

第十条 一般試掘権者がその試掘鉱区において採掘出願をした後、試掘権を移転した場合は、第八条第一項の規定による鉱業出願人の地位の承継に係る鉱業出願をしなければ

ばならない。

Article 10 If a holder of general prospecting rights files a digging application in its own prospecting area and transfers the prospecting rights thereafter, the holder must file a mining application in relation to succession of a mining applicant position under Article 8, paragraph (1).

(鉱業出願人の氏名等の変更)

(Change of Names of Mining Applicants)

第十一条 鉱業出願人は、氏名もしくは名称または住所を変更したときは、その事実を証する書面を添えて、遅滞なくその旨を経済産業局長に届け出なければならない。法人である鉱業出願人がその代表者を変更したときも、同様とする。

Article 11 (1) A mining applicant who changes name or address must file a notification to that effect to the Director of a Regional Bureau of Economy, Trade and Industry, without delay, together with a document proving that facts. The same applies when a mining applicant that is a corporation changes its representative.

2 二通以上の前項の届書を同時に同一の経済産業局長に提出しようとするときは、同項の書面は、一通をもつて足りる。

(2) When a mining applicant intends to submit two or more written notifications referred to in the preceding paragraph simultaneously to the same Director of a Regional Bureau of Economy, Trade and Industry, submission of one copy would suffice for the document referred to in that paragraph.

3 第八条第五項の規定は、第一項の届出に準用する。

(3) The provisions of Article 8, paragraph (5) apply mutatis mutandis to notification referred to in paragraph (1).

4 第一項の規定にかかわらず、経済産業局長が住民基本台帳法第三十条の七第三項の規定により都道府県知事から鉱業出願人の住所の変更の事実を証する本人確認情報の提供を受けるときは、第一項の届書には、当該事実を証する書面を添付することを要しない。

(4) Notwithstanding the provisions of paragraph (1), when the Director of a Regional Bureau of Economy, Trade and Industry receives from a prefectural governor the provision of personal identification information proving the fact of a change of the mining applicant's address under Article 30-7, paragraph (3) of the Residential Basic Book Act, a document proving that fact does not need to be attached to the written notification referred to in paragraph (1).

(鉱区の増減の出願)

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

第十二条 法第四十四条第一項の規定により鉱区の増減の出願をしようとする者は、様式第七による願書に、第四条第一項各号に掲げる事項のほか、鉱区と増減しようとする土地の区域との関係を明示した区域図四葉を添えて、経済産業局長に提出しなければ

ばならない。

Article 12 (1) A person who intends to file an application for an increase or decrease of the scale of a mining site under Article 44, paragraph (1) of the Act must submit a written application using Form 7, together with four copies of a map of the area that clearly describes the relationship between the mining site and the area of land that the person intends to increase or decrease, beyond the matters set forth in the items of Article 4, paragraph (1), to the Director of a Regional Bureau of Economy, Trade and Industry.

2 抵当権が設定されている一般採掘権について採掘鉱区の減少の出願をしようとするときは、願書に抵当権者の承諾書を添えて提出しなければならない。

(2) When a person intends to file an application for a decrease of the scale of a digging area with regard to mortgaged general digging rights, the person must submit written approvals of the mortgagees, together with a written application.

3 一般採掘権者は、租鉱区について鉱区の減少の出願をしようとするときは、願書に租鉱権者の承諾書を添えて提出しなければならない。

(3) When a holder of general digging rights intends to file an application for a decrease of the scale of a mining lease site, the person must submit written approvals of the holders of mining lease rights, together with a written application.

4 前項の場合においては、第一項の区域図には、鉱区と租鉱区との関係を明示しなければならない。

(4) In the case referred to in the preceding paragraph, the map of the area referred to in paragraph (1) must contain a clear description of the relationship between the mining site and the mining lease site.

5 第四条第二項及び第三項（第一号及び第七号を除く。）の規定は第一項の願書に、第四条の二及び第四条の三の規定は採掘鉱区の増加又は増加及び減少の出願に準用する。

(5) The provisions of Article 4, paragraphs (2) and (3) (excluding items (i) and (vii)) apply mutatis mutandis to written applications referred to in paragraph (1), and the provisions of Articles 4-2 and 4-3 apply mutatis mutandis to applications for increases or for increases and decreases of the scale of digging areas.

第十二条の二 法第八十九条第一項又は第二項の規定による協議に基づく鉱区相互の間の鉱区の増減の出願をしようとする者は、前条第一項の規定にかかわらず、様式第八による願書に、第四条第一項各号に掲げる事項を明示した区域図三葉及び鉱区相互の間の鉱区の増減をすべき区域の関係を明示した図面並びに同条第三項（第一号及び第七号を除く。）に規定する書類を添えて、経済産業局長に提出しなければならない。

Article 12-2 Notwithstanding the provisions of paragraph (1) of the preceding Article, a person who intends to file an application for a mutual increase or

decrease of the scale of respective mining sites based on a consultation under Article 89, paragraph (1) or (2) of the Act must submit a written application using Form 8, together with three copies of a map of the area that clearly describes the matters set forth in the items of Article 4, paragraph (1), a drawing clearly describing the relationship among areas subject to the mutual increase or decrease of the scale of respective mining sites, and documents prescribed in paragraph (3) of that Article (excluding items (i) and (vii)), to the Director of a Regional Bureau of Economy, Trade and Industry.

(掘進増区の出願)

(Application for Increase of the Scale of Excavation Sites)

第十三条 法第四十六条第一項の規定により鉱区の増加の出願をしようとする者は、第十二条第一項の規定にかかわらず、様式第九による願書に、第四条第一項各号に掲げる事項を明示した区域図三葉、隣接鉱区の鉱業権者及び抵当権者の承諾書又はこれに代わるべき書面及び同条第三項（第一号及び第七号を除く。）に規定する書類を添えて、経済産業局長に提出しなければならない。

Article 13 (1) Notwithstanding the provisions of Article 12, paragraph (1), a person who intends to file an application for an increase of the scale of a mining site under Article 46, paragraph (1) of the Act must submit a written application using Form 9, together with three copies of a map of the area that clearly describes the matters set forth in the items of Article 4, paragraph (1), written approvals of the holders of mining rights and the mortgagees of the adjacent mining sites or a document acceptable in lieu thereof, and documents prescribed in paragraph (3) of that Article (excluding items (i) and (vii)), to the Director of a Regional Bureau of Economy, Trade and Industry.

2 前項の区域図には、平面図および断面図に分けて隣接鉱区との関係を明示した鉱床図およびその説明書を添えなければならない。

(2) Maps of ore deposits that clearly describe the relationship with the adjacent mining sites separating plane views and cross sectional views and a written explanation thereof must be attached to the map of the area referred to in the preceding paragraph

(分割又は合併の出願)

(Application for Division or Merging)

第十四条 法第五十条第一項の規定により採掘鉱区の分割又は合併の出願をしようとする者は、様式第十又は第十一による願書に、第四条第一項各号に掲げる事項を明示した区域図三葉及び分割し、又は合併すべき区域の関係を明示した図面を添えて、経済産業局長に提出しなければならない。ただし、分割の願書に添える区域図は、分割後の区域ごとに作成しなければならない。

Article 14 (1) A person who intends to file an application for division or merging of digging areas under Article 50, paragraph (1) of the Act must submit a

written application using Form 10 or 11, together with three copies of a map of the area that clearly describes the matters set forth in the items of Article 4, paragraph (1), and a drawing that clearly describes the relationship among areas to be divided or merged, to the Director of a Regional Bureau of Economy, Trade and Industry; provided, however, that the map of the area attached to the written application for division must be prepared for each of the areas after division.

2 法第五十条第二項の規定により採掘鉱区の分割および合併の出願をしようとする者は、様式第十二による願書を前項の規定に準じて提出しなければならない。

(2) A person who intends to file an application for division and merging of digging areas under Article 50, paragraph (2) of the Act must submit a written application using Form 12 in accordance with the provisions of the preceding paragraph.

3 前二項の場合において、抵当権が設定されている一般採掘権について採掘鉱区の分割、合併又は分割及び合併の出願をしようとするときは、願書に抵当権者の承諾書及び抵当権の順位に関する協定書を添えて提出しなければならない。

(3) In the cases referred to in the preceding two paragraphs, when a person intends to file an application for division or merging, or for division and merging of digging areas with regard to mortgaged general digging rights, the person must submit written approvals of the mortgagees and a written agreement on the priority of the mortgages, together with a written application.

4 一般採掘権者は、租鉱区について鉱区の分割の出願又は分割及び合併の出願をしようとするときは、第一項の関係図又は第二項の規定により第一項の規定に準じて提出しなければならないものとされた関係図には、鉱区と租鉱区との関係を明示しなければならない。

(4) When a holder of general digging rights intends to file an application for division or for division and merging of mining lease sites, the drawing showing the relationship referred to in paragraph (1) or the drawing showing the relationship that is to be submitted in accordance with the provisions of paragraph (1) under paragraph (2) must clearly describe the relationship between the mining sites and the mining lease sites.

5 第四条第二項の規定は第一項または第二項の願書に、第十二条第三項の規定は前項の出願に準用する。

(5) The provisions of Article 4, paragraph (2) apply mutatis mutandis to written applications referred to in paragraph (1) or (2), and the provisions of Articles 12, paragraph (3) apply mutatis mutandis to applications referred to in the preceding paragraph.

(鉱業権の移転の申請)

(Application for Transfer of Mining Rights)

第十四条の二 法第五十一条の二第一項の規定により鉱業権（法第二十一条第一項の規

定により設定されたものに限る。次条において同じ。)の移転を受けようとする者は、様式第十二の一による申請書を経済産業局長に提出しなければならない。

Article 14-2 (1) A person who intends to receive the transfer of mining rights (limited to the mining rights established under Article 21, paragraph (1) of the Act; the same applies in the following Article) under Article 51-2, paragraph (1) of the Act must submit a written application using Form 12-1 to the Director of a Regional Bureau of Economy, Trade and Industry.

2 第四条第二項から第四項までの規定は、前項の申請書に準用する。

(2) The provisions of Article 4, paragraphs (2) to (4) apply mutatis mutandis to written applications referred to in the preceding paragraph.

(鉱業権の相続その他の一般承継の届出)

(Notification of General Succession, Including Inheritance, of Mining Rights)

第十四条の三 法第五十一条の三第一項の規定により相続その他の一般承継により鉱業権を取得した者は、取得後三月以内に様式第十二の二による届書に、その原因たる事実を証する書面を添えて経済産業局長に提出しなければならない。

Article 14-3 (1) A person who acquires mining rights through general succession including inheritance under Article 51-3, paragraph (1) of the Act must submit a written notification using Form 12-2, together with a document proving the facts which constitute the grounds therefor, to the Director of a Regional Bureau of Economy, Trade and Industry within three months after the acquisition.

2 第四条第二項から第四項までの規定は、前項の届書に準用する。

(2) The provisions of Article 4, paragraphs (2) to (4) apply mutatis mutandis to written notifications referred to in the preceding paragraph.

(鉱業権を譲渡するための期間)

(Period for Transferring Mining Rights)

第十四条の四 法第五十一条の三第二項の経済産業省令で定める期間は、経済産業大臣又は経済産業局長からの通知が到達してから六月とする。

Article 14-4 The period specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 51-3, paragraph (2) of the Act is six months after the arrival of a notice from the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

(競願のくじ)

(Lottery for Overlapping Applications)

第十五条 経済産業局長は、法第二十七条第三項（法第三十条第二項及び法第四十四条第三項において準用する場合を含む。）の規定によるくじを行おうとするときは、その場所及び日時並びにくじの方法を定め、その期日の一週間前までに関係鉱業出願人に通知しなければならない。

Article 15 (1) When the Director of a Regional Bureau of Economy, Trade and Industry intends to decide who has the right of priority by lottery under Article 27, paragraph (3) of the Act (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (2) of the Act and Article 44, paragraph (3) of the Act), the Director must decide the venue, date and means of the lottery and give a notice of the relevant matters to the relevant mining applicants by one week prior to that date.

2 前項の規定による通知を受けた鉱業出願人は、くじに立会をすることができる。

(2) The mining applicants who receive the notice under the preceding paragraph may attend the lottery.

(重複鉱区の通知)

(Notice on Overlapping Mining Sites)

第十六条 経済産業局長は、鉱業権の設定または変更の出願の許可の通知をする場合において、その区域が他の鉱区と重複しているときは、その鉱業権の登録番号、目的とする鉱物の名称、鉱業権者の氏名または名称および住所ならびに重複の範囲をあわせて通知しなければならない。

Article 16 (1) When the Director of a Regional Bureau of Economy, Trade and Industry gives a notice of permission for an application for the establishment of or changes to mining rights, and the relevant areas overlap with other mining sites, the Director must notify the persons concerned to inform them of the registration number of the mining rights, names of the subject minerals, and names and addresses of the holders of mining rights, as well as the range of the overlapping areas.

2 経済産業局長は、前項の規定による通知を受けた者が鉱業権の設定または変更の登録を受けたときは、その登録を受けた鉱業権の登録番号、目的とする鉱物の名称ならびに鉱業権者の氏名または名称および住所を、その鉱業権の鉱区と重複する鉱区の鉱業権者に、通知しなければならない。

(2) When a person who receives a notice under the preceding paragraph has the establishment of or changes to mining rights registered, the Director of a Regional Bureau of Economy, Trade and Industry must notify the holders of mining rights of the overlapping mining sites to inform them of the registration number of the registered mining rights, names of the subject minerals, and name and address of the relevant holder of registered mining rights.

(登録免許税の納付)

(Payment of Registration and License Tax)

第十七条 鉱業権の設定若しくは変更の出願の許可又は鉱業権（法第二十一条第一項の規定により設定されたものに限る。）の移転の許可の通知を受けた者は、所定の登録免許税の額に相当する登録免許税の領収証書又は印紙をはった納付書に通知書を添え

て、法第三十七条に規定する期間内に、経済産業局長に提出しなければならない。

Article 17 (1) A person who receives a notice of permission for an application for the establishment of or changes to mining rights or permission for the transfer of mining rights (limited to the mining rights established under Article 21, paragraph (1) of the Act) must submit a registration and license tax receipt or a statement of payment with a stamp in an amount equivalent to the amount of the prescribed registration and license tax to the Director of a Regional Bureau of Economy, Trade and Industry, together with a written notification, within the period prescribed in Article 37 of the Act.

2 法第八十九条第一項または第二項の規定による協議に基づく鉱区相互の間の鉱区の増減の出願に係る許可の通知を受けた者が前項の納付書を提出しようとするときは、当事者が連名でなければならない。

(2) When persons who receive a notice of permission for an application for a mutual increase or decrease of the scale of respective mining sites based on a consultation under Article 89, paragraph (1) or (2) of the Act intend to submit a statement of payment referred to in the preceding paragraph, the statement must be jointly submitted by the parties concerned in their joint names.

3 第一項の納付書を郵便物又は信書便物として提出するときは、書留の取扱いとした第一種郵便物又は信書便物のうち引受け及び配達記録がなされたものによらなければならない。

(3) When the statement of payment referred to in paragraph (1) is submitted as a postal item or Correspondence Mail, it must be submitted as first-class mail handled as registered mail or as Correspondence Mail for which acceptance and delivery are recorded.

第十八条 削除

Article 18 Deleted.

(共同鉱業権者の代表者)

(Representative of the Joint Holders of Mining Rights)

第十九条 共同鉱業権者（法第二十一条第一項の規定により設定を受けた鉱業権の鉱業権者に限る。以下この条において同じ。）は、登録免許税の納付書とともに全員が記名押印又は署名した代表者選定の届書を経済産業局長に提出しなければならない。

Article 19 (1) Joint holders of mining rights (limited to holders of the mining rights established under Article 21, paragraph (1) of the Act; hereinafter the same applies in this Article) must submit a written notification concerning the selection of their representatives, to which all of them affix their names and seals or affix their signatures, to the Director of a Regional Bureau of Economy, Trade and Industry, together with a statement of payment of the registration and license tax.

2 共同鉱業権者は、登録免許税の納付書に代表者を表示して、前項の届書に代えるこ

とができる。

- (2) Joint holders of mining rights may indicate their representative in a statement of payment of the registration and license tax in lieu of submitting a written notification referred to in the preceding paragraph.
- 3 共同鉱業権者は、代表者を変更したときは、全員が記名押印又は署名した代表者変更の届書を経済産業局長に提出しなければならない。
- (3) When joint holders of mining rights change their representative, they must submit a written notification concerning the change of the representative, to which all of them affix their names and seals or affix their signatures, to the Director of a Regional Bureau of Economy, Trade and Industry.
- 4 第一項および第二項の規定は、鉱業権の移転により鉱業権者となるべき者が二人以上である場合に準用する。
- (4) The provisions of paragraphs (1) and (2) apply mutatis mutandis to cases where there are two or more persons who are to be holders of mining rights as a result of the transfer of mining rights.

(試掘権の存続期間の延長の申請)

(Application for Extension of Duration of Prospecting Rights)

第二十条 法第十八条第二項の規定により試掘権（法第二十一条第一項の規定により設定を受けたものに限る。以下この条及び次条において同じ。）の存続期間の延長の申請をしようとする者は、様式第十三による申請書に、探鉱の実績を説明する書面及び図面を添えて、経済産業局長に提出しなければならない。

- Article 20 (1) A person who intends to file an application for the extension of the duration of prospecting rights (limited to the prospecting rights established under Article 21, paragraph (1) of the Act; hereinafter the same applies in this Article and the following Article) under Article 18, paragraph (2) of the Act must submit a written application using Form 13, together with a document and drawing explaining the record of exploration, to the Director of a Regional Bureau of Economy, Trade and Industry.
- 2 前項の申請に係る試掘権について一般試掘権者が二人以上であるときは、全員が記名押印又は署名しなければならない。
- (2) When there are two or more holders of general prospecting rights with regard to prospecting rights for which an application is filed as referred to in the preceding paragraph, all of them must affix their names and seals or affix their signatures to the written application.
- 3 一般試掘権者は、二以上の試掘権について第一項の申請をしようとするときは、同項の申請書を合併して作成することができる。
- (3) When a holder of general prospecting rights intends to file an application referred to in paragraph (1) with regard to two or more prospecting rights, the holder may integrate them to prepare a written application referred to in that paragraph.

4 第四条の二の規定は、第一項の申請に準用する。

(4) The provisions of Article 4-2 apply mutatis mutandis to applications referred to in paragraph (1).

(受理しない場合)

(Cases of Refusing Acceptance)

第二十一条 経済産業局長は、次の各号に掲げる場合は、願書又は届書（一般試掘権又は一般採掘権に係るものに限る。）を受理してはならない。

Article 21 The Director of a Regional Bureau of Economy, Trade and Industry must not accept a written application or notification (limited to a written application or notification pertaining to general prospecting rights or general digging rights) in cases set forth in the following items:

一 出願の区域の全部がその管轄に属しないとき。

(i) when the entirety of the application area is not under the jurisdiction of the Regional Bureau;

二 願書に法第二十一条第二項各号の記載がないとき、又は出願の目的となつてゐる鉱物が法第三条の鉱物（特定鉱物を除く。）に該当しないとき。

(ii) when the written application does not contain descriptions of the matters referred to in the items of Article 21, paragraph (2) of the Act, or when the subject minerals for which an application is filed do not fall under the minerals (excluding specified minerals) referred to in Article 3 of the Act;

三 区域図を添えるべき願書に区域図を添えていないとき。

(iii) when a map of the area is not attached to the written application as required;

三の二 第四条第三項各号に掲げる書類を添えるべき願書にこれらを添えていないとき。

(iii)-2 when documents set forth in the items of Article 4, paragraph (3) are not attached to the written application as required;

四 区域図に出願の区域の頂点若しくは第三条の二の平面直角座標系の系番号が表示されていないとき、出願の区域の頂点に第四条第一項第六号の規定による表示がされていないとき、出願の区域の頂点が重複するとき、又は出願の区域の境界線が交差するとき。

(iv) when a map of the area does not contain descriptions of the Vertices of the Application Area or the number of the plane rectangular coordinate system referred to in Article 3-2, when coordinate values are not described for the Vertices of the Application Area as prescribed in Article 4, paragraph (1), item (vi), when the Vertices of the Application Area overlap, or when boundaries of the application area get crossed;

五 採掘権の設定又は採掘出願地若しくは採掘鉱区の増加若しくは増加及び減少の願書に鉱床説明書を添えていないとき。

(v) when a description of ore deposits is not attached to a written application

- for the establishment of digging rights, or for increases or for increases and decreases of the scale of digging application areas or digging areas;
- 六 所定の手数料の納付がないとき。
- (vi) when the prescribed fees are not paid;
- 七 願書を引受時刻証明の取扱いとした第一種郵便物又は信書便物のうち引受け及び配達記録がなされたものによらないで提出したとき。
- (vii) when a written application is submitted not as first-class mail handled as registered mail nor as Correspondence Mail for which acceptance and delivery are recorded;
- 八 第八条第一項の様式第五による願書若しくは共同出願の場合の様式第六による願書に新旧鉱業出願人が記名押印若しくは署名していないとき、又は同様式による願書若しくは様式第六の一の願書にその原因たる事実を証する書面を添えていないとき。
- (viii) when new and former mining applicants do not affix their names and seals or affix their signatures to the written application using Form 5 referred to in Article 8, paragraph (1) or the written application using Form 6 in the case of a joint application, or when a document proving the facts which constitute the relevant grounds is not attached to the written application using Form 6 or the written application using Form 6-1;
- 九 第九条の場合において、願書に試掘権の移転を証する書面を添えていないとき。
- (ix) in the case referred to in Article 9, when a document proving the transfer of the prospecting rights is not attached to a written application;
- 十 第十二条第二項又は第三項（第十四条第五項で準用する場合を含む。）の場合において、願書に抵当権者又は租鉱権者の承諾書を添えていないとき。
- (x) in the case referred to in Article 12, paragraph (2) or (3) (including the cases where applied mutatis mutandis pursuant to Article 14, paragraph (5)), when written approvals of the mortgagees or the holders of mining lease rights are not attached to a written application;
- 十一 第十三条第一項の場合において、願書に隣接鉱区の鉱業権者及び抵当権者の承諾書又はこれに代わるべき書面及び第四条第三項（第一号及び第七号を除く。）に規定する書面を添えていないとき。
- (xi) in the case referred to in Article 13, paragraph (1), when written approvals of the holders of mining rights and the mortgagees of the adjacent mining sites or a document acceptable in lieu thereof, and documents prescribed in Article 4, paragraph (3) (excluding items (i) and (vii)) are not attached to a written application;
- 十二 第十四条第三項の場合において、願書に抵当権者の承諾書及び抵当権の順位に関する協定書を添えていないとき。
- (xii) in the case referred to in Article 14, paragraph (3), when written approvals of the mortgagees and a written agreement on the priority of the mortgages are not attached to a written application.

第二節 特定開発者の選定による鉱業権の設定又は変更の申請等の手続
Section 2 Procedures for Filing Application for Establishment of or
Changes to Mining Rights Based on the Selection of a Specified
Developer

(緊急を要する特別の事情)

(Special Circumstance Requiring Urgency)

第二十二条 法第三十八条第五項ただし書の経済産業省令で定める緊急を要する特別の事情は、次のとおりとする。

Article 22 Special circumstance requiring urgency specified by the Order of the Ministry of Economy, Trade and Industry referred to in the proviso to Article 38, paragraph (5) of the Act is as follows:

一 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と認められること。

(i) that the mining is found to be extremely unsuitable in light of domestic and foreign social and economic circumstances and likely to hinder the promotion of public interest;

二 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と認められること。

(ii) that the mining is found to 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;

三 その他前二号に掲げる事情に準ずると認められること。

(iii) that the circumstance is found to be otherwise equivalent to those set forth in the preceding two items.

(特定鉱物を目的とする鉱業権の設定の申請)

(Application for Establishment of Mining Rights for Specified Minerals)

第二十二條の二 法第三十九条第二項の規定により特定区域において特定鉱物を目的とする鉱業権の設定の申請をしようとする者は、様式第十三の一による申請書に、様式第二十六により次に掲げる事項を明示した区域図四葉を添えて、法第三十八条第四項第四号の募集期間内に経済産業大臣又は経済産業局長に提出しなければならない。この場合において、区域図には、鉱業権を設定しようとする土地の区域と法第三十八条第一項の規定により指定された特定区域との関係を明示しなければならない。

Article 22-2 (1) A person who intends to file an application for the establishment of mining rights for specified minerals in a specified zone under Article 39, paragraph (2) of the Act must submit a written application using Form 13-1,

together with four copies of a map of the area using Form 26 that clearly describes the following matters, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry within the invitation period referred to in Article 38, paragraph (4), item (iv) of the Act. In this case, the map of the area must contain a clear description of the relationship between the area of land where the person intends to establish the mining rights and the specified zone designated under Article 38, paragraph (1) of the Act:

一 申請の区域の所在地

(i) location of the application area;

二 申請の区域の面積

(ii) dimensions of the application area;

三 目的とする特定鉱物の名称

(iii) names of the subject specified minerals;

四 縮尺

(iv) scale size;

五 申請の区域の形状を示す多角形の頂点となる地点（以下「申請の区域の頂点」という。）及び右回りに付したその番号

(v) the points constituting the vertices of a polygon that shows the shape of the application area (hereinafter referred to as "Vertices of the Application Area") and the numbers of respective vertices assigned clockwise;

六 第三条の二の平面直角座標系による申請の区域の頂点の座標値

(vi) coordinate values of the Vertices of the Application Area based on the plane rectangular coordinate system referred to in Article 3-2;

七 申請の区域の境界線

(vii) boundaries of the application area;

八 申請の区域及びその付近における地形

(viii) landform of the application area and its vicinity.

2 第四条第二項から第四項までの規定は、前項の申請書に準用する。この場合において、同条第三項中「同一経済産業局長」とあるのは「経済産業大臣又は同一経済産業局長」と、同項第二号中「様式第二の一」とあるのは「様式第十三の二」と読み替えるものとする。

(2) The provisions of Article 4, paragraphs (2) to (4) apply mutatis mutandis to written applications referred to in the preceding paragraph. In this case, the term "the same Director of a Regional Bureau of Economy, Trade and Industry" in paragraph (3) of that Article is deemed to be replaced with "the Minister of Economy, Trade and Industry or the same Director of a Regional Bureau of Economy, Trade and Industry"; and the term "Form 2-1" in item (ii) of that paragraph is deemed to be replaced with "Form 13-2".

（法第三十九条第三項第六号で定める事業計画書の記載事項）

(Matters to Be Stated in Business Plan Specified in Article 39, Paragraph (3), Item (vi) of the Act)

第二十二条の三 法第三十九条第三項第六号の経済産業省令で定める特定鉱物の掘採に関する事項とは、次の各号に掲げる事項とする。

Article 22-3 Particulars regarding the mining of specified minerals specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 39, paragraph (3), item (vi) of the Act are those set forth in the following items:

一 目的とする特定鉱物又はそれと類似のものに関する掘採の実績

(i) the record of mining of the subject specified minerals or other minerals similar thereto;

二 鉱業権の設定を受けようとする区域における探査の実績及び探査で得られた情報を踏まえた鉱床の評価

(ii) the record of exploration in the area where the person intends to establish the mining rights and the evaluation of the ore deposits based on information obtained through the exploration;

三 採掘権の設定を受けようとする区域における試掘の実績及び試掘で得られた情報を踏まえた鉱床の評価（採掘権の申請の場合に限る。）

(iii) the record of prospecting in the area where the person intends to establish the digging rights and the evaluation of the ore deposits based on information obtained through the prospecting (limited to the case of filing an application for digging rights);

四 特定鉱物の販路（採掘権の申請の場合に限る。）その他必要な事項

(iv) sales channels for the specified minerals (limited to the case of filing an application for digging rights) and other necessary matters.

（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 Establishment of Digging Rights by a Holder of Prospecting Rights Who Is a Specified Developer)

第二十二条の四 法第四十一条第二項の規定により特定鉱物を目的とする採掘権の設定の申請をしようとする者は、様式第十三の三による申請書に、様式第二十六により第二十二条の二第一項各号に掲げる事項を明示した区域図四葉を添えて、経済産業大臣又は経済産業局長に提出しなければならない。この場合において、区域図には、鉱業権を設定しようとする土地の区域と法第三十八条第一項の規定により指定された特定区域との関係を明示しなければならない。

Article 22-4 (1) A person who intends to file an application for the establishment of digging rights for specified minerals under Article 41, paragraph (2) of the Act must submit a written application using Form 13-3, together with four copies of a map of the area using Form 26 that clearly describes the matters set forth in the items of Article 22-2, paragraph (1), to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry. In this case, the map of the area must contain a clear description

of the relationship between the area of land where the person intends to establish the mining rights and the specified zone designated under Article 38, paragraph (1) of the Act.

2 前項の申請書には、採掘権の設定を受けようとする区域における特定鉱物の試掘の実績を説明する書面を添えなければならない。

(2) A document explaining the record of prospecting of the specified minerals in the area where the person intends to establish the digging rights must be attached to the written application referred to in the preceding paragraph.

3 第四条第二項から第四項までの規定は第一項の申請書に、第四条の二の規定は同項の申請に準用する。この場合において、第四条第三項中「同一経済産業局長」とあるのは「経済産業大臣又は同一経済産業局長」と、同項第二号中「様式第二の一」とあるのは「様式第十三の四」と、第四条の二第二項中「経済産業局長」とあるのは「経済産業大臣又は経済産業局長」と読み替えるものとする。

(3) The provisions of Article 4, paragraphs (2) to (4) apply mutatis mutandis to written applications referred to in paragraph (1), and the provisions of Article 4-2 apply mutatis mutandis to applications referred to in that paragraph. In this case, the term "the same Director of a Regional Bureau of Economy, Trade and Industry" in Article 4, paragraph (3) is deemed to be replaced with "the Minister of Economy, Trade and Industry or the same Director of a Regional Bureau of Economy, Trade and Industry"; the term "Form 2-1" in item (ii) of that paragraph is deemed to be replaced with "Form 13-4"; and the term "Director of a Regional Bureau of Economy, Trade and Industry" in Article 4-2, paragraph (2) is deemed to be replaced with "the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry".

(特定鉱物の掘採計画を定める期間)

(Period for Formulating Mining Plan for Specified Minerals)

第二十二條の五 法第四十一條第二項第一號の經濟産業省令で定める期間は、五年とする。

Article 22-5 The period specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 41, paragraph (2), item (i) of the Act is to be five years.

(法第四十一條第二項第六號で定める事業計畫書の記載事項)

(Matters to Be Stated in Business Plan Specified in Article 41, Paragraph (2), Item (vi) of the Act)

第二十二條の六 法第四十一條第二項第六號の經濟産業省令で定める特定鉱物の掘採に関する事項とは、次の各号に掲げる事項とする。

Article 22-6 Particulars regarding the mining of specified minerals specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article

41, paragraph (2), item (vi) of the Act are those set forth in the following items:

一 目的とする特定鉱物又はそれと類似のものに関する掘採の実績

(i) the record of mining of the subject specified minerals or other minerals similar thereto;

二 鉱業権の設定を受けようとする区域における探査の実績及び探査で得られた情報を踏まえた鉱床の評価

(ii) the record of exploration in the area where the person intends to establish the mining rights and the evaluation of the ore deposits based on information obtained through the exploration;

三 採掘権の設定を受けようとする区域における試掘の実績及び試掘で得られた情報を踏まえた鉱床の評価

(iii) the record of prospecting in the area where the person intends to establish the digging rights and the evaluation of the ore deposits based on information obtained through the prospecting;

四 特定鉱物の販路その他必要な事項

(iv) sales channels for the specified minerals and other necessary matters.

(鉱区の増減の申請)

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

第二十二條の七 法第四十五條第一項の規定により鉱区の増減の申請をしようとする者は、様式第十三の五による申請書に、第二十二條の二第一項各号に掲げる事項のほか、鉱区及び特定区域と増減しようとする土地の区域との関係を明示した区域図四葉を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 22-7 (1) A person who intends to file an application for an increase or decrease of the scale of a mining site under Article 45, paragraph (1) of the Act must submit a written application using Form 13-5, together with four copies of a map of the area that clearly describes the relationship between the mining site and the specified zone, and the area of land that the person intends to increase or decrease, beyond the matters set forth in the items of Article 22-2, paragraph (1), and to the Minister of Economy, Trade and Industry and the Director of a Regional Bureau of Economy, Trade and Industry.

2 抵当権が設定されている採掘権について採掘鉱区の減少の申請をしようとするときは、申請書に抵当権者の承諾書を添えて提出しなければならない。

(2) When a person intends to file an application for a decrease of the scale of a digging area with regard to mortgaged digging rights, the person must submit written approvals of the mortgagees, together with a written application.

3 第四条第二項及び第三項（第一号及び第七号を除く。）の規定は第一項の申請書に、第四条の二及び第四条の三の規定は採掘鉱区の増加又は増加及び減少の申請に準用する。この場合において、第四条第三項第二号中「様式第二の一」とあるのは「様式第十三の二」と、第四条の二第二項及び第四条の三中「経済産業局長」とあるのは「経済産業大臣又は経済産業局長」と読み替えるものとする。

(3) The provisions of Article 4, paragraphs (2) and (3) (excluding items (i) and (vii)) apply mutatis mutandis to written applications referred to in paragraph (1), and the provisions of Articles 4-2 and 4-3 apply mutatis mutandis to applications for increases or for increases and decreases of the scale of digging areas. In this case, the term "Form 2-1" in Article 4, paragraph (3), item (ii) is deemed to be replaced with "Form 13-2"; and the term "the Director of a Regional Bureau of Economy, Trade and Industry" in Article 4-2, paragraph (2) and Article 4-3 is deemed to be replaced with "the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry".

(準用)

(Mutatis Mutandis Application)

第二十二条の八 第六条、第十一条、第十四条の二、第十四条の三、第十六条、第十七条第一項及び第三項、第十九条並びに第二十条の規定は、法第四十条第三項若しくは第七項又は法第四十一条第一項の規定により設定された鉱業権に準用する。この場合において、第六条第一項及び第三項、第十一条第一項及び第四項、第十四条の二第一項、第十四条の三第一項、第十六条、第十七条第一項、第十九条第一項及び第三項並びに第二十条第一項中「経済産業局長」とあるのは「経済産業大臣又は経済産業局長」と、第十一条第二項中「同一経済産業局長」とあるのは「経済産業大臣又は同一経済産業局長」と、第十七条第一項中「法第三十七条」とあるのは「法第四十条第六項」と読み替えるものとする。

Article 22-8 The provisions of Article 6, Article 11, Article 14-2, Article 14-3, Article 16, Article 17, paragraphs (1) and (3), Article 19 and Article 20 apply mutatis mutandis to mining rights established under Article 40, paragraph (3) or (7) of the Act, or Article 41, paragraph (1) of the Act. In this case, the term "the Director of a Regional Bureau of Economy, Trade and Industry" in Article 6, paragraphs (1) and (3), Article 11, paragraphs (1) and (4), Article 14-2, paragraph (1), Article 14-3, paragraph (1), Article 16, Article 17, paragraph (1), Article 19, paragraphs (1) and (3), and Article 20, paragraph (1) is deemed to be replaced with "the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry"; the term "the same Director of a Regional Bureau of Economy, Trade and Industry" in Article 11, paragraph (2) is deemed to be replaced with "the Minister of Economy, Trade and Industry or the same Director of a Regional Bureau of Economy, Trade and Industry"; and the term "Article 37 of the Act" in Article 17, paragraph (1) is deemed to be replaced with "Article 40, paragraph (6) of the Act".

第三章 租鉱権の設定または変更の申請等の手続

Chapter III Procedures for Filing Application for Establishment of or Changes to Mining Lease Rights

(設定の申請)

(Application for Establishment)

第二十三条 法第七十七条第一項の規定により租鉱権の設定の申請をしようとする者は、様式第十四による申請書に、様式第二十六に準じて作成した区域図三葉その他同項に定める書類を添えて、経済産業局長に提出しなければならない。この場合において、区域図には、租鉱権を設定しようとする土地の区域と租鉱権の目的となる採掘権の鉱区との関係を明示しなければならない。

Article 23 (1) A person who intends to file an application for the establishment of mining lease rights under Article 77, paragraph (1) of the Act must submit a written application using Form 14, together with three copies of a map of the area using Form 26 and other documents specified in that paragraph, to the Director of a Regional Bureau of Economy, Trade and Industry. In this case, the map of the area must contain a clear description of the relationship between the area of land where the person intends to establish the mining lease rights and the mining sites for the digging rights subject to the mining lease rights.

2 前項の場合において、鉱床を特定したときは、区域図に平面図および断面図に分けて作成した鉱床図ならびにその説明書を添えなければならない。

(2) In the case referred to in the preceding paragraph and when ore deposits are specified, maps of ore deposits prepared separating plane views and cross sectional views and a written explanation thereof must be attached to the map of the area.

3 第一項の申請書には、次の各号に掲げる書類を添えなければならない。

(3) Documents set forth in the following items must be attached to the written application referred to in paragraph (1):

一 租鉱権者となろうとする者の戸籍の謄本若しくは抄本若しくは登記事項証明書又は日本国民若しくは日本国法人であることを証する書面

(i) a transcript or extract of the family register of the person who intends to be the holder of mining lease rights, certificate of registered information, or a document proving that the person is a Japanese national or a corporation of Japan;

二 様式第二の一による事業計画書

(ii) the business plan using Form 2-1;

三 租鉱権者となろうとする者の事業に要する資金の額及びその調達方法を記載した書類並びにこの資金の調達方法を確認すべき書類

(iii) a document stating the amount of funds required for the business of the person who intends to be the holder of mining lease rights and funding means therefor, and documents for confirming that funding means;

四 租鉱権者となろうとする者が法人である場合にあっては、直前三年の貸借対照表及び損益計算書、定款並びに役員の履歴書

(iv) if the person who intends to be the holder of mining lease rights is a corporation, balance sheets and profit and loss statements for the last three years, articles of incorporation, and curricula vitae of officers;

五 租鉱権者となろうとする者の主たる技術者の履歴書

(v) curricula vitae of major engineers of the person who intends to be the holder of mining lease rights;

六 租鉱権者となろうとする者の鉱物の掘採に係る体制を記載した書面

(vi) a document stating the system for mining of minerals of the person who intends to be the holder of mining lease rights;

七 租鉱権者となろうとする者が法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を誓約する書面

(vii) a document pledging that the person who intends to be the holder of mining lease rights does not fall under any of Article 29, paragraph (1), item (iii), (a) to (c) of the Act;

八 その他経理的基礎及び技術的能力を確認するために必要となる書類

(viii) other documents for confirming the financial basis and technical capability of the person.

4 第四条第二項の規定は、第一項の申請書に準用する。

(4) The provisions of Article 4, paragraph (2) apply mutatis mutandis to written applications referred to in paragraph (1).

(租鉱区の増減の申請)

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

第二十四条 法第七十八条第一項の規定により租鉱区の増減の申請をしようとする者は、様式第十五による申請書に様式第二十六に準じて作成した区域図三葉その他同条第二項において準用する法第七十七条第一項に定める書類を添えて、経済産業局長に提出しなければならない。この場合において、区域図には、租鉱区と増減しようとする土地の区域及び租鉱権が設定されている採掘権の鉱区との関係を明示しなければならない。

Article 24 (1) A person who intends to file an application for an increase or decrease of the scale of a mining lease site under Article 78, paragraph (1) of the Act must submit a written application using Form 15, together with three copies of a map of the area using Form 26 and documents specified in Article 77, paragraph (1) of the Act applied mutatis mutandis pursuant to Article 78, paragraph (2) of the Act, to the Director of a Regional Bureau of Economy, Trade and Industry. In this case, the map of the area must contain a clear description of the relationship between the mining lease site and the area of land that the person intends to increase or decrease, as well as the mining sites for the digging rights where mining lease rights are established.

2 前条第二項及び第三項（第一号及び第七号を除く。）の規定は、前項の申請に準用する。

(2) The provisions of paragraphs (2) and (3) (excluding items (i) and (vii)) of the preceding Article apply mutatis mutandis to applications referred to in the preceding paragraph.

3 第四条第二項の規定は、第一項の申請書に準用する。

(3) The provisions of Article 4, paragraph (2) apply mutatis mutandis to written applications referred to in paragraph (1).

(登録免許税の納付)

(Payment of Registration and License Tax)

第二十四条の二 租鉱権の設定または変更の認可の通知を受けた者は、所定の登録免許税の額に相当する登録免許税の領収証書または印紙をはった納付書に通知書を添えて、法第七十七条第四項に規定する期間内に、経済産業局長に提出しなければならない。

Article 24-2 (1) A person who receives a notice of authorization for the establishment of or changes to mining lease rights must submit a registration and license tax receipt or a statement of payment with a stamp in an amount equivalent to the amount of the prescribed registration and license tax to the Director of a Regional Bureau of Economy, Trade and Industry, together with a written notification, within the period prescribed in Article 77, paragraph (4) of the Act.

2 第十七条第三項の規定は、前項の場合に準用する。

(2) The provisions of Article 17, paragraph (3) apply mutatis mutandis to the case referred to in the preceding paragraph.

(存続期間の延長の申請)

(Application for Extension of Duration)

第二十五条 法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しようとする者は、様式第十六による申請書に採掘の実績を説明する書面および図面ならびに契約書を添えて、経済産業局長に提出しなければならない。

Article 25 A person who intends to file an application for the extension of the duration of mining lease rights under Article 76, paragraph (4) of the Act must submit a written application using Form 16, together with a document and drawing explaining the record of digging and a written contract, to the Director of a Regional Bureau of Economy, Trade and Industry.

(準用)

(Mutatis Mutandis Application)

第二十六条 第六条、第八条第二項及び第三項、第十一条並びに第十九条の規定は、租鉱権に準用する。

Article 26 The provisions of Article 6, Article 8, paragraphs (2) and (3), Article 11, and Article 19 apply mutatis mutandis to mining lease rights.

第四章 鉱業の実施

Chapter IV Implementation of Mining

(事業着手延期等)

(Postponement of the Initiation of Business)

第二十六条の二 法第六十二条第二項の規定により事業着手の延期の認可の申請をしようとする鉱業権者は、様式第十七による申請書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 26-2 (1) A holder of mining rights who intends to file an application for authorization for the postponement of the initiation of business under Article 62, paragraph (2) of the Act must submit a written application using Form 17 to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

2 法第六十二条第三項の規定により事業休止の認可の申請をしようとする鉱業権者は、様式第十八による申請書を経済産業大臣又は経済産業局長に提出しなければならない。

(2) A holder of mining rights who intends to file an application for authorization for the suspension of business under Article 62, paragraph (3) of the Act must submit a written application using Form 18 to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

3 法第六十二条第四項の規定により休止した事業の開始の届出をしようとする鉱業権者は、様式第十九による届書を経済産業大臣又は経済産業局長に提出しなければならない。

(3) A holder of mining rights who intends to file a notification of the resumption of suspended business under Article 62, paragraph (4) of the Act must submit a written notification using Form 19 to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

4 第四条第四項の規定は、前三項の申請書又は届書に準用する。

(4) The provisions of Article 4, paragraph (4) apply mutatis mutandis to written applications or written notifications referred to in the preceding three paragraphs.

(施業案)

(Operational Plan)

第二十七条 法第六十三条第一項又は第二項の規定により施業案の届出又は認可の申請をしようとする一般試掘権者又は一般採掘権者は、様式第二十による施業案に、その説明図を添えて、経済産業局長に提出しなければならない。

Article 27 (1) A holder of general prospecting rights or a holder of general digging rights who intends to file a notification of an operational plan or file an application for authorization therefor under Article 63, paragraph (1) or (2) of the Act must submit an operational plan using Form 20, together with an

explanatory drawing thereof, to the Director of a Regional Bureau of Economy, Trade and Industry.

2 施業案の変更の届出又は認可の申請をしようとする一般試掘権者又は一般採掘権者は、様式第二十による新たな施業案に、その説明図及び変更の理由を記載した書面を添えて経済産業局長に提出しなければならない。

(2) A holder of general prospecting rights or a holder of general digging rights who intends to file a notification concerning changes to the operational plan or file an application for authorization therefor must submit a new operational plan using Form 20, together with an explanatory drawing thereof and a document stating the reasons for the changes, to the Director of a Regional Bureau of Economy, Trade and Industry.

3 前二項の書類を提出するときは、それぞれの副本二通ずつを添えて提出しなければならない。

(3) Documents referred to in the preceding two paragraphs must be submitted with two copies each thereof.

4 経済産業局長は、施業案の認可をするには、あらかじめ産業保安監督部長に協議しなければならない。

(4) The Director of a Regional Bureau of Economy, Trade and Industry must consult with the Director of a Regional Industrial Safety and Inspection Department before granting authorization for operational plans.

第二十七条の二 法第六十三条の二第一項又は第二項の規定により施業案の認可の申請をしようとする者は、様式第二十による施業案に、その説明図及び事業計画書を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 27-2 (1) A person who intends to file an application for authorization for an operational plan under Article 63-2, paragraph (1) or (2) of the Act must submit an operational plan using Form 20, together with an explanatory drawing thereof and a business plan, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

2 前項の認可を受けた施業案の変更の認可の申請をしようとする者は、様式第二十による新たな施業案に、その説明図及び変更の理由を記載した書面を添えて経済産業大臣又は経済産業局長に提出しなければならない。

(2) A person who intends to file an application for authorization for changes to the authorized operational plan referred to in the preceding paragraph must submit a new operational plan using Form 20, together with an explanatory drawing thereof and a document stating the reasons for the changes, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

3 前条第三項及び第四項の規定は、前二項の申請に準用する。

(3) The provisions of paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to applications referred to in preceding two paragraphs.

第二十七条の三 経済産業局長は、法第百条第一項若しくは第二項の規定による勧告又は同条第三項の規定による命令をするには、あらかじめ産業保安監督部長に協議しなければならない。

Article 27-3 The Director of a Regional Bureau of Economy, Trade and Industry must consult with the Director of a Regional Industrial Safety and Inspection Department before giving a recommendation under Article 100, paragraph (1) or (2) of the Act or giving an order under paragraph (3) of that Article.

(鉱種名の変更)

(Change of Type of Minerals)

第二十七条の四 法第六十七条の規定により鉱物の存在の確認を受けようとする鉱業権者は、様式第二十一による届書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 27-4 A holder of mining rights who intends to have the presence of the relevant minerals confirmed under Article 67 of the Act must submit a written notification using Form 21 to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

(鉱業事務所設置届)

(Report of Establishment of Mining Office)

第二十七条の五 法第六十八条の規定により鉱業事務所の設置の届出をしようとする鉱業権者は、様式第二十二による届書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 27-5 A holder of mining rights who intends to file a notification of the establishment of a mining office under Article 68 of the Act must submit a written notification using Form 22 to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

(試掘工程表)

(Prospecting Schedule)

第二十八条 試掘権者は、法第六十九条の試掘工程表に、毎月末日までに、前月末日の試掘の進行の程度、前月の鉱産物の数量、操業日数および工数を記載しておかなければならない。

Article 28 A holder of prospecting rights must enter the progress of prospecting as of the final day of the preceding month, the quantity of produced minerals during the preceding month, the number of operating days and man-hours in the prospecting schedule referred to in Article 69 of the Act by the final day of every month.

(坑内実測図)

(Survey Maps of the Interior of Mining Pits)

第二十九条 採掘権者は、法第七十条の坑内実測図を様式第二十七により平面図および断面図に分けて作成し、毎月末日までに、前月末日の掘進の状況をこれに記載しておかなければならない。

Article 29 A holder of digging rights must prepare a survey map of the interior of a mining pit referred to in Article 70 of the Act using Form 27, separating plane views and cross sectional views, and enter the progress of digging as of the final day of the preceding month on the map by the final day of every month.

(鉱業簿)

(Mining Registry)

第三十条 採掘権者は、法第七十条の鉱業簿に、毎月末日までに、前月の鉱産物の数量、その販売の数量および金額、操業日数ならびに工数を記載しておかなければならない。

Article 30 A holder of digging rights must enter the quantity of produced minerals during the preceding month, the quantity and amount of money of sold minerals, the number of operating days and man-hours in the mining registry referred to in Article 70 of the Act by the final day of every month.

(電磁的方法による備置き)

(Keeping by Electronic or Magnetic Means)

第三十条の二 法第六十九条の試掘工程表または第七十条の坑内実測図もしくは鉱業簿は、前三条に規定する事項を電磁的方法（電子的方法、磁気的方法その他の人の知覚によつて認識することができない方法をいう。）により記録することにより作成し、備えて置くことができる。

Article 30-2 (1) A prospecting schedule referred to in Article 69 of the Act or a survey map of the interior of a mining pit or a mining registry referred to in Article 70 of the Act may be prepared and kept by recording the matters prescribed in the preceding three Articles by electronic or magnetic means (meaning an electronic means, a magnetic means or any other means that is not perceivable by human senses).

2 前項の規定による備置きをする場合には、同項の試掘工程表、坑内実測図または鉱業簿が必要に応じ電子計算機その他の機器を用いて直ちに表示されることができるようにしておかなければならない。

(2) If a person is to keep the prospecting schedule, survey map of the interior of a mining pit or mining registry in accordance with the preceding paragraph, the person must keep the prospecting schedule, survey map of the interior of a mining pit or mining registry referred to in the preceding paragraph in a manner that they can be displayed immediately, as necessary, on a computer or other device.

3 第一項の規定による備置きをする場合には、経済産業大臣が定める基準を確保する

よう努めなければならない。

- (3) If a person is to keep the prospecting schedule, survey map of the interior of a mining pit or mining registry in accordance with paragraph (1), the person must endeavor to maintain the standards specified by the Minister of Economy, Trade and Industry.

(定期の報告)

(Periodical Reports)

第三十条の三 法第七十条の二第一項（同条第二項において準用する場合を含む。）の規定により報告をしようとする者は、毎年五月末日までに様式第二十二の一により次の各号に掲げる事項を記載した定期報告書を、経済産業大臣又は経済産業局長に提出しなければならない。

- Article 30-3 A person who intends to make a report under Article 70-2, paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to paragraph (2) of that Article) must submit a written periodical report using Form 22-1 specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry by the final day of May every year:
- 一 毎年三月末日時点における法第六十三条の二第一項又は第二項で定めた施業案の進捗状況
 - (i) the progress of the operational plan formulated under Article 63-2, paragraph (1) or (2) of the Act as of the final day of March every year;
 - 二 毎年三月末日までの一年間における特定鉱物の掘採の状況
 - (ii) the status of mining of specified minerals during one year until the final day of March every year;
 - 三 毎年三月末日時点における特定鉱物の鉱床の状態
 - (iii) the situation of the ore deposits of specified minerals as of the final day of March every year;
 - 四 毎年三月末日までの一年間における鉱産物の数量、その販売の数量、金額及び販売先
 - (iv) the quantity of produced minerals, the quantity and amount of money of sold minerals, and purchasers during one year until the final day of March every year.

(鉱業代理人)

(Mining Agents)

第三十一条 鉱業権者は、鉱業の実施に関し、法およびこれに基づく命令の規定により鉱業権者が行なうべき手続その他の行為を委任するため、委任の範囲を明らかにして鉱業代理人を選任することができる。

Article 31 (1) A holder of mining rights may appoint a mining agent to whom the holder delegates procedures and other acts that the holder is to undertake

under the Act and the provisions of orders based thereon for the implementation of mining, by clarifying the scope of the delegation.

- 2 鉱業代理人の選任若しくは変更又はその代理権の消滅は、鉱業権者が様式第二十三若しくは様式第二十四又は様式第二十五による届書を経済産業大臣又は経済産業局長に提出しなければ、その効力を生じない。

- (2) The appointment or change of a mining agent or the extinguishment of that mining agent's authority to represent does not become effective unless a holder of mining rights submits a written notification using Form 23, 24 or 25 to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

(書類の合併)

(Integration of Documents)

第三十二条 鉱業権者は、二以上の鉱業権について第二十六条の二の規定に係る書類をそれぞれ合併して作成することができる。

Article 32 (1) A holder of mining rights may integrate and prepare documents under Article 26-2 with regard to two or more mining rights.

- 2 鉱業権者は、二以上の鉱区において事業を合併して行う場合は、第二十七条、第二十七条の二及び第二十七条の四から前条までの書類をそれぞれ合併して作成することができる。

- (2) If a holder of mining rights conducts business integrally in two or more mining sites, the holder may integrate and prepare documents referred to in Article 27, Article 27-2, and Article 27-4 to the preceding Article, respectively.

(準用)

(Mutatis Mutandis Application)

第三十三条 第二十七条、第二十七条の四、第二十九条から第三十一条まで及び前条第二項の規定は、租鉱権者の鉱業に準用する。

Article 33 The provisions of Article 27, Article 27-4, Articles 29 to 31, and paragraph (2) of the preceding Article apply mutatis mutandis to mining business by holders of mining lease rights.

(土地の立入の許可の申請)

(Application for Permission for Entry into Land)

第三十四条 法第百一条第一項の規定により他人の土地に立ち入り、又は支障となる竹木を伐採しようとする者は、次に掲げる事項を記載した申請書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 34 A person who intends to enter land of other persons or fell obtrusive bamboo and trees under Article 101, paragraph (1) of the Act must submit a written application specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional

Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 土地の所在地及び地目

(ii) location and land category of the land;

三 土地の所有者及び占有者の氏名又は名称及び住所

(iii) names and addresses of the owners and possessors of the land;

四 立入の予定期間及び目的

(iv) scheduled period and purpose of entry;

五 支障となる竹木を伐採しようとするときは、その所在地、所有者の氏名又は名称及び住所、伐採の予定数量及び価格並びに伐採の予定期日及び目的

(v) when intending to fell obtrusive bamboo and trees, locations thereof, names and addresses of the owners and possessors thereof, scheduled quantity and price of bamboo and trees to fell, and scheduled dates and purpose of felling them.

(土地の使用又は収用の許可の申請)

(Application for Permission for Use or Condemnation of Land)

第三十五条 法第百六条第一項の規定により他人の土地の使用又は収用の申請をしようとする者は、次に掲げる事項を記載した申請書に土地の登記事項証明書、関係地の実測図及び工事設計書を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 35 (1) A person who intends to file an application for the use or condemnation of land of other persons under Article 106, paragraph (1) of the Act must submit a written application specifying the matters set forth in the following items, together with the certificate of registered information of the land, survey maps of related land, and work specifications, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 土地の所在地及び地目

(ii) location and land category of the land;

三 土地の面積

(iii) dimensions of the land;

四 土地の所有者の氏名又は名称及び住所

(iv) names and addresses of the owners of the land;

五 使用又は収用の目的及び理由

(v) purpose and reasons for the use or condemnation;

六 使用又は収用の予定期日及び期間

(vi) scheduled dates and period of the use or condemnation.

2 前項の申請をする場合には、使用し、又は収用しようとする土地の存する都道府県及び市町村の数に応じた部数の申請書及び関係地の実測図の副本を提出しなければならない。

(2) When filing an application referred to in the preceding paragraph, the person must submit the relevant number of copies of the written application and survey maps of related land in accordance with the number of prefectures and municipalities where the land to be used or condemned is located.

第三十五条の二 前条の関係地の実測図は、次の各号に定めるところによつて作成し、符号は、国土地理院発行の五万分の一地形図の図式により、これにないものは適宜のものによるものとする。

Article 35-2 (1) Survey maps of related land referred to in the preceding Article are to be prepared as prescribed in the following items by using marks as used in a topographical map with a scale of 1:50,000 issued by the Geospatial Information Authority of Japan or by using any other appropriate mark if there are none available in that topographical map:

一 縮尺二万五千分の一（二万五千分の一がない場合は五万分の一）の一般図によつて関係地の位置を示すこと。

(i) the location of the related land must be indicated on a general map with a scale of 1:25,000 (or 1:50,000 if a general map with a scale of 1:25,000 is not available);

二 縮尺百分の一から三千分の一程度までの間で、関係地を表示するに便利な適宜の縮尺の地形図によつて関係地を使用の部分は薄い緑色で、収用の部分は薄い黄色で着色し、関係地内に物件があるときは、その主要なものを図示すること。

(ii) on a topographical map with an appropriate scale convenient to indicate the related land between around 1:100 and 1:3,000, the related land to be used must be colored in light green and the related land to be condemned in light yellow, and any major articles located within the related land must be graphically illustrated.

2 前条の工事設計書に図示する施設の位置および内容の図面は、縮尺百分の一から三千分の一程度までのものとする。

(2) Drawings of the locations and details of facilities to be included in the work specifications referred to in the preceding Article are those of a scale between around 1:100 and 1:3,000.

第三十五条の三 経済産業大臣又は経済産業局長が法第百六条第六項の規定により市町村の長に送付する図面は、第三十五条の関係地の実測図とする。

Article 35-3 The drawings that the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry is to send to the mayors of municipalities under Article 106, paragraph (6) of the Act are survey maps of related land referred to in Article 35.

(使用又は収用の手続の保留)

(Deferment of Procedures for Use or Condemnation)

第三十五条の四 法第百六条の二第一項の規定により使用又は収用の手続の保留の申立てをしようとする者は、次に掲げる事項を記載した申立書を経済産業大臣又は経済産業局長に提出しなければならない。この場合においては、第三十五条の関係地の実測図に、使用又は収用の手続を保留する土地の範囲を黒色の斜線をもつて表示するものとする。

Article 35-4 A person who intends to file an application for the deferment of procedures for the use or condemnation under Article 106-2, paragraph (1) of the Act must submit a written application specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry. In this case, the areas of the land for which the procedures for the use or condemnation are to be deferred are to be indicated with black diagonal lines on the survey maps of related land referred to in Article 35:

一 申立人の氏名又は名称及び住所

(i) name and address of the applicant;

二 使用し、又は収用しようとする土地の所在地及び面積

(ii) locations and dimensions of the land to be used or condemned;

三 使用又は収用の手続を保留する土地の所在地及び面積

(iii) locations and dimensions of the land for which the procedures for the use or condemnation are to be deferred;

四 使用又は収用の手続を保留する理由

(iv) reasons for deferring the procedures for the use or condemnation;

五 使用又は収用の手続開始の予定期日

(v) scheduled date to resume the procedures for the use or condemnation.

(水の使用)

(Use of Water)

第三十六条 前四条の規定は、水の使用に関する権利に準用する。

Article 36 The provisions of the preceding four Articles apply mutatis mutandis to the right of use of water.

(使用等の届出)

(Notification of Use)

第三十七条 鉱業権者又は租鉱権者は、法第百七条第一項（法第百八条において準用する場合を含む。）の規定により適用される土地収用法（昭和二十六年法律第二百十九号）の規定により土地に関する権利又は水の使用に関する権利を取得したとき、使用を始めたとき、使用を終わつたとき又は使用しなくなつたときは、遅滞なくその旨を経済産業大臣又は経済産業局長に届け出なければならない。

Article 37 When a holder of mining rights or a holder of mining lease rights acquires the rights concerning land or the right of use of water in accordance with the Land Condemnation Act (Act No. 219 of 1951) which applies in accordance with Article 107, paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to Article 108 of the Act), or starts, ends or no longer continues the use of the land or water, the holder must file a notification to that effect, without delay, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

(担保の提供)

(Provision of Security)

第三十八条 経済産業局長は、毎年二月末日までに、法第百十七条第一項の規定により供託すべき金銭の額を定め、供託すべき供託所の名称とともに、石炭または亜炭を目的とする鉱業権者または租鉱権者に通知しなければならない。

Article 38 (1) By the final day of February every year, the Director of a Regional Bureau of Economy, Trade and Industry must determine the amount of money to be deposited under Article 117, paragraph (1) of the Act, and notify a holder of mining rights or a holder of mining lease rights who intends to mine coal or lignite of the amount and the name of the deposit office at which the relevant amount is to be deposited.

2 前項の通知を受けた鉱業権者または租鉱権者は、毎年三月末日までに経済産業局長の指定した供託所に前項の金銭を供託しなければならない。

(2) By the final day of March every year, the holder of mining rights or the holder of mining lease rights who receives a notice referred to in the preceding paragraph must deposit the amount of money referred to in the preceding paragraph at the deposit office designated by the Director of a Regional Bureau of Economy, Trade and Industry.

第三十九条 経済産業局長は、石炭または亜炭を目的とする鉱業権または租鉱権が消滅した場合は、その年の一月一日から消滅の日までに掘採した石炭または亜炭の数量に応じ、法第百十七条第一項の規定により供託すべき金銭の額を定め、供託すべき供託所の名称とともに、鉱業権者または租鉱権者に通知しなければならない。

Article 39 (1) If mining rights or mining lease rights to mine coal or lignite extinguish, the Director of a Regional Bureau of Economy, Trade and Industry must determine the amount of money to be deposited under Article 117, paragraph (1) of the Act, in accordance with the quantity of coal or lignite mined from January 1 of the year until the day of the extinguishment of the rights, and notify the holder of mining rights or the holder of mining lease rights of the amount of money and the name of the deposit office at which the relevant amount is to be deposited.

2 前項の通知を受けた鉱業権者または租鉱権者は、経済産業局長が指定した供託所に前項の金銭を通知書の到達の日から三十日以内に供託しなければならない

(2) The holder of mining rights or the holder of mining lease rights who receives a notice referred to in the preceding paragraph must deposit the amount of money referred to in the preceding paragraph at the deposit office designated by the Director of a Regional Bureau of Economy, Trade and Industry, within thirty days from the day on which the notice arrives.

第四十条 前二条の規定は、法第百十七条第三項の規定による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の供託に準用する。この場合において、「経済産業局長」とあるのは、「経済産業大臣又は経済産業局長」と読み替えるものとする。

Article 40 The provisions of the preceding two Articles apply mutatis mutandis to deposit of collateral by a holder of mining rights or a holder of mining lease rights who intends to mine minerals other than coal and lignite under Article 117, paragraph (3) of the Act. In this case, the term "the Director of a Regional Bureau of Economy, Trade and Industry" is deemed to be replaced with "the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry".

(補償金の供託)

(Deposit of Compensation)

第四十条の二 法第五十三条の二第五項の規定による補償金の供託については、供託規則（昭和三十四年法務省令第二号）の手続による。

Article 40-2 Deposit of compensation under Article 53-2, paragraph (5) of the Act is to be made through the procedures prescribed in the Deposit Regulation (Order of the Ministry of Justice No. 2 of 1959).

(分割供託)

(Deposit in Installments)

第四十一条 第三十八条及び第三十九条（第四十条で準用する場合を含む。）に規定する場合において、鉱業権者又は租鉱権者は、正当な事由があるときは、経済産業大臣又は経済産業局長の承認を受けて、供託すべき金銭を四回以内に分割して供託することができる。

Article 41 (1) In making a deposit as prescribed in Articles 38 and 39 (including the cases where applied mutatis mutandis pursuant to Article 40), a holder of mining rights or a holder of mining lease rights who has justifiable grounds may deposit the amount of money to be deposited in four or less installments by obtaining approval of the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

2 前項の承認を受けようとする者は、次に掲げる事項を記載した申請書を、供託の期限の十五日前までに、経済産業大臣又は経済産業局長に提出しなければならない。

(2) A person who intends to obtain the approval referred to in the preceding paragraph must submit a written application specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry no later than 15 days prior to the deadline for the deposit:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 鉱業権又は租鉱権の登録番号

(ii) registration number of the mining rights or the mining lease rights;

三 供託すべき金銭の額

(iii) the amount of money to be deposited;

四 分割の回数及び各回の金銭の額

(iv) the number of installments and the amount to be deposited each time;

五 分割して供託する時期

(v) timing to deposit the money in installments;

六 分割して供託しようとする理由

(vi) reasons for depositing the money in installments.

(供託の届出)

(Notification of Deposit)

第四十二条 鉱業権者又は租鉱権者は、法第百十七条第一項又は第三項の規定により供託をしたときは、供託書正本を遅滞なく経済産業大臣又は経済産業局長に提出しなければならない。

Article 42 A holder of mining rights or a holder of mining lease rights who deposits the amount of money under Article 117, paragraph (1) or (3) of the Act must submit the original of the certificate of deposit, without delay, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry.

(供託物の取戻し)

(Recovery of Deposited Property)

第四十三条 法第百十九条の規定により供託した金銭又は国債（その権利の帰属が社債、株式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（以下この条において「振替国債」という。）を含む。以下この条及び次条において同じ。）の取戻しの承認を受けようとする者は、次に掲げる事項を記載した申請書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 43 A person who intends to obtain approval for the recovery of the money or national government bonds (including those for which the ownership of the right is to be determined based on the statement or record in the book-entry account registry under the provisions of the Act on Book-Entry Transfer of

Company Bonds, Shares, etc. (Act No. 75 of 2001) (hereinafter referred to as "book-entry transfer national government bonds" in this Article); hereinafter, the same applies in this Article and the following Article) that the person has deposited under Article 119 of the Act must submit a written application specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 鉱業権又は租鉱権の登録番号

(ii) registration number of the mining rights or the mining lease rights;

三 当該鉱区又は租鉱区について現に存する供託金額（供託物が振替国債以外の国債であるときは、その種類、記号、番号、枚数、券面額及び供託価格、供託物が振替国債であるときは、その銘柄及び金額）

(iii) the amount of deposited money already existing for the relevant mining site or mining lease site (when what have been deposited are national government bonds other than book-entry transfer national government bonds, the types, codes, numbers, volumes, face values, and deposit prices, and when what have been deposited are book-entry transfer national government bonds, the issues and amounts of money);

四 取り戻そうとする金額（供託物が振替国債以外の国債であるときは、その種類、記号、番号、枚数、券面額及び供託価格、供託物が振替国債であるときは、その銘柄及び金額）

(iv) the amount of money the person intends to recover (when what have been deposited are national government bonds other than book-entry transfer national government bonds, the types, codes, numbers, volumes, face values, and deposit prices, and when what have been deposited are book-entry transfer national government bonds, the issues and amounts of money);

五 取り戻そうとする理由

(v) reasons for recovering.

第四十四条 法第百十九条の規定により供託した金銭または国債を取りもどそうとする者は、供託規則の手續による外、前条の承認を受けたことを証する書面を供託所に提出しなければならない。

Article 44 A person who intends to recover the deposited money or national government bonds under Article 119 of the Act must follow the procedures of the Deposit Regulation and submit a document proving that the person has obtained the approval set forth in the preceding Article to the deposit office.

第四章の二 鉱物の探査の許可等の手續

Chapter IV-2 Procedures for Obtaining Permission for the Exploration of

Minerals

(法第百条の二第一項の経済産業省令で定める方法等)

(Method Specified by the Order of the Ministry of Economy, Trade and Industry Referred to in Article 100-2, Paragraph (1) of the Act)

第四十四条の二 法第百条の二第一項に規定する地震探鉱法については、人工的に振動を起こすことで地震波を発生させ、その反射波を検知する方法をいう。

Article 44-2 (1) The seismic survey method prescribed in Article 100-2, paragraph (1) of the Act means the method to artificially produce vibrations to generate seismic waves and detect the reflected waves thereof.

2 法第百条の二第一項の経済産業省令で定める方法は、次に掲げる方法のうち一定の区域を継続して使用するものであつて、排他的経済水域及び大陸棚に関する法律（平成八年法律第七十四号）第一条第二項の規定による排他的経済水域若しくは同法第二条の規定による大陸棚に係る海域又は領海及び接続水域に関する法律（昭和五十二年法律第三十号）第一条第一項の規定による領海若しくは内水（内水面を除く。）において行うものとする。

(2) The method specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 100-2, paragraph (1) of the Act is either of the following methods that uses certain areas continuously and is conducted within the exclusive economic zone under Article 1, paragraph (2) of the Act on the Exclusive Economic Zone and the Continental Shelf (Act No. 74 of 1996), a sea area relating to a continental shelf under Article 2 of that Act, or territorial waters or inland waters (excluding rivers and lakes) under Article 1, paragraph (1) of the Act on Territorial Waters and Contiguous Water Area (Act No. 30 of 1977):

一 電磁法（電磁波を海底面近くで発生させ、生じた電磁場の変化を検知する方法をいう。）

(i) the electronic or magnetic method (meaning the method to generate electronic or magnetic waves close to the seafloor surface and detect changes in the electronic or magnetic field caused thereby);

二 集中的サンプリング探査法（底質を収集する機器を用いて、底質を集中的に収集する方法をいう。）

(ii) the intensive sampling method (meaning the method to sample bottom sediments intensively using a bottom sediment collector).

(申請書の様式等)

(Form of Written Application)

第四十四条の三 法第百条の二第一項の規定により探査の許可を受けようとする者は、様式第三十五による申請書に、様式第三十六により次に掲げる事項を明示した探査を行おうとする区域を表示する図面三葉を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 44-3 (1) A person who intends to obtain permission for exploration under Article 100-2, paragraph (1) of the Act must submit a written application using Form 35, together with three copies of a drawing indicating the areas for exploration using Form 36 that clearly describes the matters set forth in the following items, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請の区域の所在地

(i) location of the application area;

二 申請の区域の面積

(ii) dimensions of the application area;

三 縮尺

(iii) scale size;

四 申請の区域の頂点及び右回りに付したその番号

(iv) Vertices of the Application Area and the numbers of respective vertices assigned clockwise;

五 第三条の二の平面直角座標系による申請の区域の頂点の座標値

(v) coordinate values of the Vertices of the Application Area based on the plane rectangular coordinate system referred to in Article 3-2;

六 申請の区域の境界線

(vi) boundaries of the application area;

七 申請の区域及びその付近における地形

(vii) landform of the application area and its vicinity;

八 その他回頭区域、予備調整区域、探査測線又は探査測点等探査を行う位置を把握するために必要な事項

(viii) other matters necessary for ascertaining the location where exploration is to be conducted, such as the turning zones, preliminary adjustment zones, exploration survey lines or exploration survey points.

2 前項の申請書には、申請者が法第百条の三第二号イからハまでのいずれにも該当しないことを誓約する書面を添えなければならない。

(2) A document pledging that the applicant does not fall under any of Article 100-3, item (ii), (a) to (c) of the Act must be attached to the written application referred to in the preceding paragraph.

第四十四条の四 法第百条の二第二項第三号の探査の方法については、次に掲げる事項を記載しなければならない。

Article 44-4 With regard to the method of exploration referred to in Article 100-2, paragraph (2), item (iii) of the Act, the matters set forth in the following items must be described:

一 海域において行う探査にあつては船舶の詳細（探査に使用している警戒船等の船舶を含む。）

(i) for exploration conducted in a sea area, details of the ships (including patrol

- boats or other ships used for the exploration);
- 二 装置及び機器の詳細
- (ii) details of the devices and equipment;
- 三 その他、当該探査の方法を把握するために必要な事項
- (iii) other matters necessary for ascertaining that method of exploration.

第四十四条の五 法第百条の二第二項第五号の経済産業省令で定める事項は、次に掲げる事項とする。

Article 44-5 Particulars specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 100-2, paragraph (2), item (v) of the Act are those set forth in the following items:

- 一 当該探査の実施計画
- (i) the implementation plan for that exploration;
- 二 寄港予定地及び日付
- (ii) scheduled ports of call and dates;
- 三 公共の用に供する施設若しくはこれに準ずる施設、文化財、公園又は温泉資源の保護に関する事項
- (iii) matters concerning the protection of facilities for public use or any facility equivalent to this, cultural property, parks or hot spring resources;
- 四 農業、林業、漁業又はその他の産業との調整に関する事項
- (iv) matters concerning the adjustments with the agriculture, forestry, fisheries, or other industries;
- 五 申請に係る探査が他人の鉱区で行われるものの場合は、当該鉱区の鉱業権者との調整に関する事項
- (v) if the exploration for which the application is filed is conducted in another person's mining site, matters concerning the adjustments with the holder of mining rights of the relevant mining site;
- 六 探査結果の取扱いに関する事項
- (vi) matters concerning the handling of the exploration results.

(許可証)

(Certificate of Permission)

第四十四条の六 法第百条の二第三項の許可証は、様式第三十七に次に掲げる事項を記載するものとする。

Article 44-6 The certificate of permission referred to in Article 100-2, paragraph (3) of the Act is to be prepared using Form 37 and contain the matters set forth in the following items:

- 一 探査を行う区域の所在地
- (i) location of the area where the exploration is conducted;
- 二 探査の期間
- (ii) period of exploration;

三 氏名又は名称及び住所

(iii) name and address of the applicant;

四 船舶の名称及び船舶番号

(iv) names and official numbers of ships;

五 地震探鉱法又は第四十四条の二第二項各号に掲げる方法のうち該当するもの

(v) the seismic survey method or the applicable method out of those set forth in the items of Article 44-2, paragraph (2);

六 許可の年月日及び許可番号

(vi) date of the permission and permission number;

七 許可の条件

(vii) conditions for permission.

(許可証の再交付)

(Reissuance of Certificate of Permission)

第四十四条の七 法第百条の二第五項の経済産業省令で定める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次に掲げるものとする。

Article 44-7 The reissuance and return of certificates of permission and other procedural particulars concerning certificates of permission specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 100-2, paragraph (5) of the Act are those set forth in the following items:

一 法第百条の二第一項の規定により許可を受けた者の許可証が汚損され、又は失われ再交付を受けようとするときは、様式第三十八による申請書及び許可証が汚損された場合にあつてはその許可証を経済産業大臣又は経済産業局長に返納しなければならない。

(i) when a person who has obtained permission under Article 100-2, paragraph (1) of the Act intends to receive the reissuance of a certificate of permission, which has been defaced or lost, the person must submit the written application using Form 38, and return the certificate of permission if it has been defaced, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry;

二 法第百条の二第一項の許可を受けた者（次に掲げるハの場合にあつては、その相続人、消滅した法人の役員又は清算人若しくは破産管財人）は、次に掲げるときは、直ちにその許可証（ニの場合にあつては、発見した許可証）を経済産業大臣又は経済産業局長に返納しなければならない。

(ii) in the following cases, a person who has obtained permission under Article 100-2, paragraph (1) of the Act (in the case set forth in (c) below, the heir, an officer or liquidator of the extinguished corporation, or the bankruptcy trustee) must return the certificate of permission (in the case set forth in (d) below, the certificate of permission discovered) immediately to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

イ 探査の期間内で探査を終了したとき。

(a) when the exploration has been completed within the period of exploration;

ロ 法第百条の五の規定により許可を取り消されたとき。

(b) when the permission has been rescinded under Article 100-5 of the Act;

ハ 許可を受けた者が死亡、合併若しくは分割（その許可を受けた者の地位が承継されなかつた場合に限る。）し、又は解散したとき。

(c) when a person who has obtained the permission has died, has been merged or split (limited to the cases where the status of that person who has obtained the permission has not been succeeded to), or has been dissolved;

ニ 前項の規定により許可証の再交付を受けた後、失われた許可証を発見したとき。

(d) when the lost certificate of permission has been discovered after receiving the reissuance of the certificate of permission under the preceding paragraph.

（探査の方法に関する基準）

(Standards Concerning Method of Exploration)

第四十四条の八 法第百条の三第一号の経済産業省令で定める基準は、次に掲げるものとする。

Article 44-8 The standards specified by the Order of the Ministry of Economy, Trade and Industry referred to in Article 100-3, item (i) of the Act are those set forth in the following items:

一 水管、下水道管、ガス管若しくは石油管（以下この号において「水管等」という。）が地下に設けられていると認められる場所又はその付近で行う探査においては、当該探査によつて水管等が損傷を受けることがないように適切な措置を講ずること。

(i) with regard to exploration conducted on or around the spot where water pipes, sewerage pipes, gas pipes or oil pipes (hereinafter referred to as "water pipes, etc." in this item) are found to be buried underground, appropriate measures are taken so that the water pipes, etc. are not damaged due to the exploration;

二 申請の区域の危険防止のために必要な措置を講ずること。

(ii) necessary measures are taken in order to prevent hazards in the application area;

三 当該探査を適確に遂行できる実施体制によるものであること。

(iii) the implementation system is such that which ensures proper exploration;

四 前三号に掲げるもののほか、当該探査を適確に遂行する上で適切な実施計画によるものであること。

(iv) beyond what is set forth in the preceding three items, the implementation plan is a proper one for conducting the exploration properly.

(探査の変更の許可の申請)

(Application for Permission for Changes in Exploration)

第四十四条の九 法第百条の四第一項の変更の許可を受けようとする者は、次に掲げる事項を記載した様式第三十九による申請書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 44-9 (1) A person who intends to obtain permission for changes referred to in Article 100-4, paragraph (1) of the Act must submit the written application using Form 39 specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 氏名又は名称及び住所

(i) name and address;

二 許可の年月日及び許可番号

(ii) date of the permission and permission number;

三 変更の内容

(iii) details of the changes;

四 変更の理由

(iv) reasons for the changes.

2 前項の申請書には、法第百条の二第二項第一号又は第四十四条の三第一項に掲げる事項に変更がある場合は、当該変更後の同項の図面を添えなければならない。

(2) If there are changes in the matters set forth in Article 100-2, paragraph (2), item (i) of the Act or Article 44-3, paragraph (1), drawings referred to in that paragraph after the changes must be attached to the written application referred to in the preceding paragraph.

3 法第百条の四第一項の変更の許可を受けようとする者は、当該申請に係る事項が許可証の記載事項に該当する場合は、当該申請の際に、許可証を経済産業大臣又は経済産業局長に提出し、当該変更後の事項を記載した許可証の交付を受けなければならない。

(3) When a person intends to obtain permission for changes referred to in Article 100-4, paragraph (1) of the Act and the matters for which the person files the application fall under the matters to be stated in a certificate of permission, the person must submit the certificate of permission to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry upon filing the application and receive the issuance of the certificate of permission specifying the matters after the changes.

(許可を要しない探査の軽微な変更)

(Minor Changes in Exploration Which Do Not Require Permission)

第四十四条の十 法第百条の四第一項ただし書の経済産業省令で定める軽微な変更は、次に掲げるものとする。

Article 44-10 The minor changes specified by the Order of the Ministry of

Economy, Trade and Industry referred to in the proviso to Article 100-4, paragraph (1) of the Act are those set forth in the following items:

一 探査に使用する装置等の変更であつて、探査の装置が同種類でデータ取得範囲に大幅な変更がないもの

(i) a change of a device, etc. used for exploration to another device, etc. of the same type, which causes no significant change in the range of data to be obtained;

二 探査の期間の短縮

(ii) shortening of the period of exploration;

三 申請の区域の面積の減少又は十パーセント未満の増加

(iii) reduction of or less than 10 percent increase of the dimensions of the application area.

(探査の軽微な変更等の届出)

(Notification of Minor Changes in Exploration)

第四十四条の十一 法第百条の四第三項の届出をしようとする者は、次に掲げる事項を記載した様式第四十による届出書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 44-11 (1) A person who intends to file a notification referred to in Article 100-4, paragraph (3) of the Act must submit the written notification using Form 40 specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 氏名又は名称及び住所

(i) name and address;

二 許可の年月日及び許可番号

(ii) date of the permission and permission number;

三 変更の年月日

(iii) date of the changes;

四 変更の内容

(iv) details of the changes;

五 変更の理由

(v) reasons for the changes.

2 前項の届出書には、前条第三号に掲げる事項に変更がある場合は、当該変更後の第四十四条の三第一項の図面を添えなければならない。

(2) If there are changes in the matters set forth in item (iii) of the preceding Article, drawings referred to in Article 44-3, paragraph (1) after the changes must be attached to the written notification referred to in the preceding paragraph.

3 法第百条の四第三項の届出をしようとする者は、当該届出に係る事項が許可証の記載事項に該当する場合は、当該届出の際に、許可証を経済産業大臣又は経済産業局長

に提出し、変更後の事項を記載した許可証の交付を受けなければならない。

- (3) When a person intends to file a notification referred to in Article 100-4, paragraph (3) of the Act and the matters for which the person files the notification fall under the matters to be stated in a certificate of permission, the person must submit the certificate of permission to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry upon filing the notification and receive the issuance of the certificate of permission specifying the matters after the changes.

(探査の許可を受けた者である法人の合併及び分割の承認の申請)

(Application for Approval for the Merger and Split of a Corporation That Has Obtained Permission for Exploration)

第四十四条の十二 法第百条の八第一項の合併又は分割の承認を受けようとする者は、様式第四十一による合併承認申請書又は様式第四十二による分割承認申請書に、次に掲げる書面を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 44-12 (1) A person who intends to obtain approval for the merger or split referred to in Article 100-8, paragraph (1) of the Act must submit a written application for approval for merger using Form 41 or a written application for approval for split using Form 42, together with the documents set forth in the following items, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 合併契約書又は分割計画書若しくは分割契約書の写し

(i) a copy of a written merger agreement, a split plan or a written split agreement;

二 申請者が法第百条の三第二号イからハまでのいずれにも該当しないことを誓約する書面

(ii) a document pledging that the applicant does not fall under any of Article 100-3, item (ii), (a) to (c) of the Act.

- 2 法第百条の八第一項の合併又は分割の承認を受けようとする者は、その申請の際に、許可証を経済産業大臣又は経済産業局長に提出し、変更後の事項を記載した許可証の交付を受けなければならない。

- (2) A person who intends to obtain approval for the merger or split referred to in Article 100-8, paragraph (1) of the Act must submit the certificate of permission to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry upon filing the application and receive the issuance of the certificate of permission that specifying the matters after the changes.

(探査の許可を受けた者の相続の承認の申請)

(Application for Approval for Inheritance from the Person Who Has Obtained Permission for Exploration)

第四十四条の十三 法第百条の九第一項の相続の承認を受けようとする者は、様式第四十三による申請書に、次に掲げる書面を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 44-13 (1) A person who intends to obtain approval for the inheritance referred to in Article 100-9, paragraph (1) of the Act must submit a written application using Form 43, together with the documents set forth in the following items, to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 戸籍謄本

(i) the family register;

二 相続人が二人以上ある場合において、その全員の同意により探査の事業を承継すべき相続人として選定された者にあつては、その全員の同意書

(ii) in the case of a person selected as the heir to succeed to the exploration business based on the unanimous consent of all of the multiple heirs, written consent of all of them;

三 申請者が法第百条の三第二号イ又はロのいずれにも該当しないことを誓約する書面

(iii) a document pledging that the applicant does not fall under either of Article 100-3, item (ii), (a) or (b) of the Act.

2 法第百条の九第一項の規定による相続の承認を受けようとする者は、その申請の際に、許可証を経済産業大臣又は経済産業局長に提出し、変更後の事項を記載した許可証の交付を受けなければならない。

(2) A person who intends to obtain approval for the inheritance referred to in Article 100-9, paragraph (1) of the Act must submit the certificate of permission to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry upon filing the application and receive the issuance of the certificate of permission specifying the matters after the changes.

(探査の結果の報告)

(Report of Results of Exploration)

第四十四条の十四 法第百条の十一に規定する報告は、様式第四十四に次に掲げる事項を記載した書面及びデータ（探査において得られた地質構造等の調査の結果（解析結果も含む。）及びその記録）を記録した光ディスク、磁気テープ又は磁気ディスクを添えて行うこととする。

Article 44-14 The report prescribed in Article 100-11 of the Act must be made with the document using Form 44 specifying the matters set forth in the following items, together with an optical disk, magnetic tape or magnetic disk in which data (results of the investigations into the geological structure, etc. obtained through the exploration (including analysis results) and the record thereof) are recorded:

- 一 探査の信頼性に影響を及ぼす疑いのある事項
(i) matters that are suspected to have influence on the reliability of the exploration;
- 二 その他必要な事項
(ii) other necessary matters.

第五章 決定の申請及び意見の聴取の手続

Chapter V Procedures for Filing Application for Decision and Hearing of Opinions

(決定の申請)

(Application for Decision)

第四十五条 法第四十七条第一項又は法第六十六条第四項の規定により決定の申請をしようとする者は、次に掲げる事項を記載した申請書に、平面図及び断面図に分けて作成した鉱床の関係図並びにその説明書並びに隣接鉱区の鉱業権者及び抵当権者又は重複鉱区の鉱業権者と協議した経過を記載した書面（協議することができなかつたときは、その理由書）を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 45 (1) A person who intends to file an application for a decision under Article 47, paragraph (1) of the Act or Article 66, paragraph (4) of the Act must submit a written application specifying the matters set forth in the following items, together with a drawing showing the relationship of ore deposits prepared, separating plane views and cross sectional views, and a written explanation thereof, as well as a document describing the developments of the consultations with the holders of mining rights and the mortgagees of the adjacent mining sites or with the holders of mining rights of the overlapping mining sites (if the person has been unable to have consultations, a written statement of the reasons therefor), to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

- 一 申請人の氏名又は名称及び住所
(i) name and address of the applicant;
- 二 隣接鉱区の鉱業権者及び抵当権者又は重複鉱区の鉱業権者の氏名又は名称及び住所
(ii) names and addresses of the holders of mining rights and the mortgagees of the adjacent mining sites or the holders of mining rights of the overlapping mining sites;
- 三 当該鉱区及び隣接鉱区又は重複鉱区の所在地
(iii) locations of that mining site and the adjacent mining sites or the overlapping mining sites;
- 四 当該鉱業権及び隣接鉱区又は重複鉱区の鉱業権の登録番号
(iv) registration numbers of the relevant mining rights and the mining rights

for the adjacent mining sites or the overlapping mining sites;

五 申請の目的及び理由

(v) purpose and reasons for filing the application.

2 前項の申請をする場合は、隣接鉱区の鉱業権者もしくは抵当権者または重複鉱区の鉱業権者の数に応じた部数の申請書の副本を提出しなければならない。

(2) When filing an application referred to in the preceding paragraph, the person must submit the relevant number of copies of the written application in accordance with the number of the holders of mining rights and the mortgagees of the adjacent mining sites or the holders of mining rights of the overlapping mining sites.

第四十五条の二 法第六十四条の二の規定により決定の申請をしようとする者は、次に掲げる事項を記載した申請書に、平面図及び断面図に分けて作成した鉱床と施設又は建物との関係を明示する図面並びにその説明書並びに協議した経過を記載した書面（協議することができなかつたときは、その理由書）を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 45-2 (1) A person who intends to file an application for a decision under Article 64-2 of the Act must submit a written application specifying the matters set forth in the following items, together with a drawing clearly describing the relationship between the ore deposits and facilities or buildings prepared separating plane views and cross sectional views and a written explanation thereof, as well as a document describing the developments of the consultations (if the person has been unable to have consultations, a written statement of the reasons therefor), to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 当該鉱区又は租鉱区の所在地

(ii) location of the relevant mining site or mining lease site;

三 鉱業権又は租鉱権の登録番号

(iii) registration numbers of the mining rights or mining lease rights;

四 当該施設又は建物の名称及び所在地

(iv) names and locations of the relevant facilities or buildings;

五 当該施設又は建物の管理人の氏名又は名称及び住所

(v) names and addresses of the managers of the relevant facilities or buildings;

六 申請の目的及び理由

(vi) purpose and reasons for filing the application.

2 前項の申請をする場合は、当該施設又は建物の管理人の数に一を加えた数に応じた部数の申請書の副本を提出しなければならない。

(2) When filing an application referred to in the preceding paragraph, the person must submit the relevant number of copies of the written application in

accordance with the number of the managers of the relevant facilities or buildings plus one.

第四十六条 法第九十条の規定により決定の申請をしようとする者は、次に掲げる事項を記載した申請書に、平面図及び断面図に分けて作成した鉱床の関係図並びにその説明書、当該採掘鉱区の増減の範囲を明示した図面並びに隣接鉱区の一般採掘権者と協議した経過を記載した書面（協議することができなかつたときは、その理由書）を添えて、経済産業局長に提出しなければならない。

Article 46 (1) A person who intends to file an application for a decision under Article 90 of the Act must submit a written application specifying the matters set forth in the following items, together with a drawing showing the relationship of ore deposits prepared, separating plane views and cross sectional views, and a written explanation thereof, as well as a drawing clearly describing the range of increases or decreases of the scale of the relevant digging areas, and a document describing the developments of the consultations with the holders of general digging rights of the adjacent mining sites (if the person has been unable to have consultations, a written statement of the reasons therefor), to the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 隣接鉱区の一般採掘権者の氏名又は名称及び住所

(ii) names and addresses of the holders of general digging rights of the adjacent mining sites;

三 当該鉱区及び隣接鉱区の所在地

(iii) locations of the relevant mining site and the adjacent mining sites;

四 当該一般採掘権及び隣接鉱区の一般採掘権の登録番号

(iv) registration numbers of the relevant general digging rights and the general digging rights for the adjacent mining sites;

五 申請の目的及び理由

(v) purpose and reasons for filing the application;

六 対価及びその算出の基礎

(vi) consideration and the basis for the calculation thereof.

2 前項の申請をする場合は、隣接鉱区の一般採掘権者並びに当該一般採掘権及び隣接鉱区の一般採掘権の抵当権者又は租鉱権者の数に応じた部数の申請書の副本を提出しなければならない。

(2) When filing an application referred to in the preceding paragraph, the person must submit the relevant number of copies of the written application in accordance with the number of the holders of general digging rights of the adjacent mining sites, and the mortgagees for the relevant general digging rights and the general digging rights for the adjacent mining sites or the

holders of mining lease rights.

(和解の仲介の申立て)

(Application for Mediation of Settlements)

第四十七条 法第二百二十二条の規定により和解の仲介の申立てをしようとする者は、次に掲げる事項を記載した申立書を経済産業大臣又は経済産業局長に提出しなければならない。

Article 47 (1) A person who intends to file an application for mediation of settlement under Article 122 of the Act must submit a written application specifying the matters set forth in the following items to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 申立人の氏名又は名称及び住所

(i) name and address of the applicant;

二 争議の当事者の氏名又は名称及び住所

(ii) names and addresses of the parties to the dispute;

三 争議の経過の概要

(iii) outline of the developments of the dispute;

四 申立ての趣旨

(iv) object of the application.

2 前項の申立てをする場合には、他の当事者の数に応じた部数の申立書の副本を提出しなければならない。

(2) When filing an application referred to in the preceding paragraph, the person must submit the relevant number of copies of the written application in accordance with the number of the parties concerned.

第四十八条 削除

Article 48 Deleted.

(意見聴取会)

(Hearing Session)

第四十九条 法第三十四条第一項、法第四十七条第二項（法第六十六条第五項で準用する場合を含む。）、法第九十一条第一項又は法第百六条第二項（法第百八条で準用する場合を含む。）の規定による意見の聴取は、経済産業大臣若しくはその指名する職員又は経済産業局長若しくはその指名する職員が議長として主宰する意見聴取会によつて行う。

Article 49 (1) Hearing of opinions under Article 34, paragraph (1) of the Act, Article 47, paragraph (2) of the Act (including the cases where applied mutatis mutandis pursuant to Article 66, paragraph (5) of the Act), Article 91, paragraph (1) of the Act, or Article 106, paragraph (2) of the Act (including the cases where applied mutatis mutandis pursuant to Article 108 of the Act) must

be carried out at a hearing session chaired by the Minister of Economy, Trade and Industry or an official designated thereby or by the Director of a Regional Bureau of Economy, Trade and Industry or an official designated thereby.

2 法第百二十六条の規定による意見の聴取は、行政不服審査法（平成二十六年法律第六十八号）第十一条第二項に規定する審理員が議長として主宰する意見聴取会によって行う。

(2) Hearing of opinions under Article 126 of the Act must be carried out at a hearing session chaired by the review officer prescribed in Article 11, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014).

3 第三条の規定は、前二項の意見の聴取に係る公示に準用する。

(3) The provisions of Article 3 apply mutatis mutandis to the public notice concerning hearing of opinions referred to in the preceding two paragraphs.

第五十条 議長は、必要があると認めるときは、関係行政機関の職員及び学識経験のある者その他参考人に、意見聴取会へ出席を求めることができる。

Article 50 The chairperson may request officials of the relevant administrative organs, persons with relevant knowledge or experience, and other witnesses to attend a hearing session when the chairperson finds it necessary.

第五十一条 利害関係人又はその代理人として意見聴取会（法第百二十六条の規定によるものを除く。）に出席しようとする者は、書面をもつて当該事案について利害関係のあることを疎明しなければならない。

Article 51 A person who intends to attend a hearing session (excluding hearing sessions under Article 126 of the Act) as an interested person or an agent thereof must make a prima facie showing of the fact, in writing, that the person has an interest in that case.

第五十二条 意見聴取会においては、まず、審査請求の場合にあつては、審査請求人又はその代理人に審査請求の要旨及び理由を陳述させ、その他の場合にあつては、議長が処分又は申請の要旨及び理由を説明しなければならない。

Article 52 (1) At a hearing session, in the case of an application for examination, the chairperson must have the applicant for examination or an agent thereof state the gist and reasons for the application, and in other cases, the chairperson must explain the gist and reasons of the disposition or the application.

2 審査請求に係る意見聴取会に、審査請求人又はその代理人が出席していないときは、審査請求書の朗読をもつてその陳述に代えることができる。

(2) When an applicant for examination or an agent thereof does not attend a hearing session for an application for examination, reading out of the written application for examination may replace the statement by the applicant or an agent thereof.

第五十三条 議長は、意見聴取会の秩序を維持するために必要があるときは、その秩序を乱し、又は不穏な言動をする者を退去させることができる。

Article 53 When it is necessary for maintaining order in a hearing session, the chairperson may have a person who is disturbing order or is acting or behaving in a disturbing manner leave the session.

第五十四条 議長は、必要があると認めるときは、意見聴取会を延期し、又は続行することができる。この場合は、議長は、次回の期日及び場所を定め、これを当事者及び利害関係人に通知し、かつ、公示しなければならない。

Article 54 The chairperson may postpone or continue a hearing session when the chairperson finds it necessary. In this case, the chairperson must decide the date and venue of the next session, give notice of that date and venue to the parties concerned and interested persons, and also give public notice thereof.

第五十五条 意見聴取会については、調書を作成し、当該事案の記録につづらなければならない。

Article 55 (1) A written statement regarding a hearing session must be prepared and included in the case records.

2 前項の調書には、次に掲げる事項を記載し、議長が記名押印しなければならない。

(2) The written statement referred to in the preceding paragraph must contain the matters set forth in the following items and the chairperson must affix the chairperson's name and seal thereto:

一 事案の表示

(i) indication of the case;

二 意見聴取会の期日及び場所

(ii) the date and venue of the hearing session;

三 議長の職名及び氏名

(iii) the title and name of the chairperson;

四 出席した当事者又はその代理人の氏名及び住所

(iv) names and addresses of the parties concerned or agents thereof who attended the hearing session;

五 出席した利害関係人又はその代理人の氏名及び住所

(v) names and addresses of the interested persons or agents thereof who attended the hearing session;

六 その他の出席者の氏名

(vi) names of other attendants;

七 弁論及び陳述又はそれらの要旨

(vii) arguments and statements or the gist thereof;

八 証拠が提示されたときは、その旨及び証拠の標目

(viii) when any pieces of evidence have been presented, that fact and the types

of evidence;

九 その他意見聴取会の経過に関する主要な事項

(ix) other major matters concerning the developments of the hearing session.

第五十六条 当事者またはその代理人は、当該事案の記録を閲覧することができる。参加人その他書面をもつて当該事案について利害関係があることを疎明した者およびこれらの代理人も、同様とする。

Article 56 The parties concerned or agents thereof may inspect the case records. The same applies to witnesses and other persons who have made a prima facie showing of the fact, in writing, that they have an interest in that case, and agents thereof.

第六章 補則

Chapter VI Auxiliary Provisions

(鉱区等の調査の依頼)

(Request for Investigation of Mining Sites)

第五十七条 法第百四十条第一項の規定により実地調査を依頼しようとする者は、次に掲げる事項を記載した申請書に理由書を添えて、経済産業大臣又は経済産業局長に提出しなければならない。

Article 57 (1) A person who intends to request an on-site investigation under Article 140, paragraph (1) of the Act must submit a written application specifying the matters set forth in the following items, together with a written statement of reasons to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 調査を依頼する鉱区又は租鉱区の所在地及びその範囲

(ii) location and the range of the mining site or mining lease site for which the applicant requests the investigation;

三 調査を依頼する鉱区又は租鉱区の鉱業権又は租鉱権の登録番号

(iii) registration number of the mining rights or the mining lease rights for the mining site or mining lease site for which the applicant requests the investigation;

四 調査を依頼する鉱区又は租鉱区の鉱業権者又は租鉱権者の氏名又は名称及び住所

(iv) name and address of the holder of mining rights or the holder of mining lease rights of the mining site or mining lease site for which the applicant requests the investigation.

2 経済産業大臣又は経済産業局長は、前項の申請を受理した場合において、実施調査の必要があると認めるときは、調査日数、調査に要する人夫の数並びに物品の品目及び数量を申請人に通知しなければならない。

(2) When the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry has received an application referred to in the preceding paragraph and finds an on-site investigation necessary, the minister or the director must notify the applicant of the number of days, the number of laborers and types and the quantity of commodities required for the investigation.

(滞納金の額の算定に関する特例)

(Special Provisions Concerning Calculation of the Amount in Arrears)

第五十七条の二 法第百四十三条第四項の経済産業省令で定めるときは、災害その他特別の事情により納期限までに負担金を納付できないときとする。

Article 57-2 The cases prescribed by the Order of the Ministry of Economy, Trade and Industry referred to in Article 143, paragraph (4) of the Act are where a person is unable to pay the compensation by the payment deadline due to a disaster or other special circumstances.

(報告)

(Report)

第五十八条 採掘権者又は租鉱権者は、毎年八月末日までに、毎年六月末日の坑内実測図の写しを、採掘権又は租鉱権が消滅したときは、採掘権者又は租鉱権者であつた者は、採掘権又は租鉱権が消滅した日から二月を経過した日の属する月の末日までに、消滅した日の坑内実測図の写しを、経済産業大臣又は経済産業局長に提出しなければならない。

Article 58 By the final day of August every year, a holder of digging rights or a holder of mining lease rights must submit a copy of a survey map of the interior of a mining pit as of the final day of June every year to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry, and if digging rights or mining lease rights have extinguished, a person who used to be a holder of digging rights or a holder of mining lease rights must submit a copy of a survey map of the interior of a mining pit as of the day of the extinguishment of the digging rights or mining lease rights to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry by the final day of the month that contains the day on which two months have elapsed from the day of extinguishment.

(フレキシブルディスクによる手続)

(Procedures for Recording onto Flexible Disk)

第五十八条の二 次の表の上欄に掲げる書類の提出については、当該書類に記載すべきこととされている事項を同表の下欄に掲げる様式により記録したフレキシブルディスク及び様式第二十九のフレキシブルディスク提出票を提出することにより行うことが

できる。

Article 58-2 (1) The documents set forth in the left-hand column of the following table may be submitted by using a flexible disk onto which the matters to be stated in the relevant documents are recorded respectively on the form set forth in the right-hand column of the same table, together with the flexible disk submission slip using Form 29.

第二十六条の二第一項の申請書 Written application referred to in Article 26-2, paragraph (1)	様式第三十 Form 30
第二十六条の二第二項の申請書 Written application referred to in Article 26-2, paragraph (2)	様式第三十一 Form 31
第二十六条の二第三項の届書 Written notification referred to in Article 26-2, paragraph (3)	様式第三十二 Form 32
第二十七条の三の届書 Written notification referred to in Article 27-3	様式第三十三 Form 33
第二十七条の四（第三十三条において準用する場合を含む。）の届書 Written notification referred to in Article 27-4 (including the cases applied mutatis mutandis pursuant to Article 33)	様式第三十四 Form 34

2 次の各号に掲げる書類の提出については、当該書類に記載すべきこととされている事項を記録したフレキシブルディスク及び様式第二十九のフレキシブルディスク提出票を提出することにより行うことができる。

(2) An applicant may submit the documents set forth in the following items by using a flexible disk onto which the matters to be stated in the relevant documents are recorded, together with the flexible disk submission slip using Form 29:

一 法第二十五条第一項の意見書及び同条第二項の書面（法第三十条第二項、法第三十九条第四項、法第四十一条第四項、法第四十四条第三項及び法第四十五条第三項において準用する場合を含む。）

(i) a written opinion referred to in Article 25, paragraph (1) of the Act and a document referred to in paragraph (2) of that Article (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (2) of the Act, Article 39, paragraph (4) of the Act, Article 41, paragraph (4) of the Act, Article 44, paragraph (3) of the Act, and Article 45, paragraph (3) of the Act);

二 法第二十六条（法第三十条第二項、法第三十九条第四項、法第四十一条第四項、法第四十四条第三項、法第四十五条第三項及び法第八十七条において準用する場合を含む。）の設計書

(ii) design specifications referred to in Article 26 of the Act (including the cases

where applied mutatis mutandis pursuant to Article 30, paragraph (2) of the Act, Article 39, paragraph (4) of the Act, Article 41, paragraph (4) of the Act, Article 44, paragraph (3) of the Act, Article 45, paragraph (3) of the Act, and Article 87 of the Act);

三 第十一条第一項（第二十二條の六、第二十六條において準用する場合を含む。）の届書

(iii) a written notification referred to in Article 11, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 22-6 and Article 26);

四 第三十四條（第三十六條において準用する場合を含む。）の申請書

(iv) a written application referred to in Article 34 (including the cases where applied mutatis mutandis pursuant to Article 36);

五 法第百一條第二項の意見書

(v) a written opinion referred to in Article 101, paragraph (2) of the Act;

六 第四十一條第二項の申請書

(vi) a written application referred to in Article 41, paragraph (2);

七 第四十三條の申請書

(vii) a written application referred to in Article 43;

八 第五十七條第一項の申請書及び理由書

(viii) a written application and a written statement of reasons referred to in Article 57, paragraph (1).

(フレキシブルディスクの構造)

(Structure of Flexible Disk)

第五十八條の三 前條のフレキシブルディスクは、次の各号のいずれかに該当するものでなければならない。

Article 58-3 The flexible disk referred to in the preceding Article must fall under either of the following items:

一 工業標準化法（昭和二十四年法律第百八十五号）に基づく日本工業規格（以下「日本工業規格」という。）X六二二一に適合する九十ミリメートルフレキシブルディスクカートリッジ

(i) a 90-mm flexible disk cartridge that conforms to the Japanese Industrial Standards under the Industrial Standardization Act (Act No. 185 of 1949) (hereinafter referred to as "Japanese Industrial Standards") X6221;

二 日本工業規格X六二二三に適合する九十ミリメートルフレキシブルディスクカートリッジ

(ii) a 90-mm flexible disk cartridge that conforms to the Japanese Industrial Standards X6223.

(フレキシブルディスクの記録方式)

(Flexible Disk Recording Methods)

第五十八条の四 第五十八条の二の規定によるフレキシブルディスクへの記録は、次に掲げる方式に従ってしなければならない。

Article 58-4 (1) Recording onto a flexible disk under Article 58-2 must be carried out by the following methods:

一 トラックフォーマットについては、前条第一号のフレキシブルディスクに記録する場合にあつては日本工業規格X六二二二に、同条第二号のフレキシブルディスクに記録する場合にあつては日本工業規格X六二二五に規定する方式

(i) for a track format, the method specified in Japanese Industrial Standards X6222 in the case of recording data onto a flexible disk referred to in item (i) of the preceding Article, or the method specified in Japanese Industrial Standards X6225 in the case of recording data onto a flexible disk referred to in item (ii) of that Article;

二 ボリューム及びファイル構成については、日本工業規格X〇六〇五に規定する方式

(ii) for a volume and file configuration, the method specified in Japanese Industrial Standards X0605;

三 文字の符号化表現については、日本工業規格X〇二〇八附属書一に規定する方式

(iii) for character coded representation, the method specified in Annex 1 to Japanese Industrial Standards X0208.

2 第五十八条の二の規定によるフレキシブルディスクへの記録は、日本工業規格X〇二〇一及びX〇二〇八に規定する図形文字並びに日本工業規格X〇二一一に規定する制御文字のうち「復帰」及び「改行」を用いてしなければならない。

(2) Recording onto a flexible disk under Article 58-2 must be carried out by using those graphic characters specified in Japanese Industrial Standards X0201 and X0208 and the "carriage return (CR)" and the "line feed (LF)" from among those control characters specified in Japanese Industrial Standards X0211.

(フレキシブルディスクにはり付ける書面)

(Document to Be Pasted onto Flexible Disk)

第五十八条の五 第五十八条の二のフレキシブルディスクには、日本工業規格X六二二一又はX六二二三に規定するラベル領域に、次の各号に掲げる事項を記載した書面をはり付けなければならない。

Article 58-5 A document specifying the matters set forth in the following items must be pasted onto the labeling area specified in Japanese Industrial Standards X6221 or X6223 on a flexible disk referred to in Article 58-2:

一 提出者の氏名又は名称

(i) name of the submitter;

二 提出年月日

(ii) date of submission.

(電子情報処理組織による手続の特例)

(Special Provisions for Procedures by the Use of Electronic Data Processing System)

第五十八条の六 次の各号に掲げる者が、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）第三条第一項の電子情報処理組織（経済産業大臣の使用に係る電子計算機（入出力装置を含む。以下同じ。）と、当該各号に規定する手続を行う者の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。）を使用して当該手続を行うときは、当該各号に掲げる事項を当該手続を行う者の使用に係る電子計算機（経済産業大臣が告示で定める基準に適合するものに限る。）から入力しなければならない。

Article 58-6 If a person set forth in the following items undertakes the procedures by using an electronic data processing system referred to in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedure (Act No. 151 of 2002) (meaning an electronic data processing system that connects computers used by the Minister of Economy, Trade and Industry (including input-output devices; the same applies hereinafter) and a computer used by a person who undertakes the procedures prescribed in the relevant items via a telecommunications line), the person undertaking the procedures must enter the matters set forth in the following items from the computer used thereby (limited to a computer that conforms to the standards specified by the Minister of Economy, Trade and Industry in a public notice):

一 法第六十二条第四項の規定による経済産業大臣又は経済産業局長への事業再開の届出をしようとする者 経済産業大臣の使用に係る電子計算機に備えられたファイルから入手可能な事業再開届様式に記録すべき事項

(i) a person who intends to file a notification of the resumption of business to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry under Article 62, paragraph (4) of the Act: the matters to be stated in a form for filing a notification of the resumption of business that is available from a file on a computer used by the Minister of Economy, Trade and Industry;

二 法第六十八条（法第八十七条において準用する場合を含む。）の規定による経済産業大臣又は経済産業局長への鉱業事務所設置の届出をしようとする者 経済産業大臣の使用に係る電子計算機に備えられたファイルから入手可能な鉱業事務所設置届様式に記録すべき事項及び最寄りの駅から鉱業事務所までの略図に記載されている事項

(ii) a person who intends to file a notification of the establishment of a mining office to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry under Article 68 of the Act (including the cases where applied mutatis mutandis pursuant to Article 87 of the Act): the matters to be stated in a form for filing a notification of the establishment of a mining office that is available from a file on a computer

used by the Minister of Economy, Trade and Industry and the matters stated on an abridged map from the nearest station to the mining office;

三 第三十一条第二項の規定による経済産業大臣又は経済産業局長への鉱業代理人選任の届出をしようとする者 経済産業大臣の使用に係る電子計算機に備えられたファイルから入手可能な鉱業代理人選任届様式に記録すべき事項

(iii) a person who intends to file a notification of the appointment of a mining agent to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry under Article 31, paragraph (2): the matters to be stated in a form for filing a notification of the appointment of a mining agent that is available from a file on a computer used by the Minister of Economy, Trade and Industry;

四 第三十一条第二項の規定による経済産業大臣又は経済産業局長への鉱業代理人変更の届出をしようとする者 経済産業大臣の使用に係る電子計算機に備えられたファイルから入手可能な鉱業代理人変更届様式に記録すべき事項

(iv) a person who intends to file a notification of the change of a mining agent to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry under Article 31, paragraph (2): the matters to be stated in a form for filing a notification of the change of a mining agent that is available from a file on a computer used by the Minister of Economy, Trade and Industry;

五 第三十一条第二項の規定による経済産業大臣又は経済産業局長への鉱業代理人代理権消滅の届出をしようとする者 経済産業大臣の使用に係る電子計算機に備えられたファイルから入手可能な鉱業代理人代理権消滅届様式に記録すべき事項

(v) a person who intends to file a notification of the extinguishment of a mining agent's authority to represent to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry under Article 31, paragraph (2): the matters to be stated in a form for filing a notification of the extinguishment of a mining agent's authority to represent that is available from a file on a computer used by the Minister of Economy, Trade and Industry;

六 第三十七条の規定による経済産業大臣又は経済産業局長への使用等の届出をしようとする者 経済産業大臣の使用に係る電子計算機に備えられたファイルから入手可能な使用等届様式に記録すべき事項

(vi) a person who intends to file a notification of use, etc. to the Minister of Economy, Trade and Industry or the Director of a Regional Bureau of Economy, Trade and Industry under Article 37: the matters to be stated in a form for filing a notification of use, etc. that is available from a file on a computer used by the Minister of Economy, Trade and Industry.

第五十八条の七 鉱業法関係手数料令（昭和二十六年政令第十六号）第三条ただし書の規定により現金をもつて手数料を納付するときは、その出願、申請、届出又は請求を

行つたことにより得られた納付情報により当該手数料を納めなければならない。

Article 58-7 When a person pays fees by cash under the proviso to Article 3 of the Order on Fees Relating to the Mining Act (Cabinet Order No. 16 of 1951), the person must pay that fees based on the payment information acquired through filing the application, notification, or request.

(証票)

(Identification Card)

第五十九条 法第百四十四条第三項の立入検査をする職員の身分を示す証票は、様式第二十八によるものとする。

Article 59 The identification card certifying the status of an official who conducts an on-site inspection referred to in Article 144, paragraph (3) of the Act is to be in Form 28.

(経済産業省聴聞手続規則の例外)

(Exceptions to the Regulation on Hearing Procedures of the Ministry of Economy, Trade and Industry)

第六十条 法第四十八条第四項の聴聞についての経済産業省聴聞手続規則（平成六年通商産業省令第六十二号）の適用については、同規則第五条中「十四日」とあるのは「六日」と、同規則第九条中「七日」とあるのは「六日」と読み替えるものとする。

Article 60 With regard to the application of the Regulation on Hearing Procedures of the Ministry of Economy, Trade and Industry (Order of the Ministry of International Trade and Industry No. 62 of 1994) to the hearing referred to in Article 48, paragraph (4) of the Act, the term "14 days" in Article 5 of that Regulation and the term "7 days" in Article 9 of that Regulation are deemed to be replaced with "6 days".

(権限の委任)

(Delegation of Authority)

第六十一条 法第十九条、法第三十八条第一項、第三項及び第七項、法第三十九条第一項及び第二項、法第四十条（第六項及び第八項を除く。）、法第四十一条（第四項を除く。）、法第四十三条（第四項及び第五項を除く。）、法第四十五条第一項及び第二項、法第五十一条の二（第四項を除く。）、法第五十一条の三、法第五十二条、法第五十三条、法第五十三条の二第三項、法第五十四条、法第五十五条、法第五十六条第一項、法第五十七条第一項、法第五十八条、法第六十一条、法第六十二条（第一項を除く。）、法第六十三条の二第一項及び第二項、法第六十四条の二第一項及び第三項、法第六十六条第四項、法第六十七条、法第六十八条、法第七十条の二第一項、法第八十八条、法第百条（第五項を除く。）、法第百条の二（第四項及び第五項を除く。）、法第百条の三、法第百条の四第一項及び第三項、法第百条の五、法第百条の六、法第百条の八第一項、法第百条の九第一項、法第百条の十、法第百条の十一、法第百一条第一項及び第二項、法第百六条（第四項を除く。）、法第百六条の二第三項、

法第七百七条第三項、法第七百十七條第三項、法第七百十九條、法第七百二十條、法第七百二十二條、法第七百二十三條第一項、法第七百二十四條第一項、法第七百三十七條、法第七百三十八條、法第七百三十九條、法第七百四十條第一項、法第七百四十一條、法第七百四十二條、法第七百四十三條（第五項及び第六項を除く。）並びに法第七百四十四條第一項及び第二項に規定する経済産業大臣の権限は、鉱区等又は探査に係る区域（法第三十八條第一項若しくは法第四十條第三項若しくは第七項又は法第四十一條第一項の規定により設定される鉱区等又は探査に係る区域であつて、その全部又は一部が次に掲げる区域内に設定されるものを除く。）の所在地を管轄する経済産業局長が行う。ただし、経済産業大臣が自らその権限を行使することを妨げない。

Article 61 (1) The authority of the Minister of Economy, Trade and Industry prescribed in Article 19 of the Act, Article 38, paragraphs (1), (3) and (7) of the Act, Article 39, paragraphs (1) and (2) of the Act, Article 40 (excluding paragraphs (6) and (8)) of the Act, Article 41 (excluding paragraph (4)) of the Act, Article 43 (excluding paragraphs (4) and (5)) of the Act, Article 45, paragraphs (1) and (2) of the Act, Article 51-2 (excluding paragraph (4)) of the Act, Article 51-3 of the Act, Article 52 of the Act, Article 53 of the Act, Article 53-2, paragraph (3) of the Act, Article 54 of the Act, Article 55 of the Act, Article 56, paragraph (1) of the Act, Article 57, paragraph (1) of the Act, Article 58 of the Act, Article 61 of the Act, Article 62 (excluding paragraph (1)) of the Act, Article 63-2, paragraphs (1) and (2) of the Act, Article 64-2, paragraphs (1) and (3) of the Act, Article 66, paragraph (4) of the Act, Article 67 of the Act, Article 68 of the Act, Article 70-2, paragraph (1) of the Act, Article 88 of the Act, Article 100 (excluding paragraph (5)) of the Act, Article 100-2 (excluding paragraphs (4) and (5)) of the Act, Article 100-3 of the Act, Article 100-4, paragraphs (1) and (3) of the Act, Article 100-5 of the Act, Article 100-6 of the Act, Article 100-8, paragraph (1) of the Act, Article 100-9, paragraph (1) of the Act, Article 100-10 of the Act, Article 100-11 of the Act, Article 101, paragraphs (1) and (2) of the Act, Article 106 (excluding paragraph (4)) of the Act, Article 106-2, paragraph (3) of the Act, Article 107, paragraph (3) of the Act, Article 117, paragraph (3) of the Act, Article 119 of the Act, Article 120 of the Act, Article 122 of the Act, Article 123, paragraph (1) of the Act, Article 124, paragraph (1) of the Act, Article 137 of the Act, Article 138 of the Act, Article 139 of the Act, Article 140, paragraph (1) of the Act, Article 141 of the Act, Article 142 of the Act, Article 143 (excluding paragraphs (5) and (6)) of the Act, and Article 144, paragraphs (1) and (2) of the Act is to be exercised by the Director of a Regional Bureau of Economy, Trade and Industry who has jurisdiction over the location of the relevant mining site or area for exploration (excluding the mining sites, etc. or areas for exploration established under Article 38, paragraph (1) of the Act, Article 40, paragraph (3) or (7) of the Act, or Article 41, paragraph (1) of the Act, the whole or part of which is established within either of the areas set forth in the following items); provided, however,

that the relevant delegation does not preclude the Minister of Economy, Trade and Industry from exercising its own authority:

一 領海及び接続水域に関する法律第一条第一項の規定による領海又は内水（内水面を除く。）

(i) territorial waters or inland waters (excluding rivers and lakes) under Article 1, paragraph (1) of the Act on Territorial Waters and Contiguous Water Area;

二 排他的経済水域及び大陸棚に関する法律第二条第二項の規定による排他的経済水域に係る海域及び同法第二条の規定による大陸棚に係る海域

(ii) a sea area relating to the exclusive economic zone under Article 1, paragraph (2) of the Act on the Exclusive Economic Zone and the Continental Shelf and a sea area relating to a continental shelf under Article 2 of that Act.

2 法第二十一条第一項及び第二項、法第二十三条（第四項及び第五項を除く。）、法第二十四条、法第二十五条、法第二十六条、法第二十七条第三項、法第二十九条、法第三十一条第一項及び第三項、法第三十二条、法第三十三条、法第三十四条第一項及び第二項、法第三十六条第三項、法第四十七条（第四項及び第六項を除く。）、法第四十八条第一項、第三項及び第四項、法第四十九条第一項及び第二項、法第六十三条、法第七十六条第四項、法第七十七条第一項及び第三項、法第八十三条第一項、法第八十九条第一項、法第九十条、法第九十一条第一項及び第二項、法第九十三条、法第九十四条第二項、法第九十六条第二項並びに法第百十七条第二項に規定する経済産業大臣の権限は、鉱区等の区域を管轄する経済産業局長が行う。ただし、経済産業大臣が自らその権限を行使することを妨げない。

(2) The authority of the Minister of Economy, Trade and Industry prescribed in Article 21, paragraphs (1) and (2) of the Act, Article 23 (excluding paragraphs (4) and (5)) of the Act, Article 24 of the Act, Article 25 of the Act, Article 26 of the Act, Article 27, paragraph (3) of the Act, Article 29 of the Act, Article 31, paragraphs (1) and (3) of the Act, Article 32 of the Act, Article 33 of the Act, Article 34, paragraphs (1) and (2) of the Act, Article 36, paragraph (3) of the Act, Article 47 (excluding paragraphs (4) and (6)) of the Act, Article 48, paragraphs (1), (3) and (4) of the Act, Article 49, paragraphs (1) and (2) of the Act, Article 63 of the Act, Article 76, paragraph (4) of the Act, Article 77, paragraphs (1) and (3) of the Act, Article 83, paragraph (1) of the Act, Article 89, paragraph (1) of the Act, Article 90 of the Act, Article 91, paragraphs (1) and (2) of the Act, Article 93 of the Act, Article 94, paragraph (2) of the Act, Article 96, paragraph (2) of the Act, and Article 117, paragraph (2) of the Act is to be exercised by the Director of a Regional Bureau of Economy, Trade and Industry who has jurisdiction over the areas of the relevant mining site, etc.; provided, however, that the relevant delegation does not preclude the Minister of Economy, Trade and Industry from exercising its own authority.

附 則 〔抄〕

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

1 この省令は、法の施行の日から施行する。

(1) This Ministerial Order comes into effect as of the date on which the Act comes into effect.

(省令の廃止)

(Repeal of Ministerial Orders)

2 左に掲げる省令は、廃止する。

(2) The following Ministerial Orders are to be repealed:

鉱業法施行細則（明治三十八年農商務省令第十七号）

Detailed Regulation for Enforcement of the Mining Act (Order of Ministry of Agriculture and Commerce No. 17 of 1905);

砂鉱法施行細則（明治四十二年農商務省令第二十六号）

Detailed Regulation for Enforcement of the Placer Act (Order of Ministry of Agriculture and Commerce No. 26 of 1909)

(経過規定の効力)

(Effect of Transitional Provisions)

5 旧細則附則第九十四条および第九十八条の規定は、この省令の施行後でも、なおその効力を有する。

(5) The provisions of Articles 94 and 98 of the Supplementary Provisions of the Former Detailed Regulation remain in force even after the enforcement of this Ministerial Order.

6 前項の規定によりなおその効力を有する旧細則附則第九十四条および第九十八条の規定の適用については、旧細則第六十八条第二項から第六項までの規定は、この省令の施行後でも、なおその効力を有する。

(6) With regard to the application of the provisions of Articles 94 and 98 of the Supplementary Provisions of the Former Detailed Regulation that remain in force under the preceding paragraph, the provisions of Article 68, paragraphs (2) to (6) of the Former Detailed Regulation remain in force even after the enforcement of this Ministerial Order.

(旧細則等の規定による処分等の効力)

(Effect of Dispositions under the Former Detailed Regulation)

7 この省令の施行前に、旧細則および旧砂鉱法施行細則の規定によつてした処分、手続その他の行為は、この省令中にこれに相当する規定があるときは、この省令によつてしたものとみなす。

- (7) Dispositions, procedures and other acts made under the provisions of the Former Detailed Regulation and the Former Detailed Regulation for Enforcement of the Placer Act prior to the enforcement of this Ministerial Order are deemed to have been made under this Ministerial Order when this Ministerial Order has corresponding provisions.

(追加鉱物を目的とする鉱業権の設定の出願)

(Application for Establishment of Mining Rights for Additional Minerals)

- 8 鉱業法施行法（昭和二十五年法律第二百九十号。以下「施行法」という。）第五条の規定による鉱業権の設定の出願をしようとする者は、願書に、第四条第一項に規定する区域図の外、左に掲げる書面を添えて、通商産業局長に提出しなければならない。

- (8) A person who intends to file an application for the establishment of mining rights under Article 5 of the Act for Enforcement of the Mining Act (Act No. 290 of 1950; hereinafter referred to as the "Enforcement Act") must submit a written application, together with the documents set forth in the following items, beyond a map of the area prescribed in Article 4, paragraph (1), to the Director of a Regional Bureau of International Trade and Industry:

一 当該鉱物の掘採事業の現状を記載した書面

- (i) a document describing the current status of the mining business of the relevant minerals;

二 法の施行の日の六箇月以前から引き続き追加鉱物を掘採している者またはその承継人であることを証する書面

- (ii) a document proving that the applicant is a person who has continued to be engaged in the mining of additional minerals for over six months prior to the date on which the Act comes into effect, or a successor of that person.

- 9 前項の規定による願書に添えるべき区域図には、第四条第一項各号に掲げる事項の外、施行法第五条の規定による掘採区域と出願の区域との関係を明示しなければならない。

- (9) A map of the area to be attached to a written application under the preceding paragraph must clearly describe the relationship between the mining area under Article 5 of the Enforcement Act and the application area, beyond the matters set forth in the items of Article 4, paragraph (1).

- 10 施行法第六条の規定による鉱業権の設定の出願をしようとする者は、願書に、第四条第一項に規定する区域図の外、左に掲げる書面を添えて、通商産業局長に提出しなければならない。

- (10) A person who intends to file an application for the establishment of mining rights under Article 6 of the Enforcement Act must submit a written application, together with the documents set forth in the following items, beyond a map of the area prescribed in Article 4, paragraph (1), to the Director of a Regional Bureau of International Trade and Industry:

一 法の施行の日の一年以前から引き続き追加鉱物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またはその承継人であることを証する書面

- (i) a document proving that the applicant is a person who has continued to have the rights for the use of land for the purpose of obtaining additional minerals for over one year prior to the date on which the Act comes into effect, or a successor of that person;

二 当該鉱物の掘採事業を行つているときは、その現状を記載した書面

- (ii) when the applicant is conducting the mining business of the relevant minerals, a document describing the current status of the business.

- 1 1 前項の規定による願書に添えるべき区域図には、第四条第一項各号に掲げる事項の外、施行法第六条の規定による権利を行使できる土地の区域と出願の区域との関係を明示しなければならない。

- (11) A map of the area to be attached to a written application under the preceding paragraph must clearly describe the relationship between the area of land where the person can exercise the rights under Article 6 of the Enforcement Act and the application area, beyond the matters set forth in the items of Article 4, paragraph (1).

- 1 2 この省令の施行の日から六箇月以内に追加鉱物を目的とする鉱業権の設定の出願（施行法第五条または第六条の出願を除く。）をしようとする者は、願書に、第四条第一項に規定する区域図の外、左に掲げる事項を記載した書面を添えて、通商産業局長に提出しなければならない。

- (12) A person who intends to file an application for the establishment of mining rights for additional minerals (excluding applications referred to in Article 5 or 6 of the Enforcement Act) within six months from the date on which this Ministerial Order comes into effect must submit a written application, together with the documents set forth in the following items, beyond a map of the area prescribed in Article 4, paragraph (1), to the Director of a Regional Bureau of International Trade and Industry:

一 出願の区域に係る土地の所有者の氏名または名称および住所

- (i) name and address of the owner of the land pertaining to the application area;

二 前号の記載事項が事実と相違ない旨の当該土地の所在地の市町村長の証明

- (ii) certification by the mayor of the municipality where the relevant land is located to the effect that the statement referred to in the preceding item is true and correct.

- 1 3 施行法第七条第二項の規定による鉱業権の設定の出願をしようとする者は、願書に第四条第一項に規定する区域図の外、左に掲げる書面を添えて、通商産業局長に提出しなければならない。

- (13) A person who intends to file an application for the establishment of mining rights under Article 7, paragraph (2) of the Enforcement Act must submit a written application, together with the documents set forth in the following items, beyond a map of the area prescribed in Article 4, paragraph (1), to the

Director of a Regional Bureau of International Trade and Industry:

一 施行法第七条第一項の規定による通商産業局長の通知書

(i) a written notice by the Director of a Regional Bureau of International Trade and Industry under Article 7, paragraph (1) of the Enforcement Act;

二 土地登記簿の謄本その他当該土地の所有者であることを証する書面

(ii) a transcript of the land registry or other document proving that the applicant is the owner of the relevant land.

1 4 前項の規定による願書に添えるべき区域図には、第四条第一項各号に掲げる事項の外、所有している土地の区域と出願の区域との関係を明示しなければならない。

(14) A map of the area to be attached to a written application under the preceding paragraph must clearly describe the relationship between the area of land that the person owns and the application area, beyond the matters set forth in the items of Article 4, paragraph (1).

(決定の申請)

(Application for Decision)

1 5 施行法第十二条第二項の規定により決定の申請をしようとする者は、次に掲げる事項を記載した申請書に、鉱床の関係図及び重複鉱区の鉱業権者と協議した経過を記載した書面（協議することができなかつたときは、その理由書）を添えて、経済産業局長に提出しなければならない。

(15) A person who intends to file an application for a decision under Article 12, paragraph (2) of the Enforcement Act must submit a written application specifying the matters set forth in the following items, together with a drawing showing the relationship of ore deposits and a document describing the developments of the consultations with the holders of mining rights of the overlapping mining sites (if the person has been unable to have consultations, a written statement of the reasons therefor), to the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 重複鉱区の鉱業権者の氏名又は名称及び住所

(ii) names and addresses of the holders of mining rights of the overlapping mining sites;

三 当該鉱区及び重複鉱区の所在地

(iii) locations of the relevant mining site and the overlapping mining sites;

四 当該鉱業権及び重複鉱区の鉱業権の登録番号

(iv) registration numbers of the relevant mining rights and the mining rights for the overlapping mining sites;

五 申請の目的及び理由

(v) purpose and reasons for filing the application.

1 6 施行法第十三条第四項の規定により決定の申請をしようとする者は、次に掲げる

事項を記載した申請書に、法の施行の際追加鉱物を掘採する者又は追加鉱物の取得を目的とする土地の使用に関する権利を有する者から代償を受けていることを証する書面、土地の登記事項証明書（未登記の土地については、土地台帳の謄本）、鉱床の説明書、土地の実測図及び鉱業権者と協議した経過を記載した書面を添えて、経済産業局長に提出しなければならない。

(16) A person who intends to file an application for a decision under Article 13, paragraph (4) of the Enforcement Act must submit a written application specifying the matters set forth in the following items, together with a document proving that the person has received compensation from a person who mines additional minerals or a person who has the rights for the use of land for the purpose of obtaining additional minerals, upon the enforcement of the Act, a certificate of registered information of the land (for unregistered land, a transcript of the cadaster), a description of ore deposits, a survey map of the land, and a document describing the developments of the consultations with the holders of mining rights, to the Director of a Regional Bureau of Economy, Trade and Industry:

一 申請人の氏名又は名称及び住所

(i) name and address of the applicant;

二 当該土地の所在地、地目及び面積

(ii) the location, land category, and dimensions of the relevant land;

三 鉱業権者の氏名又は名称及び住所

(iii) names and addresses of the holders of mining rights;

四 関係鉱業権の鉱区の所在地及び面積

(iv) locations and dimensions of the mining sites for the related mining rights;

五 鉱業権の登録番号

(v) registration number of the mining rights;

六 申請の目的及び理由

(vi) purpose and reasons for filing the application.

17 第四十九条から第五十六条までの規定は、施行法第十二条第三項及び第十三条第五項で準用する法第四十七条第二項の規定による意見の聴取に準用する。

(17) The provisions of Articles 49 to 56 apply mutatis mutandis to hearing of opinions under Article 47, paragraph (2) of the Act applied mutatis mutandis pursuant to Article 12, paragraph (3) and Article 13, paragraph (5) of the Enforcement Act.

(受理しない場合の特例)

(Special Provisions in Cases of Refusing Acceptance of Applications or Notifications)

19 第二十一条第六号の規定は、平成元年四月一日から平成元年四月三十日までの間になされた法第二十一条第一項の規定による鉱業権の設定の出願、法第四十五条第一項の規定による採掘鉱区の増加又は増加及び減少の出願、法第五十条第一項又は第二

項の規定による採掘鉱区の分割又は合併の出願、法第七十七条第一項の規定による租鉱権の設定の認可の申請、法第九十条の規定による決定の申請、法第百六条第一項の規定による土地の使用又は収用の許可の申請並びに法第百八十六条第一項の規定による実地調査の依頼（以下「出願等」という。）であつて工業標準化法に基づく表示許可申請手数料の額等を定める政令等の一部を改正する政令（平成元年政令第五十九号）第三条の規定による改正前の鉱業法関係手数料令（昭和二十六年政令第十六号）で定める額の手数料の納付がなされているものに係る願書、申請書又は届書については、当該出願等がなされた日から一月を経過するまでの間は、適用しない。ただし、当該出願等がなされた日から一月以内に所定の手数料の納付がないときは、この限りでない。

- (19) The provisions of Article 21, item (vi) do not apply to a written application or notification for an application for the establishment of mining rights under Article 21, paragraph (1) of the Act, application for increases or for increases and decreases of the scale of digging areas under Article 45, paragraph (1) of the Act, application for division or merging of digging areas under Article 50, paragraph (1) or (2) of the Act, application for authorization for the establishment of mining lease rights under Article 77, paragraph (1) of the Act, application for a decision under Article 90 of the Act, application for permission for the use or condemnation of land under Article 106, paragraph (1) of the Act, or request for an on-site investigation under Article 186, paragraph (1) of the Act (hereinafter referred to as an "application, etc.") that has been filed between April 1, 1989, and April 30, 1989, for which fees have been paid in the amount determined by the Order on Fees Relating to the Mining Act (Cabinet Order No. 16 of 1951) prior to the amendment under Article 3 of the Cabinet Order Partially Amending the Cabinet Order to Determine the Amount of Fees for Applying for Permission for Labeling Based on the Industrial Standardization Act, etc. (Cabinet Order No. 59 of 1989), for the period until one month elapses after the day on which that application, etc. is filed; provided, however, that this does not apply when the prescribed fees are not paid within one month from the day on which that application, etc. is filed.

附 則 〔昭和二十六年三月八日通商産業省令第十三号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 13 of March 8, 1951]

この省令は、公布の日から施行し、昭和二十六年一月三十一日から適用する。

This Ministerial Order comes into effect as of the date of promulgation and starts to apply on January 31, 1951.

附 則 〔昭和二十六年四月三日通商産業省令第二十二号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 22 of April 3, 1951]

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

**附 則 〔昭和二十六年八月二十八日通商産業省令第五十八号〕 〔抄〕
Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 58 of August 28, 1951] [Extract]**

- 1 この省令は、公布の日から施行する。ただし、第一条中第三十六条の改正規定は、土地収用法の施行の日から施行し、第一条中附則第十二項の改正規定、第三条および附則第二項の規定は、昭和二十六年一月三十一日から適用する。
- (1) This Ministerial Order comes into effect as of the date of promulgation; provided, however, that the provisions for revising Article 36 in Article 1 come into effect as of the date on which the Land Condemnation Act comes into effect, and the provisions for revising paragraph (12) of the Supplementary Provisions in Article 1 and the provisions of Article 3, and paragraph (2) of the Supplementary Provisions start to apply on January 31, 1951.
- 2 滅失鉱業原簿調製規則（昭和二十年商工省令第一号）は、廃止する。
- (2) The Regulation on Preparation of Lost Mining Registry (Order of the Ministry of Commerce and Industry No. 1 of 1945) is to be repealed.

**附 則 〔昭和二十八年八月十三日通商産業省令第三十九号〕 〔抄〕
Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 39 of August 13, 1953] [Extract]**

- 1 この省令は、公布の日から施行する。
- (1) This Ministerial Order comes into effect as of the date of promulgation.

**附 則 〔昭和三十年十二月二十七日通商産業省令第六十七号〕
Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 67 of December 27, 1955]**

この省令は、昭和三十一年二月一日から施行する。

This Ministerial Order comes into effect as of February 1, 1956.

**附 則 〔昭和三十四年三月三十日通商産業省令第三十四号〕
Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 34 of March 30, 1959]**

この省令は、昭和三十四年四月一日から施行する。

This Ministerial Order comes into effect as of April 1, 1959.

附 則 〔昭和三十七年十月一日通商産業省令第百十三号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 113 of October 1, 1962]

- 1 この省令は、公布の日から施行する。
- (1) This Ministerial Order comes into effect as of the date of promulgation.
- 2 この省令による改正後の規定は、この省令の施行前にされた行政庁の処分その他この省令の施行前に生じた事項についても、適用する。ただし、この省令による改正前の規定によつて生じた効力を妨げない。
- (2) The provisions after the amendment by this Ministerial Order also apply to dispositions made by administrative authority prior to the enforcement of this Ministerial Order and other matters that have occurred prior to the enforcement of this Ministerial Order; provided, however, that this does not hinder legal effects that have arisen under the provisions prior to the amendment by this Ministerial Order.
- 3 この省令の施行前にされた異議の申立その他の不服申立てについては、この省令の施行後も、なお従前の例による。
- (3) With regard to objections and other appeals filed prior to enforcement of this Ministerial Order, prior laws continue to govern even after the enforcement of this Ministerial Order.

附 則 〔昭和四十二年一月三十一日通商産業省令第三号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 3 of January 31, 1967] [Extract]

(施行期日)

(Effective Date)

- 1 この省令は、昭和四十二年七月一日から施行する。
- (1) This Ministerial Order comes into effect as of July 1, 1967.

(出願)

(Application)

- 2 この省令の施行前にした鉱業権の設定または変更の出願については、改正後の鉱業法施行規則（以下「新規則」という。）第二条の二の規定は適用せず、かつ、新規則第二十一条第四号、第五号および第八号の規定にかかわらず、なお従前の例による。
- (2) With regard to applications for the establishment of or changes to mining rights filed prior to the enforcement of this Ministerial Order, the provisions of Article 2-2 of the Regulation for Enforcement of the Mining Act after the

amendment (hereinafter referred to as the "New Regulation") do not apply, and prior laws continue to govern, notwithstanding the provisions of Article 21, items (iv), (v) and (viii) of the New Regulation.

3 この省令の施行前にした鉱業権の設定の出願に係る鉱業出願地の変更の出願の区域の表示については、新規則第四条第一項の規定にかかわらず、なお従前の例による。

(3) With regard to descriptions of application areas for changes to mining application areas pertaining to applications for the establishment of mining rights filed prior to the enforcement of this Ministerial Order, prior laws continue to govern, notwithstanding the provisions of Article 4, paragraph (1) of the New Regulation.

4 この省令の施行の際現に試掘権の設定または変更の出願をした者またはその承継人が、当該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、この省令の施行後採掘権の設定または変更の出願をする場合（その出願の区域の一部が新規則第三条の二または第四条第一項の規定による表示となつている試掘鉱区または試掘出願地に係る場合および新規則第三条の二または第四条第一項の規定による表示となつている採掘鉱区または採掘出願地についての変更の出願をする場合を除く。）における当該出願の区域の表示については、新規則第四条第一項の規定にかかわらず、なお従前の例による。この省令の施行の際現に採掘権の設定または変更の出願をした者またはその承継人が、当該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、この省令の施行後試掘権の設定または変更の出願をする場合（その出願の区域の一部が新規則第四条第一項の規定による表示となつている採掘出願地に係る場合および新規則第三条の二または第四条第一項の規定による表示となつている試掘鉱区または試掘出願地についての変更の出願をする場合を除く。）における当該出願の区域の表示についても、同様とする。

(4) If a person who has already filed an application for the establishment of or changes to prospecting rights as of the time of the enforcement of this Ministerial Order, or a successor thereof, files an application for the establishment of or changes to digging rights covering the relevant prospecting application area for the minerals that are found in the same type of ore deposits where the subject minerals of the prospecting application area are found, after the enforcement of this Ministerial Order (excluding the cases where a part of the application area pertains to a prospecting area or prospecting application area described under Article 3-2 or Article 4, paragraph (1) of the New Regulation, and the cases where an application is filed for changes to digging areas or digging application areas described under Article 3-2 or Article 4, paragraph (1) of the New Regulation), with regard to the descriptions of the relevant application area, prior laws continue to govern, notwithstanding the provisions of Article 4, paragraph (1) of the New Regulation. If a person who has already filed an application for the establishment of or changes to digging rights as of the time of the enforcement of this Ministerial Order, or a successor thereof, files an application for the

establishment of or changes to prospecting rights covering the relevant digging application area for the minerals that are found in the same type of ore deposits where the subject minerals of the digging application area are found, after the enforcement of this Ministerial Order (excluding the cases where a part of the application area pertains to a digging application area described under Article 4, paragraph (1) of the New Regulation, and the cases where an application is filed for changes to prospecting areas or prospecting application areas described under Article 3-2 or Article 4, paragraph (1) of the New Regulation), with regard to the descriptions of the relevant application area, the same applies.

- 5 この省令の施行の際現に存する試掘鉱区または前三項の出願に基づき設定または変更された試掘鉱区の試掘権者またはその承継人が、当該試掘鉱区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、この省令の施行後採掘権の設定または変更の出願をする場合（その出願の区域の一部が新規則第三条の二または第四条第一項の規定による表示となつている試掘鉱区または試掘出願地に係る場合および新規則第三条の二または第四条第一項の規定による表示となつている採掘鉱区または採掘出願地についての変更の出願を除く。）における当該出願の区域の表示については、新規則第四条第一項の規定にかかわらず、なお従前の例による。

- (5) If a holder of prospecting rights of a prospecting area that exists as of the time of the enforcement of this Ministerial Order or a prospecting area established or changed based on an application referred to in the preceding three paragraphs, or a successor thereof, files an application for the establishment of or changes to digging rights covering the relevant prospecting area for the minerals that are found in the same type of ore deposits where the subject minerals of the prospecting area are found, after the enforcement of this Ministerial Order (excluding the cases where a part of the application area pertains to a prospecting area or prospecting application area described under Article 3-2 or Article 4, paragraph (1) of the New Regulation, and the cases where an application is filed for changes to digging areas or digging application areas described under Article 3-2 or Article 4, paragraph (1) of the New Regulation), with regard to the descriptions of the relevant application area, prior laws continue to govern, notwithstanding the provisions of Article 4, paragraph (1) of the New Regulation.

（鉱区の表示等）

(Descriptions of Mining Sites)

- 6 この省令の施行の際現に存する鉱業権または前四項の出願に基づき設定または変更された鉱業権の鉱区（当該鉱区について変更の出願をする場合における出願の区域を含む。）の表示については、新規則第三条の二および第四条第一項の規定にかかわらず、なお従前の例による。

- (6) With regard to the descriptions of mining sites for mining rights that exist as

of the time of the enforcement of this Ministerial Order or mining rights established or changed based on an application referred to in the preceding four paragraphs (including the application areas when filing an application for changes to those mining sites), prior laws continue to govern, notwithstanding the provisions of Article 3-2, and Article 4, paragraph (1) of the New Regulation.

7 経済産業局長は、附則第二項から前項までの規定により従前の例によつてその区域又は鉱区の表示をした出願又は鉱業権について、その区域又は鉱区の表示を新規則第三条の二の規定による表示に改訂することができる。

(7) With regard to applications or mining rights for which areas or mining sites are described as governed by prior laws under paragraph (2) to the preceding paragraph of the Supplementary Provisions, the Director of a Regional Bureau of Economy, Trade and Industry may revise the descriptions of the relevant areas or mining sites to the descriptions under Article 3-2 of the New Regulation.

8 経済産業局長は、前項の規定による出願の区域又は鉱区の表示の改訂をしようとするときは、当該表示の内容を当該出願をした者又は当該鉱区の鉱業権者に通知し、相当の期限を附して意見書を提出する機会を与えなければならない。

(8) When the Director of a Regional Bureau of Economy, Trade and Industry intends to revise the descriptions of application areas or mining sites under the preceding paragraph, the director must notify the persons who have filed the relevant applications or the holders of mining rights of the relevant mining sites to inform them of the details of the relevant descriptions to be revised and grant them an opportunity to submit a written opinion within a reasonable period of time.

9 経済産業局長は、附則第七項の規定による出願の区域の表示の改訂をしたときは、当該区域図に、新規則第三条の二の規定による表示の併記をし、その年月日を記載しなければならない。

(9) When the Director of a Regional Bureau of Economy, Trade and Industry has revised the descriptions of an application area under paragraph (7) of the Supplementary Provisions, the director must add the descriptions under Article 3-2 of the New Regulation to the relevant map of the area, together with the date of the revision.

10 附則第七項の規定による出願の区域または鉱区の表示の改訂により当該鉱区の表示が新規則第三条の二の規定による表示となつている鉱業権については、附則第五項および第六項の規定は、適用しない。

(10) The provisions of paragraphs (5) and (6) of the Supplementary Provisions do not apply to mining rights for which the mining site is described under Article 3-2 of the New Regulation as a result of the revision of descriptions of application areas or mining sites under paragraph (7) of the Supplementary Provisions.

(租鉱権)

(Mining Lease Rights)

- 1 1 この省令の施行前にした租鉱権の設定または変更の申請については、新規則第二条の二の規定は、適用しない。

(11) The provisions of Article 2-2 of the New Regulation do not apply to applications for the establishment of or changes to mining lease rights filed prior to the enforcement of this Ministerial Order.

- 1 2 附則第六項の規定により採掘鉱区の表示が従前の例による表示となつている採掘権に係る租鉱権の設定または変更の申請の区域の表示については、新規則第二十三条第一項または第二十四条第一項の規定にかかわらず、なお従前の例による。

(12) With regard to the descriptions of application areas for the establishment of or changes to mining lease rights pertaining to digging rights for which the digging areas are described as governed by prior laws under paragraph (6) of the Supplementary Provisions, prior laws continue to govern, notwithstanding the provisions of Article 23, paragraph (1) or Article 24, paragraph (1) of the New Regulation.

- 1 3 附則第六項から第十項までの規定は、租鉱権に準用する。

(13) The provisions of paragraphs (6) to (10) of the Supplementary Provisions apply mutatis mutandis to mining lease rights.

(坑内実測図)

(Survey Maps of the Interior of Mining Pits)

- 1 4 附則第六項（前項において準用する場合を含む。）の規定により採掘鉱区または租鉱区の表示が従前の例による表示となつている採掘権または租鉱権に係る坑内実測図については、新規則第二十九条の規定にかかわらず、なお従前の例による。ただし、附則第七項（前項において準用する場合を含む。）の規定による出願の区域もしくは鉱区または申請の区域もしくは租鉱区の表示の改訂により当該採掘鉱区または租鉱区の表示が新規則第三条の二の規定による表示となつている採掘権または租鉱権に係る坑内実測図については、この限りでない。

(14) With regard to survey maps of the interior of mining pits pertaining to digging rights or mining lease rights for which the digging areas or mining lease sites are described as governed by prior laws under paragraph (6) of the Supplementary Provisions (including the cases where applied mutatis mutandis pursuant to the preceding paragraph), prior laws continue to govern, notwithstanding the provisions of Article 29 of the New Regulation; provided, however, that this does not apply with regard to survey maps of the interior of mining pits pertaining to digging rights or mining lease rights for which the digging areas or mining lease sites are described under Article 3-2 of the New Regulation as a result of the revision of descriptions of application areas or mining sites, or application areas or mining lease sites under paragraph (7) of

the Supplementary Provisions (including the cases where applied mutatis mutandis pursuant to the preceding paragraph).

(旧規則の規定による処分等の効力)

(Effect of Dispositions under the Former Regulation)

- 1 5 この省令の施行前に法および改正前の鉱業法施行規則の規定によつてした処分、手続その他の行為は、この省令中にこれに相当する規定があるときは、この省令によつてしたものとみなす。

(15) Dispositions, procedures and other acts made under the provisions of the Act or the provisions of the Regulation for Enforcement of the Mining Act prior to the amendment prior to the enforcement of this Ministerial Order are deemed to have been made under this Ministerial Order when this Ministerial Order has corresponding provisions.

附 則 〔昭和四十二年八月十九日通商産業省令第百二十号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 120 of August 19, 1967] [Extract]

- 1 この省令は、公布の日から施行し、昭和四十二年八月一日から適用する。

(1) This Ministerial Order comes into effect as of the date of promulgation and starts to apply on August 1, 1967.

附 則 〔昭和四十二年十二月二十三日通商産業省令第百六十四号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 164 of December 23, 1967] [Extract]

- 1 この省令は、昭和四十三年一月一日から施行する。

(1) This Ministerial Order comes into effect as of January 1, 1968.

- 2 この省令の施行前にした土地または水の使用に関する権利の使用または収用の申請については、改正後の鉱業法施行規則第三十五条の二（同規則第三十七条において準用する場合を含む。）の規定は、適用しない。

(2) The provisions of Article 35-2 of the Regulation for Enforcement of the Mining Act after the amendment (including the cases applied mutatis mutandis pursuant to Article 37 of that Regulation) do not apply to applications for the use or condemnation of land or the right of use of water filed prior to the enforcement of this Ministerial Order.

附 則 〔昭和四十四年六月三日通商産業省令第四十七号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 47 of June 3, 1969]

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation

附 則 〔昭和四十七年五月十三日通商産業省令第五十四号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 54 of May 13, 1972] [Extract]

(施行期日)

(Effective Date)

1 この省令は、昭和四十七年五月十五日から施行する。

(1) This Ministerial Order comes into effect as of May 15, 1972.

附 則 〔昭和五十四年三月三十一日通商産業省令第二十八号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 28 of March 31, 1979]

1 この省令は、昭和五十四年七月一日から施行する。

(1) This Ministerial Order comes into effect as of July 1, 1979.

2 この省令の施行前になされた鉱業権の設定又は変更の出願については、改正後の鉱業法施行規則（以下「新規則」という。）第四条第一項の規定にかかわらず、なお従前の例による。

(2) With regard to applications for the establishment of or changes to mining rights filed prior to the enforcement of this Ministerial Order, prior laws continue to govern, notwithstanding the provisions of Article 4, paragraph (1) of the Regulation for Enforcement of the Mining Act after the amendment (hereinafter referred to as the "New Regulation").

3 この省令の施行前になされた鉱業権の設定の出願（第三条の二の平面直角座標系によるものを除く。）に係る鉱業出願地の変更の出願の区域の表示については、新規則第四条第一項の規定にかかわらず、なお従前の例によることができる。

(3) With regard to the descriptions of application areas for changes to mining application areas pertaining to applications for the establishment of mining rights (excluding those based on the plane rectangular coordinate system referred to in Article 3-2) filed prior to the enforcement of this Ministerial Order, prior laws continue to govern, notwithstanding the provisions of Article 4, paragraph (1) of the New Regulation.

附 則 〔昭和五十七年四月三十日通商産業省令第十四号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 14 of April 30, 1982]

この省令は、昭和五十七年五月一日から施行する。

This Ministerial Order comes into effect as of May 1, 1982.

附 則 〔平成元年三月二十八日通商産業省令第九号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 9 of March 28, 1989]

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成元年七月一日通商産業省令第四十二号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 42 of July 1, 1989] [Extract]

(施行期日)

(Effective Date)

第一条 この省令は、公布の日から施行する。

Article 1 This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成六年九月三十日通商産業省令第六十六号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 66 of September 30, 1994]

(施行期日)

(Effective Date)

この省令は、行政手続法の施行の日（平成六年十月一日）から施行する。

This Ministerial Order comes into effect as of the date on which the Administrative Procedure Act comes into effect (October 1, 1994).

附 則 〔平成九年三月二十七日通商産業省令第三十九号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 39 of March 27, 1997] [Extract]

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成九年九月二十六日通商産業省令第百十一号〕

Supplementary Provisions [Order of the Ministry of International Trade and Industry No. 111 of September 26, 1997]

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成十年三月三十日通商産業省令第三十四号〕〔抄〕
**Supplementary Provisions [Order of the Ministry of International Trade
and Industry No. 34 of March 30, 1998] [Extract]**

第一条 この省令は、平成十年四月一日から施行する。

Article 1 This Ministerial Order comes into effect as of April 1, 1998.

附 則 〔平成十一年三月三十一日通商産業省令第二十七号〕
**Supplementary Provisions [Order of the Ministry of International Trade
and Industry No. 27 of March 31, 1999]**

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成十二年十月三十一日通商産業省令第三百四号〕
**Supplementary Provisions [Order of the Ministry of International Trade
and Industry No. 304 of October 31, 2000]**

この省令は、平成十三年一月六日から施行する。

This Ministerial Order comes into effect as of January 6, 2001.

附 則 〔平成十二年十一月二十日通商産業省令第三百五十八号〕〔抄〕
**Supplementary Provisions [Order of the Ministry of International Trade
and Industry No. 358 of November 20, 2000] [Extract]**

1 この省令は、平成十三年一月六日から施行する。

(1) This Ministerial Order comes into effect as of January 6, 2001.

附 則 〔平成十三年七月十三日経済産業省令第百八十四号〕
**Supplementary Provisions [Order of the Ministry of Economy, Trade and
Industry No. 184 of July 13, 2001]**

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成十三年十一月二十九日経済産業省令第二百十二号〕
**Supplementary Provisions [Order of the Ministry of Economy, Trade and
Industry No. 212 of November 29, 2001]**

この省令は、平成十三年十二月二十八日から施行する。ただし、第五十八条の五の次

に一条を加える改正規定（第五十八条の六第五項第二号に係る部分に限る。）は、平成十四年三月一日から施行する。

This Ministerial Order comes into effect as of December 28, 2001; provided, however, that the provisions for adding one Article after Article 58-5 (limited to the part pertaining to Article 58-6, paragraph (5), item (ii)) come into effect as of March 1, 2002.

附 則 〔平成十四年二月十四日経済産業省令第二十四号〕 〔抄〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 24 of February 14, 2002] [Extract]

（施行期日）

(Effective Date)

第一条 この省令は、測量法及び水路業務法の一部を改正する法律（平成十三年法律第五十三号）の施行の日から施行する。

Article 1 This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Survey Act and the Act on Services Related to Waterways (Act No. 53 of 2001) comes into effect.

（出願）

(Application)

第二条 この省令の施行前にした鉱業権の設定又は変更の出願については、なお従前の例による。

Article 2 (1) With regard to applications for the establishment of or changes to mining rights filed prior to the enforcement of this Ministerial Order, prior laws continue to govern.

2 この省令の施行前にした鉱業権の設定の出願に係る鉱業出願地の変更の出願については、なお従前の例による。

(2) With regard to applications for changes to mining application areas

pertaining to applications for the establishment of mining rights filed prior to the enforcement of this Ministerial Order, prior laws continue to govern.

3 この省令の施行の際現に試掘権の設定の出願をした者が、当該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、この省令の施行後、採掘権の設定又は変更の出願をする場合（その出願の区域の一部が改正後の鉱業法施行規則（以下「新規則」という。）第三条の二の規定による表示となつている試掘鉱区又は試掘出願地に係る場合及び新規則第三条の二の規定による表示となつている採掘鉱区又は採掘出願地についての変更の出願をする場合を除く。）における当該出願の区域の表示については、なお従前の例による。この省令の施行の際現に採掘権の設定の出願をした者が、当該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、この省令の施行後、試掘権の設定又は変更の出願をする場合（その出願の区域の一部が新規則第三条の二の規定による表示と

なっている採掘出願地に係る場合及び新規則第三条の二の規定による表示となつて
いる試掘鉱区又は試掘出願地についての変更の出願をする場合を除く。)における当該
出願の区域の表示についても、同様とする。

- (3) If a person who has already filed an application for the establishment of prospecting rights as of the time of the enforcement of this Ministerial Order files an application for the establishment of or changes to digging rights covering the relevant prospecting application area for the minerals that are found in the same type of ore deposits where the subject minerals of the prospecting application area are found, after the enforcement of this Ministerial Order (excluding the cases where a part of the application area pertains to a prospecting area or prospecting application area described under Article 3-2 of the Regulation for Enforcement of the Mining Act after the amendment (hereinafter referred to as the "New Regulation"), and the cases where an application is filed for changes to digging areas or digging application areas described under Article 3-2 of the New Regulation), with regard to the descriptions of the relevant application area, prior laws continue to govern. If a person who has already filed an application for the establishment of digging rights as of the time of the enforcement of this Ministerial Order files an application for the establishment of or changes to prospecting rights covering the relevant digging application area for the minerals that are found in the same type of ore deposits where the subject minerals of the digging application area are found, after the enforcement of this Ministerial Order (excluding the cases where a part of the application area pertains to a digging application area described under Article 3-2 of the New Regulation, and the cases where an application is filed for changes to prospecting areas or prospecting application areas described under Article 3-2 of the New Regulation), with regard to the descriptions of the relevant application area, the same applies.

- 4 この省令の施行の際現に存する試掘鉱区又は前三項の出願に基づき設定された試掘鉱区の試掘権者が、当該試掘鉱区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、この省令の施行後採掘権の設定又は変更の出願をする場合（その出願の区域の一部が新規則第三条の二の規定による表示となつてい
る試掘鉱区又は試掘出願地に係る場合及び新規則第三条の二の規定による表示となつてい
る採掘鉱区又は採掘出願地についての変更の出願をする場合を除く。）における当該出
願の区域の表示については、なお従前の例による。

- (4) If a holder of prospecting rights of a prospecting area that exists as of the time of the enforcement of this Ministerial Order or a prospecting area established or changed based on an application referred to in the preceding three paragraphs files an application for the establishment of or changes to digging rights covering the relevant prospecting area for the minerals that are found in the same type of ore deposits where the subject minerals of the prospecting area are found, after the enforcement of this Ministerial Order

(excluding the cases where a part of the application area pertains to a prospecting area or prospecting application area described under Article 3-2 of the New Regulation, and the cases where an application is filed for changes to digging areas or digging application areas described under Article 3-2 of the New Regulation), with regard to the descriptions of the relevant application area, prior laws continue to govern.

(鉱区の表示等)

(Descriptions, of Mining Sites)

第三条 この省令の施行の際現に存する鉱業権又は前条の出願に基づき設定若しくは変更された鉱業権の鉱区（当該鉱区について変更の出願をする場合における出願の区域を含む。）の表示については、新規則第三条の二の規定にかかわらず、なお従前の例による。

Article 3 (1) With regard to the descriptions of mining sites for mining rights that exist as of the time of the enforcement of this Ministerial Order or mining rights established or changed based on an application referred to in the preceding Article (including the application areas when filing an application for changes to the mining sites), prior laws continue to govern, notwithstanding the provisions of Article 3-2 of the New Regulation.

2 経済産業局長は、前条及び前項の規定により従前の例によつてその区域又は鉱区の表示をした出願又は鉱業権について、その表示に加えて新規則第三条の二の規定による表示をすることができる。

(2) With regard to applications or mining rights for which areas or mining sites are described as governed by prior laws under the preceding Article and the preceding paragraph, the Director of a Regional Bureau of Economy, Trade and Industry may describe them under Article 3-2 of the New Regulation, in addition to those descriptions.

3 経済産業局長は、前項の規定により新規則第三条の二の規定による表示をしようとするときは、当該表示の内容を当該出願をした者又は当該鉱区の鉱業権者に通知し、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。

(3) When the Director of a Regional Bureau of Economy, Trade and Industry intends to add the descriptions as prescribed in Article 3-2 of the New Regulation under the preceding paragraph, the director must notify the persons who have filed the relevant applications or the holders of mining rights of the relevant mining sites to inform them of the details of those descriptions to be added and grant them an opportunity to submit a written opinion within a reasonable period of time.

4 第二項の規定によりその鉱区につき新規則第三条の二の規定による表示がされた鉱業権については、前条第四項及び第一項の規定は、適用しない。

(4) The provisions of paragraph (4) of the preceding Article and paragraph (1) do not apply to mining rights for which the mining site is described as prescribed

in Article 3-2 of the New Regulation under paragraph (2).

(租鉱権)

(Mining Lease Rights)

第四条 前条第一項の規定により採掘鉱区の表示が従前の例による表示となつている採掘権に係る租鉱権の設定又は変更の申請については、なお従前の例による。

Article 4 (1) With regard to applications for the establishment of or changes to mining lease rights pertaining to digging rights for which the digging areas are described as governed by prior laws under paragraph (1) of the preceding Article, prior laws continue to govern.

2 前条の規定は、租鉱権に準用する。

(2) The provisions of the preceding Article apply mutatis mutandis to mining lease rights.

(坑内実測図)

(Survey Maps of the Interior of Mining Pits)

第五条 附則第三条第一項（前条第二項において準用する場合を含む。）の規定により採掘鉱区又は租鉱区の表示が従前の例による表示となつている採掘権又は租鉱権に係る坑内実測図については、なお従前の例による。ただし、附則第三条第二項（前条第二項において準用する場合を含む。）の規定によりその出願の区域若しくは鉱区又は申請の区域若しくは租鉱区につき新規則第三条の二による表示がされた採掘権又は租鉱権に係る坑内実測図については、この限りでない。

Article 5 With regard to survey maps of the interior of mining pits pertaining to digging rights or mining lease right for which the digging areas or mining lease sites are described as governed by prior laws under Article 3, paragraph (1) of the Supplementary Provisions (including the cases where applied mutatis mutandis pursuant to paragraph (2) of the preceding Article), prior laws continue to govern; provided, however, that this does not apply with regard to survey maps of the interior of mining pits pertaining to digging rights or mining lease rights for which the application areas or mining sites, or application areas or mining lease sites are described as prescribed in Article 3-2 of the New Regulation under Article 3, paragraph (2) of the Supplementary Provisions (including the cases where applied mutatis mutandis pursuant to paragraph (2) of the preceding Article).

附 則 〔平成十五年一月六日経済産業省令第一号〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 1 of January 6, 2003]

この省令は、公布の日から施行する。

This Ministerial Order comes into effect as of the date of promulgation.

附 則 〔平成十五年二月三日経済産業省令第九号〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 9 of February 3, 2003]

この省令は、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の施行の日（平成十五年二月三日）から施行する。

This Ministerial Order comes into effect as of the date on which the Act on Use of Information and Communications Technology in Administrative Procedure comes into effect (February 3, 2003).

附 則 〔平成十五年三月二十八日経済産業省令第三十三号〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 33 of March 28, 2003]

この省令は、平成十五年四月一日から施行する。

This Ministerial Order comes into effect as of April 1, 2003.

附 則 〔平成十六年三月二十九日経済産業省令第四十二号〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 42 of March 29, 2004]

この省令は、平成十六年三月三十一日から施行する。

This Ministerial Order comes into effect as of March 31, 2004.

附 則 〔平成十七年三月四日経済産業省令第十四号〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 14 of March 4, 2005]

この省令は、不動産登記法の施行の日（平成十七年三月七日）から施行する。

This Ministerial Order comes into effect as of the date on which the Real Property Registration Act comes into effect (March 7, 2005).

附 則 〔平成十七年三月十一日経済産業省令第二十一号〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 21 of March 11, 2005]

この省令は、平成十七年四月一日から施行する。

This Ministerial Order comes into effect as of April 1, 2005.

附 則 〔平成十九年九月二十八日経済産業省令第六十七号〕〔抄〕

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 67 of September 28, 2007] [Extract]

(施行期日)

(Effective Date)

1 この省令は、平成十九年十月一日から施行する。

(1) This Ministerial Order comes into effect as of October 1, 2007.

附 則 [平成二十年十二月二十六日経済産業省令第九十一号]

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 91 of December 26, 2008]

この省令は、株式等の取引に係る決済の合理化を図るための社債等の振替に関する法律等の一部を改正する法律の施行の日から施行する。

This Ministerial Order comes into effect as of the date on which the Act for Partially Amending the Act on Book-Entry Transfer of Company Bonds, etc. for Streamlining Settlement of Transactions of Shares, etc. comes into effect.

附 則 [平成二十四年一月十二日経済産業省令第二号]

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 2 of January 12, 2012]

この省令は、鉱業法の一部を改正する等の法律の施行の日（平成二十四年一月二十一日）から施行する。

This Ministerial Order comes into effect as of the date on which the Act for Partially Amending, etc. the Mining Act comes into effect (January 21, 2012).

附 則 [平成二十八年三月二十九日経済産業省令第四十三号]

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 43 of March 29, 2016]

この省令は、平成二十八年四月一日から施行する。

This Ministerial Order comes into effect as of April 1, 2016.