

大気汚染防止法

Air Pollution Control Act

(昭和四十三年六月十日法律第九十七号)
(Act No. 97 of June 10, 1968)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、工場及び事業場における事業活動並びに建築物等の解体等に伴うばい煙、揮発性有機化合物及び粉じんの排出等を規制し、水銀に関する水俣条約（以下「条約」という。）の的確かつ円滑な実施を確保するため工場及び事業場における事業活動に伴う水銀等の排出を規制し、有害大気汚染物質対策の実施を推進し、並びに自動車排出ガスに係る許容限度を定めること等により、大気の汚染に関し、国民の健康を保護するとともに生活環境を保全し、並びに大気の汚染に関して人の健康に係る被害が生じた場合における事業者の損害賠償の責任について定めることにより、被害者の保護を図ることを目的とする。

Article 1 The purpose of this Act is to protect the health of the people and to preserve the living environment from the effects of air pollution by regulating the emission and dispersal of soot and smoke, volatile organic compounds, and particulates associated with the business activities of factories and places of business and with the demolition, remodeling, and renovation of buildings and other structures, by regulating emissions of mercury or a mercury compound that are associated with the business activities of factories and places of business in order to ensure accurate and smooth implementation of the Minamata Convention on Mercury (hereinafter referred to as "the Convention"), by furthering measures against hazardous air pollutants, by prescribing maximum limits for automobile exhaust, and in other ways; as well as to protect victims by providing for businesses' liability to compensate for loss and damage if damage to human health arises in connection with air pollution.

(定義等)

(Definitions)

第二条 この法律において「ばい煙」とは、次の各号に掲げる物質をいう。

Article 2 (1) The term "soot or smoke" as used in this Act means a substance set forth in one of the following items:

一 燃料その他の物の燃焼に伴い発生するいおう酸化物

(i) sulfur oxide generated by the combustion of fuel or any other such thing;

二 燃料その他の物の燃焼又は熱源としての電気の使用に伴い発生するばいじん

(ii) dust generated by the combustion of fuel or any other such thing or by the use of electricity as a source of heat;

三 物の燃焼、合成、分解その他の処理（機械的処理を除く。）に伴い発生する物質のうち、カドミウム、塩素、弗化水素、鉛その他の人の健康又は生活環境に係る被害を生ずるおそれがある物質（第一号に掲げるものを除く。）で政令で定めるもの

(iii) cadmium, chlorine, hydrogen fluoride, lead, or any other such substance likely to damage human health or the living environment (excluding one as

set forth in item (i)) that is specified by Cabinet Order, which is generated as a result of combustion, synthesis, decomposition, or any other such process (excluding mechanical processes).

2 この法律において「ばい煙発生施設」とは、工場又は事業場に設置される施設でばい煙を発生し、及び排出するもののうち、その施設から排出されるばい煙が大気の汚染の原因となるもので政令で定めるものをいう。

(2) The term "unit generating soot or smoke" as used in this Act means a unit that is installed at a factory or place of business, that generates and emits soot or smoke which causes air pollution, and that is specified by Cabinet Order.

3 この法律において「ばい煙処理施設」とは、ばい煙発生施設において発生するばい煙を処理するための施設及びこれに附属する施設をいう。

(3) The term "soot or smoke processing unit" as used in this Act means a unit for processing the soot or smoke generated by a unit generating soot or smoke, and any auxiliary units.

4 この法律において「揮発性有機化合物」とは、大気中に排出され、又は飛散した時に気体である有機化合物（浮遊粒子状物質及びオキシダントの生成の原因とならない物質として政令で定める物質を除く。）をいう。

(4) The term "volatile organic compound" as used in this Act means an organic compound (other than a substance specified by Cabinet Order as not being a source from which airborne particles or oxidants are generated) that is in a gaseous state at the time it is emitted or dispersed into the atmosphere.

5 この法律において「揮発性有機化合物排出施設」とは、工場又は事業場に設置される施設で揮発性有機化合物を排出するもののうち、その施設から排出される揮発性有機化合物が大気の汚染の原因となるものであつて、揮発性有機化合物の排出量が多いためにその規制を行うことが特に必要なものとして政令で定めるものをいう。

(5) The term "unit emitting a volatile organic compound" as used in this Act means a unit that is installed at a factory or place of business, that emits a volatile organic compound which causes air pollution, and that is specified by Cabinet Order as a unit whose emission of the volatile organic compound it is particularly necessary to regulate due to its large volume.

6 前項の政令は、事業者が自主的に行う揮発性有機化合物の排出及び飛散の抑制のための取組が促進されるよう十分配慮して定めるものとする。

(6) The Cabinet Order referred to in the preceding paragraph is to be established with sufficient consideration to allow for the facilitation of voluntary efforts by businesses to control the emission and dispersal of the volatile organic compounds.

7 この法律において「粉じん」とは、物の破砕、選別その他の機械的処理又は堆積に伴い発生し、又は飛散する物質をいう。

(7) The term "particulates" as used in this Act means substances that are generated or dispersed as a result of any mechanical process such as crushing or sorting materials, or as a result of the accumulation of such materials.

8 この法律において「特定粉じん」とは、粉じんのうち、石綿その他の人の健康に係る被害を生ずるおそれがある物質で政令で定めるものをいい、「一般粉じん」とは、特定粉じん以外の粉じんをいう。

(8) The term "specified particulates" as used in this Act means particulates of asbestos and other such substances likely to damage human health that are specified by Cabinet Order, and the term "ordinary particulates" means particulates other than specified particulates.

9 この法律において「一般粉じん発生施設」とは、工場又は事業場に設置される施設で一般粉じんを発生し、及び排出し、又は飛散させるもののうち、その施設から排出され、又は飛散する一般粉じんが大気の汚染の原因となるもので政令で定めるものをいう。

(9) The term "unit generating ordinary particulates" as used in this Act means a unit that is installed at a factory or place of business, that generates and emits or disperses ordinary particulates which cause air pollution, and that is specified by Cabinet Order.

10 この法律において「特定粉じん発生施設」とは、工場又は事業場に設置される施設で特定粉じんを発生し、及び排出し、又は飛散させるもののうち、その施設から排出され、又は飛散する特定粉じんが大気の汚染の原因となるもので政令で定めるものをいう。

(10) The term "unit generating specified particulates" as used in this Act means a unit that is installed at a factory or place of business, that generates and emits or disperses specified particulates which cause air pollution, and that is specified by Cabinet Order.

11 この法律において「特定粉じん排出等作業」とは、吹付け石綿その他の特定粉じんを発生し、又は飛散させる原因となる建築材料で政令で定めるもの（以下「特定建築材料」という。）が使用されている建築物その他の工作物（以下「建築物等」という。）を解体し、改造し、又は補修する作業のうち、その作業の場所から排出され、又は飛散する特定粉じんが大気の汚染の原因となるもので政令で定めるものをいう。

(11) The term "work emitting or dispersing specified particulates" as used in this Act means, among the work of demolishing, remodeling, or renovating a building or other such structure (hereinafter referred to as a "building or other such structure") in which a building material causing the generation or dispersal of spray-applied asbestos or any other such specified particulates which is specified by Cabinet Order (hereinafter referred to as the "specified building material") has been used; work from whose location the specified particulates that are emitted or dispersed cause air pollution, and which is specified by Cabinet Order.

12 この法律において「水銀等」とは、水銀及びその化合物をいう。

(12) The term "mercury or a mercury compound" as used in this Act means mercury or a compound of mercury.

13 この法律において「水銀排出施設」とは、工場又は事業場に設置される施設で水

銀等を大気中に排出するもののうち、条約の規定に基づきその規制を行うことが必要なものとして政令で定めるものをいう。

(13) The term "unit emitting mercury" as used in this Act means a unit that is installed at a factory or place of business, that emits mercury or a mercury compound into the atmosphere, and that is specified by Cabinet Order as one that, in accordance with the provisions of the Convention, it is necessary to regulate.

1 4 この法律において「排出口」とは、ばい煙発生施設において発生するばい煙、揮発性有機化合物排出施設に係る揮発性有機化合物又は水銀排出施設に係る水銀等を大気中に排出するために設けられた煙突その他の施設の開口部をいう。

(14) The term "outlet" as used in this Act means an opening in a smokestack or any other such unit that has been set up to emit into the atmosphere the soot or smoke that is generated at a unit generating soot or smoke, the volatile organic compounds associated with a unit emitting a volatile organic compound, or the mercury or mercury compound associated with a unit emitting mercury.

1 5 この法律において「有害大気汚染物質」とは、継続的に摂取される場合には人の健康を損なうおそれがある物質で大気汚染の原因となるもの（ばい煙（第一項第一号及び第三号に掲げるものに限る。）、特定粉じん及び水銀等を除く。）をいう。

(15) The term "hazardous air pollutant" as used in this Act means a substance that is likely to harm human health if it is ingested continuously and that causes air pollution (other than soot and smoke (but only those set forth in the items set forth under paragraph (1), items (i) and (iii)), specified particulates, and mercury and mercury compounds).

1 6 この法律において「自動車排出ガス」とは、自動車（道路運送車両法（昭和二十六年法律第百八十五号）第二条第二項に規定する自動車のうち環境省令で定めるもの及び同条第三項に規定する原動機付自転車のうち環境省令で定めるものをいう。以下同じ。）の運行に伴い発生する一酸化炭素、炭化水素、鉛その他の人の健康又は生活環境に係る被害を生ずるおそれがある物質で政令で定めるものをいう。

(16) The term "automobile exhaust" as used in this Act means the carbon monoxide, hydrocarbons, lead, and other such substances likely to damage human health or the living environment, that are generated during the operation of an automobile (meaning those of the automobiles prescribed in Article 2, paragraph (2) of the Road Transport Vehicle Act (Act No. 185 of 1951) that are specified by Order of the Ministry of the Environment and those of the motorized bicycles prescribed in paragraph (3) of that Article that are specified by Order of the Ministry of the Environment; the same applies hereinafter), and that are specified by Cabinet Order.

第二章 ばい煙の排出の規制等

Chapter II Regulation of Soot and Smoke Emissions; Related Matters

(排出基準)

(Emissions Standards)

第三条 ばい煙に係る排出基準は、ばい煙発生施設において発生するばい煙について、環境省令で定める。

Article 3 (1) Order of the Ministry of the Environment establishes soot and smoke emissions standards for the soot and smoke that are generated at units generating soot and smoke.

2 前項の排出基準は、前条第一項第一号のいおう酸化物（以下単に「いおう酸化物」という。）にあつては第一号、同項第二号のばいじん（以下単に「ばいじん」という。）にあつては第二号、同項第三号に規定する物質（以下「有害物質」という。）にあつては第三号又は第四号に掲げる許容限度とする。

(2) The emissions standards referred to in the preceding paragraph are the permissible limits set forth in item (i) for the sulfur oxides referred to in paragraph (1), item (i) of the preceding Article (hereinafter simply referred to as "sulfur oxides"); the permissible limits set forth in item (ii) for the soot and dust referred to in paragraph (1), item (ii) of the preceding Article (hereinafter simply referred to as "soot and dust"); and the permissible limits set forth in item (iii) or (iv) for a substance as prescribed in paragraph (1), item (iii) of the preceding Article (hereinafter referred to as a "hazardous substance"):

一 いおう酸化物に係るばい煙発生施設において発生し、排出口から大気中に排出されるいおう酸化物の量について、政令で定める地域の区分ごとに排出口の高さ（環境省令で定める方法により補正を加えたものをいう。以下同じ。）に応じて定める許容限度

(i) the permissible limits that are established based on outlet height (meaning outlet height following a correction that has been applied by the means prescribed by Order of the Ministry of the Environment; the same applies hereinafter) for each of the regional divisions specified by Cabinet Order, for quantities of sulfur oxides generated and emitted into the atmosphere from outlets at units generating soot and smoke that are associated with sulfur oxides;

二 ばいじんに係るばい煙発生施設において発生し、排出口から大気中に排出される排出物に含まれるばいじんの量について、施設の種類及び規模ごとに定める許容限度

(ii) the permissible limits that are established for each type and size of unit, for quantities of soot and dust contained in the emissions generated and emitted into the atmosphere from outlets at units generating soot and smoke that are associated with soot and dust;

三 有害物質（次号の特定有害物質を除く。）に係るばい煙発生施設において発生し、排出口から大気中に排出される排出物に含まれる有害物質の量について、有害物質の種類及び施設の種類ごとに定める許容限度

(iii) the permissible limits that are established for each type of hazardous

substance and each type of unit, for quantities of hazardous substances (other than the specified hazardous substances referred to in the following item) contained in the emissions generated and emitted into the atmosphere from outlets at units generating soot and smoke that are associated with hazardous substances; and

四 燃料その他の物の燃焼に伴い発生する有害物質で環境大臣が定めるもの（以下「特定有害物質」という。）に係るばい煙発生施設において発生し、排出口から大気中に排出される特定有害物質の量について、特定有害物質の種類ごとに排出口の高さに応じて定める許容限度

(iv) the permissible limits that are established based on outlet height for each type of hazardous substance that is generated in association with the combustion of fuel or any other such thing and that is specified by the Minister of the Environment (hereinafter referred to as a "specified hazardous substance"), for quantities of specified hazardous substances generated and emitted into the atmosphere from outlets at units generating soot and smoke that are associated with specified hazardous substances.

3 環境大臣は、施設集合地域（いおう酸化物、ばいじん又は特定有害物質に係るばい煙発生施設が集合して設置されている地域をいう。）の全部又は一部の区域における当該ばい煙発生施設において発生し、大気中に排出されるこれらの物質により政令で定める限度をこえる大気の汚染が生じ、又は生ずるおそれがあると認めるときは、環境省令で、当該全部又は一部の区域を限り、その区域に新たに設置される当該ばい煙発生施設について、第一項の排出基準（次条第一項の規定により排出基準が定められた場合にあつては、その排出基準）にかえて適用すべき特別の排出基準を定めることができる。

(3) If the Minister of the Environment finds that air pollution has occurred or is likely to occur at levels that exceed the limits specified by Cabinet Order in all or some areas of a region in which units are concentrated (meaning a region with a concentration of units generating soot and smoke that are associated with sulfur oxides, soot and dust, and specified hazardous substances) due to the sulfur oxides, soot and dust, and specified hazardous substances generated and emitted into the atmosphere at units generating soot and smoke, the Minister of the Environment may establish, by Order of the Ministry of the Environment, special emissions standards for all or some of the areas of the region that must be applied in lieu of the emissions standards referred to in paragraph (1) (or in lieu of the emissions standards established pursuant to the provisions of paragraph (1) of the following Article, if applicable) to new units generating soot or smoke that will be installed in those areas.

4 第二項（同項第三号を除く。）の規定は、前項の排出基準について準用する。

(4) The provisions of paragraph (2) (excluding item (iii) of that paragraph) apply mutatis mutandis to the emissions standards referred to in the preceding paragraph.

5 環境大臣は、第一項の規定によりいおう酸化物に係る排出基準を定め、又は第三項の規定により排出基準を定めようとするときは、関係都道府県知事の意見をきかなければならない。これを変更し、又は廃止しようとするときも、同様とする。

(5) Before seeking to establish sulfur oxide emissions standards pursuant to the provisions of paragraph (1) or to establish emissions standards pursuant to the provisions of paragraph (3), the Minister of the Environment must seek the opinions of the relevant prefectural governor. The same applies if the Minister of the Environment seeks to modify or repeal one of these emissions standards.

第四条 都道府県は、当該都道府県の区域のうち、その自然的、社会的条件から判断して、ばいじん又は有害物質に係る前条第一項又は第三項の排出基準によつては、人の健康を保護し、又は生活環境を保全することが十分でない認められる区域があるときは、その区域におけるばい煙発生施設において発生するこれらの物質について、政令で定めるところにより、条例で、同条第一項の排出基準にかえて適用すべき同項の排出基準で定める許容限度よりきびしい許容限度を定める排出基準を定めることができる。

Article 4 (1) If, among the areas of a prefecture, there is an area where, judging from the natural and societal conditions, the emissions standards for soot and dust or hazardous substances that are referred to in paragraph (1) or (3) of the preceding Article are found to be insufficient to protect human health or the living environment, that prefecture, by Prefectural Ordinance and pursuant to Cabinet Order, may establish emissions standards prescribing permissible limits that are stricter than the permissible limits prescribed by the emissions standards referred to in paragraph (1) of that Article and that are to be applied in lieu of the emissions standards referred to in that paragraph for the soot and dust or hazardous substances that are generated at units generating soot and smoke in that area.

2 前項の条例においては、あわせて当該区域の範囲を明らかにしなければならない。

(2) The Prefectural Ordinance referred to in the preceding paragraph must also clearly indicate the scope of the area in question.

3 都道府県が第一項の規定により排出基準を定める場合には、当該都道府県知事は、あらかじめ、環境大臣に通知しなければならない。

(3) Before a prefecture establishes emissions standards pursuant to the provisions of paragraph (1), the prefectural governor must first notify the Minister of the Environment.

(排出基準に関する勧告)

(Recommendations on Emissions Standards)

第五条 環境大臣は、大気汚染の防止のため特に必要があると認めるときは、都道府県に対し、前条第一項の規定により排出基準を定め、又は同項の規定により定められた排出基準を変更すべきことを勧告することができる。

Article 5 On finding it to be particularly necessary to do so in order to prevent air pollution, the Minister of the Environment may recommend that a prefecture establish emissions standards pursuant to the provisions of paragraph (1) of the preceding Article or modify existing emissions standards pursuant to the provisions of that paragraph.

(総量規制基準)

(Standards Regulating Total Emissions)

第五条の二 都道府県知事は、工場又は事業場が集合している地域で、第三条第一項若しくは第三項又は第四条第一項の排出基準のみによつては環境基本法（平成五年法律第九十一号）第十六条第一項の規定による大気汚染に係る環境上の条件についての基準（次条第一項第三号において「大気環境基準」という。）の確保が困難であると認められる地域としていおう酸化物その他の政令で定めるばい煙（以下「指定ばい煙」という。）ごとに政令で定める地域（以下「指定地域」という。）にあつては、当該指定地域において当該指定ばい煙を排出する工場又は事業場で環境省令で定める基準に従い都道府県知事が定める規模以上のもの（以下「特定工場等」という。）において発生する当該指定ばい煙について、指定ばい煙総量削減計画を作成し、これに基づき、環境省令で定めるところにより、総量規制基準を定めなければならない。

Article 5-2 (1) In a region with a concentration of factories or places of business that is specified by Cabinet Order, for each type of sulfur oxide or other such soot or smoke specified by Cabinet Order (hereinafter referred to as "designated soot or smoke"), as a region in which it is found to be difficult to ensure the standards for environmental conditions associated with air pollution under Article 16, paragraph (1) of the Basic Act on the Environment (Act No. 91 of 1993) (referred to as "air quality standards" in paragraph (1), item (iii) of the following Article) using only the emissions standards prescribed in Article 3, paragraph (1) or (3) or Article 4, paragraph (1) (hereinafter such a region is referred to as a "designated region"), the prefectural governor must formulate a plan for reducing the total quantity of designated soot and smoke that is generated at factories and places of business that emit the designated soot and smoke in the designated region and that are of at least the scale that the prefectural governor specifies in accordance with the standards specified by Order of the Ministry of the Environment (hereinafter each of these is referred to as a "specified factory or place of business"), and on the basis of that plan, the prefectural governor must establish standards regulating total emissions, pursuant to Order of the Ministry of the Environment.

2 都道府県知事は、必要があると認めるときは、当該指定地域を二以上の区域に区分し、それらの区域ごとに前項の総量規制基準を定めることができる。

(2) On finding it to be necessary to do so, the prefectural governor may subdivide a designated region into two or more areas and prescribe standards regulating

total emissions as referred to the preceding paragraph for each area.

- 3 都道府県知事は、新たにばい煙発生施設が設置された特定工場等（工場又は事業場で、ばい煙発生施設の設置又は構造等の変更により新たに特定工場等となつたものを含む。）及び新たに設置された特定工場等について、第一項の指定ばい煙総量削減計画に基づき、環境省令で定めるところにより、それぞれ同項の総量規制基準に代えて適用すべき特別の総量規制基準を定めることができる。
- (3) Pursuant to Order of the Ministry of the Environment and based on the plan for reducing the total quantity of designated soot and smoke that is referred to in paragraph (1), the prefectural governor may establish a special standard regulating total emissions that is to be applied in lieu of the standards regulating total emissions referred to in paragraph (1), for each specified factory or place of business at which a unit generating soot or smoke has been newly installed (this includes a factory or place of business that has newly become a specified factory or place of business due to a unit generating soot or smoke having been installed therein or due to a change in something such as its structure) and for each new specified factory or place of business that has been established.
- 4 第一項又は前項の総量規制基準は、特定工場等につき当該特定工場等に設置されているすべてのばい煙発生施設において発生し、排出口から大気中に排出される当該指定ばい煙の合計量について定める許容限度とする。
- (4) The standards regulating total emissions referred to in paragraph (1) or the preceding paragraph are the permissible limits that are prescribed in connection with a specified factory or place of business, for the total quantity of designated soot and smoke generated and emitted into the atmosphere from outlets at all units generating soot and smoke that are installed at the specified factory or place of business.
- 5 都道府県知事は、第一項の政令で定める地域の要件に該当すると認められる一定の地域があるときは、同項の地域を定める政令の立案について、環境大臣に対し、その旨の申出をすることができる。
- (5) If a certain region is found to fall under the requirements to be a region specified by Cabinet Order that is referred to paragraph (1), the prefectural governor may indicate this to the Minister of the Environment in connection with a proposal for a Cabinet Order specifying the regions referred to in that paragraph.
- 6 環境大臣は、第一項の地域を定める政令の制定又は改廃の立案をしようとするときは、関係都道府県知事の意見を聴かなければならない。
- (6) The Minister of the Environment must seek the opinions of the relevant prefectural governors before seeking to propose the enactment, amendment, or repeal of a Cabinet Order specifying an area as referred to in paragraph (1).
- 7 都道府県知事は、第一項又は第三項の総量規制基準を定めるときは、公示しなければならない。

(7) A prefectural governor must give public notice when establishing the standards regulating total emissions provided for in paragraph (1) or (3).

これを変更し、又は廃止するときも、同様とする。

The same applies if the prefectural governor modifies or repeals those standards.

(指定ばい煙総量削減計画)

(Plans for Reducing the Total Quantity of Designated Soot and Smoke)

第五条の三 前条第一項の指定ばい煙総量削減計画は、当該指定地域について、第一号に掲げる総量を第三号に掲げる総量までに削減させることを目途として、第一号に掲げる総量に占める第二号に掲げる総量の割合、工場又は事業場の規模、工場又は事業場における使用原料又は燃料の見通し、特定工場等以外の指定ばい煙の発生源における指定ばい煙の排出状況の推移等を勘案し、政令で定めるところにより、第四号から第六号までに掲げる事項を定めるものとする。この場合において、当該指定地域における大気汚染及び工場又は事業場の分布の状況により計画の達成上当該指定地域を二以上の区域に区分する必要があるときは、第一号から第三号までに掲げる総量は、区分される区域ごとのそれぞれの当該指定ばい煙の総量とする。

Article 5-3 (1) A plan for reducing the total quantity of designated soot and smoke under paragraph (1) of the preceding Article is to establish the particulars set forth in items (iv) through (vi) pursuant to the provisions of Cabinet Order, with the aim of reducing the total quantity set forth in item (i) to the total quantity set forth in item (iii) for the designated region and in consideration of things such as the ratio of the total quantity set forth in item (i) to the total quantity set forth in item (ii), the scale of the factory or place of business, the prospects for raw materials or fuels used at the factory or place of business, and trends in designated soot and smoke emissions at sources of designated soot and smoke emissions other than specified factory or place of business. In such a case, if it is necessary to subdivide a designated region into two or more areas in order to achieve the plan, due to the air pollution conditions and the distribution of factories or places of business in the designated region, the total quantity set forth in items (i) through (iii) refers to the total quantity of designated soot and smoke for each of the areas so subdivided:

一 当該指定地域における事業活動その他の人の活動に伴って発生し、大気中に排出される当該指定ばい煙の総量

(i) the total quantity of designated soot and smoke generated and emitted into the atmosphere as a result of business activities and other such human activity in the designated region;

二 当該指定地域におけるすべての特定工場等に設置されているばい煙発生施設において発生し、排出口から大気中に排出される当該指定ばい煙の総量

(ii) the total quantity of designated soot and smoke generated and emitted into

the atmosphere from outlets at units generating soot and smoke that are installed at all of the specified factories and places of business in the designated region;

三 当該指定地域における事業活動その他の人の活動に伴って発生し、大気中に排出される当該指定ばい煙について、大気環境基準に照らし環境省令で定めるところにより算定される総量

(iii) the total quantity calculated as prescribed by Order of the Ministry of the Environment in light of the air quality standards for designated soot and smoke generated and emitted into the atmosphere as a result of business activities and other such human activity in the designated region;

四 第二号の総量についての削減目標量（中間目標としての削減目標量を定める場合にあっては、その削減目標量を含む。）

(iv) the target amount of reduction in the total quantity under item (ii) above (if a target amount of reduction is established as an interim target, that target reduction quantity is included);

五 計画の達成の期間

(v) the term for achieving the plan; and,

六 計画の達成の方途

(vi) the means of achieving the plan.

2 都道府県知事は、前条第一項の指定ばい煙総量削減計画を定めようとするときは、環境基本法第四十三条の規定により置かれる審議会その他の合議制の機関及び関係市町村長の意見を聴かなければならない。

(2) Before seeking to establish a plan for reducing the total quantity of designated soot and smoke as referred to in paragraph (1) of the preceding Article, the prefectural governor must hear the opinions of the council established pursuant to the provisions of Article 43 of the Basic Act on the Environment and other such consultative bodies, as well as the mayors of relevant municipalities.

3 都道府県知事は、前条第一項の指定ばい煙総量削減計画を定めようとするときは、あらかじめ、第一項第四号及び第五号に係る部分について、環境大臣に協議しなければならない。

(3) Before seeking to establish a plan for reducing the total quantity of designated soot and smoke as referred to in paragraph (1) of the preceding Article, the prefectural governor must first consult with the Minister of the Environment regarding the part that concerns paragraph (1), items (iv) and (v).

4 都道府県知事は、前条第一項の指定ばい煙総量削減計画を定めたときは、第一項各号に掲げる事項を公表するよう努めなければならない。

(4) Having established a plan for reducing the total quantity of designated soot and smoke as referred to in paragraph (1) of the preceding Article, the prefectural governor must endeavor to disclose the particulars set forth under each item of paragraph (1).

5 都道府県知事は、当該指定地域における大気汚染の状況の変動等により必要が生じたときは、前条第一項の指定ばい煙総量削減計画を変更することができる。

(5) The prefectural governor may change the plan for reducing the total quantity of designated soot and smoke referred to in paragraph (1) of the preceding Article if this becomes necessary due to something such as a change in the air pollution status in the designated region.

6 第二項から第四項までの規定は、前項の規定による計画の変更について準用する。

(6) The provisions of paragraphs (2) through (4) apply mutatis mutandis to any change to a plan under the preceding paragraph.

(ばい煙発生施設の設置の届出)

(Filing a Notification of the Installation of a Unit Generating Soot or Smoke)

第六条 ばい煙を大気中に排出する者は、ばい煙発生施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 6 (1) If a person that will emit soot or smoke into the atmosphere seeks to install a unit generating soot or smoke, it must file a notification of the following particulars with the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the name and address of the person, as well as the name of the representative, if the relevant person is a corporation;

二 工場又は事業場の名称及び所在地

(ii) the name and locality of the factory or place of business;

三 ばい煙発生施設の種類

(iii) the type of unit generating soot or smoke;

四 ばい煙発生施設の構造

(iv) the structure of the unit generating soot or smoke;

五 ばい煙発生施設の使用の方法

(v) the way in which the unit generating soot or smoke will be used; and

六 ばい煙の処理の方法

(vi) the way in which the soot or smoke will be processed.

2 前項の規定による届出には、ばい煙発生施設において発生し、排出口から大気中に排出されるいおう酸化物若しくは特定有害物質の量（以下「ばい煙量」という。）又はばい煙発生施設において発生し、排出口から大気中に排出される排出物に含まれるばいじん若しくは有害物質（特定有害物質を除く。）の量（以下「ばい煙濃度」という。）及びばい煙の排出の方法その他の環境省令で定める事項を記載した書類を添付しなければならない。

(2) The notification under the provisions of the preceding paragraph must be accompanied by documents stating the quantities of sulfur oxides or specified hazardous substances that will be generated and emitted into the atmosphere from an outlet at the unit generating soot or smoke (hereinafter referred to as

the "quantity of soot or smoke") or the quantity of soot or dust or hazardous substances (excluding specified hazardous substances) that will be contained in the emissions generated and emitted into the atmosphere from an outlet at the unit generating soot or smoke (hereinafter referred to as the "concentration of soot or smoke"), the way in which the soot or smoke will be emitted, and other such particulars prescribed by Order of the Ministry of the Environment.

(経過措置)

(Transitional Measures)

第七条 一の施設がばい煙発生施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）であつてばい煙を大気中に排出するものは、当該施設がばい煙発生施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 7 (1) A person that already has a unit installed at the time of its designation as a unit generating soot or smoke (this includes a person that is doing work on the installation of that unit at the time in question) and that will emit soot or smoke into the atmosphere must file a notification with the prefectural governor stating the particulars set forth in each item of paragraph (1) of the preceding Article within 30 days from the date that the unit becomes a unit generating soot or smoke, pursuant to the provisions of Order of the Ministry of the Environment.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to a notification under the preceding paragraph.

(ばい煙発生施設の構造等の変更の届出)

(Filing a Notification of Changes to the Structure of a Unit Generating Soot or Smoke)

第八条 第六条第一項又は前条第一項の規定による届出をした者は、その届出に係る第六条第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

Article 8 (1) If a person that has filed a notification under Article 6, paragraph (1) or paragraph (1) of the preceding Article seeks to change any of the particulars set forth in items (iv) through (vi) of Article 6, paragraph (1) to which that notification pertains, the person must file a notification of this with a prefectural governor pursuant to the provisions of Order of the Ministry of the Environment.

2 第六条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of Article 6, paragraph (2) apply mutatis mutandis to a notification under the preceding paragraph.

(計画変更命令等)

(Order to Change a Plan)

第九条 都道府県知事は、第六条第一項又は前条第一項の規定による届出があつた場合において、その届出に係るばい煙発生施設に係るばい煙量又はばい煙濃度がそのばい煙発生施設に係る排出基準（第三条第一項の排出基準（同条第三項又は第四条第一項の規定により排出基準が定められた場合にあつては、その排出基準を含む。）をいう。以下この章において「排出基準」という。）に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係るばい煙発生施設の構造若しくは使用の方法若しくはばい煙の処理の方法に関する計画の変更（前条第一項の規定による届出に係る計画の廃止を含む。）又は第六条第一項の規定による届出に係るばい煙発生施設の設置に関する計画の廃止を命ずることができる。

Article 9 Having received a notification under Article 6, paragraph (1) or paragraph (1) of the preceding Article and finding that the quantity of soot or smoke or the concentration of soot or smoke associated with the unit emitting soot or smoke to which the notification pertains will fail to conform to the emissions standards for that unit (meaning the emissions standards referred to in Article 3, paragraph (1) (including emissions standards that have been established pursuant to the provisions of paragraph (3) of that Article or Article 4, paragraph (1), if applicable); hereinafter referred to as the "emissions standards" in this Chapter), the prefectural governor may order the person that filed the notification to change the plans for the structure of the unit generating soot or smoke, the way in which that unit will be used, or the way in which soot or smoke from that unit will be processed (or to discontinue the plan associated with a notification under paragraph (1) of the preceding Article) which is stated in the notification, or may order the relevant person to discontinue the plan to install the unit generating soot or smoke to which the notification under Article 6, paragraph (1) pertains, but only within 60 days after the day on which the governor accepts the notification.

第九条の二 都道府県知事は、第六条第一項又は第八条第一項の規定による届出があつた場合において、その届出に係るばい煙発生施設が設置される特定工場等（工場又は事業場で、当該ばい煙発生施設の設置又は構造等の変更により新たに特定工場等となるものを含む。以下この項において同じ。）について、当該特定工場等に設置されるすべてのばい煙発生施設に係る当該指定ばい煙の合計量が総量規制基準に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、当該特定工場等の設置者に対し、当該特定工場等における指定ばい煙の処理の方法の改善、使用燃料の変更その他必要な措置を採るべきことを命ずることができる。

Article 9-2 Having received a notification under Article 6, paragraph (1) or Article 8, paragraph (1) and on finding that the total quantity of designated soot and smoke for all units generating soot and smoke that will be in place at the specified factory or place of business (including a factory or place of

business that will newly become a specified factory or place of business due to a unit generating soot or smoke being installed or due to a change in something such as its structure; hereinafter the same applies in this paragraph) to which the notification pertains will fail to conform to the standards regulating total emissions, the prefectural governor may order the person that has established the specified factory or place of business to improve the way in which designated soot or smoke will be processed at the specified factory or place of business, to change the fuel that will be used, or to take any other measures that may be necessary, but only within 60 days after the date of the acceptance of the notification.

(実施の制限)

(Restrictions on Implementation)

第十条 第六条第一項の規定による届出をした者又は第八条第一項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係るばい煙発生施設を設置し、又はその届出に係るばい煙発生施設の構造若しくは使用の方法若しくはばい煙の処理の方法の変更をしてはならない。

Article 10 (1) A person that has filed a notification under Article 6, paragraph (1) must not install the unit generating soot or smoke to which the notification pertains until after 60 days have passed since the day on which the notification was accepted; a person that has filed a notification under Article 8, paragraph (1) must not make the change to the structure of the unit generating soot or smoke, the way in which that unit is used, or the way in which the soot or smoke from that unit is processed which is stated in the notification until after 60 days have passed since the day on which the notification was accepted.

2 都道府県知事は、第六条第一項又は第八条第一項の規定による届出に係る事項の内容が相当であると認めるときは、前項に規定する期間を短縮することができる。

(2) On finding the content of the particulars stated in a notification under Article 6, paragraph (1) or Article 8, paragraph (1) to be appropriate, the prefectural governor may shorten the period prescribed in the preceding paragraph.

(氏名の変更等の届出)

(Filing a Notification of a Change of Name)

第十一条 第六条第一項又は第七条第一項の規定による届出をした者は、その届出に係る第六条第一項第一号若しくは第二号に掲げる事項に変更があつたとき、又はその届出に係るばい煙発生施設の使用を廃止したときは、その日から三十日以内に、その旨を都道府県知事に届け出なければならない。

Article 11 If a person that has filed a notification under Article 6, paragraph (1) or Article 7, paragraph (1) has undergone a change in a particular set forth in Article 6, paragraph (1) item (i) or (ii) that was stated in the notification or has discontinued the use of a unit generating soot or smoke stated in the

notification, that person must notify the prefectural governor of this within 30 days of the change or discontinuation.

(承継)

(Succession)

第十二条 第六条第一項又は第七条第一項の規定による届出をした者からその届出に係るばい煙発生施設を譲り受け、又は借り受けた者は、当該ばい煙発生施設に係る当該届出をした者の地位を承継する。

Article 12 (1) A person that has been transferred or leased, by a person that has filed a notification under Article 6, paragraph (1) or Article 7, paragraph (1), a unit generating soot or smoke that was stated in that notification, succeeds to the status of the person that filed the notification for the unit.

2 第六条第一項又は第七条第一項の規定による届出をした者について相続、合併又は分割（その届出に係るばい煙発生施設を承継させるものに限る。）があつたときは、相続人、合併後存続する法人若しくは合併により設立した法人又は分割により当該ばい煙発生施設を承継した法人は、当該届出をした者の地位を承継する。

(2) If a person that has filed a notification under Article 6, paragraph (1) or Article 7, paragraph (1) becomes subject to inheritance, the heir succeeds to the status of the person that filed the notification; if that person becomes subject to a merger, the corporation surviving the merger or the corporation incorporated in the merger succeeds to the status of the person that filed the notification; and if that person becomes subject to a split (but only one in which it has another person succeed to a unit generating soot or smoke stated in the notification) the corporation succeeding to the unit in the split succeeds to the status of the person that filed the notification.

3 前二項の規定により第六条第一項又は第七条第一項の規定による届出をした者の地位を承継した者は、その承継があつた日から三十日以内に、その旨を都道府県知事に届け出なければならない。

(3) A person that, pursuant to the provisions of one of the preceding two paragraphs, has succeeded to the status of a person that filed a notification under Article 6, paragraph (1) or Article 7, paragraph (1) must notify the prefectural governor of this within 30 days of the succession.

4 工場又は事業場に設置されるすべてのばい煙発生施設について、第一項又は第二項の規定により届出をした者の地位を承継した者は、第九条の二、第十四条第三項又は第十五条の二第一項若しくは第二項の規定の適用については、工場又は事業場の設置者の地位を承継するものとする。

(4) To apply the provisions of Article 9-2, Article 14, paragraph (3) and Article 15-2, paragraph (1) and (2), a person that, pursuant to the provisions of paragraph (1) or (2), has succeeded to the status of a person that filed a notification is considered to succeed to the status of the person that has established the factory or place of business for all units generating soot or

smoke that are installed at a factory or place of business.

(ばい煙の排出の制限)

(Restrictions on Soot and Smoke Emissions)

第十三条 ばい煙発生施設において発生するばい煙を大気中に排出する者（以下「ばい煙排出者」という。）は、そのばい煙量又はばい煙濃度が当該ばい煙発生施設の排出口において排出基準に適合しないばい煙を排出してはならない。

Article 13 (1) A person that emits into the atmosphere soot or smoke that is generated at a unit generating soot or smoke (hereinafter referred to as an "emitter of soot or smoke") must not emit that soot or smoke in quantities or at concentrations that fail to conform to the emissions standards for the outlets of the unit.

2 前項の規定は、一の施設がばい煙発生施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）の当該施設において発生し、大気中に排出されるばい煙については、当該施設がばい煙発生施設となつた日から六月間（当該施設が政令で定める施設である場合にあっては、一年間）は、適用しない。ただし、その者に適用されている地方公共団体の条例の規定で同項の規定に相当するものがあるとき（当該規定の違反行為に対する処罰規定がないときを除く。）は、この限りでない。

(2) The provisions of the preceding paragraph do not apply to the soot or smoke generated and emitted into the atmosphere at a unit that a person already had in place at the time of its designation as a unit generating soot or smoke (this includes a person that is doing work on the installation of that unit at the time in question), for six months after the date on which the unit became a unit generating soot or smoke (or one year, if the unit in question constitutes a unit as specified by Cabinet Order); provided, however, that this does not apply if ordinance of a local public entity that is applicable to the relevant person contains provisions equivalent to the provisions of the preceding paragraph (unless there are no punitive provisions for the violation thereof).

(指定ばい煙の排出の制限)

(Restrictions on Designated Soot and Smoke Emissions)

第十三条の二 特定工場等に設置されているばい煙発生施設において発生する指定ばい煙に係るばい煙排出者は、当該特定工場等に設置されているすべてのばい煙発生施設の排出口から大気中に排出される当該指定ばい煙の合計量が総量規制基準に適合しない指定ばい煙を排出してはならない。

Article 13-2 (1) An emitter of soot or smoke that emits designated soot or smoke generated at a unit generating soot or smoke that has been installed at a specified factory or place of business must not emit designated soot or smoke if the total quantity of the designated soot and smoke that is emitted into the atmosphere from the outlets of all units generating soot and smoke that have been installed at the specified factory or place of business fails conform to the

standards regulating total emissions.

2 前項の規定は、第二条第二項の政令の改正、第五条の二第一項の地域を定める政令の改正又は同項の都道府県知事が定める規模の変更により新たに特定工場等となつた工場又は事業場に設置されているばい煙発生施設において発生する指定ばい煙に係るばい煙排出者については、当該工場又は事業場が特定工場等となつた日から六月間は、適用しない。

(2) The provisions of the preceding paragraph do not apply to the emitter of soot or smoke associated with designated soot or smoke that is generated at a unit generating soot or smoke that has been installed at a factory or place of business that newly became a specified factory or place of business due to the amendment of the Cabinet Order referred to in Article 2, paragraph (2), a Cabinet Order amendment establishing a region as referred to in Article 5-2, paragraph (1), or a change in the scale specified by the prefectural governor that is referred to in that paragraph, for six months after the date the factory or place of business newly becomes a specified factory or place of business.

(改善命令等)

(Order for Improvement)

第十四条 都道府県知事は、ばい煙排出者が、そのばい煙量又はばい煙濃度が排出口において排出基準に適合しないばい煙を継続して排出するおそれがあると認めるときは、その者に対し、期限を定めて当該ばい煙発生施設の構造若しくは使用の方法若しくは当該ばい煙発生施設に係るばい煙の処理の方法の改善を命じ、又は当該ばい煙発生施設の使用の一時停止を命ずることができる。

Article 14 (1) On finding that an emitter of soot or smoke is likely to continue to emit a quantity of soot or smoke or a concentration of soot or smoke from an outlet that fails to conform to emissions standards, the prefectural governor may order the emitter to improve the structure of a unit generating soot or smoke, the way in which the unit is used, or the way in which soot or smoke is processed at the unit by a specified deadline, or may order the emitter to temporarily suspend the operation of a unit generating soot or smoke.

2 第十三条第二項の規定は、前項の規定による命令について準用する。

(2) The provisions of Article 13, paragraph (2) apply mutatis mutandis to an order under the preceding paragraph.

3 都道府県知事は、総量規制基準に適合しない指定ばい煙が継続して排出されるおそれがあると認めるときは、当該指定ばい煙に係る特定工場等の設置者に対し、期限を定めて、当該特定工場等における指定ばい煙の処理の方法の改善、使用燃料の変更その他必要な措置を採るべきことを命ずることができる。

(3) On finding it to be likely that designated soot or smoke which fails to conform to the standards regulating total emissions will continue to be emitted, the prefectural governor may order the person that has established the specified factory or place of business with which the designated soot or smoke is

associated to improve the way in which the designated soot or smoke is processed at the specified factory or place of business, to change the fuel that is being used, or to take any other necessary measures by a specified deadline.

4 前項の規定は、第二条第二項の政令の改正、第五条の二第一項の地域を定める政令の改正又は同項の都道府県知事が定める規模の変更により新たに特定工場等となつた工場又は事業場については、当該工場又は事業場が特定工場等となつた日から六月間は、適用しない。

(4) The provisions of the preceding paragraph do not apply to a factory or place of business that newly becomes a specified factory or place of business due to the amendment of the Cabinet Order referred to in Article 2, paragraph (2), a Cabinet Order amendment establishing a region as referred to in Article 5-2, paragraph (1), or a change in the scale specified by the prefectural governor that is referred to in that paragraph, for six months from the date the factory or place of business newly became the specified factory or place of business

(季節による燃料の使用に関する措置)

(Measures Related to the Seasonal Use of Fuel)

第十五条 都道府県知事は、いおう酸化物に係るばい煙発生施設で季節により燃料の使用量に著しい変動があるものが密集して設置されている地域として政令で定める地域に係るいおう酸化物による著しい大気の汚染が生じ、又は生ずるおそれがある場合において、当該地域におけるいおう酸化物に係るばい煙発生施設において発生するいおう酸化物を大気中に排出する者が、当該ばい煙発生施設で燃料使用基準に適合しない燃料の使用をしていると認めるときは、その者に対し、期間を定めて、燃料使用基準に従うべきことを勧告することができる。

Article 15 (1) If substantial air pollution from sulfur oxides is occurring or is likely to occur in a region specified by Cabinet Order as a region with a dense concentration of units generating soot or smoke that are associated with sulfur oxides and that are connected with a quantity of fuel use that fluctuates substantially with the season, and the prefectural governor finds that a person that emits into the atmosphere sulfur oxides generated at a unit generating soot or smoke associated with sulfur oxides in that region is using fuel at that unit that fails to conform to the fuel usage standards, the prefectural governor may issue a recommendation that the person comply with the fuel usage standards during a specified timeframe.

2 都道府県知事は、前項の規定による勧告を受けた者がその勧告に従わなかつたときは、期間を定めて、当該燃料使用基準に従うべきことを命ずることができる。

(2) If a person that has been issued a recommendation under the preceding paragraph fails to comply with that recommendation, the prefectural governor may order the person to comply with the relevant fuel usage standards during a specified timeframe.

3 第一項の燃料使用基準は、環境省令で定める燃料の種類について、環境大臣が定め

る基準に従い、同項の政令で定める地域ごとに都道府県知事が定める。

(3) The prefectural governor establishes the fuel usage standards referred to in paragraph (1) for each region prescribed by Cabinet Order that is referred to in that paragraph, in accordance with the standards prescribed by the Minister of the Environment, for the types of fuels prescribed by Order of the Ministry of the Environment.

4 環境大臣は、第一項の政令の制定又は改廃の立案をしようとするときは、関係都道府県知事の意見をきかなければならない。

(4) The Minister of the Environment must seek the opinions of the relevant prefectural governors before seeking to propose the enactment, amendment, or repeal of a Cabinet Order as referred to in paragraph (1).

5 都道府県知事は、第三項の規定により燃料使用基準を定めるときは、公示しなければならない。

(5) A prefectural governor must give public notice when establishing fuel usage standards pursuant to the provisions of paragraph (3).

これを変更し、又は廃止するときも、同様とする。

The same applies if the prefectural governor modifies or repeals those standards.

(指定地域における燃料の使用に関する措置)

(Measures Related to the Use of Fuel in Designated Regions)

第十五条の二 都道府県知事は、いおう酸化物に係る指定地域において、特定工場等以外の工場又は事業場における燃料の使用が燃料使用基準に適合しないと認めるときは、当該工場又は事業場の設置者に対し、期限を定めて、燃料使用基準に従うべきことを勧告することができる。

Article 15-2 (1) If a prefectural governor finds that the use of fuel at a factory or place of business other than a specified factory or place of business fails to conform to the fuel usage standards in the designated region for sulfur oxides, the prefectural governor may recommend that the person that has established the factory or place of business comply with the fuel usage standards by a specified deadline.

2 都道府県知事は、前項の規定による勧告を受けた者がその勧告に従わなかつたときは、期限を定めて、当該燃料使用基準に従うべきことを命ずることができる。

(2) If a person that has been issued a recommendation under the preceding paragraph fails to comply with that recommendation, the prefectural governor may order the person to comply with the relevant fuel usage standards by a specified deadline.

3 第一項の燃料使用基準は、いおう酸化物に係るばい煙発生施設が設置されている特定工場等以外の工場又は事業場について定める基準とし、環境省令で定める燃料の種類について、指定ばい煙の総量の削減に関し環境大臣が定める基準に従い、いおう酸化物に係る指定地域ごとに都道府県知事が定める。

(3) For each designated region associated with sulfur oxides, the prefectural governor establishes the fuel usage standards referred to in paragraph (1), in accordance with the standards that the Minister of the Environment establishes in association with the reduction of the total quantity of designated soot and smoke, for the types of fuel prescribed by Order of the Ministry of the Environment, as the standards prescribed for a factory or place of business other than a specified factory or place of business, in which a unit generating soot or smoke associated with sulfur oxides has been installed.

4 都道府県知事は、必要があると認めるときは、当該指定地域を二以上の区域に区分し、それらの区域ごとに第一項の燃料使用基準を定めることができる。

(4) On finding it to be necessary to do so, a prefectural governor may subdivide a designated region into two or more areas and prescribe fuel usage standards as referred to in paragraph (1) for each area.

5 前条第五項の規定は、第一項の燃料使用基準について準用する。

(5) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis to the fuel usage standards referred to in paragraph (1).

(ばい煙量等の測定)

(Measurement of Quantities and Concentrations of Soot and Smoke)

第十六条 ばい煙排出者は、環境省令で定めるところにより、当該ばい煙発生施設に係るばい煙量又はばい煙濃度を測定し、その結果を記録し、これを保存しなければならない。

Article 16 An emitter of soot or smoke must measure the quantity of soot or smoke or the concentration of soot or smoke associated with a unit generating soot or smoke, and keep a record of the results thereof, pursuant to Order of the Ministry of the Environment.

(事故時の措置)

(Measures in the Event of an Incident)

第十七条 ばい煙発生施設を設置している者又は物の合成、分解その他の化学的処理に伴い発生する物質のうち人の健康若しくは生活環境に係る被害を生ずるおそれがあるものとして政令で定めるもの（以下「特定物質」という。）を発生する施設（ばい煙発生施設を除く。以下「特定施設」という。）を工場若しくは事業場に設置している者は、ばい煙発生施設又は特定施設について故障、破損その他の事故が発生し、ばい煙又は特定物質が大気中に多量に排出されたときは、直ちに、その事故について応急の措置を講じ、かつ、その事故を速やかに復旧するように努めなければならない。

Article 17 (1) If a unit generating soot or smoke malfunctions, breaks, or is involved in any other such incident and a large quantity of soot or smoke is emitted into the atmosphere, the person that has that unit in place must immediately take emergency measures in response to the incident, and must endeavor to restore things to how they were before the incident promptly; if a

unit that generates a substance whose generation is linked to the synthesis or decomposition of a material or any other such chemical process and that is specified by Cabinet Order as a substance that is likely to harm human health or the living environment (hereinafter referred to as a "specified substance") (other than a unit generating soot or smoke; hereinafter referred to as a "specified unit") malfunctions, breaks, or is involved in any other such incident and a large quantity of specified substance is emitted into the atmosphere, the person that has that specified unit in place at a factory or place of business must immediately take emergency measures in response to the incident, and must restore things to how they were before the incident promptly.

2 前項の場合においては、同項に規定する者は、直ちに、その事故の状況を都道府県知事に通報しなければならない。ただし、石油コンビナート等災害防止法（昭和五十年法律第八十四号）第二十三条第一項の規定による通報をした場合は、この限りでない。

(2) In a case as referred to in the preceding paragraph, the person provided for in that paragraph must immediately notify the prefectural governor of the status of the incident; provided, however, that this does not apply if the person has notified the relevant person under Article 23, paragraph (1) of the Act on the Prevention of Disasters in Petroleum Industrial Complexes and Other Petroleum Facilities (Act No. 84 of 1975).

3 都道府県知事は、第一項に規定する事故が発生した場合において、当該事故に係る工場又は事業場の周辺の区域における人の健康が損なわれ、又は損なわれるおそれがあると認めるときは、その事故に係る同項に規定する者に対し、その事故の拡大又は再発の防止のため必要な措置をとるべきことを命ずることができる。

(3) If an incident provided for in paragraph (1) has occurred and the prefectural governor finds that there has been or is likely to be damage to human health in the area near the factory or place of business, the prefectural governor may order the person provided for in that paragraph that is connected with the incident to take the necessary measures to prevent the incident from growing or reoccurring.

(事業者の責務)

(Responsibility of Businesses)

第十七条之二 事業者は、この章に規定するばい煙の排出の規制等に関する措置のほか、その事業活動に伴うばい煙の大気中への排出の状況を把握するとともに、当該排出を抑制するために必要な措置を講ずるようにしなければならない。

Article 17-2 Beyond the measures for the regulation of soot and smoke emissions and related matters provided for in this Chapter, a business must assess the status of the emission of soot and smoke into the atmosphere that is associated with its business activities and must work to take the necessary measures to control those emissions.

第二章の二 揮発性有機化合物の排出の規制等

Chapter II-2 Regulation of Volatile Organic Compound Emissions; Related Matters

(施策等の実施の指針)

(Guidelines for the Implementation of Policies and Other Such Measures)

第十七条の三 揮発性有機化合物の排出及び飛散の抑制に関する施策その他の措置は、この章に規定する揮発性有機化合物の排出の規制と事業者が自主的に行う揮発性有機化合物の排出及び飛散の抑制のための取組とを適切に組み合わせて、効果的な揮発性有機化合物の排出及び飛散の抑制を図ることを旨として、実施されなければならない。

Article 17-3 Policies related to controlling the emission and dispersal of volatile organic compounds and other such measures must be implemented with the aim to effectively control the emission and dispersal of volatile organic compounds, through an appropriate combination of the regulation of the emission of volatile organic compounds as prescribed in this Chapter and the voluntary efforts of businesses to control the emission and dispersal of volatile organic compounds.

(排出基準)

(Emissions Standards)

第十七条の四 揮発性有機化合物に係る排出基準は、揮発性有機化合物排出施設の排出口から大気中に排出される排出物に含まれる揮発性有機化合物の量（以下「揮発性有機化合物濃度」という。）について、施設の種類及び規模ごとの許容限度として、環境省令で定める。

Article 17-4 Order of the Ministry of the Environment establishes emissions standards for volatile organic compounds, as the permissible limits for each type and size of unit, for quantities of volatile organic compounds contained in emissions emitted into the atmosphere from an outlet of a unit emitting a volatile organic compound (hereinafter referred to as the "concentration of volatile organic compounds").

(揮発性有機化合物排出施設の設置の届出)

(Filing a Notification of the Installation of a Unit Emitting a Volatile Organic Compound)

第十七条の五 揮発性有機化合物を大気中に排出する者は、揮発性有機化合物排出施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 17-5 (1) If a person that will emit a volatile organic compound into the atmosphere seeks to install a unit emitting a volatile organic compound, it must file a notification with the prefectural governor stating the following

particulars, pursuant to the provisions of Order of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the name and address of the person, as well as the name of the representative, if the person is a corporation;

二 工場又は事業場の名称及び所在地

(ii) the name and locality of the factory or place of business;

三 揮発性有機化合物排出施設の種類

(iii) the type of the unit emitting the volatile organic compound;

四 揮発性有機化合物排出施設の構造

(iv) the structure of the unit emitting the volatile organic compound;

五 揮発性有機化合物排出施設の使用の方法

(v) the way in which the unit emitting the volatile organic compound will be used; and

六 揮発性有機化合物の処理の方法

(vi) the way in which the volatile organic compound will be processed.

2 前項の規定による届出には、揮発性有機化合物濃度及び揮発性有機化合物の排出の方法その他の環境省令で定める事項を記載した書類を添付しなければならない。

(2) The notification under the preceding paragraph must be accompanied by documents stating the concentration of volatile organic compounds, the way in which the volatile organic compounds will be emitted, and other such particulars prescribed by Order of the Ministry of the Environment.

(経過措置)

(Transitional Measures)

第十七条の六 一の施設が揮発性有機化合物排出施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）であつて揮発性有機化合物を大気中に排出するものは、当該施設が揮発性有機化合物排出施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 17-6 (1) A person that already has a unit installed at the time of its designation as a unit emitting a volatile organic compound (this includes a person that is doing work on the installation of such a unit at the time in question) and that will emit the volatile organic compound into the atmosphere must file a notification with the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment, stating the particulars set forth in each item of paragraph (1) of the preceding Article, within 30 days from the date that the unit comes to constitute a unit emitting a volatile organic compound.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis

mutandis to a notification under the preceding paragraph.

(揮発性有機化合物排出施設の構造等の変更の届出)

(Filing a Notification of a Change in the Structure of a Unit Emitting a Volatile Organic Compound)

第十七条の七 第十七条の五第一項又は前条第一項の規定による届出をした者は、その届出に係る第十七条の五第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

Article 17-7 (1) If a person filing a notification under Article 17-5, paragraph (1) or paragraph (1) of the preceding Article seeks to change any of the particulars set forth under items (iv) through (vi) of Article 17-5, paragraph (1), the person must notify the prefectural governor of this pursuant to the provisions of Order of the Ministry of the Environment.

2 第十七条の五第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of Article 17-5, paragraph (2) apply mutatis mutandis to a notification under the preceding paragraph.

(計画変更命令等)

(Order to Change a Plan)

第十七条の八 都道府県知事は、第十七条の五第一項又は前条第一項の規定による届出があつた場合において、その届出に係る揮発性有機化合物排出施設に係る揮発性有機化合物濃度がその揮発性有機化合物排出施設に係る排出基準（第十七条の四の排出基準をいう。以下この章において「排出基準」という。）に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係る揮発性有機化合物排出施設の構造若しくは使用の方法若しくは揮発性有機化合物の処理の方法に関する計画の変更（前条第一項の規定による届出に係る計画の廃止を含む。）又は第十七条の五第一項の規定による届出に係る揮発性有機化合物排出施設の設置に関する計画の廃止を命ずることができる。

Article 17-8 Having received a notification under Article 17-5, paragraph (1) or paragraph (1) of the preceding Article and finding that the concentration of a volatile organic compound associated with the unit emitting volatile organic compounds to which the notification pertains will fail to conform to the emissions standards for that unit (meaning the emissions standards referred to Article 17-4; hereinafter referred to as the "emissions standards" in this Chapter), the prefectural governor may order the person that filed the notification to change the plan for the structure of the unit emitting the volatile organic compound, the way in which that unit will be used, or the way in which the volatile organic compound from that unit will be processed (or to discontinue the plan associated with the notification under paragraph (1) of the preceding Article) which is stated in the notification, or may order the relevant

person to discontinue the plan to install the unit emitting the volatile organic compound to which the notification under the provisions of Article 17-5, paragraph (1) pertains, but only within 60 days after the day on which the governor accepts the notification.

(実施の制限)

(Restrictions on Implementation)

第十七条の九 第十七条の五第一項の規定による届出をした者又は第十七条の七第一項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係る揮発性有機化合物排出施設を設置し、又はその届出に係る揮発性有機化合物排出施設の構造若しくは使用の方法若しくは揮発性有機化合物の処理の方法の変更をしてはならない。

Article 17-9 A person that has filed a notification under Article 17-5, paragraph (1) must not install the unit emitting the volatile organic compound to which the notification pertains until 60 days have passed since the day on which the notification was accepted; a person that has filed a notification under the provisions of Article 17-7, paragraph (1) must not change the structure of the unit emitting the volatile organic compound, the way in which that unit is used, or the way in which the volatile organic compound is processed which is stated in the notification, until after 60 days have passed since the day on which the notification was accepted.

(排出基準の遵守義務)

(Obligation to Comply with Emissions Standards)

第十七条の十 揮発性有機化合物排出施設から揮発性有機化合物を大気中に排出する者（以下「揮発性有機化合物排出者」という。）は、その揮発性有機化合物排出施設に係る排出基準を遵守しなければならない。

Article 17-10 A person that emits a volatile organic compound into the atmosphere from a unit emitting a volatile organic compound (hereinafter referred to as the "emitter of a volatile organic compound") must comply with the emissions standards for the unit emitting the volatile organic compound.

(改善命令等)

(Order for Improvement)

第十七条の十一 都道府県知事は、揮発性有機化合物排出者が排出する揮発性有機化合物の排出口における揮発性有機化合物濃度が排出基準に適合しないと認めるときは、当該揮発性有機化合物排出者に対し、期限を定めて当該揮発性有機化合物排出施設の構造若しくは使用の方法若しくは当該揮発性有機化合物排出施設に係る揮発性有機化合物の処理の方法の改善を命じ、又は当該揮発性有機化合物排出施設の使用の一時停止を命ずることができる。

Article 17-11 On finding that the concentration at an outlet of a volatile organic

compound that the emitter of a volatile organic compound emits fails to comply with the emissions standards, the prefectural governor may order the emitter of the volatile organic compound to make improvements in the structure of the unit emitting the volatile organic compound, the way in which the unit is used, or the way in which the volatile organic compound is processed at that unit by a specified deadline, or may order the emitter of the volatile organic compound to temporarily suspend the use of that unit.

(揮発性有機化合物濃度の測定)

(Measurement of the Concentration of Volatile Organic Compounds)

第十七条の十二 揮発性有機化合物排出者は、環境省令で定めるところにより、当該揮発性有機化合物排出施設に係る揮発性有機化合物濃度を測定し、その結果を記録しておかなければならない。

Article 17-12 The emitter of a volatile organic compound must measure the concentration of volatile organic compounds for the unit emitting the volatile organic compound, and must keep a record of the results thereof, pursuant to the provisions of Order of the Ministry of the Environment.

(準用)

(Application of Provisions)

第十七条の十三 第十条第二項の規定は、第十七条の九の規定による実施の制限について準用する。

Article 17-13 (1) The provisions of Article 10, paragraph (2) apply mutatis mutandis to the restrictions on implementation under Article 17-9.

2 第十一条及び第十二条の規定は、第十七条の五第一項又は第十七条の六第一項の規定による届出をした者について準用する。

(2) The provisions of Articles 11 and 12 apply mutatis mutandis to a person filing a notification under Article 17-5, paragraph (1) or Article 17-6, paragraph (1).

3 第十三条第二項の規定は、第十七条の十一の規定による命令について準用する。

(3) The provisions of Article 13, paragraph (2) apply mutatis mutandis to an order under Article 17-11.

(事業者の責務)

(Responsibility of Businesses)

第十七条の十四 事業者は、その事業活動に伴う揮発性有機化合物の大気中への排出又は飛散の状況を把握するとともに、当該排出又は飛散を抑制するために必要な措置を講ずるようにしなければならない。

Article 17-14 A business must assess the status of the emission and dispersal of volatile organic compounds into the atmosphere that are associated with its business activities, and must work to take the necessary measures to control their emission and dispersal.

(国民の努力)

(Efforts by the People)

第十七条の十五 何人も、その日常生活に伴う揮発性有機化合物の大気中への排出又は飛散を抑制するように努めるとともに、製品の購入に当たって揮発性有機化合物の使用量の少ない製品を選択すること等により揮発性有機化合物の排出又は飛散の抑制を促進するよう努めなければならない。

Article 17-15 Every person must endeavor to control the emission and dispersal of volatile organic compounds into the atmosphere that occurs in connection with the person's daily activities, and must endeavor to further the control of the emission and dispersal of volatile organic compounds in ways such as selecting products that use low quantities of volatile organic compounds.

第二章の三 粉じんに関する規制

Chapter II-3 Regulations in Matters Involving Particulates

(一般粉じん発生施設の設置等の届出)

(Filing a Notification of the Installation of Units Generating Ordinary Particulates)

第十八条 一般粉じん発生施設を設置しようとする者は、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 18 (1) A person seeking to install a unit generating ordinary particulates must file a notification with the prefectural governor stating the following particulars pursuant to the provisions of Order of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the name and address of the person, as well as the name of the representative, if the relevant person is a corporation;

二 工場又は事業場の名称及び所在地

(ii) the name and locality of the factory or place of business;

三 一般粉じん発生施設の種類

(iii) the type of the unit generating ordinary particulates;

四 一般粉じん発生施設の構造

(iv) the structure of the unit generating ordinary particulates; and

五 一般粉じん発生施設の使用及び管理の方法

(v) the way in which the unit generating ordinary particulates will be used and managed.

2 前項の規定による届出には、一般粉じん発生施設の配置図その他の環境省令で定める書類を添付しなければならない。

(2) The notification under the preceding paragraph must be accompanied by documents prescribed by Order of the Ministry of the Environment such as a

layout diagram of the unit generating ordinary particulates.

3 第一項又は次条第一項の規定による届出をした者は、その届出に係る第一項第四号及び第五号に掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

(3) If a person that has filed a notification under paragraph (1) or under paragraph (1) of the following Article seeks to change a particular set forth in paragraph (1), item (iv) or (v) that was stated in the notification, the person must file a notification of this with the prefectural governor pursuant to the provisions of Order of the Ministry of the Environment.

(経過措置)

(Transitional Measures)

第十八条の二 一の施設が一般粉じん発生施設となつた際現にその施設を設置している者（設置の工事を行っている者を含む。）は、当該施設が一般粉じん発生施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 18-2 (1) A person that already has in place a unit at the time of its designation as a unit generating ordinary particulates (this includes a person that is doing work on the installation of such a unit at the time in question) must file a notification with the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment, stating the particulars set forth in each item of paragraph (1) of the preceding Article within 30 days from the date that the unit came to constitute a unit generating ordinary particulates.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to a notification under the preceding paragraph.

(基準遵守義務)

(Obligation to Comply with Standards)

第十八条の三 一般粉じん発生施設を設置している者は、当該一般粉じん発生施設について、環境省令で定める構造並びに使用及び管理に関する基準を遵守しなければならない。

Article 18-3 A person that has in place a unit generating ordinary particulates must comply with the standards specified by Order of the Ministry of the Environment for the structure, use, and management of that unit generating ordinary particulates.

(基準適合命令等)

(Order to Conform to Standards)

第十八条の四 都道府県知事は、一般粉じん発生施設を設置している者が前条の基準を

遵守していないと認めるときは、その者に対し、期限を定めて当該一般粉じん発生施設について同条の基準に従うべきことを命じ、又は当該一般粉じん発生施設の使用の一時停止を命ずることができる。

Article 18-4 On finding that a person that has installed a unit generating ordinary particulates is not complying with the standards referred to in the preceding Article, the prefectural governor may order that person to comply with the standards referred to that Article for the unit generating ordinary particulates by a specified deadline or to temporarily suspend the use of the unit generating ordinary particulates.

(敷地境界基準)

(Site Boundary Standards)

第十八条の五 特定粉じん発生施設に係る隣地との敷地境界における規制基準（以下「敷地境界基準」という。）は、特定粉じん発生施設を設置する工場又は事業場における事業活動に伴い発生し、又は飛散する特定粉じんが工場又は事業場から大気中に排出され、又は飛散するものについて、特定粉じんの種類ごとに、工場又は事業場の敷地の境界線における大気中の濃度の許容限度として、環境省令で定める。

Article 18-5 For each type of specified particulates, Order of the Ministry of the Environment establishes regulatory standards for site boundaries with the land adjacent to units generating specified particulates (hereinafter referred to as "site boundary standards") as the permissible limits for atmospheric concentration at the boundary lines of the site of a factory or place of business, of specified particulates generated or dispersed in connection with the business activities at a factory or place of business that has in place a unit generating specified particulates and emitted or dispersed into the atmosphere from the factory or place of business.

(特定粉じん発生施設の設置等の届出)

(Filing a Notification of the Installation of a Unit Generating Specified Particulates)

第十八条の六 特定粉じんを大気中に排出し、又は飛散させる者は、特定粉じん発生施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 18-6 (1) If a person that will emit or cause the dispersal of specified particulates into the atmosphere seeks to install a unit generating specified particulates, it must file a notification with the prefectural governor stating the following particulars pursuant to the provisions of Order of the Ministry of the Environment:

- 一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名
- (i) the name and address of the person, as well as the name of the representative, if the relevant person is a corporation;

二 工場又は事業場の名称及び所在地

(ii) the name and locality of the factory or place of business;

三 特定粉じん発生施設の種類

(iii) the type of the unit generating specified particulates;

四 特定粉じん発生施設の構造

(iv) the structure of the unit generating specified particulates; and

五 特定粉じん発生施設の使用の方法

(v) the way in which the unit generating specified particulates will be used;

and

六 特定粉じんの処理又は飛散の防止の方法

(vi) the way in which the specified particulates will be processed or the way of preventing their dispersal.

2 前項の規定による届出には、特定粉じん発生施設の配置図、特定粉じんの排出の方法その他の環境省令で定める事項を記載した書類を添付しなければならない。

(2) A notification under the preceding paragraph must be accompanied by documents showing a layout diagram of the unit generating specified particulates and stating the way in which the specified particulates will be emitted and other such particulars specified by Order of the Ministry of the Environment.

3 第一項又は次条第一項の規定による届出をした者は、その届出に係る第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

(3) If a person filing a notification under paragraph (1) above or paragraph (1) of the following Article seeks to change a particular set forth in paragraph (1), items (iv) through (vi) that is stated in the notification, that person must file a notification of this with the prefectural governor pursuant to the provisions of Order of the Ministry of the Environment.

4 第二項の規定は、前項の規定による届出について準用する。

(4) The provisions of paragraph (2) apply mutatis mutandis to a notification under the preceding paragraph.

(経過措置)

(Transitional Measures)

第十八条の七 一の施設が特定粉じん発生施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）であつて特定粉じんを大気中に排出し、又は飛散させるものは、当該施設が特定粉じん発生施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 18-7 (1) A person that already has a unit installed at the time of its designation as a unit generating specified particulates (this includes a person that is doing work on the installation of such a unit at the time in question)

and that will emit or cause the dispersal of the specified particulates into the atmosphere, must file a notification with the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment, stating the particulars set forth in each item of paragraph (1) of the preceding Article within 30 days from the date that the unit comes to constitute a unit generating specified particulates.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to a notification under the preceding paragraph.

(計画変更命令等)

(Order to Change a Plan)

第十八条の八 都道府県知事は、第十八条の六第一項又は第三項の規定による届出があつた場合において、その届出に係る特定粉じん発生施設が設置される工場又は事業場の敷地の境界線における大気中の特定粉じんの濃度が敷地境界基準に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係る特定粉じん発生施設の構造若しくは使用の方法若しくは特定粉じんの処理の方法若しくは飛散の防止の方法に関する計画の変更（同項の規定による届出に係る計画の廃止を含む。）又は同条第一項の規定による届出に係る特定粉じん発生施設の設置に関する計画の廃止を命ずることができる。

Article 18-8 Having received a notification under Article 18-6, paragraph (1) or (3) and finding that the atmospheric concentration of specified particulates at the boundary line of the site of the factory or place of business at which the unit generating specified particulates to which the notification pertains will be installed would fail to conform to site boundary standards, the prefectural governor may order the person that submitted the notification to change the plan for the structure of the unit generating specified particulates, the way in which that unit is used, the way in which the specified particulates from that unit are processed, or the way of preventing their dispersal (or to discontinue the plan associated with a notification under paragraph (3) of that Article) which is stated in the notification, or may order the relevant person to discontinue the plan to install the unit generating specified particulates to which the notification under paragraph (1) of that Article pertains, but only within 60 days after the day on which the governor accepts the notification.

(実施の制限)

(Restrictions on Implementation)

第十八条の九 第十八条の六第一項の規定による届出をした者又は同条第三項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係る特定粉じん発生施設を設置し、又はその届出に係る特定粉じん発生施設の構造若しくは使用の方法若しくは特定粉じんの処理の方法若しくは飛

散の防止の方法の変更をしてはならない。

Article 18-9 A person that has filed a notification under Article 18-6, paragraph (1) must not install the unit generating specified particulates to which that notification pertains until after 60 days have passed since the day on which the notification was accepted; a person that has filed a notification under Article 18-6, paragraph (3) must not change the structure of the unit generating specified particulates, the way in which that unit is used, the way in which the specified particulates from that unit are processed, or the way of preventing their dispersal which is stated in the notification until after 60 days have passed since the day on which the notification was accepted.

(敷地境界基準の遵守義務)

(Obligation to Comply with Site Boundary Standards)

第十八条の十 特定粉じん発生施設を設置する工場又は事業場における事業活動に伴い発生し、又は飛散する特定粉じんを工場又は事業場から大気中に排出し、又は飛散させる者（以下「特定粉じん排出者」という。）は、敷地境界基準を遵守しなければならない。

Article 18-10 A person that emits or causes to be dispersed into the atmosphere, from the relevant factory or place of business, specified particulates that are generated or dispersed in connection with business activities at a factory or place of business that has in place a unit generating specified particulates (hereinafter referred to as a "specified particulates emitter") must comply with the site boundary standards.

(改善命令等)

(Order for Improvement)

第十八条の十一 都道府県知事は、特定粉じん排出者が排出し、又は飛散させる特定粉じんの当該工場又は事業場の敷地の境界線における大気中の濃度が敷地境界基準に適合しないと認めるときは、当該特定粉じん排出者に対し、期限を定めて当該特定粉じん発生施設の構造若しくは使用の方法の改善若しくは特定粉じんの処理の方法若しくは飛散の防止の方法の改善を命じ、又は当該特定粉じん発生施設の使用の一時停止を命ずることができる。

Article 18-11 On finding that the atmospheric concentration at the boundary line or the site of the relevant factory or place of business, of the specified particulates that a specified particulates emitter emits or causes to be dispersed fails to conform to the site boundary standards, the prefectural governor may order the specified particulates emitter to make improvements to the structure of a unit generating specified particulates, the way in which the unit is used, or the way in which the specified particulates are processed, or the way of preventing their dispersal by a specified deadline, or may order the specified particulates emitter to temporarily suspend the use of a unit

generating specified particulates.

(特定粉じんの濃度の測定)

(Measurement of the Concentration of Specified Particulates)

第十八条の十二 特定粉じん排出者は、環境省令で定めるところにより、その工場又は事業場の敷地の境界線における大気中の特定粉じんの濃度を測定し、その結果を記録しておかなければならない。

Article 18-12 A specified particulates emitter must measure the concentration of specified particulates in the atmosphere at the boundary lines of the site of its factory or place of business, and must keep a record of the results thereof, pursuant to the provisions of Order of the Ministry of the Environment.

(準用)

(Application of Provisions)

第十八条の十三 第十条第二項の規定は、第十八条の九の規定による実施の制限について準用する。

Article 18-13 (1) The provisions of Article 10, paragraph (2) apply mutatis mutandis to the restrictions on implementation under Article 18-9.

2 第十一条及び第十二条の規定は、第十八条第一項、第十八条の二第一項、第十八条の六第一項又は第十八条の七第一項の規定による届出をした者について準用する。

(2) The provisions of Articles 11 and 12 apply mutatis mutandis to a person that has filed a notification under Article 18, paragraph (1), Article 18-2, paragraph (1), Article 18-6, paragraph (1), or Article 18-7, paragraph (1).

3 第十三条第二項の規定は、第十八条の四及び第十八条の十一の規定による命令について準用する。

(3) The provisions of Article 13, paragraph (2) apply mutatis mutandis to an order under Articles 18-4 and 18-11.

(作業基準)

(Work Standards)

第十八条の十四 特定粉じん排出等作業に係る規制基準（以下「作業基準」という。）は、特定粉じんの種類及び特定粉じん排出等作業の種類ごとに、特定粉じん排出等作業の方法に関する基準として、環境省令で定める。

Article 18-14 Order of the Ministry of the Environment establishes regulatory standards for work emitting or dispersing specified particulates (hereinafter referred to as "work standards") as standards for the ways in which work emitting or dispersing specified particulates is conducted, for each type of specified particulates, and for each type of work emitting or dispersing specified particulates.

(特定粉じん排出等作業の実施の届出)

(Filing a Notification of the Implementation of Work Emitting or Dispersing Specified Particulates)

第十八条の十五 特定粉じん排出等作業を伴う建設工事（以下「特定工事」という。）の発注者（建設工事（他の者から請け負ったものを除く。）の注文者をいう。以下同じ。）又は特定工事を請負契約によらないで自ら施工する者（次項において「特定工事の発注者等」という。）は、特定粉じん排出等作業の開始の日の十四日前までに、環境省令で定めるところにより、次に掲げる事項を都道府県知事に届け出なければならない。ただし、災害その他非常の事態の発生により特定粉じん排出等作業を緊急に行う必要がある場合は、この限りでない。

Article 18-15 (1) The original orderer of construction work that involves work emitting or dispersing specified particulates (hereinafter referred to as "specified construction work") (meaning the person ordering construction work (other than construction work that the person has been commissioned for by another person; the same applies hereinafter) or a person that conducts specified construction work itself without a service contract (hereinafter referred to as the "original orderer or initiating builder of specified construction work" in the following paragraph) must file a notification with the prefectural governor stating the following particulars pursuant to the provisions of Order of the Ministry of the Environment, at least 14 days before the day on which it plans to start the specified construction work; provided, however, that this does not apply if it is necessary to urgently conduct work emitting or dispersing specified particulates due to a disaster or other emergency situation:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the name and address of the person, as well as the name of the representative, if the relevant person is a corporation;

二 特定工事を施工する者の氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(ii) the name and address of the person that will conduct the specified construction work, as well as the name of the representative, if the relevant person is a corporation;

三 特定工事の場所

(iii) the location of the specified construction work;

四 特定粉じん排出等作業の種類

(iv) the type of work emitting or dispersing specified particulates;

五 特定粉じん排出等作業の実施の期間

(v) the implementation period for work emitting or dispersing specified particulates;

六 特定粉じん排出等作業の対象となる建築物等の部分における特定建築材料の種類並びにその使用箇所及び使用面積

(vi) the type of specified building material used in the parts of the building or

other such structure that will be subject to work emitting or dispersing specified particulates, as well as the locations and the size of the area where the specified building material is used; and

七 特定粉じん排出等作業の方法

(vii) the way in which work emitting or dispersing specified particulates will be carried out.

2 前項ただし書の場合において、当該特定粉じん排出等作業を伴う特定工事の発注者等は、速やかに、同項各号に掲げる事項を都道府県知事に届け出なければならない。

(2) In a case as referred to in the proviso to the preceding paragraph, the original orderer or initiating builder of the specified construction work that involves the relevant work emitting or dispersing specified particulates must promptly notify the prefectural governor of the particulars set forth in the items of the preceding paragraph.

3 前二項の規定による届出には、当該特定粉じん排出等作業の対象となる建築物等の配置図その他の環境省令で定める事項を記載した書類を添付しなければならない。

(3) A notification under the preceding two paragraphs must be accompanied by documents showing a layout diagram of the building or other such structure where work emitting or dispersing specified particulates will be undertaken and stating any other such particulars that are prescribed by Order of the Ministry of the Environment.

(計画変更命令)

(Order to Change Plans)

第十八条の十六 都道府県知事は、前条第一項の規定による届出があつた場合において、その届出に係る特定粉じん排出等作業の方法が作業基準に適合しないと認めるときは、その届出を受理した日から十四日以内に限り、その届出をした者に対し、その届出に係る特定粉じん排出等作業の方法に関する計画の変更を命ずることができる。

Article 18-16 Having received a notification under paragraph (1) of the preceding Article and finding that the way of carrying out the work emitting or dispersing specified particulates which is stated in the notification will fail to conform to the work standards, the prefectural governor may order the person that filed the notification to change the plan for the way of carrying out work emitting or dispersing specified particulates which is stated in the notification, but only within 14 days after the day on which the governor accepts the notification.

(解体等工事に係る調査及び説明等)

(Due Diligence and Explanation for Construction Work involving Demolition, Remodeling, or Renovation)

第十八条の十七 建築物等を解体し、改造し、又は補修する作業を伴う建設工事（当該建設工事が特定工事に該当しないことが明らかなものとして環境省令で定めるものを

除く。以下「解体等工事」という。)の受注者(他の者から請け負った解体等工事の受注者を除く。次項及び第二十六条第一項において同じ。)は、当該解体等工事が特定工事に該当するか否かについて調査を行うとともに、環境省令で定めるところにより、当該解体等工事の発注者に対し、当該調査の結果について、環境省令で定める事項を記載した書面を交付して説明しなければならない。この場合において、当該解体等工事が特定工事に該当するときは、第十八条の十五第一項第四号から第七号までに掲げる事項その他環境省令で定める事項を書面に記載して、これらの事項について説明しなければならない。

Article 18-17 (1) A contractor of construction work that involves the work of demolishing, remodeling, or renovating a building or other structure (other than construction work specified by Order of the Ministry of the Environment as work that clearly does not constitute specified construction work; hereinafter referred to as the "construction work involving demolition, remodeling, or renovation") (other than a contractor of construction work involving demolition, remodeling, or renovation that has been commissioned by another person; the same applies in the following paragraph and Article 26, paragraph (1)) must, as specified by Order of the Ministry of the Environment, conduct due diligence to determine whether the construction work involving demolition, remodeling, or renovation constitutes specified construction work, and explain the results of the due diligence to the original orderer of the construction work involving demolition, remodeling, or renovation by providing a document stating the particulars specified by Order of the Ministry of the Environment. In such a case, if the construction work involving demolition, remodeling, or renovation constitutes specified construction work, the contractor must explain this to the orderer by stating the particulars set forth in Article 18-15, paragraph (1), items (iv) through (vii) and other particulars specified by Order of the Ministry of the Environment in writing.

2 前項前段の場合において、解体等工事の発注者は、当該解体等工事の受注者が行う同項の規定による調査に要する費用を適正に負担することその他当該調査に関し必要な措置を講ずることにより、当該調査に協力しなければならない。

(2) In a case as referred to in the first sentence of the preceding paragraph, the original orderer of the construction work involving demolition, remodeling, or renovation must cooperate with the contractor in conducting the due diligence under that paragraph, by appropriately bearing the required costs of that due diligence and taking other necessary measures connected with that due diligence.

3 解体等工事を請負契約によらないで自ら施工する者(第二十六条第一項において「自主施工者」という。)は、当該解体等工事が特定工事に該当するか否かについて調査を行わなければならない。

(3) A person that conducts construction work involving demolition, remodeling, or renovation itself, without a service contract (referred to as the "initiating

builder" in Article 26, paragraph (1)) must conduct due diligence to determine whether the construction work involving demolition, remodeling, or renovation constitutes specified construction work.

4 第一項及び前項の規定による調査を行った者は、当該調査に係る解体等工事を施工するときは、環境省令で定めるところにより、当該調査の結果その他環境省令で定める事項を、当該解体等工事の場所において公衆に見やすいように掲示しなければならない。

(4) When conducting the construction work involving demolition, remodeling, or renovation that is associated with the due diligence under paragraphs (1) or (3), the person that conducted the due diligence must post the results of the due diligence and the particulars specified by Order of the Ministry of the Environment at the location of the construction work involving demolition, remodeling, or renovation in a way that makes it easy for the public to see them, pursuant to the provisions of Order of the Ministry of the Environment.

(作業基準の遵守義務)

(Obligation to Comply with Work Standards)

第十八条の十八 特定工事を施工する者は、当該特定工事における特定粉じん排出等作業について、作業基準を遵守しなければならない。

Article 18-18 A person undertaking specified construction work must comply with the work standards for work emitting or dispersing specified particulates when conducting the specified construction work.

(作業基準適合命令等)

(Order to Conform to Work Standards)

第十八条の十九 都道府県知事は、特定工事を施工する者が当該特定工事における特定粉じん排出等作業について作業基準を遵守していないと認めるときは、その者に対し、期限を定めて当該特定粉じん排出等作業について作業基準に従うべきことを命じ、又は当該特定粉じん排出等作業の一時停止を命ずることができる。

Article 18-19 On finding that a person undertaking specified construction work is not complying with the work standards for work emitting or dispersing specified particulates that is involved in the specified construction work, the prefectural governor may order the person to comply with the work standards for work emitting or dispersing specified particulates by a specified deadline or to temporarily suspend work emitting or dispersing specified particulates.

(発注者の配慮)

(Original Orderer's Due Care)

第十八条の二十 特定工事の発注者は、当該特定工事を施工する者に対し、施工方法、工期、工事費その他当該特定工事の請負契約に関する事項について、作業基準の遵守を妨げるおそれのある条件を付さないように配慮しなければならない。

Article 18-20 The original orderer of specified construction work must take due care not to impose on the person conducting the specified construction work conditions in terms of the construction method, construction period, construction costs, or any other particulars of the service contract for the specified construction work, that are likely to interfere with compliance with the work standards.

第二章の四 水銀等の排出の規制等

Chapter II-4 Regulation of Emissions of Mercury and Its Compounds; Related Matters

(施策等の実施の指針)

(Guidelines for the Implementation of Policies)

第十八条の二十一 水銀等の大気中への排出の抑制に関する施策その他の措置は、条約の的確かつ円滑な実施を図るため、この章に規定する水銀等の排出の規制と事業者が自主的に行う水銀等の排出の抑制のための取組とを適切に組み合わせて、効果的な水銀等の大気中への排出の抑制を図ることを旨として、実施されなければならない。

Article 18-21 Policies related to controlling the emission of mercury and mercury compounds and other such measures must be implemented with the aim to effectively control the emission of mercury and mercury compounds into the atmosphere in order to ensure the accurate and smooth implementation of the Convention, through an appropriate combination of the regulation of the emission of mercury and mercury compounds as prescribed in this Chapter and the voluntary efforts of businesses to control the emission of mercury and mercury compounds.

(排出基準)

(Emissions Standards)

第十八条の二十二 水銀等に係る排出基準は、水銀等の大気中への排出の削減に関する技術水準及び経済性を勘案し、その排出が可能な限り削減されるよう、水銀排出施設の排出口から大気中に排出される排出物に含まれる水銀等の量（以下「水銀濃度」という。）について、施設の種類及び規模ごとの許容限度として、環境省令で定める。

Article 18-22 Order of the Ministry of the Environment establishes emissions standards for mercury and mercury compounds as the permissible limits for each type and size of unit, for quantities of mercury and mercury compounds contained in emissions emitted into the atmosphere from an outlet of a unit emitting mercury (hereinafter referred to as the "concentration of mercury") in consideration of the level of technology for, and the economy of, reducing the emission of mercury and mercury compounds into the atmosphere, so that their emission is reduced as much as possible.

(水銀排出施設の設置の届出)

(Filing a Notification of the Installation of a Unit Emitting Mercury)

第十八条の二十三 水銀等を大気中に排出する者は、水銀排出施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 18-23 (1) If a person that will release mercury or a mercury compound into the atmosphere seeks to install a unit emitting mercury, it must file a notification with the prefectural governor stating the following particulars pursuant to the provisions of Order of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the name and address of the person, as well as the name of the representative, if the relevant person is a corporation;

二 工場又は事業場の名称及び所在地

(ii) the name and locality of the factory or place of business;

三 水銀排出施設の種類

(iii) the type of the unit emitting mercury;

四 水銀排出施設の構造

(iv) the structure of the unit emitting mercury;

五 水銀排出施設の使用の方法

(v) the way in which the unit emitting mercury will be used; and

六 水銀等の処理の方法

(vi) the way in which the mercury or mercury compound will be processed.

2 前項の規定による届出には、水銀濃度及び水銀等の大気中への排出の方法その他の環境省令で定める事項を記載した書類を添付しなければならない。

(2) The notification under the preceding paragraph must be accompanied by documents stating the concentration of mercury, the way in which the mercury or mercury compound will be emitted into the atmosphere, and any other such particulars prescribed by Order of the Ministry of the Environment.

(経過措置)

(Transitional Measures)

第十八条の二十四 一の施設が水銀排出施設となつた際現にその施設を設置している者（設置の工事を行っている者を含む。）であつて水銀等を大気中に排出するものは、当該施設が水銀排出施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 18-24 (1) A person that already has a unit installed at the time of its designation as a unit emitting mercury (this includes a person that is doing work on the installation of such a unit at the time in question) and that will emit the mercury or a mercury compound into the atmosphere must file a notification with the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment, stating the particulars set forth in each

item of paragraph (1) of the preceding Article within 30 days from the date that the unit comes to constitute a unit emitting mercury.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to a notification under the preceding paragraph.

(水銀排出施設の構造等の変更の届出)

(Filing a Notification of Changes in the Structure of a Unit Emitting Mercury)

第十八条の二十五 第十八条の二十三第一項又は前条第一項の規定による届出をした者は、その届出に係る第十八条の二十三第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

Article 18-25 (1) If a person that has filed a notification under Article 18-23, paragraph (1) or paragraph (1) of the preceding Article seeks to change any of the particulars set forth under items (iv) through (vi) of Article 18-23, paragraph (1), the person must file a notification of this with the prefectural governor pursuant to the provisions of Order of the Ministry of the Environment.

2 第十八条の二十三第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of Article 18-23, paragraph (2) apply mutatis mutandis to a notification under the preceding paragraph.

(計画変更命令等)

(Order to Change a Plan)

第十八条の二十六 都道府県知事は、第十八条の二十三第一項又は前条第一項の規定による届出があつた場合において、その届出に係る水銀排出施設に係る水銀濃度がその水銀排出施設に係る第十八条の二十二の排出基準（以下この章において「排出基準」という。）に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係る水銀排出施設の構造若しくは使用の方法若しくは水銀等の処理の方法に関する計画の変更（前条第一項の規定による届出に係る計画の廃止を含む。）又は第十八条の二十三第一項の規定による届出に係る水銀排出施設の設置に関する計画の廃止を命ずることができる。

Article 18-26 Having received a notification under Article 18-23, paragraph (1) or paragraph (1) of the preceding Article and finding that the concentration of mercury associated with the unit emitting mercury to which the notification pertains will fail to conform to the emissions standards for that unit that are referred to in Article 18-22 (hereinafter referred to as the "emissions standards" in this Chapter), the prefectural governor may order the person that filed the notification to change the plan for the structure of the unit emitting mercury, the way in which that unit will be used, or the way in which the mercury or mercury compound from that unit will be processed (or to

discontinue the plan associated with the notification under paragraph (1) of the preceding Article) which is stated in the notification, or may order the relevant person to discontinue the plan to install the unit emitting mercury to which a notification under Article 18-23, paragraph (1) pertains, but only within 60 days after the day on which the governor accepts the notification.

(実施の制限)

(Restrictions on Implementation)

第十八条の二十七 第十八条の二十三第一項の規定による届出をした者又は第十八条の二十五第一項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係る水銀排出施設を設置し、又はその届出に係る水銀排出施設の構造若しくは使用の方法若しくは水銀等の処理の方法の変更をしてはならない。

Article 18-27 A person that has filed a notification under Article 18-23, paragraph (1) must not install the unit emitting mercury to which the notification pertains until after 60 days have passed since the day on which the notification was accepted; a person that has filed a notification under Article 18-25, paragraph (1) must not change the structure of the unit emitting mercury, the way in which it is used, or the way in which the mercury or mercury compound is processed which is stated in the notification until after 60 days have passed since the day on which the notification was accepted.

(排出基準の遵守義務)

(Obligation to Comply with Emissions Standards)

第十八条の二十八 水銀排出施設から水銀等を大気中に排出する者（以下「水銀排出者」という。）は、その水銀排出施設に係る排出基準を遵守しなければならない。

Article 18-28 A person that emits mercury or a mercury compound into the atmosphere from a unit emitting mercury (hereinafter referred to as a "mercury emitter") must comply with the emissions standards for that unit.

(改善勧告等及び改善命令等)

(Improvement Recommendations and Improvement Orders)

第十八条の二十九 都道府県知事は、水銀排出者が排出する水銀等の排出口における水銀濃度が排出基準に適合しない水銀等を継続して大気中に排出すると認めるときは、当該水銀排出者に対し、期限を定めて、当該水銀排出施設の構造若しくは使用の方法若しくは水銀等の処理の方法の改善又は当該水銀排出施設の使用の一時停止その他水銀等の大気中への排出を減少させるための措置をとるべきことを勧告することができる。

Article 18-29 (1) On finding that a mercury emitter is likely to continue to emit mercury or a mercury compound into the atmosphere that will cause the concentration of mercury at an outlet for mercury or mercury compound that

the mercury emitter emits not to conform to emissions standards, the prefectural governor may recommend that the mercury emitter improve the structure of the unit emitting mercury, the way in which the unit is used, or the way in which the mercury or mercury compound is processed for that unit, or may recommend that the mercury emitter temporarily suspend the operation of the unit emitting mercury or to take other measures to reduce the mercury or mercury compound emitted into the atmosphere by a specified deadline.

2 都道府県知事は、前項の規定による勧告を受けた者がその勧告に従わないときは、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(2) If a person that has been issued a recommendation under the preceding paragraph fails to comply with the recommendation, the prefectural governor may order that person to take the recommended measures by a specified deadline.

(水銀濃度の測定)

(Measurement of the Concentration of Mercury)

第十八条の三十 水銀排出者は、環境省令で定めるところにより、当該水銀排出施設に係る水銀濃度を測定し、その結果を記録し、これを保存しなければならない。

Article 18-30 A mercury emitter must, as prescribed by Order of the Ministry of the Environment, measure the concentration of mercury associated with a unit emitting mercury, and keep a record of the results thereof.

(準用)

(Mutatis Mutandis Application of Provisions)

第十八条の三十一 第十条第二項の規定は、第十八条の二十七の規定による実施の制限について準用する。

Article 18-31 (1) The provisions of Article 10, paragraph (2) apply mutatis mutandis to restrictions on implementation under Article 18-27.

2 第十一条及び第十二条の規定は、第十八条の二十三第一項又は第十八条の二十四第一項の規定による届出をした者について準用する。

(2) The provisions of Articles 11 and 12 apply mutatis mutandis to a person that has filed a notification under Article 18-23, paragraph (1) or Article 18-24, paragraph (1).

3 第十三条第二項の規定は、第十八条の二十九第一項の規定による勧告及び同条第二項の規定による命令について準用する。

(3) The provisions of Article 13, paragraph (2) apply mutatis mutandis to a recommendation under Article 18-29, paragraph (1) and an order under paragraph (2) of that Article.

(要排出抑制施設の設置者の自主的取組)

(Voluntary Efforts by Persons That Have In Place Units Requiring Emissions Control)

第十八条の三十二 工場又は事業場に設置される水銀等を大気中に排出する施設（水銀排出施設を除く。）のうち、水銀等の排出量が相当程度多い施設であつて、その排出を抑制することが適当であるものとして政令で定めるもの（以下この条において「要排出抑制施設」という。）を設置している者は、その要排出抑制施設に係る水銀等の大気中への排出に関し、単独で又は共同して、自ら遵守すべき基準を作成し、水銀濃度を測定し、その結果を記録し、これを保存することその他の水銀等の大気中への排出を抑制するために必要な措置を講ずるとともに、当該措置の実施の状況及びその評価を公表しなければならない。

Article 18-32 A person that has in place at a factory or place of business a unit that emits mercury or a mercury compound into the atmosphere (other than a unit emitting mercury) in considerably large quantities, and that is specified by Cabinet Order as a unit whose emissions it is appropriate to control (hereinafter referred to as a "unit requiring emissions control"); in addition to independently or collaboratively creating its own standards to be complied with for its emission into the atmosphere of mercury and mercury compounds associated with its units requiring emissions control, measuring concentrations of mercury, recording the results, saving them, and taking any other such measures that are needed in order to control the emission of mercury and mercury compounds into the atmosphere; must disclose the implementation status of those measures and an evaluation thereof.

(事業者の責務)

(Responsibility of Businesses)

第十八条の三十三 前条に規定するもののほか、事業者は、その事業活動に伴う水銀等の大気中への排出の状況を把握し、当該排出を抑制するために必要な措置を講ずるようになるとともに、国が実施する水銀等の大気中への排出の抑制に関する施策に協力しなければならない。

Article 18-33 Beyond what is prescribed in the preceding Article, a business must assess the status of the emission of mercury and mercury compounds into the atmosphere that is associated with its business activities and take the necessary measures to control their emission, as well as cooperating with the policies that the national government implements to control the emission of mercury and mercury compounds into the atmosphere.

(国の施策)

(Policies of the National Government)

第十八条の三十四 国は、我が国における水銀等の大気中への排出の状況を把握し、その結果を公表すること、水銀等の大気中への排出の抑制のための技術に関する情報を収集整理し、その成果の普及を図ることその他の水銀等の大気中への排出の抑制に関

する施策の実施に努めなければならない。

Article 18-34 The national government must apply itself to assessing the status of the emission of mercury and mercury compounds into the atmosphere in Japan and disclosing the results thereof; to collecting and organizing data connected with technologies for controlling the emission of mercury and mercury compounds into the atmosphere and ensuring the prevalence of the products of this; and to other such implementation of policies related to controlling the emission of mercury and mercury compounds into the atmosphere.

(地方公共団体の施策)

(Policies of Local Public Entities)

第十八条の三十五 地方公共団体は、事業者に対し、水銀等の大気中への排出を抑制するために必要な措置を講ずることを促進するために必要な情報の提供を行うよう努めるとともに、住民に対し、水銀等の大気中への排出の抑制に関する知識の普及を図るよう努めなければならない。

Article 18-35 Local public entities must endeavor to provide the necessary information to businesses to prompt them to undertake the necessary measures to control the emission of mercury and mercury compounds into the atmosphere, and must endeavor to ensure the prevalence of knowledge relating to the control of the emission of mercury and mercury compounds into the atmosphere among their residents.

第二章の五 有害大気汚染物質対策の推進

Chapter II-5 Furtherance of Measures Against Hazardous Air Pollutants

(施策等の実施の指針)

(Guidelines for the Implementation of Policies)

第十八条の三十六 有害大気汚染物質による大気の汚染の防止に関する施策その他の措置は、科学的知見の充実の下に、将来にわたって人の健康に係る被害が未然に防止されるようにすることを旨として、実施されなければならない。

Article 18-36 Policies related to preventing the pollution of the air by hazardous air pollutants and other such measures must be implemented with the aim of preventing future damage to human health while making full use of scientific knowledge.

(事業者の責務)

(Responsibility of Businesses)

第十八条の三十七 事業者は、その事業活動に伴う有害大気汚染物質の大気中への排出又は飛散の状況を把握するとともに、当該排出又は飛散を抑制するために必要な措置を講ずるようにしなければならない。

Article 18-37 A business must assess the status of the emission and dispersal of hazardous air pollutants into the atmosphere that is associated with its business activities, and must work take the necessary measures to control their emission and dispersal.

(国の施策)

(Policies of the National Government)

第十八条の三十八 国は、地方公共団体との連携の下に有害大気汚染物質による大気の汚染の状況を把握するための調査の実施に努めるとともに、有害大気汚染物質の人の健康に及ぼす影響に関する科学的知見の充実に努めなければならない。

Article 18-38 (1) The national government must endeavor to conduct studies in collaboration with local public entities in order to assess the status of the pollution of the air by hazardous air pollutants, and must endeavor to make full use of scientific knowledge concerning the effects of hazardous air pollutants on human health.

2 国は、前項の調査の実施状況及び同項の科学的知見の充実の程度に応じ、有害大気汚染物質ごとに大気の汚染による人の健康に係る被害が生ずるおそれの程度を評価し、その成果を定期的に公表しなければならない。

(2) In line with the implementation status of the studies referred to in the preceding paragraph and the degree to which full use is being made of the scientific knowledge referred to in that paragraph, the national government must evaluate the degree of risk that air pollution will damage human health for each hazardous air pollutant, and must periodically disclose the products of these evaluations.

3 国は、事業者が前条の措置を講ずることを促進し、及び次条の地方公共団体の施策が推進されることに資するため、有害大気汚染物質の排出又は飛散の抑制のための技術に関する情報を収集整理し、及びその成果の普及を図るように努めなければならない。

(3) In order to prompt businesses to undertake the measures referred to in the preceding Article and in order to contribute to the furtherance of policies by local public entities under the following Article, the national government must collect and organize data connected with technologies for controlling the emission and dispersal of hazardous air pollutants and endeavor to ensure the prevalence of the products thereof.

(地方公共団体の施策)

(Policies of Local Public Entities)

第十八条の三十九 地方公共団体は、その区域に係る有害大気汚染物質による大気の汚染の状況を把握するための調査の実施に努めなければならない。

Article 18-39 (1) Local public entities must endeavor to conduct studies to assess the status of the pollution of the air by hazardous air pollutants in their

districts.

2 地方公共団体は、事業者に対し、第十八条の三十七の措置を講ずることを促進するために必要な情報の提供を行うように努めるとともに、住民に対し、有害大気汚染物質による大気の汚染の防止に関する知識の普及を図るように努めなければならない。

(2) Local public entities must endeavor to provide the necessary information to businesses to prompt them to undertake the measures referred to in Article 18-37, and must strive to ensure the prevalence of knowledge about preventing the pollution of the air by hazardous air pollutants among their residents.

(国民の努力)

(Efforts by the People)

第十八条の四十 何人も、その日常生活に伴う有害大気汚染物質の大気中への排出又は飛散を抑制するように努めなければならない。

Article 18-40 Every person must endeavor to control the emission and dispersal of hazardous air pollutants into the atmosphere associated with the person's daily activities.

第三章 自動車排出ガスに係る許容限度等

Chapter III Permissible Limits for Automobile Exhaust

(許容限度)

(Permissible Limits)

第十九条 環境大臣は、自動車が一定の条件で運行する場合に発生し、大気中に排出される排出物に含まれる自動車排出ガスの量の許容限度を定めなければならない。

Article 19 (1) The Minister of the Environment must establish permissible limits for the quantity of automobile exhaust contained in the emissions that are generated and emitted into the atmosphere when an automobile runs under certain conditions.

2 自動車排出ガスによる大気の汚染の防止を図るため、国土交通大臣は、道路運送車両法に基づく命令で、自動車排出ガスの排出に係る規制に関し必要な事項を定める場合には、前項の許容限度が確保されるとともに次条第一項の許容限度の確保に資することとなるように考慮しなければならない。

(2) When establishing the necessary particulars in connection with regulating the emission of automobile exhaust through an order based on the Road Transport Vehicle Act in order to prevent the pollution of the air by automobile exhaust, the Minister of Land, Infrastructure, Transport and Tourism must be mindful of establishing them in a way that secures the permissible limit referred to in the preceding paragraph and that will contribute to securing the permissible limit referred to in paragraph (1) of the following Article.

3 環境大臣は、特定特殊自動車（特定特殊自動車排出ガスの規制等に関する法律（平成十七年法律第五十一号）第二条第一項に規定する特定特殊自動車をいう。）が一定

の条件で使用される場合に発生し、大気中に排出される排出物に含まれる特定特殊自動車排出ガス（同条第三項に規定する特定特殊自動車排出ガスをいう。次項において同じ。）の量の許容限度を定めなければならない。

(3) The Minister of the Environment must set permissible limits for quantities of emissions from non-road vehicles (meaning emissions from non-road vehicles as provided in Article 2, paragraph (3) of the Act on Regulations for Emissions From Non-Road Vehicles (Act No. 51 of May 25, 2005); the same applies in the following paragraph) that are contained in emissions generated and released into the atmosphere when non-road vehicles (meaning non-road vehicles as defined by Article 2, paragraph (1) of that Article) are used under certain conditions.

4 特定特殊自動車排出ガスによる大気の汚染の防止を図るため、特定特殊自動車排出ガスの規制等に関する法律第五条に規定する主務大臣は、同条の技術上の基準を定める場合には、前項の許容限度が確保されるように考慮しなければならない。

(4) When the competent minister provided for in Article 5 of the Act on Regulations for Emissions From Non-Road Vehicles establishes technical standards under that Article as a way of preventing the pollution of the air by emissions from non-road vehicles, the competent minister must be mindful of establishing them in a way that secures the permissible limit referred to in the preceding paragraph.

第十九条之二 環境大臣は、前条第一項の許容限度を定めるに当たつて自動車排出ガスによる大気の汚染の防止を図るため必要があると認めるときは、自動車の燃料の性状に関する許容限度又は自動車の燃料に含まれる物質の量の許容限度を定めなければならない。

Article 19-2 (1) On finding it to be necessary to do so in order to prevent the pollution of the air by automobile exhaust in setting the permissible limits referred to in the provisions of paragraph (1) of the preceding Article, the Minister of the Environment must set permissible limits in connection with automobile fuel properties or permissible limits for quantities of substances contained in automobile fuel.

2 自動車排出ガスによる大気の汚染の防止を図るため、経済産業大臣は、揮発油等の品質の確保等に関する法律（昭和五十一年法律第八十八号）に基づく命令で自動車の燃料に係る規制に関し必要な事項を定める場合には、前項の許容限度が確保されるように考慮しなければならない。

(2) When prescribing the necessary particulars related to the regulation of automobile fuel through an order based on the Act on Quality Control for Gasoline and Other Fuels (Act No. 88 of 1976) as a way of preventing the pollution of the air by automobile exhaust, the Minister of Economy, Trade and Industry must be mindful of establishing them in a way that secures the permissible limit referred to in the preceding paragraph.

(自動車排出ガスの濃度の測定)

(Measurement of the Concentration of Automobile Exhaust)

第二十条 都道府県知事は、交差点等があるため自動車の交通が渋滞することにより自動車排出ガスによる大気の著しい汚染が生じ、又は生ずるおそれがある道路の部分及びその周辺の区域について、大気中の自動車排出ガスの濃度の測定を行なうものとする。

Article 20 The prefectural governor is to measure the concentration of automobile exhaust in the atmosphere on sections of road and areas near sections of road where substantial pollution of the air by automobile exhaust occurs or is likely to occur due to traffic congestion caused by the presence of intersections or other such things.

(測定に基づく要請等)

(Demands Based on Measurements)

第二十一条 都道府県知事は、前条の測定を行なった場合において、自動車排出ガスにより道路の部分及びその周辺の区域に係る大気の汚染が環境省令で定める限度をこえていると認められるときは、都道府県公安委員会に対し、道路交通法（昭和三十五年法律第百五号）の規定による措置をとるべきことを要請するものとする。

Article 21 (1) When a prefectural governor has taken a measurement as referred to in the preceding Article, if it is found that the pollution of the air on that section of road or in an area near that section of road exceeds the limit prescribed by Order of the Ministry of the Environment due to automobile exhaust, the prefectural governor is to demand that the prefectural public safety commission take measures under the provisions of the Road Traffic Act (Act No. 105 of 1960).

2 環境大臣は、前項の環境省令を定めようとするときは、あらかじめ、国家公安委員会に協議しなければならない。

(2) Before seeking to establish the Order of the Ministry of the Environment referred to in the preceding paragraph, the Minister of the Environment must first consult with the National Public Safety Commission.

3 都道府県知事は、第一項の規定により要請する場合を除くほか、前条の測定を行った場合において特に必要があると認めるときは、当該道路の部分の構造の改善その他自動車排出ガスの濃度の減少に資する事項に関し、道路管理者又は関係行政機関の長に意見を述べることができる。

(3) Other than when making a demand pursuant to paragraph (1), if a prefectural governor has taken a measurement as referred to in the preceding Article and finds it to be particularly necessary to do so, the prefectural governor may state an opinion to a road administrator or head of a related administrative organ regarding improvements in the structure of the applicable section of road and other particulars conducive to reducing

automobile exhaust concentrations.

(国民の努力)

(Efforts by the People)

第二十一条の二 何人も、自動車を運転し、若しくは使用し、又は交通機関を利用するに当たっては、自動車排出ガスの排出が抑制されるように努めなければならない。

Article 21-2 Every person must endeavor to control automobile exhaust in operating or using an automobile and in using public transportation.

第四章 大気の汚染の状況の監視等

Chapter IV Monitoring of Air Pollution Status

(常時監視)

(Continuous Monitoring)

第二十二条 都道府県知事は、環境省令で定めるところにより、大気の汚染（放射性物質によるものを除く。第二十四条第一項において同じ。）の状況を常時監視しなければならない。

Article 22 (1) Pursuant to the provisions of Order of the Ministry of the Environment, a prefectural governor must continuously monitor the air pollution status (other than air pollution that is caused by radioactive substances; the same applies to Article 24, paragraph (1)).

2 都道府県知事は、環境省令で定めるところにより、前項の常時監視の結果を環境大臣に報告しなければならない。

(2) Pursuant to the provisions of Order of the Ministry of the Environment, a prefectural governor must report the results of the continuous monitoring referred to in the preceding paragraph to the Minister of the Environment.

3 環境大臣は、環境省令で定めるところにより、放射性物質（環境省令で定めるものに限る。第二十四条第二項において同じ。）による大気の汚染の状況を常時監視しなければならない。

(3) Pursuant to the provisions of Order of the Ministry of the Environment, the Minister of the Environment must continuously monitor the status of the pollution of the air by radioactive substances (limited to substances specified by Order of the Ministry of the Environment; the same applies to Article 24, paragraph (2)).

(緊急時の措置)

(Emergency Measures)

第二十三条 都道府県知事は、大気の汚染が著しくなり、人の健康又は生活環境に係る被害が生ずるおそれがある場合として政令で定める場合に該当する事態が発生したときは、その事態を一般に周知させるとともに、ばい煙を排出する者、揮発性有機化合物を排出し、若しくは飛散させる者又は自動車の使用者若しくは運転者であつて、当

該大気の汚染をさらに著しくするおそれがあると認められるものに対し、ばい煙の排出量若しくは揮発性有機化合物の排出量若しくは飛散の量の減少又は自動車の運行の自主的制限について協力を求めなければならない。

Article 23 (1) If a situation has arisen that falls under the category of a case specified by Cabinet Order as one in which there is a risk of air pollution becoming significant and of human health or living environment being damaged, the prefectural governor must make the situation known to the general public, and must seek cooperation in reducing the volume of soot and smoke emissions from a person emitting soot or smoke that is found to be likely to exacerbate the air pollution in question; must seek cooperation in reducing the volume of volatile organic compounds emitted or dispersed from a person emitting or dispersing volatile organic compounds that is found to be likely to exacerbate the air pollution in question; and must seek cooperation in terms of voluntary restraint in the operation of automobiles from a user or operator of automobiles that is found to be likely to exacerbate the air pollution in question.

2 都道府県知事は、気象状況の影響により大気の汚染が急激に著しくなり、人の健康又は生活環境に重大な被害が生ずる場合として政令で定める場合に該当する事態が発生したときは、当該事態がばい煙又は揮発性有機化合物に起因する場合にあつては、環境省令で定めるところにより、ばい煙排出者又は揮発性有機化合物排出者に対し、ばい煙量若しくはばい煙濃度又は揮発性有機化合物濃度の減少、ばい煙発生施設又は揮発性有機化合物排出施設の使用の制限その他必要な措置をとるべきことを命じ、当該事態が自動車排出ガスに起因する場合にあつては、都道府県公安委員会に対し、道路交通法の規定による措置をとるべきことを要請するものとする。

(2) If a situation has arisen that falls under the category of a case specified by Cabinet Order as one in which weather conditions will cause a sudden exacerbation of air pollution and human health or the living environment will be damaged, and that situation is due to soot or smoke, the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment, is to order emitters of soot or smoke to reduce their volumes of soot or smoke quantity or soot or smoke concentrations, to restrict the use of units generating soot and smoke, and to take other necessary measures; if the situation is due to a volatile organic compound, the prefectural governor, pursuant to the provisions of Order of the Ministry of the Environment, is to order volatile organic compound emitters to reduce volatile organic compound concentrations, to restrict the use of units emitting volatile organic compounds, and to take other necessary measures; and if the situation is due to automobile exhaust, the prefectural governor is to demand that the prefectural public safety commission take measures under the provisions of the Road Traffic Act.

(公表)

(Disclosure)

第二十四条 都道府県知事は、環境省令で定めるところにより、当該都道府県の区域に係る大気の汚染の状況を公表しなければならない。

Article 24 (1) A prefectural governor must disclose the air pollution status for the prefectural area pursuant to the provisions of Order of the Ministry of the Environment.

2 環境大臣は、環境省令で定めるところにより、放射性物質による大気の汚染の状況を公表しなければならない。

(2) The Minister of the Environment must disclose the status of the pollution of the air by radioactive substances pursuant to the provisions of Order of the Ministry of the Environment.

第四章の二 損害賠償

Chapter IV-2 Compensation for Loss and Damage

(無過失責任)

(Strict Liability)

第二十五条 工場又は事業場における事業活動に伴う健康被害物質（ばい煙、特定物質又は粉じん、生活環境のみに係る被害を生ずるおそれがある物質として政令で定めるもの以外のものをいう。以下この章において同じ。）の大気中への排出（飛散を含む。以下この章において同じ。）により、人の生命又は身体を害したときは、当該排出に係る事業者は、これによつて生じた損害を賠償する責めに任ずる。

Article 25 (1) If the emission (or dispersal; the same applies hereinafter in this Chapter) into the atmosphere of a substance harmful to human health (meaning soot or smoke, a designated substance, or particulates, other than the substances specified by Cabinet Order as being likely to damage only the living environment; the same applies hereinafter in this Chapter) in association with business activities at a factory or place of business causes fatal or bodily harm to a person, the business associated with the emissions is liable to compensate for the loss or damage arising from this.

2 一の物質が新たに健康被害物質となつた場合には、前項の規定は、その物質が健康被害物質となつた日以後の当該物質の排出による損害について適用する。

(2) If a substance comes to be designated as a substance harmful to human health, the provisions of the preceding paragraph apply to loss and damage caused by the emission of the substance on and after the date on which the substance is designated as a substance harmful to human health.

第二十五条の二 前条第一項に規定する損害が二以上の事業者の健康被害物質の大気中への排出により生じ、当該損害賠償の責任について民法（明治二十九年法律第八十九号）第七百十九条第一項の規定の適用がある場合において、当該損害の発生に関しその原因となつた程度が著しく小さいと認められる事業者があるときは、裁判所は、そ

の者の損害賠償の額を定めるについて、その事情をしんしやくすることができる。

Article 25-2 If loss or damage provided for in paragraph (1) of the preceding Article is caused by two or more businesses emitting substances harmful to human health into the atmosphere and the provisions of Article 719, paragraph (1) of the Civil Code (Act No. 89 of 1896) apply to the liability for that loss or damage, and if any of the businesses is found to have had significantly little responsibility in causing the loss or damage, the court may take that circumstance into consideration when deciding the amount of compensation for loss or damage that that person provides.

(賠償についてのしんしやく)

(Considerations for Compensation)

第二十五条の三 第二十五条第一項に規定する損害の発生に関して、天災その他の不可抗力が競合したときは、裁判所は、損害賠償の責任及び額を定めるについて、これをしんしやくすることができる。

Article 25-3 If a natural disaster or other force majeure is also involved in the occurrence of the loss or damage provided for in Article 25, paragraph (1), the court may take that circumstance into consideration when deciding the liability and amount for the compensation.

(消滅時効)

(Extinctive Prescription)

第二十五条の四 第二十五条第一項に規定する損害賠償の請求権は、被害者又はその法定代理人が損害及び賠償義務者を知った時から三年間行なわないときは、時効によって消滅する。損害の発生の中から二十年を経過したときも、同様とする。

Article 25-4 The right to claim compensation for loss or damage under the provisions of Article 25, paragraph (1) lapses by prescription if not exercised within three years from the time when the victim or the legal representative became aware of the loss or damage and the person that is liable to compensate. The same applies when twenty years have elapsed from the time when the damage first occurred.

(鉱業法の適用)

(Application of the Mining Act)

第二十五条の五 第二十五条第一項に規定する損害賠償の責任について鉱業法（昭和二十五年法律第二百八十九号）の適用があるときは、同法の定めるところによる。

Article 25-5 The Mining Act (Act No. 289 of 1950) governs if it is applicable to the liability to compensate for loss or damaged prescribed in Article 25, paragraph (1).

(適用除外)

(Exemptions)

第二十五条の六 この章の規定は、事業者が行なう事業に従事する者の業務上の負傷、疾病及び死亡に関しては、適用しない。

Article 25-6 The provisions of this Chapter do not apply to injury, illness, or death in the course of duty by any person engaged in business activities conducted by a business.

第五章 雑則

Chapter V Miscellaneous Provisions

(報告及び検査)

(Reporting and Inspection)

第二十六条 環境大臣又は都道府県知事は、この法律の施行に必要な限度において、政令で定めるところにより、ばい煙発生施設を設置している者、特定施設を工場若しくは事業場に設置している者、揮発性有機化合物排出施設を設置している者、一般粉じん発生施設を設置している者、特定粉じん排出者、解体等工事の発注者若しくは受注者、自主施工者、特定工事を施工する者若しくは水銀排出施設を設置している者に対し、ばい煙発生施設の状況、特定施設の事故の状況、揮発性有機化合物排出施設の状況、一般粉じん発生施設の状況、特定粉じん発生施設の状況、解体等工事に係る建築物等の状況、特定粉じん排出等作業の状況、水銀排出施設の状況その他必要な事項の報告を求め、又はその職員に、ばい煙発生施設を設置している者、特定施設を工場若しくは事業場に設置している者、揮発性有機化合物排出施設を設置している者、一般粉じん発生施設を設置している者若しくは特定粉じん排出者の工場若しくは事業場、解体等工事に係る建築物等、解体等工事の現場若しくは水銀排出施設を設置している者の工場若しくは事業場に立ち入り、ばい煙発生施設、ばい煙処理施設、特定施設、揮発性有機化合物排出施設、一般粉じん発生施設、特定粉じん発生施設、解体等工事に係る建築物等、水銀排出施設その他の物件を検査させることができる。

Article 26 (1) To the extent necessary to enforce this Act and as specified by Cabinet Order, the Minister of the Environment or a prefectural governor may request the relevant persons to report the status of units generating soot or smoke, the status of incidents at specified units, the status of units emitting a volatile organic compound, the status of units generating ordinary particulates, the status of units generating specified particulates, the status of buildings and other such structures connected with construction work involving demolition, remodeling, and renovation, the status of work emitting or dispersing specified particulates, the status of units emitting mercury, and any other particulars from persons that have installed units generating soot or smoke, specified units in a factory or place of business, units emitting volatile organic compounds, units generating ordinary particulates, specified particulates emitters, original orderers and contractors of construction work involving demolition, remodeling, and renovation, initiating builders, persons

engaging in specified construction work, and persons that have in place units emitting mercury; and may have officials of the Minister of the Environment or a prefectural governor enter the factories and places of business of persons that have in place units generating soot and smoke, persons that have in place specified units in a factory or place of business, persons that have in place units emitting a volatile organic compounds, persons that have in place units generating ordinary particulates, and specified particulates emitters, buildings and other such structures and sites associated with construction work involving demolition, remodeling, and renovation, and factories and places of business of persons that have in place units emitting mercury, and inspect units generating soot and smoke, soot and smoke filtering units, specified units, units emitting volatile organic compounds, units generating ordinary particulates, units generating specified particulates, buildings and other such structures associated with construction work involving demolition, remodeling, or renovation, and units emitting mercury.

2 前項の規定による環境大臣による報告の徴収又はその職員による立入検査は、大気の汚染により人の健康又は生活環境に係る被害が生ずることを防止するため緊急の必要があると認められる場合に行うものとする。

(2) The Minister of the Environment is to collect reports and the Minister's officials are to conduct on-site inspections under the preceding paragraph if there is found to be an urgent need to do so to prevent air pollution from damaging human health or the living environment.

3 第一項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(3) An official conducting an on-site inspection pursuant to the provisions of paragraph (1) must carry an identification card and present it to the relevant persons.

4 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority to conduct on-site inspections under paragraph (1) must not be construed as authority accorded for the purpose of a criminal investigation.

(適用除外等)

(Exemptions)

第二十七条 電気事業法（昭和三十九年法律第七十号）第二条第一項第十八号に規定する電気工作物、ガス事業法（昭和三十九年法律第五十一号）第二条第十三項に規定するガス工作物又は鉱山保安法（昭和二十四年法律第七十号）第十三条第一項の経済産業省令で定める施設であるばい煙発生施設、特定施設、揮発性有機化合物排出施設、一般粉じん発生施設、特定粉じん発生施設又は水銀排出施設（以下「ばい煙発生施設等」という。）において発生し、又は飛散するばい煙、特定物質、揮発性有機化合物、一般粉じん、特定粉じん又は水銀等（以下「ばい煙等」という。）を排出し、又は飛

散させる者については、第六条から第十条まで（同条第二項にあつては、第十七条の十三第一項、第十八条の十三第一項及び第十八条の三十一第一項において準用する場合を含む。）、第十一条及び第十二条（これらの規定を第十七条の十三第二項、第十八条の十三第二項及び第十八条の三十一第二項において準用する場合を含む。）、第十七条第二項及び第三項、第十七条の五から第十七条の九まで、第十八条、第十八条の二、第十八条の六から第十八条の九まで並びに第十八条の二十三から第十八条の二十七までの規定を適用せず、電気事業法、ガス事業法又は鉱山保安法の相当規定の定めるところによる。

Article 27 (1) The provisions of Articles 6 through 10 (including when Article 10, paragraph (2) is applied mutatis mutandis pursuant to Article 17-13, paragraph (1), Article 18-13, paragraph (1), and Article 18-31, paragraph (1)), Articles 11 and 12 (including when these provisions are applied mutatis mutandis pursuant to Article 17-13, paragraph (2), Article 18-13, paragraph (2) and Article 18-31, paragraph (2)), Article 17, paragraphs (2) and (3), Articles 17-5 through 17-9, Article 18, Article 18-2, Articles 18-6 through 18-9, and Articles 18-23 through 18-27 do not apply to a person that emits or causes the dispersal of soot or smoke, a specified substance, volatile organic compound, ordinary particulates, specified particulates, or mercury or a mercury compound (hereinafter referred to as "soot, smoke, or any other prescribed pollutant") that is generated or dispersed at the electrical facilities specified by the provisions of Article 2, paragraph (1), item (xviii) of the Electricity Business Act (Act No. 170 of 1964), the gas facilities specified by the provisions of Article 2, paragraph (13) of the Gas Business Act (Act No. 51 of 1954), or at a unit generating soot or smoke, specified unit, unit emitting a volatile organic compound, unit generating ordinary particulates, unit generating specified particulates, or unit emitting mercury (hereinafter referred to as a "unit generating soot or smoke or any other prescribed unit"), which constitutes a unit specified by Order of the Ministry of Economy, Trade and Industry referred to in Article 13, paragraph (1) of the Mine Safety Act (Act No. 70 of 1949); and the corresponding provisions of the Electricity Business Act, the Gas Business Act, or the Mine Safety Act apply.

2 前項に規定する法律に基づく権限を有する国の行政機関の長（以下この条において単に「行政機関の長」という。）は、第六条、第八条、第十一条若しくは第十二条第三項（これらの規定を第十七条の十三第二項、第十八条の十三第二項及び第十八条の三十一第二項において準用する場合を含む。）、第十七条の五、第十七条の七、第十八条、第十八条の六、第十八条の二十三又は第十八条の二十五の規定に相当する電気事業法、ガス事業法又は鉱山保安法の規定による前項に規定するばい煙発生施設等に係る許可若しくは認可の申請又は届出があつたときは、その許可若しくは認可の申請又は届出に係る事項のうちこれらの規定による届出事項に該当する事項を当該ばい煙発生施設等の所在地を管轄する都道府県知事に通知するものとする。

(2) When there has been an application or notification for permission or approval

in connection with a unit generating soot or smoke or any other prescribed unit as specified in the preceding paragraph under provisions of the Electricity Business Act, Gas Business Act, or Mine Safety Act that correspond to Article 6, Article 8, Article 11 or Article 12, paragraph (3) (including as applied mutatis mutandis to Article 17-13, paragraph (2), Article 18-13, paragraph (2), and Article 18-31, paragraph (2)), Article 17-5, Article 17-7, Article 18, Article 18-6, Article 18-23, or Article 18-25, the head of the national government administrative organ that has authority under an Act specified in the preceding paragraph (hereinafter referred to as the "head of an administrative organ" in this Article) is to notify the prefectural governor having jurisdiction in the locality of the applicable unit generating soot or smoke or any other prescribed unit, of those of the particulars stated in the application or notification for that permission or approval which constitute particulars subject to notification under these provisions.

3 都道府県知事は、第一項に規定するばい煙発生施設等において発生し、又は飛散するばい煙等に起因する大気の汚染により人の健康又は生活環境に係る被害を生ずるおそれがあると認めるときは、行政機関の長に対し、第九条、第九条の二、第十七条の八、第十八条の八又は第十八条の二十六の規定に相当する電気事業法、ガス事業法又は鉱山保安法の規定による措置を執るべきことを要請することができる。

(3) On finding there to be a risk that air pollution caused by soot, smoke, or any other prescribed pollutant generated or dispersed at a unit generating soot or smoke or any other prescribed unit provided for in paragraph (1) will damage human health or the living environment, the prefectural governor may demand that the head of an administrative organ take measures under the provisions of the Electricity Business Act, the Gas Business Act, or the Mine Safety Act that correspond to the provisions of Article 9, Article 9-2, Article 17-8, Article 18-8, or Article 18-26.

4 行政機関の長は、前項の規定による要請があつた場合において講じた措置を当該都道府県知事に通知するものとする。

(4) If a demand under the preceding paragraph has been made, the head of the administrative organ is to notify the relevant prefectural governor of the measures taken.

5 都道府県知事は、第一項に規定するばい煙発生施設等について、第十四条第一項若しくは第三項、第十七条の十一、第十八条の四若しくは第十八条の十一の規定による命令又は第十八条の二十九第一項の規定による勧告若しくは同条第二項の規定による命令をしようとするときは、あらかじめ、行政機関の長に協議しなければならない。

(5) With regard to a unit generating soot or smoke or any other prescribed unit specified in paragraph (1), before seeking to issue an order under Article 14, paragraph (1) or (3), Article 17-11, Article 18-4, or Article 18-11, a recommendation under Article 18-29, paragraph (1), or an order under Article 18, paragraph (2), the prefectural governor must first consult with the head of

the administrative organ.

(資料の提出の要求等)

(Demands for the Submission of Materials)

第二十八条 環境大臣は、この法律の目的を達成するため必要があると認めるときは、関係地方公共団体の長に対し、必要な資料の提出及び説明を求めることができる。

Article 28 (1) On finding it to be necessary to do so in order to achieve the purpose of this Act, the Minister of the Environment may demand that the heads of relevant local public entities submit the necessary documents and provide explanations.

2 都道府県知事は、この法律の目的を達成するため必要があると認めるときは、関係行政機関の長又は関係地方公共団体の長に対し、ばい煙発生施設、揮発性有機化合物排出施設、一般粉じん発生施設、特定粉じん発生施設、特定粉じん排出等作業若しくは水銀排出施設の状況等に関する資料の送付その他の協力を求め、又はばい煙、揮発性有機化合物、粉じん若しくは水銀等による大気の汚染の防止に関し意見を述べることができる。

(2) On finding it to be necessary to do so in order to achieve the purpose of this Act, the prefectural governor may ask the heads of administrative organs or heads of relevant local public entities to send materials concerning things such as the status of units generating soot and smoke, units emitting volatile organic compounds, units generating ordinary particulates, units generating specified particulates, or work emitting or dispersing specified particulates or to provide other such cooperation, or may state an opinion concerning the prevention of air pollution from soot or smoke, volatile organic compounds, particulates, or mercury or a mercury compound.

(環境大臣の指示)

(Instructions from the Minister of the Environment)

第二十八条の二 環境大臣は、大気の汚染により人の健康に係る被害が生ずることを防止するため緊急の必要があると認めるときは、都道府県知事又は第三十一条第一項の政令で定める市（特別区を含む。）の長に対し、次に掲げる事務に関し必要な指示をすることができる。

Article 28-2 On finding it to be urgently necessary to do so in order to prevent air pollution from damaging human health, the Minister of the Environment may issue the necessary instructions in connection with the administrative functions set forth below to prefectural governors or to mayors of the cities (including special wards) that are specified by Cabinet Order under Article 31, paragraph (1).

一 第九条、第九条の二、第十四条第一項及び第三項、第十五条第二項、第十五条の二第二項、第十七条第三項、第十七条の八、第十七条の十一、第十八条の四、第十八条の八、第十八条の十一、第十八条の十六、第十八条の十九、第十八条の二十六、

第十八条の二十九第二項並びに第二十三条第二項の規定による命令に関する事務

(i) administrative functions related to orders under Article 9, Article 9-2, Article 14, paragraphs (1) and (3), Article 15, paragraph (2), Article 15-2, paragraph (2), Article 17, paragraph (3), Article 17-8, Article 17-11, Article 18-4, Article 18-8, Article 18-11, Article 18-16, Article 18-19, Article 18-26, Article 18-29, paragraph (2), and Article 23, paragraph (2);

二 第十五条第一項、第十五条の二第一項及び第十八条の二十九第一項の規定による勧告に関する事務

(ii) administrative functions related to recommendations under Article 15, paragraph (1), Article 15-2, paragraph (1), and Article 18-29, paragraph (1);

三 第二十一条第一項、第二十三条第二項及び第二十七条第三項の規定による要請に関する事務

(iii) administrative functions related to demands under Article 21, paragraph (1), Article 23, paragraph (2), and Article 27, paragraph (3);

四 第二十一条第三項の規定による意見を述べることにに関する事務

(iv) administrative functions related to statements of opinion under Article 21, paragraph (3);

五 第二十三条第一項の規定による周知及び協力を求めることにに関する事務

(v) administrative functions related to making the situation in question known and the seeking of cooperation under Article 23, paragraph (1); and

六 前条第二項の規定による協力を求め、又は意見を述べることにに関する事務

(vi) administrative functions related to seeking cooperation or expressing opinions under paragraph (2) of the preceding Article.

(国の援助)

(Assistance by the National Government)

第二十九条 国は、工場若しくは事業場における事業活動又は建築物等の解体等に伴うばい煙、揮発性有機化合物、特定粉じん又は水銀等の排出等による大気汚染の防止のための施設の設置又は改善につき必要な資金のあつせん、技術的な助言その他の援助に努めるものとする。

Article 29 The national government is to endeavor to make the needed funding arrangements, give the needed technical advice, and provide other such needed assistance for the installation and improvement of units used to prevent the pollution of the air due to the emission and dispersal of soot and smoke, volatile organic compounds, specified particulates, and mercury and mercury compounds associated with business activities at a factory or place of business, and with the demolition, remodeling, and renovation of buildings and other structures.

(研究の推進等)

(Furtherance of Research)

第三十条 国は、ばい煙、特定物質、揮発性有機化合物、水銀等及び自動車排出ガスの処理に関する技術の研究、大気の汚染の人の健康又は生活環境に及ぼす影響の研究その他大気の汚染の防止に関する研究及び国際協力を推進し、その成果の普及に努めるものとする。

Article 30 The national government is to endeavor to further research and international collaboration on technologies related to the processing of soot or smoke, specified substances, volatile organic compounds, mercury and mercury compounds, and automobile exhaust, research on the impact of air pollution on human health and the living environment, and other research related to the prevention of air pollution, and is to endeavor to ensure the prevalence of the products of this.

(経過措置)

(Transitional Measures)

第三十条の二 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 30-2 When an order is created, amended, or repealed based on the provisions of this Act, it may prescribe the necessary transitional measures (including transitional measures for penal provisions) to the extent that is determined to be reasonably necessary as a function of its creation, amendment, or repeal.

(権限の委任)

(Delegation of Authority)

第三十条の三 この法律に規定する環境大臣の権限は、環境省令で定めるところにより、地方環境事務所長に委任することができる。

Article 30-3 The authority of the Minister of the Environment specified by this Act may be delegated to the director general of a regional environmental affairs office pursuant to the provisions of Order of the Ministry of the Environment.

(政令で定める市の長による事務の処理)

(Administrative Functions Handled by Mayors of the Cities Specified by Cabinet Order)

第三十一条 この法律の規定により都道府県知事の権限に属する事務の一部は、政令で定めるところにより、政令で定める市（特別区を含む。以下同じ。）の長が行うこととすることができる。

Article 31 (1) Pursuant to the provisions of Cabinet Order, mayors of the cities (including special wards; the same applies hereinafter) that are specified by Cabinet Order may conduct part of the administrative functions that come

under the authority of prefectural governors pursuant to this Act.

2 前項の政令で定める市の長は、この法律の施行に必要な事項で環境省令で定めるものを都道府県知事に通知しなければならない。

(2) The mayors of the cities that are specified by Cabinet Order as referred to in the preceding paragraph must notify the prefectural governor of the particulars of which they need to be notified in order to enforce this Act that are specified by Order of the Ministry of the Environment.

(事務の区分)

(Classification of Administrative Functions)

第三十一条の二 この法律の規定により都道府県が処理することとされている事務のうち、第五条の二第一項の規定により処理することとされているもの（指定ばい煙総量削減計画の作成に係るものを除く。）並びに同条第二項及び第三項、第十五条第三項、第十五条の二第三項及び第四項並びに第二十二条第一項及び第二項の規定により処理することとされているものは、地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務とする。

Article 31-2 Among the administrative functions that the prefectures are to handle pursuant to the provisions of this Act, administrative functions that they are to handle pursuant to the provisions of Article 5-2, paragraph (1) (other than those related to the formulation of a plan for reducing the total quantity of designated soot and smoke) and those that they are to handle pursuant to the provisions of Article 5-2, paragraphs (2) and (3), Article 15, paragraph (3), Article 15-2, paragraphs (3) and (4), and Article 22, paragraphs (1) and (2) constitute item (i) statutory entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

(条例との関係)

(Relationship of This Act to Municipal and Prefectural Ordinances)

第三十二条 この法律の規定は、地方公共団体が、ばい煙発生施設について、そのばい煙発生施設において発生するばい煙以外の物質の大気中への排出に関し、ばい煙発生施設以外のばい煙を発生し、及び排出する施設について、その施設において発生するばい煙の大気中への排出に関し、揮発性有機化合物排出施設について、その揮発性有機化合物排出施設に係る揮発性有機化合物以外の物質の大気中への排出に関し、揮発性有機化合物排出施設以外の揮発性有機化合物を排出する施設について、その施設に係る揮発性有機化合物の大気中への排出に関し、一般粉じん発生施設以外の一般粉じんを発生し、及び排出し、又は飛散させる施設について、その施設において発生し、又は飛散する一般粉じんの大気中への排出又は飛散に関し、特定粉じん発生施設について、その特定粉じん発生施設において発生し、又は飛散する特定粉じん以外の物質の大気中への排出又は飛散に関し、特定粉じん発生施設以外の特定粉じんを発生し、及び排出し、又は飛散させる施設について、その施設において発生し、又は飛散する特定粉じんの大気中への排出又は飛散に関し、特定粉じん排出等作業について、その

作業に伴い発生し、又は飛散する特定粉じん以外の物質の大気中への排出又は飛散に関し、特定粉じん排出等作業以外の建築物等を解体し、改造し、又は補修する作業について、その作業に伴い発生し、又は飛散する特定粉じんの大気中への排出又は飛散に関し、水銀排出施設について、その水銀排出施設に係る水銀等以外の物質の大気中への排出に関し、並びに水銀排出施設以外の水銀等を大気中に排出する施設について、その施設に係る水銀等の大気中への排出に関し、条例で必要な規制を定めることを妨げるものではない。

Article 32 The provisions of this Act do not preclude local public entities from formulating necessary regulations by means of ordinances: for units generating soot and smoke, this means ordinances concerning the emission into the atmosphere of substances other than the soot or smoke that the unit in question generates; for units that generate and emit soot or smoke but that do not constitute units generating soot or smoke, this means ordinances concerning the emission into the atmosphere of the soot or smoke that the unit in question generates; for units emitting volatile organic compounds, this means ordinances concerning the emission into the atmosphere of substances other than the volatile organic compound that the unit in question emits; for units that emit volatile organic compounds but that do not constitute units emitting volatile organic compounds, this means ordinances concerning the emission into the atmosphere of the volatile organic compound that the unit in question emits; for units that generate and emit or disperse ordinary particulates but that do not constitute units generating ordinary particulates, this means ordinances concerning the emission or dispersal into the atmosphere of the ordinary particulates generated or dispersed at the unit in question; for units generating specified particulates, this means ordinances concerning the emission or dispersal into the atmosphere of substances other than the specified particulates generated or dispersed at the unit in question; for units that generate and emit or disperse specified particulates but that do not constitute units emitting specified particulates, this means ordinances concerning the emission or dispersal into the atmosphere of the specified particulates generated or dispersed at the unit in question; for work emitting or dispersing specified particulates, this means ordinances concerning the emission or dispersal into the atmosphere of substances other than the specified particulates generated or dispersed in connection with that work; for work to demolish, remodel, or renovate a building or other such structure which does not constitute work emitting or dispersing specified particulates, this means ordinances concerning the emission or dispersal into the atmosphere of the specified particulates generated or dispersed in connection with that work; for units emitting mercury, this means ordinances concerning the emission into the atmosphere of substances other than the mercury or mercury compound associated with the unit in question; and for units that emit

mercury or a mercury compound into the atmosphere but that do not constitute units emitting mercury, this means ordinances concerning the emission into the atmosphere of the mercury or mercury compound associated with the unit in question.

第六章 罰則

Chapter VI Penal Provisions

第三十三条 第九条、第九条の二、第十四条第一項若しくは第三項、第十七条の八、第十七条の十一、第十八条の八、第十八条の十一、第十八条の二十六又は第十八条の二十九第二項の規定による命令に違反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 33 A person violating an order under Article 9, Article 9-2, Article 14, paragraph (1) or (3), Article 17-8, Article 17-11, Article 18-8, Article 18-11, Article 18-26, or Article 18-29, paragraph (2) is subject to imprisonment for up to one year or a fine of not more than one million yen.

第三十三条の二 次の各号のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 33-2 (1) A person falling under one of the following items is subject to imprisonment for up to six months or to a fine of not more than five hundred thousand yen:

一 第十三条第一項又は第十三条の二第一項の規定に違反した者

(i) a person violating the provisions of Article 13, paragraph (1), or Article 13-2, paragraph (1); and

二 第十七条第三項、第十八条の四、第十八条の十六、第十八条の十九又は第二十三条第二項の規定による命令に違反した者

(ii) a person violating an order under Article 17, paragraph (3), Article 18-4, Article 18-16, Article 18-19, or Article 23, paragraph (2).

2 過失により、前項第一号の罪を犯した者は、三月以下の禁錮又は三十万円以下の罰金に処する。

(2) A person committing an offense under item (i) of the preceding paragraph through negligence is subject to imprisonment for up to three months or to a fine of not more than three hundred thousand yen.

第三十四条 次の各号のいずれかに該当する者は、三月以下の懲役又は三十万円以下の罰金に処する。

Article 34 A person falling under one of the following items is subject to imprisonment for up to three months or to a fine of not more than three hundred thousand yen:

一 第六条第一項、第八条第一項、第十七条の五第一項、第十七条の七第一項、第十

- 八条の六第一項若しくは第三項、第十八条の十五第一項、第十八条の二十三第一項又は第十八条の二十五第一項の規定による届出をせず、又は虚偽の届出をした者
- (i) a person failing to file a notification or filing a false notification under Article 6, paragraph (1), Article 8, paragraph (1), Article 17-5, paragraph (1), Article 17-7, paragraph (1), Article 18-6, paragraph (1) or (3), Article 18-15, paragraph (1), Article 18-23, paragraph (1), or Article 18-25, paragraph (1); and
- 二 第十五条第二項又は第十五条の二第二項の規定による命令に違反した者
- (ii) a person violating an order under Article 15, paragraph (2), or Article 15-2, paragraph (2).

第三十五条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。
Article 35 A person falling under one of the following items is subject to a fine of not more than three hundred thousand yen:

- 一 第七条第一項、第十七条の六第一項、第十八条第一項若しくは第三項、第十八条の二第一項、第十八条の七第一項又は第十八条の二十四第一項の規定による届出をせず、又は虚偽の届出をした者
- (i) a person failing to file a notification or filing a false notification under Article 7, paragraph (1), Article 17-6, paragraph (1), Article 18, paragraph (1) or (3), Article 18-2, paragraph (1), Article 18-7, paragraph (1), or Article 18-24, paragraph (1);
- 二 第十条第一項、第十七条の九、第十八条の九又は第十八条の二十七の規定に違反した者
- (ii) a person violating the provisions of Article 10, paragraph (1), Article 17-9, Article 18-9, or Article 18-27;
- 三 第十六条又は第十八条の三十の規定に違反して、記録をせず、虚偽の記録をし、又は記録を保存しなかつた者
- (iii) a person failing to make a record, making a false record, or failing to save a record, violating the provisions of Article 16 or 18-30; and
- 四 第二十六条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者
- (iv) a person failing to submit a report under Article 26, paragraph (1), submitting a false report, or refusing, obstructing, or evading an inspection under that paragraph.

第三十六条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、第三十三条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の罰金刑を科する。

Article 36 If the representative of a corporation, or the agent, employee, or other such worker of a corporation or individual commits a violation as referred to in Article 33 through the preceding Article in connection with the business

activities of the corporation or individual, in addition to the offender being punished, the corporation or individual is subject to the fine referred to in the applicable Article.

第三十七条 第十一条若しくは第十二条第三項（これらの規定を第十七条の十三第二項、第十八条の十三第二項及び第十八条の三十一第二項において準用する場合を含む。）又は第十八条の十五第二項の規定による届出をせず、又は虚偽の届出をした者は、十万円以下の過料に処する。

Article 37 A person failing to file a notification or filing a false notification under Article 11 or Article 12, paragraph (3) (including when these provisions are applied mutatis mutandis to Article 17-13, paragraph (2), Article 18-13, paragraph (2), and Article 18-31, paragraph (2)), or Article 18-15, paragraph (2) is subject to a civil fine of not more than one hundred thousand yen.

附 則 〔抄〕

Supplementary Provisions [Extract]

（施行期日）

(Effective Date)

1 この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日から施行する。ただし、第四条第四項の規定は、公布の日から施行する。

(1) This Act comes into effect on the date set by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of Article 4, paragraph (4) come into effect on the date of promulgation.

（ばい煙の排出の規制等に関する法律の廃止）

(Repeal of the Act on the Regulation of the Emission of Soot and Smoke)

2 ばい煙の排出の規制等に関する法律（昭和三十七年法律第百四十六号。以下「旧法」という。）は、廃止する。

(2) The Act on the Regulation of the Emission of Soot and Smoke (Act No. 146 of 1962; hereinafter referred to as the "former Act") is hereby repealed.

（経過措置）

(Transitional Measures)

3 この法律の施行の際現に旧法第十二条の規定による実施の制限を受けている者についての第十条及び第十一条の規定の適用については、第十条中「その届出を受理した日」とあるのは「旧ばい煙の排出の規制等に関する法律第八条第一項又は第十条第一項の規定による届出を受理した日」と、第十一条第一項中「その届出が受理された日」とあるのは「旧ばい煙の排出の規制等に関する法律第八条第一項又は第十条第一項の規定による届出が受理された日」とする。

(3) To apply the provisions of Articles 10 and 11 to persons that are subject to restrictions on implementation under Article 12 of the former Act at the time of this Act's entry into effect, the phrase "the notification acceptance date" in Article 10 is deemed to read "the notification acceptance date under Article 8, paragraph (1) or Article 10, paragraph (1) of the former Act on the Regulation of the Emission of Soot and Smoke", and "the notification acceptance date" in Article 11, paragraph (1) is deemed to read "the notification acceptance date under Article 8, paragraph (1) or Article 10, paragraph (1) of the former Act on the Regulation of the Emission of Soot and Smoke".

4 この法律の施行の際現に旧法第十六条第三項の規定により同条第一項又は第二項の規定を適用しないものとされているばい煙発生施設についての第十四条第三項の規定の適用については、同項中「同項に規定する指定地域となつた日又は同項に規定するばい煙発生施設となつた日」とあるのは「旧ばい煙の排出の規制等に関する法律第九条第一項に規定する指定地域となつた日又は同項に規定するばい煙発生施設となつた日」とする。

(4) To apply the provisions of Article 14, paragraph (3) to a unit generating soot or smoke to which, pursuant to the provisions of Article 16, paragraph (3) of the former Act, the provisions of Article 16, paragraph (1) or (2) of the former Act do not apply at the time this Act comes into effect, the phrase "the date it became a designated region as defined in the paragraph, or the date it became a unit generating soot or smoke as defined in the paragraph" in Article 14, paragraph (3) is deemed to read "the date it became a designated region as defined in Article 9, paragraph (1) of the former Act on the Regulation of the Emission of Soot and Smoke, or the date it became a unit generating soot or smoke as defined in that paragraph".

5 この法律の施行前に旧法第九条第一項の規定による届出をした者であつて、その届出をした日からこの法律の施行の日までの期間が六十日に満たないものの当該届出に係るばい煙発生施設についての第十四条第三項ただし書の規定の適用については、同項ただし書中「当該届出が受理された日」とあるのは、「旧ばい煙の排出の規制等に関する法律第十条第一項の規定による届出をした日」とする。

(5) To apply the provisions of the proviso of Article 14, paragraph (3) for the unit generating soot or smoke under a notification that a person that has filed a notification under Article 9, paragraph (1) of the former Act before this Act enters into effect has filed, if the period from the date of the notification to the effective date of this Act is less than 60 days, the phrase "the notification acceptance date" in the proviso of Article 14, paragraph (3) is deemed to read "the date of notification under Article 10, paragraph (1) of the former Act on the Regulation of the Emission of Soot and Smoke".

6 この法律の施行の際現に旧法第二十三条第一項の規定によつて委嘱されている仲介員候補者又は同法第二十四条第一項の規定によつて指定されている仲介員は、それぞれ、第二十三条第一項の規定によつて委嘱され、又は第二十四条第一項の規定によつ

て指定されたものとみなす。

(6) A mediator candidate who has been commissioned pursuant to the provisions of Article 23, paragraph (1) of the former Act as of the time this Act comes into effect is deemed to have been commissioned pursuant to the provisions of Article 23, paragraph (1); a mediator who has been appointed pursuant to the provisions of Article 24, paragraph (1) of the former Act as of the time this Act comes into effect is deemed to have been appointed pursuant to the provisions of Article 24, paragraph (1).

7 前項に規定する場合のほか、旧法によつてした処分、手続その他の行為は、この法律中にこれに相当する規定があるときは、この法律によつてしたものとみなす。

(7) Beyond as provided for in the preceding paragraph, administrative measures, procedures, and other such actions taken based on the former Act are deemed to have been carried out based on this Act if equivalent provisions exist in this Act.

8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(8) Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect.

(指定物質抑制基準)

(Standards for Controlling Designated Substances)

9 環境大臣は、当分の間、有害大気汚染物質による大気の汚染により人の健康に係る被害が生ずることを防止するために必要があると認めるときは、有害大気汚染物質のうち人の健康に係る被害を防止するためその排出又は飛散を早急に抑制しなければならないもので政令で定めるもの（以下「指定物質」という。）を大気中に排出し、又は飛散させる施設（工場又は事業場に設置されるものに限る。）で政令で定めるもの（以下「指定物質排出施設」という。）について、指定物質の種類及び指定物質排出施設の種類ごとに排出又は飛散の抑制に関する基準（以下「指定物質抑制基準」という。）を定め、これを公表するものとする。

(9) When the Minister of the Environment finds it to be necessary to do so in order to prevent human health from being damaged by air pollution caused by hazardous air pollutants, for units (but only those installed in a factory or place of business) specified by Cabinet Order that emit or disperse into the atmosphere one of the hazardous air pollutants specified by Cabinet Order as a substance whose emission or dispersal must be urgently controlled in order to prevent damage to human health (hereinafter referred to as a "designated substance"; such a unit is hereinafter referred to as a "unit emitting a designated substance"), until otherwise provided by law, the Minister of the Environment is to set standards for controlling the emission or dispersal of each type of designated substance and for each type of unit emitting a designated substance (hereinafter referred to as "standards for controlling designated substances"), and disclose them.

(勧告)

(Recommendations)

10 都道府県知事は、指定物質抑制基準が定められた場合において、当該都道府県の区域において指定物質による大気の汚染により人の健康に係る被害が生ずることを防止するために必要があると認めるときは、指定物質排出施設を設置している者に対し、指定物質抑制基準を勘案して、指定物質排出施設からの指定物質の排出又は飛散の抑制について必要な勧告をすることができる。

(10) If standards for controlling a designated substance have been established and the prefectural governor finds it to be necessary to do so in order to prevent human health from being damaged by the pollution of the air by a designated substance in the prefectural area, the prefectural governor may issue the necessary recommendations to a person that has installed a unit that emits a designated substance with respect to controlling the emission or dispersal of the designated substance from the unit in light of the standards for controlling the designated substance.

(報告)

(Reporting)

11 都道府県知事は、前項の勧告をするために必要な限度において、同項に規定する者に対し、指定物質排出施設の状況その他必要な事項に関し報告を求めることができる。

(11) To the extent necessary for issuing a recommendation as referred to in the preceding paragraph, a prefectural governor may request a report on the status of a unit emitting a designated substance and on other necessary particulars, from a person provided for in the preceding paragraph.

12 環境大臣は、指定物質による大気の汚染により人の健康に係る被害が生ずることを防止するため緊急の必要があると認めるときは、都道府県知事又は第三十一条第一項の政令で定める市の長に対し、第十項の規定による勧告に関し、必要な指示を行うことができる。

(12) On finding it to be urgently necessary to do so in order to prevent human health from being damaged by the pollution of the air by a designated substance, the Minister of the Environment may issue the necessary instructions to the prefectural governor or the mayor of a city that is specified by Cabinet Order as referred to in Article 31, paragraph (1) regarding a recommendation under paragraph (10).

13 環境大臣は、前項の指示をするために必要な限度において、指定物質排出施設を設置している者に対し、指定物質排出施設の状況その他必要な事項に関し報告を求めることができる。

(13) To the extent necessary for issuing the instructions referred to in the preceding paragraph, the Minister of the Environment may request a report on

the status of a unit that emits a designated substance and on other necessary particulars, from a person that has in place a unit emitting a designated substance.

附 則 〔昭和四十五年四月十三日法律第十八号〕〔抄〕

Supplementary Provisions [Act No. 18 of April 13, 1970] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

附 則 〔昭和四十五年六月一日法律第百八号〕〔抄〕

Supplementary Provisions [Act No. 108 of June 1, 1970] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日から施行する。

(1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(昭和四五年政令第二五二号で昭和四五年十一月一日から施行)

(Effective from November 1, 1970, by Cabinet Order No. 252 of 1970)

7 この法律の施行前に、公共用水域の水質の保全に関する法律第二十一条、大気汚染防止法第二十二条又は騒音規制法第十六条の規定によつて申立てのあつた和解の仲介については、この法律の施行後も、なお従前の例による。

(7) Even after this Act comes into effect, prior laws continue to govern mediation of a settlement for which a petition has been filed before this Act enters into effect, pursuant to the provisions of Article 21 of the Act on Conservation of Water Quality of Areas of Public Waters, Article 22 of the Air Pollution Control Act, or Article 16 of the Noise Regulation Act.

附 則 〔昭和四十五年十二月二十五日法律第百三十四号〕〔抄〕

Supplementary Provisions [Act No. 134 of December 25, 1970] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日

から施行する。

- (1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(経過措置)

(Transitional Measures)

- 2 この法律の施行の際現に改正前の第二条第二項に規定する指定地域以外の地域に同条第三項に規定するばい煙発生施設を設置している者（設置の工事をしている者を含む。）であつて同条第一項に規定するばい煙を大気中に排出するものは、この法律の施行の日から三十日以内に、改正後の第六条第一項の総理府令で定めるところにより、同条第二項に規定する書類を添附して、同条第一項各号に掲げる事項を都道府県知事に届け出なければならない。ただし、当該ばい煙発生施設が改正前の第二十七条に規定するばい煙発生施設である場合は、この限りでない。

- (2) A person that, at the time this Act comes into effect, already has in place a unit generating soot or smoke as specified in Article 2, paragraph (3) as before its amendment in a region other than a designated region provided for in Article 2, paragraph (2) as before its amendment (this includes a person that is doing work on the installation of such a unit at the time in question), and that emits into the atmosphere the soot or smoke provided for in Article 2, paragraph (1) as before its amendment, must file a notification of the particulars set forth in each item of Article 6, paragraph (1) as after its amendment with the prefectural governor, attaching the documents specified in Article 6, paragraph (2) as after its amendment, within 30 days of the effective date of this Act, pursuant to the provisions of Order of the Prime Minister's Office referred to in Article 6, paragraph (1) as after its amendment; provided, however, that this does not apply if the relevant unit generating soot or smoke constitutes a unit generating soot or smoke as prescribed in Article 27 as before its amendment.

- 3 前項の規定による届出をした者は、改正後の第七条第一項の規定による届出をした者とみなす。

- (3) A person that has filed a notification under the preceding paragraph is deemed to be a person has filed a notification under Article 7, paragraph (1) as after its amendment.

- 4 第二項に規定する者に関する改正後の第十三条第二項（改正後の第十四条第二項において準用する場合を含む。）の規定の適用については、改正後の第十三条第二項中「一の施設がばい煙発生施設となつた際」とあるのは「大気汚染防止法の一部を改正する法律（昭和四十五年法律第百三十四号）の施行の際」と、「当該施設がばい煙発生施設となつた日」とあるのは「大気汚染防止法の一部を改正する法律の施行の日」とする。

- (4) To apply the provisions of Article 13, paragraph (2) as after its amendment (including as applied mutatis mutandis pursuant to Article 14 paragraph (2) as

after its amendment) regarding the persons specified in paragraph (2), the phrase "the time at which one unit came to constitute a unit generating soot or smoke" in Article 13, paragraph (2) as after its amendment is deemed to read "at the time that the Act for Partial Amendment of the Air Pollution Control Act (Act No. 134 of 1970) enters into effect", and the phrase "the date on which the unit came to constitute a unit generating soot or smoke" is deemed to read "the effective date of the Act for Partial Amendment of the Air Pollution Control Act".

5 第二項の規定による届出をせず、又は虚偽の届出をした者は、五万円以下の罰金に処する。

(5) A person failing to file a notification or filing a false notification under paragraph (2) is subject to a fine of not more than fifty thousand yen.

6 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前項の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して同項の刑を科する。

(6) If the representative of a corporation or the agent, employee, or other such worker of a corporation or individual commits the violation referred to in the preceding paragraph in connection with business activities of the corporation or individual, in addition to the offender being punished, the corporation or individual is subject to the sentence referred to in that paragraph.

7 この法律の施行の際現に改正前の第十四条第三項の規定により同条第一項及び第二項の規定を適用しないこととされているばい煙発生施設については、改正後の第十三条第一項及び第十四条第一項の規定は、この法律の施行の日からその適用しないこととされている期間の末日までの期間又はこの法律の施行の日から六月間（当該ばい煙発生施設が政令で定める施設である場合にあつては、一年間）のいずれか短い期間は、適用しない。

(7) For a unit generating soot or smoke to which, pursuant to the provisions of Article 14, paragraph (3) as before its amendment, the provisions of Article 14, paragraphs (1) and (2) as before their amendment are not applicable at the time this Act comes into effect, the provisions of Article 13, paragraph (1) and Article 14, paragraph (1) as after their amendment do not apply from the effective date of this Act until the last day of the period during which the aforementioned provisions are not applicable, or for six months from the effective date of this Act (one year, if the unit that generates soot or smoke constitutes a unit as specified by Cabinet Order), whichever is shorter.

8 この法律の施行前に改正前の第十六条第二項の規定による届出をした者であつて、この法律の施行の際現に当該届出に係る事故についての復旧工事を行なっているものについては、その復旧工事に必要と認められる期間内は、改正後の第十三条第一項及び第十四条第一項の規定は、適用しない。

(8) The provisions of Article 13, paragraph (1) and Article 14, paragraph (1) as after its amendment do not apply to a person that, before this Act's entry into

effect, has filed a notification under Article 16, paragraph (2) as before its amendment, and that is performing recovery work following an incident related to the notification at the time this Act comes into effect, during the period that is found to be necessary for the recovery work.

- 9 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。
(9) Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect.

附 則 〔昭和四十六年五月三十一日法律第八十八号〕 〔抄〕
Supplementary Provisions [Act No. 88 of May 31, 1971] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、昭和四十六年七月一日から施行する。

Article 1 This Act comes into effect on July 1, 1971.

(経過措置)

(Transitional Measures)

第四十一条 この法律の施行の際現にこの法律による改正前の鳥獣保護及狩猟ニ関スル法律、農薬取締法、温泉法、工業用水法、自然公園法、建築物用地下水の採取の規制に関する法律、公害防止事業団法、大気汚染防止法、騒音規制法、公害に係る健康被害の救済に関する特別措置法、水質汚濁防止法又は農用地の土壌の汚染防止等に関する法律（以下「整理法」という。）の規定により国の機関がした許可、認可、指定その他の処分又は通知その他の行為は、この法律による改正後の整理法の相当規定に基づいて、相当の国の機関がした許可、認可、指定その他の処分又は通知その他の行為とみなす。

Article 41 (1) A permission, authorization, designation, or other such administrative disposition or the issuance of a notice or other such action that a national government organ has already taken at the time this Act comes into effect pursuant to the provisions of the Protection and Control of Wild Birds and Mammals and Hunting Management Law, the Agricultural Chemicals Control Act, the Hot Spring Act, the Industrial Water Act, the Natural Parks Act, the Law Concerning Regulation of Pumping up of Underground Water for Use in Buildings, the Environmental Pollution Control Service Corporation Law, the Air Pollution Control Act, the Noise Regulation Act, the Law Concerning Special Measures for Relief of Pollution-related Patients, the Water Pollution Prevention Act, or the Act to Prevent Soil Contamination on Agricultural Land (hereinafter referred to as the "Acts subject to adjustment") before their amendment by this Act is deemed to be the corresponding permission, authorization, designation, or other such administrative disposition or the issuance of a notice or other such action that a national

government organ has taken based on the corresponding provisions of the Acts subject to adjustment after their amendment by this Act.

2 この法律の施行の際現にこの法律による改正前の整理法の規定により国の機関に対してされている申請、届出その他の行為は、この法律による改正後の整理法の相当規定に基づいて、相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) An application or notification that has been filed with or any other such action that to national government organs under provisions of the Acts subject to adjustment before amendment by this Act immediately before this Act's entry into effect are deemed to be acts such as an application to or a notification made to national government organs under the corresponding provisions of the Acts subject to adjustment after amendment by this Act.

附 則 [昭和四十七年六月二十二日法律第八十四号]

Supplementary Provisions [Act No. 84 of June 22, 1972]

(施行期日)

(Effective Date)

1 この法律は、昭和四十七年十月一日から施行する。

(1) This Act comes into effect on October 1, 1972.

(経過措置)

(Transitional Measures)

2 第一条の規定による改正後の大気汚染防止法第四章の二の規定及び第二条の規定による改正後の水質汚濁防止法第四章の規定は、この法律の施行後に生ずる損害について適用する。ただし、当該損害が第一条の規定による改正後の大気汚染防止法第二十五条第一項に規定する健康被害物質のこの法律の施行前の排出（飛散を含む。）又は水質汚濁防止法第三条第二項に規定する有害物質のこの法律の施行前の排出（地下へのしみ込みを含む。）によるものであることを当該排出（飛散又は地下へのしみ込みを含む。）に係る事業者において証明したときは、当該損害については、なお従前の例による。

(2) The provisions of Chapter 4-2 of the Air Pollution Control Act after their amendment by the provisions of Article 1 and the provisions of Chapter 4 of the Water Pollution Prevention Act after their amendment by the provisions of Article 2, apply to loss or damage arising after this Act enters into effect; provided, however, that prior laws continue to govern such loss or damage if it has been caused by the emission (including dispersal), before this Act's entry into effect, of a substance harmful to health provided for in Article 25, paragraph (1) of the Air Pollution Control Act as after its amendment by the provisions of Article 1, or if has been caused by the emission (including permeation into the ground), before this Act's entry into effect, of a harmful substance provided for in Article 3, paragraph (2) of the Water Pollution

Prevention Act, as certified by the business associated with the emission (including dispersal or permeation into the ground).

(検討)

(Reviews)

- 3 政府は、公害に係る被害者の救済に関し、その損害賠償を保障する制度について検討を加え、その結果に基づき、すみやかに、必要な措置を講ずるものとする。
- (3) The government is to review systems for guaranteeing compensation for loss and damage in connection with relief for victims of pollution, and is to promptly take the necessary measures based on its findings.

附 則 [昭和四十九年六月一日法律第六十五号]

Supplementary Provisions [Act No. 65 of June 1, 1974]

この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、第五条の二第五項及び第六項の規定は、公布の日から施行する。

This Act comes into effect on a date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of Article 5-2, paragraphs (5) and (6) come into effect on the date of promulgation.

附 則 [平成元年六月二十八日法律第三十三号] [抄]

Supplementary Provisions [Act No. 33 of June 28, 1989] [Extract]

(施行期日)

(Effective Date)

- 1 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。
- (1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(経過措置)

(Transitional Measures)

- 2 この法律の施行前にされた改正前の第十八条第一項若しくは第三項、第十八条の二第一項又は第十八条の五第一項において準用する第十一条若しくは第十二条第三項の規定による粉じん発生施設に係る届出は、それぞれ、改正後の第十八条第一項若しくは第三項、第十八条の二第一項又は第十八条の十三第二項において準用する第十一条若しくは第十二条第三項の規定による一般粉じん発生施設に係る届出とみなす。
- (2) A notification concerning a unit generating particulates under Article 11 or Article 12, paragraph (3) as applied mutatis mutandis pursuant to Article 18, paragraph (1) or (3), Article 18-2, paragraph (1), or Article 18-5, paragraph (1)

as before their amendment, which has been filed before this Act's entry into effect is deemed to be a notification concerning a unit generating ordinary particulates under Article 11 or Article 12, paragraph (3) as applied mutatis mutandis pursuant to Article 18, paragraph (1) or (3), Article 18-2, paragraph (1), or Article 18-13, paragraph (2) as after their amendment, respectively.

3 この法律の施行前にされた改正前の第二十七条第二項に規定する電気事業法（昭和三十九年法律第百七十号）又はガス事業法（昭和二十九年法律第五十一号）の相当規定による粉じん発生施設に係る許可若しくは認可の申請又は届出は、それぞれ、改正後の第二十七条第二項に規定する電気事業法又はガス事業法の相当規定による一般粉じん発生施設に係る許可若しくは認可の申請又は届出とみなす。

(3) An application or notification for permission or approval concerning a unit generating particulates under the corresponding provisions of the Electricity Business Act (Act of No. 170 of 1964) or the Gas Business Act (Act No. 51 of 1954) that are specified in Article 27, paragraph (2) as before their amendment which has been filed before this Act's entry into effect is deemed to be an application or notification for permission or approval concerning a unit generating ordinary particulates under the corresponding provisions of the Electricity Business Act or the Gas Business Act specified in Article 27, paragraph (2) as after their amendment, respectively.

4 この法律の施行前にした行為及び改正前の第十八条の四の規定による命令に関しこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(4) Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect and to actions in which a person engages after this Act comes into effect in connection with an order under Article 18-4 as before its amendment.

附 則 〔平成五年十一月十九日法律第九十二号〕

Supplementary Provisions [Act No. 92 of November 19, 1993]

この法律は、公布の日から施行する。

This Act comes into effect on the date of promulgation.

ただし、第六条中地方自治法別表第七第一号の表の改正規定、第十条中大气污染防治法第五条の三第二項の改正規定、第十二条中公害防止事業費事業者負担法第二十条の改正規定、第十四条の規定、第十五条中水質汚濁防止法第二十一条の改正規定並びに第十六条中農用地の土壌の汚染防止等に関する法律第三条第三項及び第五条第五項の改正規定は、環境基本法附則ただし書に規定する日から施行する。

However, the amended provisions in the tables of items (i) in the Local Autonomy Act Appended Table 7 in Article 6, the amended provisions of Article 5-3, paragraph (2) of the Air Pollution Control Act in Article 10, the amended provisions of Article 20 of the Act on Entrepreneurs' Bearing of the Cost of Public Pollution Control Works in Article 12, the provisions of Article 40, the

amended provisions of Article 21 of the Water Pollution Prevention Act in Article 15, and the amended provisions of Article 3, paragraph (3) and Article 5, paragraph (5) of the Act to Prevent Soil Contamination on Agricultural Land in Article 16 come into effect on the date specified in the proviso of the Supplementary Provisions of the Basic Environment Act.

附 則 〔平成六年六月二十四日法律第四十二号〕 〔抄〕
Supplementary Provisions [Act No. 42 of June 24, 1994] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 〔平成七年四月二十一日法律第七十号〕
Supplementary Provisions [Act No. 75 of April 21, 1995]

この法律は、石油製品の安定的かつ効率的な供給の確保のための関係法律の整備等に関する法律（平成七年法律第七十六号）の施行の日から施行する。ただし、目次の改正規定及び第二十一条の次に一条を加える改正規定は、公布の日から施行する。

This Act comes into effect on the effective date of the Act on the Adjustment of Related Laws to Ensure the Stable and Efficient Supply of Petroleum Products (Act No. 76 of 1995); provided, however, the amended provisions of the table of contents and the amended provisions that add one Article after Article 21 come into effect on the date of promulgation.

附 則 〔平成七年四月二十一日法律第七十五号〕 〔抄〕
Supplementary Provisions [Act No. 75 of April 21, 1995] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 〔平成八年五月九日法律第三十二号〕 〔抄〕
Supplementary Provisions [Act No. 32 of May 9, 1996] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(経過措置)

(Transitional Measures)

2 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(2) Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect.

(検討)

(Reviews)

3 政府は、この法律の施行後三年を目途として、有害大気汚染物質が人の健康に及ぼす影響に関する科学的知見の充実の程度、環境基本法（平成五年法律第九十一号）第十六条第一項の規定による大気汚染に係る環境上の条件についての基準の確保の状況その他の大気汚染の状況、工場又は事業場からの有害大気汚染物質の排出又は飛散の状況、有害大気汚染物質の排出又は飛散の抑制のための技術開発の状況その他の事情を総合的に勘案して、改正後の第二章の三及び附則第九項から第十一項までに規定する有害大気汚染物質対策の推進に関する制度について検討を加え、その結果に基づいて、有害大気汚染物質による大気汚染により人の健康に係る被害が生ずることを未然に防止するため、所要の措置を講ずるものとする。

(3) Approximately three years after this Act's entry into effect, the government is to review systems for the furtherance of measures against hazardous air pollutants specified in Chapter 2-3 and paragraphs (9) to (11) of the Supplementary Provisions as after their amendment, and is to take the necessary measures to prevent human health from being damaged due to the pollution of the air by hazardous air pollutants based on its findings, after giving comprehensive consideration to circumstances such as the degree of adequacy of scientific knowledge about the effects of the hazardous air pollutants on human health, the status of securement of the standards for environmental conditions related to air pollution under Article 16, paragraph (1) the Basic Environment Act (Act No. 91 of 1993) and other such elements of the air pollution status, the status of the emission and dispersal of hazardous air pollutants from factories and places of business, and the status of technology development for reducing the emission and dispersal of hazardous air pollutants.

附 則 〔平成十年五月八日法律第五十四号〕 〔抄〕

Supplementary Provisions [Act No. 54 of May 8, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2000.

(政令への委任)

(Delegation to Cabinet Order)

第九条 附則第二条から前条までに定めるもののほか、この法律の施行のため必要な経過措置は、政令で定める。

Article 9 Beyond what is provided for in Articles 2 through 8 of the Supplementary Provisions, Cabinet Order provides for the necessary transitional measures for this Act's entry into force.

附 則 [平成十一年五月二十一日法律第五十号] [抄]

Supplementary Provisions [Act No. 50 of May 21, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年三月二十一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on March 21, 2000; provided, however, that the provisions set forth in the items below come into effect on the dates specified in those items.

一 略

(i) omitted;

二 第二条の規定並びに附則第八条から第十条まで、第十九条（租税特別措置法（昭和三十二年法律第二十六号）第二十条の六第一項第三号の改正規定及び第五十七条の八第一項第三号の改正規定に限る。）、第二十五条（大気汚染防止法（昭和四十三年法律第九十七号）第二十七条第二項の改正規定中「第二条第十項」を「第二条第十二項」に改める部分に限る。）、第二十六条（騒音規制法（昭和四十三年法律第九十八号）第二十一条第一項の改正規定中「第二条第十項」を「第二条第十二項」に改める部分に限る。）、第三十条及び第三十一条（振動規制法（昭和五十一年法律第六十四号）第十八条第一項の改正規定中「第二条第十項」を「第二条第十二項」に改める部分に限る。）の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(ii) the provisions of Article 2, and the provisions of Articles 8 through 10 of the Supplementary Provisions, of Article 19 (limited to the amended provisions of Article 20-6, paragraph (1), item (iii) and the amended provisions of Article 57-8, paragraph (1), item (iii) of the Special Taxation Measures Act

(Act No. 26 of 1957)), of Article 25 (limited to the part pertaining to the amended provisions of Article 27, paragraph (2) of the Air Pollution Control Act (Act No. 97 of 1968) that amend "Article 2, paragraph (10)" to read "Article 2, paragraph (12)), of Article 26 (limited to the part pertaining to the amended provisions of Article 21, paragraph (1) of the Noise Regulation Act (Act No. 98 of 1968) that amend "Article 2, paragraph (10)" to read "Article 2, paragraph (12)), of Article 30, and Article 31 (limited to the part pertaining to the amended provisions of Article 18, paragraph (1) of the Vibration Regulation Act (Act No. 64 of 1976) that amend "Article 2, paragraph (10)" to read "Article 2, paragraph (12)": a date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(罰則に関する経過措置)

(Transitional Measures on Penal Provisions)

第十条 この法律（附則第一条第二号に掲げる規定については、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 10 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect (for the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, the applicable provisions).

附 則 〔平成十一年七月十六日法律第八十七号〕 〔抄〕

Supplementary Provisions [Act. No. 87 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。

Article 1 (1) This Act comes into effect on April 1, 2000.

ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

However, the provisions set forth in the items below come into effect on the date specified in those items.

- 一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定公布の日

(i) amended provisions that add five Articles, a Section name, and two

Subsections and Subsection names directly after Article 250 of the Local Autonomy Act in Article 1 (limited to the part pertaining to Article 250-9, paragraph (1) of the Act (limited to the part pertaining to obtaining consent from both Diet chambers)), the amended provisions of paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act in Article 40 (limited to the part pertaining to paragraph (10) of the Supplementary Provisions of the Act), the provisions of Article 244 (excluding the part pertaining to the amended provisions of Article 14-3 of the Agricultural Improvement Promotion Act) and the provisions of Article 472 (excluding the part pertaining to the amended provisions of Article 6, Article 8, and Article 17 of the Act on Special Provisions Concerning Mergers of Municipalities), and the provisions of Article 7, Article 10, Article 12, the proviso of Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) through (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation;

(大気汚染防止法の一部改正に伴う経過措置)

(Transitional Measures Upon Partial Amendment of the Air Pollution Control Act)

第二十二條 施行日前に第四十一條の規定による改正前の大気汚染防止法第五條の三第三項（同條第七項において準用する場合を含む。）の規定による報告がされているときは、当該報告に係る同法第五條の二第一項の指定ばい煙総量削減計画は、第四十一條の規定による改正後の同法第五條の三第三項（同條第六項において準用する場合を含む。）の規定による同意を得た同法第五條の二第一項の指定ばい煙総量削減計画とみなす。

Article 22 If a report under Article 5-3, paragraph (3) of the Air Pollution Control Act as before the amendment by the provisions of Article 41 (including when Article 5-3, paragraph (7) applies mutatis mutandis) has been submitted before the effective date of this Act, the plan for reducing the total quantity of designated soot and smoke referred to in Article 5-2, paragraph (1) of the Air Pollution Control Act that is associated with that report is deemed to be the plan for reducing the total quantity of designated soot and smoke referred to in Article 5-2, paragraph (1) of the Air Pollution Control Act for which the relevant person has obtained approval under the provisions of Article 5-3, paragraph (3) of the Air Pollution Control Act (including when Article 5-3, paragraph (6) applies mutatis mutandis) after its amendment by the provisions of Article 41.

(国等の事務)

(Administrative Functions of the National Government and Other Public Entities)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 Beyond what is prescribed in each of the relevant Acts before their amendment by this Act, the administrative functions of the national government, local governments other than itself, and other public entities that, before this Act comes into effect, the agency of a local government manages or performs pursuant to an Act or a Cabinet Order based on an Act (referred to as "administrative functions of the national government and other public entities" in Article 161 of Supplementary Provisions) are administrative functions that, after this Act comes into effect, that local government is to handle as its own pursuant to an Act or a Cabinet Order based on an Act.

（処分、申請等に関する経過措置）

（Transitional Measures for Dispositions, Applications, and Other Actions）

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) To apply the relevant Acts after their amendment on or after the effective date of this Act, with the exception of what is prescribed in Article 2 of the Supplementary Provisions through the preceding Article and the provisions on transitional measures in the relevant Acts after their amendment (including orders thereunder), a disposition or any other such action regarding something such as permission that is undertaken, pursuant to one of the relevant Acts before its amendment, before this Act comes into effect (for the provisions set forth in the items of Article 1 of the Supplementary Provisions, this means before those provisions come into effect; the same applies hereinafter in this Article and Article 163 of the Supplementary Provisions) (hereinafter referred to in this Article as a "disposition or other such action") or an application or any other such action regarding something such as permission that is undertaken, pursuant to one of the relevant Acts before its amendment, by the time this Act comes into effect (hereinafter referred to as

an "application or other such action"), which involves an administrative function that will start to be carried out by a different person on the day on which this Act comes into effect, is deemed to be a disposition or other such action or an application or other such action that is taken or undertaken pursuant to the corresponding provisions of the relevant Act after its amendment.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) Beyond as otherwise provided for in this Act and Cabinet Order based hereupon, information that, before this Act comes into effect, a person must report to, file with, submit to, or undertake any other such process for with the national government or a local government entity pursuant to the relevant Acts before their amendment, but for which that process has not been undertaken before the date on which this Act comes into effect, is deemed to be information that a person must report to, file with, submit to, or undertake any other such process for with the national government or corresponding entity of the local government pursuant to the corresponding provisions of the relevant Acts after their amendment, but for which that process has not been undertaken; and the relevant Acts after their amendment by this Act apply.

(不服申立てに関する経過措置)

(Transitional Measures for Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

Article 161 (1) For an appeal under the Administrative Appeal Act against a disposition that has been undertaken, before the effective date and in connection with an administrative function of the national government or another public entity, by an administrative agency (hereinafter referred to in this Article as the "agency undertaking the disposition") that answered to a higher administrative agency as prescribed in that Act (hereafter in this Article referred to as the "higher administrative agency") before the effective

date, the agency undertaking the disposition is deemed to continue to answer to a higher administrative agency even after the effective date, and the provisions of the Administrative Appeal Act apply. In such a case, the agency deemed to be the higher administrative agency to which the agency undertaking the disposition answers is that to which it answered before the effective date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In a case as referred to in the preceding paragraph, if the agency that is deemed to be the higher administrative agency is a local government entity, the administrative functions to be handled by the entity pursuant to the Administrative Appeals Act constitute item (i) statutorily entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 (1) Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures (including transitional measures for penal provisions) linked to this Act's entry into force.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Cabinet Order provides for the necessary particulars in connection with the application of the provisions of Articles 18, 51 and 184 of the Supplementary Provisions.

(検討)

(Reviews)

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推

進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 As well as reviews being made of item (i) statutorily entrusted administrative functions as prescribed in Article 2, paragraph (9), item (i) of the New Local Autonomy Act from the perspective of ensuring, to the greatest extent possible, that no new functions are created, reviews are also made of the functions set forth in Appended Table I of the New Local Autonomy Act and functions provided for by Cabinet Order based on the New Local Autonomy Act from the perspective of promoting decentralization of authority, and these functions are to be amended as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 The government is to examine how to secure adequate sources of local tax revenue based on the sharing of roles between the national government and local governments in consideration of the prevailing economic trends, and take the necessary measures based on the results of its examination, in order to enable local governments to perform their administrative functions and undertakings autonomously and independently.

(処分、申請等に関する経過措置)

(Transitional Measures for Dispositions, Applications, and Other Actions)

第千三百一条 中央省庁等改革関係法及びこの法律（以下「改革関係法等」と総称する。）の施行前に法令の規定により従前の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の相当規定に基づいて、相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 1301 (1) Beyond as otherwise provided by a law or regulation, licensure, permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action, that the former organ of the national government has taken pursuant to the provisions of laws and regulations before the entry into effect of the Acts related to central government reform and this Act (hereinafter collectively referred to as the "reform-related Acts"), is deemed to be licensure, permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action that the corresponding organ of the national government has taken based on the corresponding provisions of laws and regulations after the entry into effect of the reform-related Acts.

2 改革関係法等の施行の際現に法令の規定により従前の国の機関に対してされている

申請、届出その他の行為は、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の相当規定に基づいて、相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) Beyond as otherwise provided by a law or regulation, an application, notification, or other such action that has been undertaken with a former organ of the national government pursuant to the provisions of laws and regulations as of the time the reform-related Acts enter into effect is deemed, after the entry into effect of the reform-related Acts, to be an application, notification, or other such action that has been undertaken with the corresponding organ of the national government based on the corresponding provisions of laws and regulations after the entry into effect of the reform-related Acts.

3 改革関係法等の施行前に法令の規定により従前の国の機関に対し報告、届出、提出その他の手続をしなければならないとされている事項で、改革関係法等の施行の日前にその手続がされていないものについては、法令に別段の定めがあるもののほか、改革関係法等の施行後は、これを、改革関係法等の施行後の法令の相当の国の機関に対して報告、届出、提出その他の手続をしなければならないとされている事項についてその手続がされていないものとみなして、改革関係法等の施行後の法令の規定を適用する。

(3) Beyond as otherwise provided by a law or regulation, information that, before the reform-related Acts enter into effect, a person must report to, file with, submit to, or undertake any other such process for with a former organ of the national government pursuant to laws and regulations, but for which that process has not been undertaken before the effective date of the reform-related Acts, is deemed, after the entry into effect of the reform-related Acts, to be information that a person must report to, file with, submit to, or undertake any other such process for with the corresponding organ of the national government referred to in laws and regulations as after the entry into effect to the reform-related Acts, but for which that process has not been undertaken; and the provisions of laws and regulations as after the entry into effect of the reform-related Acts apply.

(従前の例による処分等に関する経過措置)

(Transitional Measures for Administrative Dispositions and Other Actions Governed by Prior Laws)

第千三百二条 なお従前の例によることとする法令の規定により、従前の国の機関がすべき免許、許可、認可、承認、指定その他の処分若しくは通知その他の行為又は従前の国の機関に対してすべき申請、届出その他の行為については、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の規定に基づくその任務及び所掌事務の区分に応じ、それぞれ相当の国の機関がすべきものとし、又は相当の国の機関に対してすべきものとする。

Article 1302 Beyond as otherwise provided by laws and regulations, a licensure,

permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action, that a former organ of the national government is to take pursuant to the provisions of laws and regulations that prior laws are to continue to govern is one that, after the entry into effect of the reform-related Acts, the corresponding organ of the national government is to take in accordance with the categories of duties and assigned administrative functions under the provisions of laws and regulations as after the entry into effect of the reform-related Acts; and an application, notification, or other such action that a person is to undertake with a former organ of the national government pursuant to the provisions of laws and regulations that prior laws are to continue to govern is one that, after the entry into effect of the reform-related Acts, a person is to undertake with the corresponding organ of the national government in accordance with the categories of duties and assigned administrative functions under the provisions of laws and regulations as after the entry into effect of the reform-related Acts.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第千三百三条 改革関係法等の施行前にした行為に対する罰則に適用については、なお従前の例による。

Article 1303 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before the entry into effect of the reform-related Acts.

(政令への委任)

(Delegation to Cabinet Order)

第千三百四十四条 第七十一条から七十六条だで及び第三百一条から前条だで並びに中央省庁等改革関係法に定めるもののほか、改革関係法等の施行に関し必要な経過措置(罰則に関する経過措置を含む。)は、政令で定める。

Article 1344 Beyond what is provided for in Articles 71 through 76, Article 301 through the preceding Article, and the Acts Related to the Central Government Reform, Cabinet Order prescribes the necessary transitional measures (including transitional measures for penal provisions) connected with the entry into force of the reform-related Acts.

附 則 [平成十一年十二月二十二日法律第百六十号] [抄]

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律(第二条及び第三条を除く。)は、平成十三年一月六日から施行する。

ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act (excluding Articles 2 and 3) comes into effect on January 6, 2001; provided, however, that the provisions set forth in the following items come into effect on the dates specified in those items.

一 第九百九十五条（核原料物質、核燃料物質及び原子炉の規制に関する法律の一部を改正する法律附則の改正規定に係る部分に限る。） 、 第千三百五条、第千三百六条、第千三百二十四条第二項、第千三百二十六条第二項及び第千三百四十四条の規定 公布の日

(i) the provisions of Article 995 (limited to the part related to the amended provisions of the Supplementary Provisions of the Act Partially Amending the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors), Article 1305, Article 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344: the date of promulgation;

附 則 〔平成十二年五月三十一日法律第九十一号〕 〔抄〕

Supplementary Provisions [Act No. 91 of May 31, 2000] [Extract]

(施行期日)

(Effective Date)

1 この法律は、商法等の一部を改正する法律（平成十二年法律第九十号）の施行の日から施行する。

(1) This Act comes into effect on the effective date of the Act Partially Amending the Commercial Code (Act No. 90 of 2000).

附 則 〔平成十五年六月十八日法律第九十二号〕 〔抄〕

Supplementary Provisions [Act No. 92 of June 18, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2005; provided, however, that the provisions set forth in the items below come into effect on the dates specified in those items.

一及び二 略

(i) and (ii) omitted;

三 第二条の規定並びに附則第七条、第八条、第九条第五項、第十二条から第十四条まで、第四十四条、第四十七条、第四十九条、第五十条（「第二条第十二項」を「第二条第十三項」に改める部分に限る。） 、 第五十二条及び第五十三条の規定平成十六年四月一日

(iii) the provisions of Article 2, and the provisions of Article 7, Article 8, Article

9, paragraph (5), Articles 12 through 14, Article 44, Article 47, Article 49, Article 50 (limited to the part pertaining to the amendment of "Article 2, paragraph (12)" to "Article 2, paragraph (13)"), Article 52, and Article 53 of the Supplementary Provisions: April 2, 2004

附 則 〔平成十六年五月二十六日法律第五十六号〕 〔抄〕

Supplementary Provisions [Act No. 56 of May 26, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、第二十八条の二第四号の改正規定は、公布の日から施行する。

Article 1 (1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the amended provisions of Article 28-2, item (iv) come into effect on the date of promulgation.

(平成一七年政令第一八八号で平成一七年六月一日から施行。ただし、大気汚染防止法(昭和四十三年法律第九十七号)目次の改正規定、同法第二章の三を同法第二章の四とし、同法第二章の二を同法第二章の三とし、同法第二章の次に一章を加える改正規定、同法第二十三条の改正規定、同法第二十六条の改正規定、同法第二十七条の改正規定、同法第二十八条の改正規定、同法第二十八条の二第一号の改正規定、同法第三十二条の改正規定、同法第三十三条の改正規定、同法第三十四条の改正規定、同法第三十五条の改正規定及び同法第三十七条の改正規定並びに大気汚染防止法の一部を改正する法律附則第二条の規定は、平成一八年四月一日から施行)

(Effective from June 1, 2005, by Cabinet Order No. 188 of 2005; provided, however, that the amended provisions of the table of contents of the Air Pollution Control Act (Act No. 97 of 1968), the amended provisions that make Chapter 2-3 of that Act into Chapter 2-4 of that Act, that make Chapter 2-2 of that Act into Chapter 2-3 of that Act, and that add one Chapter following Chapter 2 of that Act, the amended provisions of Article 23 of that Act, the amended provisions of Article 26 of that Act, the amended provisions of Article 27 of that Act, the amended provisions of Article 28 of that Act, the amended provisions of Article 28-2, item (i) of that Act, the amended provisions of Article 32 of that Act, the amended provisions of Article 33 of that Act, the amended provisions of Article 34 of that Act, the amended provisions of Article 35 of that Act, the amended provisions of Article 37 of that Act, and the provisions of Article 2 of the Supplementary Provisions of the Act for Partial Amendment of the Air Pollution Control Act come into effect on April 1, 2006.)

(検討)

(Reviews)

第二条 政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況を勘案し、必要があると認めるときは、この法律の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 Once five years have passed after this Act's entry into effect, if the government finds it to be necessary to do so in light of the status of enforcement of this Act, it is to review the provisions of this Act and take the necessary measures based on its findings.

附 則 [平成十六年六月九日法律第九十四号] [抄]

Supplementary Provisions [Act No. 94 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年四月一日から施行する。ただし、附則第七条及び第二十八条の規定は公布の日から、附則第四条第一項から第五項まで及び第九項から第十一項まで、第五条並びに第六条の規定は平成十六年十月一日から施行する。

Article 1 This Act comes into effect on April 1, 2005; provided, however, that the provisions of Articles 7 and 28 of the Supplementary Provisions come into effect on the date of promulgation of this Act, and the provisions of Article 4, paragraphs (1) through (5) and paragraphs (9) through (11), Articles 5, and Article 6 of the Supplementary Provisions come into effect on October 1, 2004.

(処分等に関する経過措置)

(Transitional Measures for Administrative Dispositions and Other Such Actions)

第二十六条 この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 26 Unless otherwise provided in these Supplementary Provisions, an administrative disposition, process, or other such action that a person has undertaken before this Act's entry into effect based on the provisions of each of the pre-amendment Acts (including orders based on the Acts; the same applies hereinafter in this Article), and for which corresponding provisions exist in the provisions of each of the post-amendment Acts, is deemed to be one that a person has undertaken based on the corresponding provisions of each of the post-amendment Acts.

(罰則の適用に関する経過措置)

(Transitional Measures for Application of Penal Provisions)

第二十七条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 27 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect.

(政令委任)

(Delegation to Cabinet Order)

第二十八条 この附則に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 28 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the transitional measures necessitated by this Act's entry into effect.

附 則 〔平成十七年四月二十七日法律第三十三号〕〔抄〕

Supplementary Provisions [Act No. 33 of April 27, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年十月一日から施行する。

Article 1 This Act comes into effect on October 1, 2005.

(経過措置)

(Transitional Measures)

第二十四条 この法律による改正後のそれぞれの法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 24 When an order is enacted, amended, or repealed pursuant to the provisions of each Act as after its amendment by this Act, that order may provide for the necessary transitional measures (including transitional measures for penal provisions) to the extent that is determined to be reasonably necessary for the enactment, amendment, or repeal thereof.

附 則 〔平成十七年五月二十五日法律第五十一号〕〔抄〕

Supplementary Provisions [Act No. 51 of May 25, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order

within a period not exceeding one year from the date of promulgation.

附 則 〔平成十八年二月十日法律第五号〕 〔抄〕

Supplementary Provisions [Act No. 5 of February 10, 2006] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して八月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding eight months from the date of promulgation.

(検討)

(Reviews)

第二条 政府は、この法律の施行後五年を経過した場合において、第一条、第三条及び第四条の規定による改正後の規定の施行の状況等について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 2 Once it has been five years since the effective date of this Act, if the government finds it to be necessary to do so after reviewing things such as the status of enforcement of provisions after their amendment by the provisions of Articles 1, 3, and 4, the government is to take the necessary measures based on the findings.

附 則 〔平成二十二年五月十日法律第三十一号〕 〔抄〕

Supplementary Provisions [Act No. 31 of May 10, 2010] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、第一条の規定（大気汚染防止法第十四条第一項及び第三項並びに第十六条の改正規定並びに同法第三十五条の改正規定（同条第一号及び第二号に係る部分を除く。）を除く。）、第二条中水質汚濁防止法の目次の改正規定、同法第二章の二中第十四条の十を第十四条の十一とし、第十四条の四から第十四条の九までを一条ずつ繰り下げる改正規定、同法第二章中第十四条の三の次に一条を加える改正規定及び同法第二十八条第一項の改正規定並びに附則第三条及び第九条の規定は、公布の日から起算して三月を経過した日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order, no more than one year from the date of its official release; provided, however, that the provisions of Article 1 (excluding the amended provisions of Article 14, paragraphs (1) and (3), and Article 16 of the Air Pollution Control Act, and the amended provisions of Article 35 of that Act (excluding the part pertaining to

items (i) and (ii) of that Article)), the amended provisions on the table of contents of the Water Pollution Prevention Act in Article 2, the amended provisions that change Chapter 2-2, Article 14-10 in that Act to Article 14-11 and increment the numbering of each of Articles 14-4 through Article 14-9 by one Article, the amended provisions that add one Article immediately after Article 14-3 in Chapter 2 of that Act, and the amended provisions of Article 28, paragraph (1) of that Act, and the provisions of Articles 3 and 9 of the Supplementary Provisions, come into effect on the date, on which three months have elapsed from the date of promulgation.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 3 Beyond what is provided for in the preceding Article, Cabinet Order prescribes the transitional measures necessitated by this Act's entry into force.

(検討)

(Reviews)

第四条 政府は、この法律の施行後五年を経過した場合において、第一条の規定による改正後の大気汚染防止法及び第二条の規定による改正後の水質汚濁防止法の施行の状況を勘案し、必要があると認めるときは、これらの法律の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 4 Once five years have elapsed from the effective date of this Act, if the government finds it to be necessary to do so after reviewing the enforcement conditions of the Air Pollution Control Act after the amendment by the provisions of Article 1, and the enforcement conditions of the Water Pollution Prevention Act after the amendment by the provisions of Article 2, the government is to review the provisions of these Acts and take the necessary measures based on the findings.

附 則 [平成二十三年五月二日法律第三十七号] [抄]

Supplementary Provisions [Act No. 37 of May 2, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect on the date of promulgation.

(大気汚染防止法の一部改正に伴う経過措置)

(Transitional Measures Upon Partial Amendment of the Air Pollution Control

Act)

第二十条 この法律の施行の際現に第三十九条の規定による改正前の大気汚染防止法第五条の三第三項（同条第六項において準用する場合を含む。）の規定によりされている協議の申出は、第三十九条の規定による改正後の大気汚染防止法第五条の三第三項（同条第六項において準用する場合を含む。）の規定によりされた協議の申出とみなす。

Article 20 An application for consultation that has been filed as of the time this Act enters into effect pursuant to Article 5-3, paragraph (3) of the Air Pollution Control Act as before its amendment by the provisions of Article 39 (including as applied mutatis mutandis pursuant to Article 5-3, paragraph (6) of the Air Pollution Control Act) is deemed to be an application for consultation that has been filed pursuant to the provisions of Article 5-3, paragraph (3) of the Air Pollution Control Act after its amendment by the provisions of Article 39 (including as applied mutatis mutandis pursuant to Article 5-3, paragraph (6) of the Air Pollution Control Act).

（罰則に関する経過措置）

(Transitional Measures for Penal Provisions)

第二十三条 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 23 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect (for the provisions set forth in each item of Article 1 of the Supplementary Provisions, the applicable provisions).

（政令への委任）

(Delegation to Cabinet Order)

第二十四条 附則第二条から前条まで及び附則第三十六条に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 24 Beyond as provided for in Articles 2 through 23 of the Supplementary Provisions, and Article 36 of the Supplementary Provisions, Cabinet Order prescribes the transitional measures that are necessary in connection with this Act's entry into force.

附 則 〔平成二十三年八月三十日法律第百五号〕 〔抄〕

Supplementary Provisions [Act No. 105 of August 30, 2011] [Extract]

（施行期日）

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect on the date of promulgation.

(罰則に関する経過措置)

(Transitional Measures on Penal Provisions)

第八十一条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 81 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect (for the provisions set forth in the items of Article 1 of the Supplementary Provisions, the applicable provisions; the same applies hereinafter in this Article), and to actions in which a person engages after this Act comes into effect if the action is one that the Supplementary Provisions provide is to continue to be governed by prior laws.

(政令への委任)

(Delegation to Cabinet Order)

第八十二条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 82 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the transitional measures that are necessary in connection with this Act's entry into effect (including transitional measures for penal provisions).

附 則 [平成二十五年六月二十一日法律第五十八号]

Supplementary Provisions [Act No. 58 of June 21, 2013]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、附則第四条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of Article 4 of the Supplementary Provisions come into effect on the date of promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行前にこの法律による改正前の第十八条の十五第一項又は第二項の規定による届出がされた特定粉じん排出等作業については、この法律による改正後の第十八条の十五及び第十八条の十七の規定は、適用しない。

Article 2 (1) The provisions of Articles 18-15 and 18-17 after their amendment by this Act do not apply to work emitting or dispersing specified particulates for which a notification under Article 18-15, paragraph (1) or (2) of this Act as before its amendment by this Act has been filed before this Act's entry into effect.

2 この法律の施行前にこの法律による改正前の第十八条の十五第一項の規定による届出がされた特定粉じん排出等作業の方法に関する計画の変更の命令については、なお従前の例による。

(2) Prior laws continue to govern orders on changes in plans related to the way of carrying out work emitting or dispersing specified particulates for which a notification under Article 18-15, paragraph (1) prior to the amendment by this Act has been filed before this Act's entry into effect.

(罰則に関する経過措置)

(Transitional Measures on Penal Provisions)

第三条 この法律の施行前にした行為及び前条第二項の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect, and to actions in which a person engages after this Act comes into effect if the action is one that paragraph (2) of the preceding Article provides is to continue to be governed by prior laws.

(政令への委任)

(Delegation to Cabinet Order)

第四条 前二条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 4 Beyond what is provided for in the preceding two Articles, Cabinet Order prescribes the transitional measures necessitated by this Act's entry into force.

(検討)

(Reviews)

第五条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 Once it has been five years since from the effective date of this Act, is the government finds it to be necessary to do so after reviewing the status of enforcement of the provisions amended by this Act, the government is to take the necessary measures based on the findings.

附 則 〔平成二十五年六月二十一日法律第六十号〕 〔抄〕
Supplementary Provisions [Act No. 60 of June 21, 2013] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(政令への委任)

(Delegation to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 3 Beyond what is provided for in the preceding Article, Cabinet Order prescribes the transitional measures necessitated by this Act's entry into force.

附 則 〔平成二十六年六月十八日法律第七十二号〕 〔抄〕
Supplementary Provisions [Act No. 72 of June 18, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding two years and six months from the date of promulgation.

附 則 〔平成二十七年六月十九日法律第四十一号〕 〔抄〕
Supplementary Provisions [Act No. 41 of June 19, 2015] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、水銀に関する水俣条約が日本国について効力を生ずる日から起算して二年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on specified by Cabinet Order within a period not exceeding two years from the date on which the Minamata Convention on Mercury enters into force in Japan.

(検討)

(Reviews)

第二条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて必要な措置を講ずるものとする。

Article 2 Once it has been five years since the effective date of this Act, if the government finds it to be necessary to do so after reviewing the status of enforcement of the provisions amended by this Act, the government is to take the necessary measures based on the findings.

(政令への委任)

(Delegation to Cabinet Order)

第三百六十二条 この法律に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 362 Beyond what is provided for in this Act, Cabinet Order prescribes the transitional measures necessitated by this Act's entry into force.

附 則 [平成二十九年六月二日法律第四十五号]

Supplementary Provisions [Act No. 45 of June 2, 2017]

第一条 この法律は、民法改正の施行の日から施行する。ただし、第百三条の二、第百三条の三、第二百六十七條の二、第二百六十七條の三及び第三百六十二条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on the date on which the amendment to the Civil Code comes into effect; provided, however, that the provisions of Articles 103-2, 103-3, 267-2, 267-3, and 362 come into effect on the date of promulgation.

(大気汚染防止法の一部改正)

(Partial Amendment of the Air Pollution Control Act)

第三百五十条 大気汚染防止法（昭和四十三年法律第九十七号）の一部を次のように改正する。

Article 350 The Air Pollution Control Act (Act No. 97 of 1968) is partially amended as follows:

第二十五条の四を次のように改める。

Article 25-4 is amended as follows:

(消滅時効)

(Extinctive Prescription)

第二十五条の四 第二十五条第一項に規定する損害賠償の請求権は、次に掲げる場合には、時効によつて消滅する。

Article 25-4 The right to claim compensation for loss or damage provided in Article 25, paragraph (1) lapses by prescription in the following cases:

一 被害者又はその法定代理人が損害及び賠償義務者を知った時から五年間行使しないとき。

(i) if the right is not exercised for five years after the time at which the victim or the legal representative learns of the loss or damage and the person that is liable to compensate; or

二 損害の発生時から二十年を経過したとき。

(ii) once twenty years have passed since the time the loss or damage occurred.

(大気汚染防止法の一部改正に伴う経過措置)

(Transitional Measures Upon Partial Amendment of the Air Pollution Control Act)

第三百五十一条 前条の規定による改正前の大気汚染防止法（以下この条において「旧大気汚染防止法」という。）第二十五条第一項に規定する損害賠償の請求権の旧大気汚染防止法第二十五条の四前段に規定する時効がこの法律の施行の際既に完成していた場合におけるその時効の期間については、なお従前の例による。

Article 351 (1) If the period of prescription provided for in the first sentence of Article 25-4 of the Air Pollution Control Act as before its amendment by the provisions of the preceding paragraph (referred to as the "former Air Pollution Control Act" hereinafter in this Article) for the right to claim for compensation for loss or damage provided for in Article 25, paragraph (1) of the former Air Pollution Control Act has already been completed at the time this Act comes into effect, prior laws continue to govern the period of prescription.

2 旧大気汚染防止法第二十五条の四後段に規定する期間がこの法律の施行の際既に経過していた場合におけるその期間の制限については、なお従前の例による。

(2) If the period provided for in the second sentence of Article 25-4 of the former Air Pollution Control Act has already passed at the time this Act comes into effect, prior laws continue to govern the limitation on that period.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第三百六十一条 施行日前にした行為及びこの法律の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 361 Prior laws continue to govern the applicability of penal provisions to actions in which a person engages before this Act comes into effect, and to actions in which a person engages after this Act comes into effect if the action is one that the provisions of this Act provide is to continue to be governed by prior laws.

附 則 〔平成二十九年六月二日法律第四十五号〕 〔抄〕

Supplementary Provisions [Act No. 45 of June 2, 2017] [Extract]

この法律は、民法改正法の施行の日から施行する。

This Act comes into effect on the effective date of the Civil Code Amendment Act.