

国土利用計画法施行令

Order for Enforcement of the National Land Use Planning Act

(昭和四十九年十二月二十日政令第三百八十七号)
(Cabinet Order No. 387 of December 20, 1974)

内閣は、国土利用計画法（昭和四十九年法律第九十二号）第五条第一項、第七条第一項、第八条第一項、第九条第二項及び第十四項、第十四条第一項及び第二項、第十六条第一項第一号及び第二号、第十八条、第十九条第二項、第二十三条第二項第三号、第二十四条第一項第一号、第二十八条第一項、第三十二条第一項、第三十三条、第四十条、第四十二条、第四十五条並びに附則第二条第一項の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 5, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1), Article 9, paragraph (2) and paragraph (14), Article 14, paragraph (1) and paragraph (2), Article 16, paragraph (1), item (i) and item (ii), Article 18, Article 19, paragraph (2), Article 23, paragraph (2), item (iii), Article 24, paragraph (1), item (i), Article 28, paragraph (1), Article 32, paragraph (1), Article 33, Article 40, Article 42, Article 45 of the National Land Use Planning Act (Act No. 92 of 1974), and Article 2, paragraph (1) of the Supplementary Provisions.

(全国計画、都道府県計画及び市町村計画の計画事項)

(Matters Specified in National Plans, Prefectural Plans, and Municipal Plans)

第一条 国土利用計画法（以下「法」という。）第五条第一項の全国計画には、次に掲げる事項を定めるものとする。

Article 1 (1) National Plans referred to in Article 5, paragraph (1) of the National Land Use Planning Act (hereinafter referred to as the "Act") is to specify the following matters:

一 国土の利用に関する基本構想

(i) basic concept of national land use;

二 国土の利用目的に応じた区分ごとの規模の目標及びその地域別の概要

(ii) the areas targeted for their respective land use types according to the purpose of national land use and the outline thereof by area;

三 前号に掲げる事項を達成するために必要な措置の概要

(iii) outline of the measures necessary for achieving the matters set forth in the preceding item.

2 法第七条第一項の都道府県計画を定める場合には、当該都道府県の区域における国土の利用に関し前項各号に掲げる事項について定めるものとする。

(2) In the case where a prefectural government establishes a Prefectural Plan referred to in Article 7, paragraph (1) of the Act, the plan is to specify the

matters set forth in the items of the preceding paragraph with regard to the national land use in areas in the prefecture.

3 法第八条第一項の市町村計画を定める場合には、当該市町村の区域における国土の利用に関し第一項各号に掲げる事項について定めるものとする。

(3) In the case where a municipal government establishes a Municipal Plan referred to in Article 8, paragraph (1) of the Act, the plan is to specify the matters set forth in the items of paragraph (1) with regard to the national land use in areas in the municipality.

(土地利用基本計画)

(Land Use Master Plans)

第二条 法第九条第一項の土地利用基本計画には、縮尺五万分の一の地形図により同条第二項各号に掲げる地域を定めるものとする。

Article 2 A land use master plan referred to in Article 9, paragraph (1) of the Act is to specify the areas set forth in the items of paragraph (2) of that Article using a topographical map at a scale of 1:50,000.

第三条 法第九条第十四項の政令で定める軽易な変更は、市町村の名称の変更、市町村の区域内の町若しくは字の区域の新設若しくは廃止若しくは区域若しくはその名称の変更又は地番の変更に伴う変更とする。

Article 3 Minor revisions specified by Cabinet Order referred to in Article 9, paragraph (14) of the Act are; revisions due to changes in names of municipalities, establishment of new towns or sections (Aza) or abolishment of towns or sections (Aza) in municipal area, or changes in municipal areas or area names, or changes in lot numbers.

(規制区域の指定等に係る登記所への通知)

(Notice to the Registry Office Pertaining to Designation of a Regulated Area)

第四条 都道府県知事は、法第十二条第三項、第八項又は第十二項（同条第十五項において準用する場合を含む。）の規定による公告をしたときは、遅滞なく、その公告に係る区域を管轄する登記所にその公告に係る事項を通知しなければならない。

Article 4 Having issued a public notice under Article 12, paragraph (3), paragraph (8), or paragraph (12) (including as applied mutatis mutandis pursuant to paragraph (15) of that Article) of the Act, a prefectural governor must give a notice on the matters pertaining to the public notice to the registry office having jurisdiction over the area pertaining to the public notice, without delay.

(使用及び収益を目的とする権利)

(Rights to Use and Profit)

第五条 法第十四条第一項の政令で定める使用及び収益を目的とする権利は、土地に関

する地上権及び賃借権とする。

Article 5 Rights to use and profit specified by Cabinet Order referred to in Article 14, paragraph (1) of the Act are; a superficies right and a right of lease of land.

(土地に関する権利の移転等の許可を要しない場合)

(Cases Not Requiring Permission for Transfer of a Right on Land)

第六条 法第十四条第二項の政令で定める場合は、次のとおりとする。

Article 6 Cases specified by Cabinet Order referred to in Article 14, paragraph (2) of the Act are as follows:

一 法第十九条第一項の規定による買取り請求（以下「買取り請求」という。）に基づき土地に関する権利を買い取る場合

(i) in case of purchasing a right on land based on a request for purchase under Article 19, paragraph (1) of the Act (hereinafter referred to as a "request for purchase");

二 民事訴訟法（平成八年法律第百九号）による和解である場合

(ii) in case of a settlement under the Code of Civil Procedure (Act No. 109 of 1996);

三 預金保険法（昭和四十六年法律第三十四号）第五章若しくは第七章の二、農水産業協同組合貯金保険法（昭和四十八年法律第五十三号）第六章、保険業法（平成七年法律第百五号）第二編第十章第二節、金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）、金融機能の再生のための緊急措置に関する法律（平成十年法律第百三十二号）、民事再生法（平成十一年法律第二百二十五号）、農水産業協同組合の再生手続の特例等に関する法律（平成十二年法律第九十五号）、外国倒産処理手続の承認援助に関する法律（平成十二年法律第百二十九号）、会社更生法（平成十四年法律第百五十四号）、破産法（平成十六年法律第七十五号）又は会社法（平成十七年法律第八十六号）第二編第九章若しくは第三編第八章の規定に基づく手続において裁判所の許可を得て行われる場合

(iii) in case of going through the procedures by obtaining permission from the court pursuant to the provisions of Chapter 5 or Chapter 7-2 of the Deposit Insurance Act (Act No. 34 of 1971), Chapter 6 of the Agricultural and Fisheries Cooperative Savings Insurance Act (Act No. 53 of 1973), Part II, Chapter 10, Section 2 of the Insurance Business Act (Act No. 105 of 1995), the Act on Special Measures for the Reorganization Proceedings of Financial Institutions (Act No. 95 of 1996), the Act on Emergency Measures for the Revitalization of the Financial Functions (Act No. 132 of 1998), the Civil Rehabilitation Act (Act No. 225 of 1999), the Act on Special Provisions Concerning the Rehabilitation Proceedings of Agricultural and Fisheries Cooperatives (Act No. 95 of 2000), the Act on Recognition of and Assistance for Foreign Insolvency Proceedings (Act No. 129 of 2000), the Corporate Reorganization Act (Act No. 154 of 2002), the Bankruptcy Act (Act No. 75 of

- 2004) or Part II, Chapter 9 or Part III, Chapter 8 of the Companies Act (Act No. 86 of 2005);
- 四 公有水面埋立法（大正十年法律第五十七号）第二十七条第一項の許可を受けることを要する場合
- (iv) in the case where permission under Article 27, paragraph (1) of the Public Waters Reclamation Act (Act No. 57 of 1921) is required;
- 五 家事事件手続法（平成二十三年法律第五十二号）による調停に基づく場合
- (v) in the case where a contract is concluded through conciliation under the Domestic Relations Case Procedure Act (Act No. 52 of 2011);
- 六 土地収用法（昭和二十六年法律第二百十九号）第十五条の二のあつせんに基づく場合又は同法第五十条の規定による和解である場合
- (vi) in the case where a contract is concluded based on arrangement under Article 15-2 of the Land Expropriation Act (Act No. 219 of 1951) or in the case of a settlement under Article 50 of the same Act;
- 七 農地法（昭和二十七年法律第二百二十九号）第三条第一項の許可を受けることを要する場合（同項各号に掲げる場合のうち国土交通省令で定める場合を含む。）
- (vii) in the case where permission under Article 3, paragraph (1) of the Cropland Act (Act No. 229 of 1952) is required (including the cases set forth in the items of that paragraph if the cases are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism);
- 八 新住宅市街地開発法（昭和三十八年法律第百三十四号）第三十条第一項の規定により同法及び同法第二十二条第一項の認可を受け、又は同条第二項の同意を得た処分計画に従つて造成施設等を処分する場合
- (viii) in case of disposing of a facility used for land development, etc. according to the New Housing and Urban Development Act (Act No. 134 of 1963) and a disposal plan for which permission referred to in Article 22, paragraph (1) of that Act or consent referred to in paragraph (2) of that Article has been obtained pursuant to the provisions of Article 30, paragraph (1) of that Act;
- 九 新都市基盤整備法（昭和四十七年法律第八十六号）第四十八条第一項の規定により同法及び同法第四十五条第一項の同意を得た処分計画に従つて施設用地を処分する場合
- (ix) in case of disposing of a facility site according to the New Urban Infrastructure Act (Act No. 86 of 1972) and a disposal plan for which consent referred to in Article 45, paragraph (1) of that Act has been obtained pursuant to the provisions of Article 48, paragraph (1) of that Act;
- 十 滞納処分、強制執行、担保権の実行としての競売（その例による競売を含む。）又は企業担保権の実行により換価する場合
- (x) in case of a sale through disposition of delinquency, compulsory execution, or through auction by exercising security rights (including an auction governed by rules for mortgage), or exercise of an enterprise mortgage;
- 十一 非常災害に際し必要な応急措置を講ずるために行われる場合（当該土地が所在

する市町村の長の認定を受けている場合に限る。)

(xi) in the case where emergency measures required for natural disaster are taken (limited to the case where approval from the mayor of the municipality where the land is located is granted);

十二 一の区域が法第十二条第一項の規定により規制区域として指定された際当該区域に係る土地について法第二十七条の四第一項（法第二十七条の七第一項において準用する場合を含む。）の規定による届出がされており、かつ、その土地について、その届出に係る事項のうち、土地に関する権利の移転又は設定の予定対価の額等の変更（土地に関する権利の移転又は設定の予定対価の額の変更（その額を減額する場合を除く。）及び土地に関する権利の移転又は設定後における土地の利用目的の変更をいう。以下同じ。）をしないで、土地売買等の契約が締結される場合

(xii) in the case where an area is designated as a regulated area pursuant to the provisions of Article 12, paragraph (1) of the Act, if a notification under Article 27-4, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 27-7, paragraph (1) of the Act) has been filed for land pertaining to the designated area, and a contract for land transaction contract is concluded without changing the information pertaining to the notification, such as the estimated purchase price for a right on land to be transferred or established (meaning a change in the estimated purchase price for transfer or establishment of a right on land (excluding a purchase price reduction) and a change of the purpose of land use after a right on land is transferred or established; the same applies hereinafter).

（土地に関する権利の相当な価額の算定）

(Calculation of Fair Price for Rights on Land)

第七条 法第十六条第一項第一号の規定により近傍類地の取引価格等を考慮して法第十二条第三項の規定による公告（以下「規制区域の指定の公告」という。）の時に於ける法第十四条第一項の許可の申請（以下「許可申請」という。）に係る土地に関する権利の相当な価額を算定するには、次に掲げるところによるものとする。

Article 7 (1) A fair price for a right on land pertaining to a request for permission referred to in Article 14, paragraph (1) of the Act (hereinafter referred to as a "request for permission") on the issue date of a public notice under Article 12, paragraph (3) of the Act (hereinafter referred to as a "public notice on the designation of a regulated area"), is to be calculated as follows, by taking into account the transaction prices of similar lots of land in the neighboring area pursuant to the provisions of Article 16, paragraph (1), item (i) of the Act:

一 許可申請に係る土地に関する権利が宅地の所有権である場合には、当該所有権の相当な価額は、次のイ又はロに掲げる場合の区分に応じ、それぞれ次のイ又はロに定めるところにより算定した額とする。

(i) in the case where a right on land pertaining to the request for permission is

the ownership of a residential lot, a fair price for the ownership is calculated based on the method prescribed in (a) or (b) according to the cases prescribed in (a) or (b) below respectively:

イ 規制区域の指定の公告の時ににおいて、許可申請に係る土地が市街地を形成している区域のうち土地の利用状況が安定していると認められる一帯の地域で第九条第一項の規定により選定された画地（以下「基準地」という。）を含むものの内に所在し、かつ、当該土地の利用価値が当該基準地の利用価値に類似している場合（当該土地が特殊な形状その他国土交通省令で定める態様に該当する場合を除く。） 許可申請に係る土地の固定資産税評価額（規制区域の指定の公告の時ににおいて地方税法（昭和二十五年法律第二百二十六号）第三百八十一条第一項又は第二項の規定により土地課税台帳又は土地補充課税台帳に登録されている価格をいう。以下同じ。）の単位面積当たりの価格に、指定時標準価格（第九条第一項の規定により判定された標準価格に係る基準日から規制区域の指定の公告の時までの間の土地の価格の変動に応じ社会的経済的事情を勘案して当該標準価格を修正した価格をいう。以下同じ。）で当該基準地に係るものを当該基準地の固定資産税評価額の単位面積当たりの価格で除して得た値を乗じて得た額に更に許可申請に係る土地の面積を乗じて得た額

(a) the case where the land pertaining to the application for permission is located in a certain range within an area, out of a district forming an urban area, for which the status of use is considered to be stable and which contains a lot selected pursuant to the provisions of Article 9, paragraph (1) (hereinafter referred to as a "benchmark lot"), and the usefulness of the land is similar to the usefulness of that benchmark lot, at the time of the public notice on the designation of the regulated area (excluding the case where the land has a unique shape or otherwise falls under the mode specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism): the amount obtained by multiplying the price per unit area of the assessed value of fixed assets tax (meaning the price registered in the land tax ledger or supplemental land tax ledger pursuant to the provisions of Article 381, paragraph (1) or paragraph (2) of the Local Tax Act (Act No. 226 of 1950) at the time of the public notice on the designation of the regulated area; the same applies hereinafter) of the land pertaining to the application for permission by the amount obtained by dividing the standard price at the time of designation (meaning the price after adjustments of the standard price, which was determined pursuant to the provisions of Article 9, paragraph (1), while taking into account socioeconomic circumstances corresponding to fluctuations in land prices during the period from the base date of that standard price to the time of the public notice on the designation of the regulated area; the same applies hereinafter) pertaining to that benchmark lot by the price per unit area of the assessed value of fixed assets tax of that benchmark lot, and then

further multiplying by the square measure of the land pertaining to the application for permission;

ロ イに掲げる場合以外の場合 次の（１）又は（２）に定めるところにより算定した額

(b) in cases other than the case set forth in (a): the amount calculated using the method prescribed in 1. or 2. below:

（１） 国土交通省令で定めるところにより、許可申請に係る土地と規制区域の指定の公告の時ににおいてこれに類似する利用価値を有すると認められる一又は二以上の基準地との位置、地積、環境等の土地の客観的価値に作用する諸要因についての比較を行い、その結果に基づき、当該基準地の指定時標準価格に比準して得た額

1. the amount calculated based on the standard land price for bench mark lots on the day when regulated area was designated, which is calculated based on the results of a comparison between the land pertaining to the request for permission and one or two or more benchmark lots, which are deemed to have a potential similar to the land on the issue date of the public notice on the designation of the regulated area, in terms of factors that affect the objective value of the land, such as the locations, acreage and surrounding environments, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism;

（２） （１）の規定により基準地の指定時標準価格に比準して額を算定することが困難であるときは、規制区域の指定の公告の時ににおける近傍類地の取引価格から算定される推定の価格、その時ににおける近傍類地の地代等から算定される推定の価格及びその時ににおける同等の効用を有する土地の造成に要する推定の費用の額を勘案して算定した額

2. if it is difficult to calculate the amount by making a comparison with the standard price of the benchmark lots at the time when those were designated pursuant to the provisions of 1. above, the amount calculated by taking into account an estimated price calculated based on transaction prices of similar lots in the neighboring area at the time when the public notice on the designation of the regulated area is issued, an estimated price calculated based on a land rent, etc. of similar lots in the neighboring area at that time, and the estimated development cost for land having an equivalent potential at that time;

二 許可申請に係る土地に関する権利が森林の土地の所有権である場合には、当該所有権の相当な価額は、次のイ又はロに掲げる場合の区分に応じ、それぞれ次のイ又はロに定めるところにより算定した額とする。

(ii) in the case where a right on land pertaining to the request for permission is the ownership of forest land, a fair price for the ownership is the amount calculated as prescribed in (a) or (b) below in accordance with the cases

prescribed in (a) or (b) below respectively:

イ 規制区域の指定の公告の時に於いて許可申請に係る土地に類似する利用価値を有すると認められる基準地がある場合 前号ロ（１）の規定に準じて比準して得た額

(a) in the case where there is a benchmark lot that is considered having a potential similar to that of the land pertaining to the request for permission at the time when the public notice on the designation of the regulated area is issued: the amount obtained by making a comparison pursuant to the provisions of (b), 1. of the preceding item;

ロ イに掲げる場合以外の場合 規制区域の指定の公告の時に於ける近傍類地の取引価格から算定される推定の価格及びその時に於ける近傍類地の地代等から算定される推定の価格を勘案して算定した額

(b) in cases other than the case set forth in (a): the amount calculated by taking into account an estimated price calculated based on transaction prices of similar lots in the neighboring area at the time when the public notice on the designation of the regulated area is issued and an estimated price calculated based on a land rent, etc. of similar lots in the neighboring area at that time;

三 許可申請に係る土地に関する権利が宅地及び森林の土地以外の土地の所有権である場合には、当該所有権の相当な価額は、次のイ又はロに掲げる場合の区分に応じ、それぞれ次のイ又はロに定めるところにより算定した額とする。

(iii) in the case where a right on land pertaining to the request for permission is the ownership of land other than residential land and forest land, a fair price for the land ownership is the amount calculated in accordance with the cases prescribed in (a) or (b) below respectively:

イ 規制区域の指定の公告の時に於いて許可申請に係る土地に類似する利用価値を有すると認められる基準地がある場合 第一号ロ（１）の規定に準じて比準して得た額

(a) if there is a benchmark lot that is considered having a potential similar to that of the land pertaining to the request for permission at the time when the public notice on the designation of the regulated area is issued: the amount obtained by making a comparison pursuant to the provisions of item (i), (b), 1.;

ロ イに掲げる場合以外の場合 規制区域の指定の公告の時に於ける近傍類地の取引価格から算定される推定の価格、その時に於ける近傍類地の地代等から算定される推定の価格及びその時に於ける同等の効用を有する土地の造成に要する推定の費用の額を勘案して算定した額（これらの推定の価格及び推定の費用の額を求めることが困難であるときは、国土交通省令で定めるところにより、その時に於いて許可申請に係る土地を宅地であつたものとして第一号の規定に準じて算定した額、当該土地を宅地とするための造成に要する推定の費用の額等に基づき算定した額又はその時に於ける周辺の宅地若しくは森林の土地について前二号の規定

に準じて算定した額若しくはその時における周辺の農地若しくは採草放牧地について近傍類地の取引価格から算定される推定の価格等を勘案して算定した額に基づき算定した額)

(b) in cases other than the case set forth in (a): the amount calculated by taking into account an estimated price calculated based on transaction prices of similar lots in the neighboring area at the time when the public notice on the designation of the regulated area is issued, an estimated price calculated based on a land rent, etc. of similar lots in the neighboring area at that time, and estimated development cost for land having an equivalent potential at that time (if it is difficult to obtain an estimated price and estimated cost, the amount calculated based on the amount calculated by taking into account the amount calculated pursuant to the provisions of item (i) by considering the land pertaining to the request for permission as a residential lot at that time, the amount calculated based on an estimated amount calculated based on the cost for developing the land into buildable lots, etc., the amount of buildable lots or forest land in the neighboring area at that time calculated pursuant to the provisions of the preceding two items, or an estimated price, etc. for cropland or meadow/pastureland at that time calculated based on transaction prices of similar lots in the neighboring area pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism);

四 許可申請に係る土地に関する権利が土地の使用及び収益を目的とする権利の目的となつて土地の所有権である場合には、当該所有権の相当な価額は、前三号の規定にかかわらず、規制区域の指定の公告の時における近傍類地に関する当該土地の使用及び収益を目的とする権利と同種の権利に係る地代又は借賃、権利金、権利の存続期間その他の契約内容、その時において許可申請に係る土地を含む地域において慣行となつてると認められる借地権割合（借地権価格と借地権の目的となつて土地の所有権の価格（借地権が存しないものとして通常成立すると認められる価格をいう。）との割合をいう。以下同じ。）等に応じ、その時における当該同種の権利の目的となつて土地の取引価格から算定される推定の価格及びその時における当該同種の権利に係る地代等から算定される推定の価格を勘案して算定した額とする。

(iv) in the case where a right on land pertaining to the request for permission is the ownership of land so as to obtain a right to use land and profit therefrom, a fair price for the ownership is the amount calculated by taking into account an estimated price calculated based on transaction prices of similar lots in the neighboring area pertaining to the same type of right at the time when the public notice on the designation of the regulated area is issued, and an estimated price calculated based on a land rent, etc. pertaining to the same type of right at that time, in accordance with the rent, key money, duration of the right and other contract details pertaining to the

same type of right at that time and a ratio of the land leasehold right (meaning the ratio of the price for a land lease right to the price for an ownership of land pertaining to the land lease right (meaning the price considered to be the normal price that is determined without a land lease right); the same applies hereinafter) that is considered customary in the area including the land pertaining to the request for permission at that time, notwithstanding the provisions of the preceding three items;

五 許可申請に係る土地に関する権利が土地に関する地上権又は賃借権である場合には、当該権利の相当な価額は、規制区域の指定の公告の時における近傍類地に関する当該権利と同種の権利に係る地代又は借賃、権利金、権利の存続期間その他の契約内容、その時において許可申請に係る土地を含む地域において慣行となつていると認められる借地権割合等に応じ、その時における当該同種の権利の取引価格から算定される推定の価格及びその時における当該同種の権利に係る地代等から算定される推定の価格を勘案して算定した額とする。

(v) in the case where a right on land pertaining to the request for permission is a superficies right or a lease right concerning land, a fair price for the right is the amount calculated by taking into account an estimated price calculated based on transaction prices for the same type of right for the similar lots in the neighboring area at the time when the public notice on the designation of the regulated area is issued, and an estimated price calculated based on a land rent, etc. for the same type of right at that time, in accordance with the rent, key money, duration of right and other contract details pertaining to the same type of right at that time and the ratio of the land lease right that is considered customary in the area including the land pertaining to the request for permission at that time;

六 許可申請に係る土地に関する権利が土地に関する所有権、地上権又は賃借権の取得を目的とする権利である場合には、当該権利の相当な価額は、その取得の目的となつている土地の所有権及びその所有権に係る土地の態様並びにその土地に関する地上権及び賃借権の区分に応じ、前各号の規定に準じて算定した額とする。

(vi) in the case where a right on land pertaining to the request for permission is obtained to acquire an ownership, a superficies right or a lease right concerning land, a fair price of the right is the amount calculated pursuant to the provisions of the preceding items in accordance with the land ownership pertaining to the acquisition, the type of the land pertaining to the ownership, and the categories of superficies right and lease right concerning the land.

2 許可申請に係る土地が土地の面積、形状等につき国土交通省令で定める要件に該当する一団の土地の区域内に所在し、かつ、当該一団の土地に係る土地の所有者のうち相当数の者が同時に許可申請をした場合には、前項の規定にかかわらず、当該一団の土地を地目、地形その他の条件が類似していると認められる地区に分け、その地区において当該条件からみて標準的と認められる土地を選定し、その選定された土地につ

き同項第一号から第三号までの規定に基づき算定した規制区域の指定の公告の時における価額を基準として、その選定された土地を含む地区内の許可申請に係る土地の所有権のその時における相当な価額を算定することができる。

(2) In the case where the land pertaining to a request for permission is located in a tract of land whose square measures, shapes, etc. meet the requirements specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, and if a large number of owners of the tract of land have filed an request for permission simultaneously, a tract of land is divided into groups of areas having similar land category, landform, or other conditions so as to select standard lots based on their respective conditions, a fair price for an ownership of land pertaining to the request for permission in the area including the selected lots on the issue date of the public notice on the designation of the regulated area is able to be calculated based on the prices of selected lots calculated pursuant to the provisions of item (i) through item (iii) of the preceding paragraph, notwithstanding the provisions of the preceding paragraph.

3 地目変換、法令に基づく措置その他の国土交通省令で定める事由により許可申請に係る土地の状況又は当該土地の周辺の事情が規制区域の指定の公告の時における当該土地の状況又は当該土地の周辺の事情と著しく異なることとなつていと認められる場合（国土交通省令で定める特別な事情がある場合を除く。）には、近傍類地の取引価格等を考慮して算定する規制区域の指定の公告の時における許可申請に係る土地に関する権利の相当な価額については、その時において、当該土地が許可申請の時におけるその状況であり又は当該土地の周辺の事情が許可申請の時におけるその事情であつたものとして、前二項の規定を適用して算定するものとする。この場合において、第一項中「算定した額とする」とあるのは「算定した額（規制区域の指定の公告の時以後宅地の造成等のための費用の負担があるときは、その費用の額を除く。）とする」と、前項中「算定することができる」とあるのは「算定することができる。この場合において、その時以後宅地の造成等のための費用の負担があるときは、その時における相当な価額の算定に当たつてその費用の額を除くものとする」とする。

(3) In the case where it is considered that the conditions of the land pertaining to a request for permission or the circumstances in the surrounding area have changed significantly from those at the time when the public notice on the designation of the regulated area is issued (excluding the case where a person has special circumstances specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism), a fair price for a right on land pertaining to the request for permission at the time when the public notice on the designation of the regulated area is issued, that is calculated by taking into account the transaction prices of similar lots in the neighboring area, is to be calculated provided that the conditions of the land remain unchanged and the circumstances in the surrounding area remain unchanged from the filing date of the request for permission, by applying the provisions of the preceding two

paragraphs. In this case, the term "is the amount calculated" in paragraph (1) is deemed to be replaced with the "amount calculated (if the cost for developing residential lots, etc. has been borne after the public notice on the designation of the regulated area was issued, the cost will be deducted)"; and the term a "person is able to calculate" the amount in the preceding paragraph" is deemed to be replaced with a "person is able to calculate the amount. In this case, if the cost for developing residential lots has been borne thereafter, the cost will be deducted when calculating a fair price at that time." respectively

4 第一項第一号ロ（２）、第二号ロ、第三号ロ、第四号又は第五号の推定の価格又は推定の費用の額は、次に掲げるところによるほか、国土交通省令で定めるところにより求めるものとする。

(4) The estimated price or the estimated cost referred to in paragraph (1), item (i), (b), 2., item (ii), (b), item (iii), (b), item (iv) or item (v) are obtained pursuant to the following provisions and the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 近傍類地等の取引価格又は地代等が投機的取引、当該土地を特別な用途に供するための取引その他の特別な事情を反映して形成されていると認められるときは、その事情を除去するための補正を行うものとする。

(i) when transaction prices or a land rent, etc. of similar lots in the neighboring area are considered prices formed by a speculative transaction, transaction for using the land for special usage, or other special circumstances, measures to correct the situation is to be taken;

二 近傍類地等の取引価格又は地代等が規制区域の指定の公告の時前のものであり、かつ、その時までの間に土地の価格に変動があると認められるときは、その変動に応じ社会的経済的事情を勘案して修正するものとする。

(ii) when transaction prices or a land rent, etc. of similar lots in the neighboring area are those evaluated prior to the issue date of public notice on the designation of the regulated area, and it is considered that land prices have changed by that time, the prices are to be adjusted by taking into account socioeconomic circumstances in response to the price fluctuations.

(公示価格を規準とする土地の所有権の価額の算定)

(Price Calculation for Ownership of Land Based on Posted Price)

第八条 法第十六条第一項第一号の規定により地価公示法（昭和四十四年法律第四十九号）第六条の規定による公示価格（以下「公示価格」という。）を規準として規制区域の指定の公告の時における許可申請に係る土地の所有権の価額を算定するには、次に掲げるところによるものとする。

Article 8 (1) Price for an ownership of the land pertaining to a request for permission at the time when a public notice on the designation of a regulated area is issued, is calculated based on the posted price under Article 6 of the Land Price Announcement Act (Act No. 49 of 1969) (hereinafter referred to as

the "posted price"), pursuant to the provisions of Article 16, paragraph (1), item (i) of the Act, which is conducted as follows:

一 許可申請に係る土地が宅地である場合には、当該土地の所有権の価額は、国土交通省令で定めるところにより、許可申請に係る土地と規制区域の指定の公告の時ににおいてこれに類似する利用価値を有すると認められる一若しくは二以上の標準地（地価公示法第二条第一項に規定する標準地をいう。以下同じ。）若しくは基準地との位置、地積、環境等の土地の客観的価値に作用する諸要因についての比較を行い、その結果に基づき、当該標準地の指定時公示価格（公示価格に係る基準日から規制区域の指定の公告の時までの間の土地の価格の変動に応じ社会的経済的事情を勘案して当該公示価格を修正した価格をいう。以下同じ。）若しくは当該基準地の指定時標準価格に比準して得た額又は規制区域の指定の公告の時ににおいて当該土地に類似する利用価値を有すると認められる一若しくは二以上の標準地若しくは基準地の指定時公示価格若しくは指定時標準価格と均衡を保つように前条第一項第一号ロ（２）の規定に準じて算定した額とする。

(i) in the case where the land pertaining to the request or permission is a residential lot, a price for an ownership of the land is calculated based on the amount obtained by making a comparison between the land pertaining to the request for permission and one or two or more standard lots (meaning standard lots prescribed in Article 2, paragraph (1) of the Land Price Announcement Act; the same applies hereinafter) or benchmark lots, which are considered having a potential similar to that of the land at the time when the public notice on the designation of the regulated area is issued, in terms of factors that affect the objective value of the land, such as the locations, acreages and surrounding environments, and then, by using the comparison results to make a comparison with the posted price at the time when those standard lots are designated (meaning the price after the posted price are adjusted by taking into account socioeconomic circumstances in response to fluctuations in land prices during the period from the base date of that posted price to the issue date of the public notice on the designation of the regulated area; the same applies hereinafter) or the standard price at the time when those benchmark lots are designated, or the amount calculated pursuant to the provisions of paragraph (1), item (i), (b), 2. of the preceding Article so as to strike a balance between the price and the posted price or the standard price at the time when one or two or more standard lots or benchmark lots are designated, which are considered having a potential similar to that of the land at the time when the public notice on the designation of the regulated area is issued, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism;

二 許可申請に係る土地が宅地及び森林の土地以外の土地である場合には、当該土地の所有権の価額は、規制区域の指定の公告の時ににおいて当該土地に類似する利用価値を有すると認められる一又は二以上の標準地又は基準地の指定時公示価格又は指

定時標準価格と均衡を保つように前条第一項第三号の規定に準じて算定した額とする。

- (ii) in the case where the land pertaining to the request for permission is land other than residential land and forest land, a price for an ownership of the land is calculated based on the amount calculated pursuant to the provisions of paragraph (1), item (iii) of the preceding Article so as to strike a balance between these prices and the posted price or standard price at the time when one or two or more standard lots or benchmark lots were designated, which are considered having a potential similar to that of the land at the issue date of the public notice on the designation of the regulated area;

三 許可申請に係る土地が土地の使用及び収益を目的とする権利の目的となつてゐる土地（森林の土地を除く。）である場合には、当該土地の所有権の価額は、前二号の規定にかかわらず、規制区域の指定の公告の時に於いて当該土地に類似する利用価値を有すると認められる一又は二以上の標準地又は基準地の指定時公示価格又は指定時標準価格と均衡を保つように前条第一項第四号の規定に準じて算定した額とする。

- (iii) in the case where land pertaining to the request for permission is land pertaining to a right to use land and profit therefrom (excluding forest land), a price for an ownership of the land is calculated based on the amount calculated pursuant to the provisions of paragraph (1), item (iv) of the preceding Article so as to strike a balance between the price and the posted price or standard price at the time when one or two or more standard lots or benchmark lots are designated, which are considered having a potential similar to that of the land at the issue date of the public notice on the designation of the regulated area, notwithstanding the provisions of the preceding two items.

2 前条第二項及び第三項の規定は、法第十六条第一項第一号の規定により公示価格を規準として規制区域の指定の公告の時に於ける許可申請に係る土地の所有権の価額を算定する場合に準用する。

- (2) The provisions of paragraph (2) and paragraph (3) of the preceding Article apply mutatis mutandis to the case of calculating a price for an ownership of the land pertaining to a request for permission at the issue date of public notice on the designation of a regulated area, which is based on the posted price pursuant to the provisions of Article 16, paragraph (1), item (i) of the Act.

（基準地の標準価格）

(Standard Price for Benchmark Lots)

第九条 都道府県知事は、自然的及び社会的条件からみて類似の利用価値を有すると認められる地域（法第十二条第一項の規定により指定された規制区域を除く。）において、土地の利用状況、環境等が通常と認められる画地を選定し、その選定された画地について、毎年一回、一人以上の不動産鑑定士の鑑定評価を求め、その結果を審査し、

必要な調整を行つて、国土交通省令で定める一定の基準日における当該画地の単位面積当たりの標準価格を判定するものとする。

Article 9 (1) A prefectural governor is to select a lot where the land use and the environment, etc. is considered to be normal in area that is considered having a similar potential in terms of natural and social conditions (excluding regulated areas designated pursuant to the provisions of Article 12, paragraph (1) of the Act), request for annual appraisal of the selected lot by at least one real property appraiser, and to examine appraisal results, make necessary adjustments, and determine the standard price per unit area of that lot as of the base date specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 前項の標準価格は、土地について、自由な取引が行われるとした場合におけるその取引（農地又は採草放牧地の取引（農地及び採草放牧地以外のものとするための取引を除く。）を除く。）において通常成立すると認められる価格（当該土地に建物その他の定着物が存する場合又は当該土地に関して当該土地の使用及び収益を目的とする権利が存する場合には、これらの定着物又は権利が存しないものとして通常成立すると認められる価格）とする。

(2) The standard price referred to in the preceding paragraph is the price that is considered the normal transaction price of land in the case of land transactions without restrictions (excluding transactions of cropland or meadow/pastureland (excluding those of land to be developed into other than cropland or meadow/pastureland)) (in the case where buildings or other fixtures are located on the land or a right to use and profit is established for the land, the price which is considered to be the normal price formed without these fixtures or the right).

3 都道府県知事は、第一項の規定により標準価格を判定するに当たっては、その標準価格に係る基準地が地価公示法第二条第一項に規定する公示区域内に所在する土地（森林の土地を除く。）であるときは、公示価格を規準とし、その標準価格に係る基準地が当該公示区域内に所在する森林の土地であり又は当該公示区域外に所在するときは、近傍類地の取引価格から算定される推定の価格、近傍類地の地代等から算定される推定の価格及び同等の効用を有する土地の造成に要する推定の費用の額を勘案して行うものとする。

(3) When a prefectural governor intends to determine the standard price pursuant to the provisions of paragraph (1), if the benchmark lot pertaining to the standard price is located in an area announced to the public prescribed in Article 2, paragraph (1) of the Land Prices Public Announcement Act (excluding forest land), the governor is to calculate the standard price based on the posted price, and if the benchmark lot pertaining to the standard price is the forest land located in the area announced to the public or is located outside that area, the governor is to determine the standard price by taking into account an estimated price calculated based on transaction prices of similar

lots in the neighboring area, an estimated price calculated based on a land rent, etc. of similar lots in the neighboring area, and the estimated cost for developing the land having an equivalent potential.

- 4 都道府県知事は、前項の推定の価格又は推定の費用の額を求めるには、次に掲げるところによるほか、国土交通省令で定めるところにより行うものとする。

(4) A prefectural governor is to obtain the estimated price or the estimated cost referred to in the preceding paragraph pursuant to the following provisions and the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 近傍類地の取引価格又は地代等が投機的取引、当該土地を特別な用途に供するための取引その他の特別な事情を反映して形成されていると認められるときは、その事情を除去するための補正を行うものとする。

(i) when transaction prices or a land rent, etc. of similar lots in the neighboring area are considered the prices formed by a speculative transaction, a transaction for using the land for special usage, or other special circumstances, measures to correct the situation are to be taken;

二 近傍類地の取引価格又は地代等が標準価格を判定する基準日前のものであり、かつ、その基準日までの間に土地の価格に変動があると認められるときは、その変動に応じ社会的経済的事情を勘案して修正するものとする。

(ii) when transaction prices or a land rent, etc. of similar lots in the neighboring area are those evaluated prior to the base date for determining the standard price, and it is considered that land prices have changed prior to that base date, price adjustments are to be made by taking into account socioeconomic circumstances corresponding to those fluctuations.

- 5 都道府県知事は、第一項の規定により標準価格を判定したときは、基準地の所在、基準地の単位面積当たりの価格、価格判定の基準日その他必要と認める事項の周知に努めるものとする。

(5) Having determined the standard price pursuant to the provisions of paragraph (1), a prefectural governor is to endeavor to make the location of the benchmark lot, the price per unit area of the benchmark lot, the base date for determining the price, and other matters considered to be necessary known to the public.

(物価の変動に応ずる修正率の算定の方法)

(Method of Calculating Adjustment Factors Corresponding to Fluctuations in Prices)

第十条 法第十六条第一項第一号又は第十九条第二項に規定する修正率の算定の方法は、総務省統計局が統計法（平成十九年法律第五十三号）第二条第四項に規定する基幹統計である小売物価統計のための調査の結果に基づき作成する消費者物価指数のうち全国総合指数（以下「全国総合消費者物価指数」という。）及び日本銀行が同法第二十五条の規定により届け出を行う統計調査の結果に基づき作成する企業物価指数のうち

投資財指数（以下「投資財指数」という。）を用いて、付録の式により算定する方法とする。

Article 10 The method to calculate adjustment factors prescribed in Article 16, paragraph (1), item (i) or Article 19, paragraph (2) of the Act is the method to calculate those by using the appended formula using the National Composite Index (hereinafter referred to as the "National Composite Consumer Index) among the Consumer Price Index, which is prepared by the Statistics Bureau of Japan based on the results of surveys conducted for the Retail Price Index, which is fundamental statistics prescribed in Article 2, paragraph (4) of the Statistics Act (Act No. 53 of 2007), and the Investment Goods Index (hereinafter referred to as the "Investment Goods Index) among the Corporate Goods Price Index, which is prepared by the Bank of Japan based on the results of statistical surveys conducted by the bank by filing a notification pursuant to the provisions of Article 25 of that Act.

（宅地の造成等のための費用）

(Costs for Developing Residential Land)

第十一条 法第十六条第一項第一号の宅地の造成等のための費用で政令で定めるものは、本工事費、附帯工事費その他の宅地の造成等に要する工事費、宅地の造成等に伴う公共施設又は公益的施設に係る負担、当該宅地等の販売に要する経費及び宅地の造成等の事業に要する一般管理費並びにこれらに充当する資金に要する費用とする。

Article 11 The costs for developing residential land specified by Cabinet Order referred to in Article 16, paragraph (1), item (i) of the Act are; costs of main construction works, costs of appurtenant works, costs of public facilities or facilities that serve the public interest pertaining to the development of residential land, etc. borne by constructors, costs to sell the residential lots, etc., general management fees required for the business, including residential property development business, as well as the amount of funds to pay these costs.

（法第十六条第一項第二号への政令で定める場合）

(Cases Specified by Cabinet Order Referred to in Article 16, Paragraph (1), Item (ii), (f) of the Act)

第十二条 法第十六条第一項第二号への政令で定める場合は、次のとおりとする。

Article 12 The cases specified by Cabinet Order referred to in Article 16, paragraph (1), item (ii), (f) of the Act are as follows:

- 一 土地収用法その他の法律により土地に関する権利を収用された者又は法第十六条第一項第二号イに規定する事業を施行する者若しくは同号ハ若しくはホに規定する事業を行う者にこれらの事業の用に供するためのものとして、若しくは同号ニに規定する施設を設置する者にその施設を設置するためのものとして土地に関する権利を買い取られた者がその代替の用に供するためのものである場合

(i) in the cases where land is used as an alternative lot of land by a person who sold a right on land; where land is used by a person whose right has been expropriated under the Land Expropriation Act or other Acts, or by a person who operates a business prescribed in Article 16, paragraph (1), item (ii), (a) of the Act or a person who engages in a business prescribed in (c) or (e) of that item for the purpose of operating their business, or where land is used by a person who establishes a facility prescribed in (d) of that item for the purpose of establishing the facility;

二 法第十六条第一項第二号イに規定する事業を施行する者若しくは同号ハ若しくはホに規定する事業を行う者がこれらの事業の用に供する土地の代替の用に供し、又は同号ニに規定する施設を設置する者がその施設を設置する土地の代替の用に供するためのものである場合

(ii) in the case where the land is used as an alternative lot of land by a person who establish a business prescribed in Article 16, paragraph (1), item (ii), (a) of the Act or a person who operates a business prescribed in (c) or (e) of that item to operate their business, or by a person who establishes a facility prescribed in (d) of that item to establish a facility;

三 法第十六条第一項第二号イに規定する事業を施行し、同号ハ若しくはホに規定する事業を行い、又は同号ニに規定する施設を設置する国、地方公共団体又は第十四条に規定する法人がこれらの事業の用に供し、又はその施設を設置するための土地について、これらの者に土地に関する権利を移転するためのものである場合（その移転が確実であると認められる場合に限る。）

(iii) in the case where, land is to be used by the national government, local governments, or corporations prescribed in Article 14 that establishes a business prescribed in Article 16, paragraph (1), item (ii), (a) of the Act, operates a business prescribed in (c) or (e) of that item, or establish a facility prescribed in (d) of that item, for the purpose of using the land for their business or of establishing a facility on the land (limited to the case where it is considered that a right on land will be transferred without fail);

四 通常の経済活動として行われる債権の担保若しくは債務の弁済のためのものであり、又は通常の経済活動として行われる債務の弁済によるものである場合

(iv) in the case where land is used as security for a claim or for the performance of obligations in conducting ordinary economic activities, or through the performance of obligations in conducting ordinary economic activities.

（許可又は不許可の通知）

(Notice on Disposition to Grant or Not to Grant Permission)

第十三条 都道府県知事は、法第十四条第一項の規定による処分をしたときは、遅滞なく、その旨並びに当該処分に係る土地の所在及び面積その他国土交通省令で定める事項を記載した文書をもつて申請者に通知しなければならない。法第十七条第二項の規

定により法第十四条第一項の許可があつたものとみなされたときも、同様とする。

Article 13 (1) Having taken a disposition under Article 14, paragraph (1) of the Act, a prefectural governor must notify the requestor of this with a written document stating the location and square measure of the land pertaining to the disposition, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, without delay. The same applies in the case where permission under Article 14, paragraph (1) of the Act is deemed to have been granted pursuant to the provisions of Article 17, paragraph (2) of the Act.

2 都道府県知事は、前項の規定による通知をしたときは、遅滞なく、その土地が所在する市町村の長にその通知に係る事項を通知しなければならない。

(2) Having given a notice under the preceding paragraph, a prefectural governor must notify a mayor of the municipality where the land is located of the matters pertaining to that notice, without delay.

(法第十八条の政令で定める法人)

(Corporations Specified by Cabinet Order Referred to in Article 18 of the Act)

第十四条 法第十八条の政令で定める法人は、港務局、独立行政法人都市再生機構、独立行政法人水資源機構、独立行政法人中小企業基盤整備機構、独立行政法人鉄道建設・運輸施設整備支援機構、地方住宅供給公社、日本勤労者住宅協会、独立行政法人空港周辺整備機構、地方道路公社及び土地開発公社とする。

Article 14 The corporations specified by Cabinet Order referred to in Article 18 of the Act are; port authorities, the Urban Renaissance Agency, the Japan Water Agency, the Organization for Small & Medium Enterprises and Regional Innovation, the Japan Railway Construction, Transport and Technology Agency, regional public housing corporations, the Japan Workers' Housing Association, the Organization for Environment Improvement around International Airport, regional public road corporations, and land development corporations.

(土地に関する権利の買取り請求)

(Request for Purchase of Rights on Land)

第十五条 土地に関する権利の買取り請求をしようとする者は、国土交通省令で定めるところにより、買取り請求に係る土地に関する権利の種別及び内容、その土地の所在及び面積その他国土交通省令で定める事項を記載した請求書を都道府県知事に提出しなければならない。

Article 15 A person who intends to file a request for purchase of a right on land must submit a request form stating the type and details of the right on land pertaining to the request for purchase, the location and square measure of the land, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism to the prefectural governor, pursuant to

the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第十六条 第七条第一項から第三項までの規定は、法第十九条第二項の規定により近傍類地の取引価格等を考慮して規制区域の指定の公告の時ににおける買取り請求に係る土地に関する権利の相当な価額を算定する場合に準用する。この場合において、第七条第一項から第三項までの規定中「許可申請」とあるのは、「買取り請求」と読み替えるものとする。

Article 16 (1) The provisions of Article 7, paragraph (1) through paragraph (3) apply *mutatis mutandis* to the case where a fair price of the right on land pertaining to a request for purchase on the issue date of the public notice on designation of a regulated area is calculated, by taking into account transaction prices of similar lots in the neighboring area, pursuant to the provisions of Article 19, paragraph (2) of the Act. In this case, the term a "request for permission" in Article 7, paragraph (1) through paragraph (3) is deemed to be replaced with a "request for purchase".

2 第七条第二項及び第三項並びに第八条第一項の規定は、法第十九条第二項の規定により公示価格を規準として規制区域の指定の公告の時ににおける買取り請求に係る土地の所有権の価額を算定する場合に準用する。この場合において、第七条第二項及び第三項並びに第八条第一項中「許可申請」とあるのは、「買取り請求」と読み替えるものとする。

(2) The provisions of Article 7, paragraph (2) and paragraph (3) and Article 8, paragraph (1) apply *mutatis mutandis* to the case where a price for land ownership pertaining to a request for purchase on the issue date of the public notice on designation of a regulated area is calculated based on the posted price, pursuant to the provisions of Article 19, paragraph (2) of the Act. In this case, the term a "request for permission" in Article 7, paragraph (2) and paragraph (3), and Article 8, paragraph (1) is deemed to be replaced with a "request for purchase".

3 第十一条の規定は、買取り請求に係る者が負担した宅地の造成等のための費用について準用する。

(3) The provisions of Article 11 apply *mutatis mutandis* to the costs for developing residential lots borne by a person pertaining to a request for purchase.

(口頭審理についての準用)

(*Mutatis Mutandis Application Regarding Oral Hearing*)

第十六条の二 法第二十条第三項の口頭審理については、行政不服審査法施行令（平成二十七年政令第三百九十一号）第二条の規定により読み替えられた同令第八条の規定を準用する。この場合において、同条中「総務省令」とあるのは、「国土交通省令」と読み替えるものとする。

Article 16-2 The provisions of Article 8 of the Order for Enforcement of the Administrative Complaint Review Act (Cabinet Order No. 391 of 2015) apply mutatis mutandis to oral hearing referred to in Article 20, paragraph (3) of the Act which is replaced pursuant to Article 2 of the that Order. In this case, the term "Order of the Ministry of Internal Affairs and Communications" in Article 8 of that Article is deemed to be replaced with "Order of the Ministry of Land, Infrastructure, Transport and Tourism".

(土地に関する権利の移転又は設定後における利用目的等の届出を要しない場合)
(Cases Not Requiring Notification on the Purpose of Use After a Right on Land is Transferred or Established)

第十七条 法第二十三条第二項第三号の政令で定める場合は、土地売買等の契約の締結が次に掲げる場合に該当して行われたものである場合とする。

Article 17 The cases specified by Cabinet Order referred to in Article 23, paragraph (2), item (iii) of the Act are the cases where a contract for land transaction is concluded provided that the contract falls under any of the following cases:

一 第六条第二号から第八号まで、第十号又は第十一号に掲げる場合

(i) cases set forth in Article 6, item (ii) through item (viii), item (x) or item (xi);

二 法第三十二条の規定により遊休土地を買い取る場合

(ii) cases where unused land is purchased pursuant to the provisions of Article 32 of the Act;

三 土地収用法第二十六条第一項（同法第百三十八条第一項において準用する場合を含む。）の規定による事業の認定の告示（都市計画法（昭和四十三年法律第百号）その他の法律の規定により事業の認定の告示とみなされるものを含む。）に係る事業の用に供される土地に関する権利について移転又は設定が行われる場合

(iii) a case where a right on land being used for business pertaining to a public notice on approval of business (including those deemed to be a public notice on approval of business pursuant to the provisions of the City Planning Act (Act No. 100 of 1968) or other Acts) under Article 26, paragraph (1) of the Land Expropriation Act (including as applied mutatis mutandis pursuant to Article 138, paragraph (1) of that Act), is transferred or established;

四 森林法（昭和二十六年法律第二百四十九号）第五十条第一項に規定する使用権が設定されている土地について同法第五十五条第一項の協議に基づきその所有権の移転が行われる場合

(iv) a case where an ownership of land on which a right to use prescribed in Article 50, paragraph (1) of the Forest Act (Act No. 249 of 1951) has been established, is transferred based on consultations referred to in Article 55, paragraph (1) of that Act;

五 都市計画法第五十五条第四項の規定により土地の買取りの申出の相手方として公告された者が同法第五十六条第一項の規定により土地を買い取る場合

(v) a case where a person whose name has been publicized as a counterparty of the offer for purchase of land pursuant to the provisions of Article 55, paragraph (4) of the City Planning Act purchases the land pursuant to the provisions of Article 56, paragraph (1) of that Act;

六 都市計画法第五十八条の九の規定により遊休土地を買い取る場合

(vi) a case where unused land is purchased pursuant to the provisions of Article 58-9 of the City Planning Act;

七 法第十二条第八項の規定による公告がされた際、規制区域の指定が解除された際、規制区域に係る区域の減少があつた際、又は規制区域の指定期間が満了することにより一の区域が規制区域でなくなつた際当該区域に係る土地について許可申請がされ、若しくは法第十四条第一項の許可を受け、又は法第十七条第二項の規定により法第十四条第一項の許可があつたものとみなされており、かつ、その土地について、その許可申請又は許可に係る事項のうち土地に関する権利の移転又は設定後における土地の利用目的の変更をしないで、土地売買等の契約が締結される場合

(vii) in a case where a request for permission for land located in the regulated area has been filed or permission under Article 14, paragraph (1) of the Act has been obtained, or permission under Article 14, paragraph (1) of the Act is deemed to have been obtained pursuant to the provisions of Article 17, paragraph (2) of the Act, at the time when a public notice was issued pursuant to the provisions of Article 12, paragraph (8) of the Act, at the time when the designation of a regulated area was revoked, when area in a regulated area was decreased, or when a part thereof ceased to be a regulated area due to the expiration of the designation period of the regulated area, and if a contract for land transaction is concluded without changing the purpose of land use after a right on land is transferred or established which is included in the matters pertaining to the request for permission or the permission for the land;

八 注視区域若しくは監視区域の指定が解除された際、注視区域若しくは監視区域に係る区域の減少があつた際、又は注視区域若しくは監視区域の指定期間が満了することにより一の区域が注視区域若しくは監視区域でなくなつた際当該区域に係る土地について法第二十七条の四第一項（法第二十七条の七第一項において準用する場合を含む。）の規定による届出がされており、かつ、その土地について、その届出に係る事項のうち土地に関する権利の移転又は設定後における土地の利用目的の変更をしないで、土地売買等の契約が締結される場合

(viii) in a case where a notification under Article 27-4, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 27-7, paragraph (1) of the Act) had already been filed at the time when the designation of an observed or monitored area was revoked, when the area of an observed or monitored area was decreased, or when a part thereof ceased to be an observed or monitored area due to the expiration of the designation period thereof, and if a contract for land transaction is concluded without changing

the purpose of land use after a right on land is transferred or established, which is included in the matters pertaining to the notification.

(注視区域における土地に関する権利の移転等の届出を要しない場合)

(Cases Not Requiring Notification on Transfer of Rights on Land in Observed Areas)

第十七条の二 法第二十七条の四第二項第二号の政令で定める場合は、次のとおりとする。

Article 17-2 (1) The cases specified by Cabinet Order referred to in Article 27-4, paragraph (2), item (ii) of the Act are as follows:

一 第六条第二号から第八号まで、第十号又は第十一号に掲げる場合

(i) cases set forth in Article 6, item (ii) through item (viii), item (x) or item (xi);

二 前条第二号から第六号までに掲げる場合

(ii) cases set forth in item (ii) through item (vi) of the preceding Article;

三 住宅施設及び医療施設、購買施設その他の居住者の共同の福祉又は利便のため必要な施設の用に供するために造成された宅地である一団の土地について次に掲げる区画を設け、その区画に係る土地ごとに、国土交通省令で定めるところによりその予定対価の額が法第二十七条の五第一項第一号に該当しない旨の都道府県知事の確認を受けて土地に関する権利の移転又は設定を行う場合（都道府県知事がその予定対価の額が同号に該当しないと認められる期間を定めて確認した場合にあつては、当該期間内に土地に関する権利の移転又は設定を行う場合に限る。）

(iii) a case where the following lots in a tract of land that was developed to be used for a residential facility, medical facility, shopping facility or other facilities necessary for the common welfare or convenience for the residents are created, so as to transfer or establish a right on land by obtaining confirmation from a prefectural governor stating that the estimated purchase price of the respective lots of land do not fall under Article 27-5, paragraph (1), item (i) of the Act, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism (if the prefectural governor confirms that the estimated purchase price does not fall under the category of that item by specifying the valid period, limited to cases where transfer or establishment of a right on land is conducted during that period):

イ 住宅施設に係る五百平方メートル以下の面積の区画（面積が八百平方メートル以下の区画であつて、法（のり）面の部分を除いた面積が五百平方メートル以下のものを含む。）

(a) a lot whose square measure is 500 square meters or less for a residential facility (including a lot whose total square measure is 800 square meters or less and whose square measure excluding slopes is 500 square meters or less);

ロ 居住者の共同の福祉又は利便のため必要な施設に係る千平方メートル以下の面積の区画

(b) a lot whose square measure is 1,000 square meters or less for a facility necessary for the common welfare or benefits for the residents;

ハ 主として保養の目的に供される住宅施設その他の国土交通省令で定める施設に係る区画であつて、その周辺の地域における土地取引及び土地利用の動向に照らし、イ又はロに定める面積を超えることとすることが適當であるものとして、都道府県知事が、都道府県の規則で、区域を限り、イ又はロに定める面積を超え千五百平方メートル以下の範囲内で定める面積以下のもの（イ又はロに該当するものを除く。）

(c) a lot used for a residential facility or other facility specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism that is mainly used for the purpose of recreation, each of them is designated by a prefectural governor pursuant to the prefectural rules when the governor considers that it is appropriate to specify a square measure exceeding those specified in (a) or (b) by taking into account the trends in land transactions and land use in the surrounding area, which is larger than the square measure specified in (a) or (B) and less than 1,500 square meters (excluding a lot falling under (a) or (b));

四 国土交通省令で定めるところによりその予定対価の額が法第二十七条の五第一項第一号に該当しない旨の都道府県知事の確認を受けて土地に関する権利の移転又は設定を当該土地に関する権利に係る建物で区分所有に係るものの区分所有権の移転と併せて行う場合（都道府県知事がその予定対価の額が同号に該当しないと認められる期間を定めて確認した場合にあつては、当該期間内に土地に関する権利の移転又は設定を行う場合に限る。）であつて、当該土地に関する権利が当該建物の区分所有権者の共有となるものである場合

(iv) a case where a right on land and an unit ownership of a building pertaining to the right on land are transferred or established simultaneously by obtaining confirmation from a prefectural governor stating that the estimated purchase price does not fall under Article 27-5, paragraph (1), item (i) of the Act, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism (if the prefectural governor confirms that the estimated purchase price does not fall under the categories of that item by specifying the valid period, limited to cases where a right on land is transferred or established during that period), and if the right on land is owned jointly by the unit ownership holders of the building;

五 国土交通省令で定めるところによりその予定対価の額が法第二十七条の五第一項第一号に該当しない旨の都道府県知事の確認を受けて不動産特定共同事業法（平成六年法律第七十七号）第二条第三項に規定する不動産特定共同事業契約に基づく出資、賃貸、賃貸の委任その他国土交通省令で定める行為の目的となる土地に関する権利の移転又は設定を行う場合（都道府県知事がその予定対価の額が同号に該当しないと認められる期間を定めて確認した場合にあつては、当該期間内に土地に関する権利の移転又は設定を行う場合に限る。）であつて、当該土地に関する権利が当

該不動産特定共同事業契約に係る同条第五項に規定する不動産特定共同事業者、同条第七項に規定する小規模不動産特定共同事業者、同条第九項に規定する特例事業者若しくは同条第十一項に規定する適格特例投資家限定事業者と同条第十二項に規定する事業参加者との共有となるもの又は当該不動産特定共同事業契約に係る同項に規定する事業参加者の共有となるものである場合（当該土地に関する権利の移転又は設定が当該土地を含む周辺の地域の適正かつ合理的な土地利用を図るために著しい支障がある場合として国土交通省令で定める場合を除く。）

- (v) in the case where a right on land is transferred or established for purpose of contribution, lease, entrustment of lease or other acts specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism based on a contract for specified joint real estate venture prescribed in Article 2, paragraph (3) of the Act on Specified Joint Real Estate Ventures (Act No. 77 of 1994), by obtaining confirmation from a prefectural governor stating that the estimated purchase price does not fall under categories of Article 27-5, paragraph (1), item (i) of the Act, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism (if the prefectural governor confirms that the estimated purchase price does not fall under categories of that item by specifying a valid period, limited to cases where a right on land is transferred or established during that period), and if the right on land is owned by specified joint real estate enterprises prescribed in Article 2, paragraph (5) of that Act, small-sized specified joint real estate enterprises prescribed in paragraph (7) of that Article, special enterprises prescribed in paragraph (9) of that Article, or qualified special investors prescribed in paragraph (11) of the same Article, that is jointly owned by business partners prescribed in paragraph (12) of that Article, or by business partners pertaining to a contract for specified joint real estate venture prescribed in that paragraph (excluding the case specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a case where transfer or establishment of a right on land hinders proper and efficient land use in the surrounding area including the land);

六 法第十二条第八項の規定による公告がされた際、規制区域の指定が解除された際、規制区域に係る区域の減少があつた際、又は規制区域の指定期間が満了することにより一の区域が規制区域でなくなつた際当該区域に係る土地について許可申請がされ、若しくは法第十四条第一項の許可を受け、又は法第十七条第二項の規定により法第十四条第一項の許可があつたものとみなされており、かつ、その土地について、その許可申請又は許可に係る事項のうち土地に関する権利の移転又は設定の予定対価の額等の変更をしないで、土地売買等の契約が締結される場合

- (vi) in the case where a request for permission has been filed, permission under Article 14, paragraph (1) of the Act has been obtained, or permission under Article 14, paragraph (1) of the Act is deemed to have been obtained pursuant to the provisions of Article 17, paragraph (2) of the Act, at the time

when a public notice is issued pursuant to the provisions of Article 12, paragraph (8) of the Act, when the designation of a regulated area is revoked, when the area of regulated area is decreased, or when the area thereof ceased to be a regulated area due to the expiration of the designation period of the regulated area, or when a contract for land transaction is concluded without changing the estimated purchase price, etc., or permission for transfer or establishment of a right on land, which is included in the matters pertaining to the request for permission;

七 監視区域の指定が解除された際、監視区域に係る区域の減少があつた際、又は監視区域の指定期間が満了することにより一の区域が監視区域でなくなつた際当該区域に係る土地について法第二十七条の七第一項において準用する法第二十七条の四第一項の規定による届出がされており、かつ、その土地について、その届出に係る事項のうち土地に関する権利の移転又は設定の予定対価の額等の変更をしないで、土地売買等の契約が締結される場合

(vii) in a case where a notification under Article 27-4, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 27-7, paragraph (1) of the Act has been filed at the time when the designation of a monitored area was revoked, when the area of a monitored area was decreased, or when a part thereof ceased to be a monitored area due to the expiration of the designation period of the monitored area, and a contract for land transaction is concluded without changing the estimated purchase price for transfer or establishment of a right on land, which is included in the matters pertaining to the notification.

2 都道府県知事は、前項第三号から第五号までに規定する確認の申請があつたときは、その申請があつた日から起算して六週間以内に、確認をする場合にあつてはその旨を、確認をしない場合にあつては理由を付してその旨を申請者に通知しなければならない。

(2) When a request for confirmation prescribed in item (iii) through item (v) of the preceding paragraph has been filed, a prefectural governor must inform the requestor that the governor will confirm the request if the governor will do so, or inform the requestor that the governor will not confirm the request if the governor will not do so by attaching the reason for refusal, within six weeks from the day on which the request was filed.

3 都道府県知事は、第一項第三号から第五号までの規定による確認の申請があつた場合において、申請書の記載によつては当該申請に係る土地に関する権利の移転又は設定の予定対価の額が法第二十七条の五第一項第一号に該当するか否かを前項の期間内に確認することが困難であるときは、三週間の範囲内において、同項の期間を延長することができる。この場合においては、同項の期間内に、延長する期間及び期間を延長する理由を申請者に通知しなければならない。

(3) When a request for confirmation prescribed in paragraph (1), item (iii) through item (v) has been filed and, if a prefectural governor finds it difficult to confirm whether the estimated purchase price for transfer or establishment

of a right on land pertaining to the request falls under categories of Article 27-5, paragraph (1), item (i) of the Act within the period referred to in the preceding paragraph, the prefectural governor may extend the period referred to in that paragraph by another three weeks. In this case, the governor must notify the requestor of the reason for extension within the period referred to in that paragraph.

(届出に係る土地に関する権利の価額についての準用)

(Mutatis Mutandis Application to Price of Rights on Land Pertaining to Notification)

第十八条 第七条第一項及び第二項の規定は、法第二十七条の五第一項第一号及び第二十七条の八第一項第一号の規定により近傍類地の取引価格等を考慮して法第二十七条の四第一項（法第二十七条の七第一項において準用する場合を含む。）の規定による届出に係る土地に関する権利の相当な価額を算定する場合に準用する。この場合において、第七条第一項第一号中「許可申請に係る土地に」とあるのは「法第二十七条の四第一項（法第二十七条の七第一項において準用する場合を含む。）の規定による届出（以下この項及び次項において「届出」という。）に係る土地に」と、同号イ及びロ中「許可申請」とあり、「規制区域の指定の公告」とあるのは「届出」と、「指定時標準価格」とあるのは「届出時標準価格」と、同項第二号から第五号までの規定中「許可申請」とあり、「規制区域の指定の公告」とあるのは「届出」と、同項第六号中「許可申請」とあるのは「届出」と、同条第二項中「許可申請」とあり、「規制区域の指定の公告」とあるのは「届出」と読み替えるものとする。

Article 18 (1) The provisions of Article 7, paragraph (1) and paragraph (2) apply mutatis mutandis to the case where a fair price for a right on land pertaining to the notification under Article 27-4, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 27-7, paragraph (1) of the Act) is calculated, by taking into account transaction prices, etc. of similar lots in the neighboring area pursuant to the provisions of Article 27-5, paragraph (1), item (i), and Article 27-8, paragraph (1), item (i) of the Act. In this case, the term "land pertaining to a request for permission" in Article 7, paragraph (1), item (i) is deemed to be replaced with "land pertaining to the notification under Article 27-4, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 27-7, paragraph (1) of the Act) (hereinafter referred to as a "notification" in this paragraph and the following paragraph)"; and the terms a "request for permission" and a "public notice on the designation of the regulated area" are deemed to be replaced with a "notification", and the term a "standard price at the time when the designation is filed" in (a) and (b) of that item is deemed to be replaced with a "standard price at the time when the notification is issued"; the terms a "request for permission" and a "public notice on the designation of the regulated area" in item (ii) through item (v) of that paragraph are deemed to be replaced with a "notification"; the term a "request

for permission" in item (vi) of that paragraph is deemed to be replaced with a "notification"; and the terms a "request for permission" and a "public notice on the designation of the regulated area" in paragraph (2) of that Article are deemed to be replaced with a "notification".

- 2 第七条第二項及び第八条第一項の規定は、法第二十七条の五第一項第一号及び第二十七条の八第一項第一号の規定により公示価格を規準として法第二十七条の四第一項（法第二十七条の七第一項において準用する場合を含む。）の規定による届出に係る土地の所有権の価額を算定する場合に準用する。この場合において、第七条第二項中「許可申請に係る土地が」とあるのは「法第二十七条の四第一項（法第二十七条の七第一項において準用する場合を含む。）の規定による届出（以下この項及び次条第一項において「届出」という。）に係る土地が」と、「許可申請を」とあるのは「届出を」と、「規制区域の指定の公告」とあるのは「届出」と、「許可申請に係る土地の」とあるのは「届出に係る土地の」と、第八条第一項中「許可申請」とあり、「規制区域の指定の公告」とあるのは「届出」と、「指定時公示価格」とあるのは「届出時公示価格」と、「指定時標準価格」とあるのは「届出時標準価格」と読み替えるものとする。

- (2) The provisions of Article 7, paragraph (2), and Article 8, paragraph (1) apply *mutatis mutandis* to the case where a price for an ownership of land pertaining to the notification under Article 27-4, paragraph (1) of the Act is calculated (including as applied *mutatis mutandis* pursuant to Article 27-7, paragraph (1) of the Act), based on the posted price pursuant to the provisions of Article 27-5, paragraph (1), item (i), and Article 27-8, paragraph (1), item (i) of the Act. In this case, the term "land pertaining to a request for permission" in Article 7, paragraph (2) is deemed to be replaced with "land pertaining to the notification under Article 27-4, paragraph (1) of the Act (including as applied *mutatis mutandis* pursuant to Article 27-7, paragraph (1) of the Act) (hereinafter referred to as the "notification" in this paragraph and paragraph (1) of the following Article)", the term "file a request for permission" is deemed to be replaced with "file a notification", the term a "public notice on the designation of the regulated area" is deemed to be replaced with a "notification", and the term "land pertaining to the request for permission" is deemed to be replaced with "land pertaining to the notification"; and the terms a "request for permission" and a "public notice on the designation of a regulated area" in Article 8, paragraph (1) are deemed to be replaced with a "notification", and the terms a "request for permission" and a "public notice on the designation of the regulated area" are deemed to be replaced with a "notification", the term a "posted price at the time when the regulated area is designated" is deemed to be replaced with a "posted price at the time when notification is issued", and the term a "standard price at the time when the regulated area is designated" is deemed to be replaced with a "standard price at the time when notification is issued" in item (i) through item (iii) of that paragraph respectively.

(監視区域における土地に関する権利の移転等の届出を要しない場合)

(Cases Not Requiring Notification on Transfer of Rights on Land in Monitored Areas)

第十八条の二 法第二十七条の七第一項において準用する法第二十七条の四第二項第二号の政令で定める場合は、次のとおりとする。

Article 18-2 The cases specified by Cabinet Order referred to in Article 27-4, paragraph (2), item (ii) of the Act as applied mutatis mutandis pursuant to Article 27-7, paragraph (1) of the Act are as follows:

一 第六条第二号から第八号まで、第十号又は第十一号に掲げる場合

(i) cases set forth in Article 6, item (ii) through item (viii), item (x) or item (xi);

二 第十七条第二号から第六号までに掲げる場合

(ii) cases set forth in Article 17, item (ii) through item (vi);

三 第十七条の二第一項第三号から第六号までに掲げる場合

(iii) cases set forth in Article 17-2, paragraph (1), item (iii) through item (vi);

四 一の区域が法第二十七条の六第一項の規定により監視区域として指定された際当該区域に係る土地について法第二十七条の四第一項の規定による届出がされており、かつ、その土地について、その届出に係る事項のうち土地に関する権利の移転又は設定の予定対価の額等の変更をしないで、土地売買等の契約が締結される場合

(iv) in the case where a notification under Article 27-4, paragraph (1) of the Act has been filed at the time when an area was designated as a monitored area pursuant to the provisions of Article 27-6, paragraph (1) of the Act, and a contract for land transaction is concluded without changing the estimated purchase price for transfer or establishment of a right on land, which is included in the matters pertaining to the notification .

(法第二十七条の八第一項第二号イの政令で定める場合)

(Cases Specified by Cabinet Order Referred to in Article 27-8, Paragraph (1), Item (ii), (a) of the Act)

第十八条の三 法第二十七条の八第一項第二号イの政令で定める場合は、次のとおりとする。

Article 18-3 The cases specified by Cabinet Order referred to in Article 27-8, paragraph (1), item (ii), (a) of the Act are as follows:

一 その土地売買等の契約の締結が第六条第二号から第八号まで、第十号若しくは第十一号、第十七条第二号から第六号まで又は第十七条の二第一項第六号に掲げる場合に該当して行われたものである場合

(i) the case where a contract for land transaction has been concluded provided that the contract falls under any of the cases set forth in Article 6, item (ii) through item (viii), item (x) or item (xi), Article 17, item (ii) through item (vi), or Article 17-2, paragraph (1), item (vi);

二 当該権利が土地に関する権利の売買の媒介の契約に付された特約で国土交通省令

で定める要件に該当するものに基づき取得されたものである場合

- (ii) the case where the right has been acquired based on covenants in contract for sale and purchase of an ownership of land that fall under the requirements specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(法第二十七条の八第一項第二号ロの政令で定める期間)

(Period Specified by Cabinet Order Referred to in Article 27-8, Paragraph (1), Item (ii), (b) of the Act)

第十八条の四 法第二十七条の八第一項第二号ロの政令で定める期間は、一年とする。

Article 18-4 The period specified by Cabinet Order referred to in Article 27-8, paragraph (1), item (ii), (b) of the Act is one year.

(法第二十七条の八第一項第二号ハの政令で定める利用)

(Uses Specified by Cabinet Order Referred to in Article 27-8, Paragraph (1), Item (ii), (c) of the Act)

第十八条の五 法第二十七条の八第一項第二号ハの政令で定める利用は、次のとおりとする。

Article 18-5 Uses specified by Cabinet Order referred to in Article 27-8, paragraph (1), item (ii), (c) of the Act are as follows:

一 建築物その他の工作物で仮設のものによる利用その他の一時的な利用

(i) use of land to build a temporary building or structure, or other temporary use of land;

二 その届出に係る土地又はその土地に係る建築物その他の工作物の整備の状況等からみて、その土地の周辺の地域における同一の用途又はこれに類する用途に供されている土地の利用の程度に比し、その程度が著しく劣っていると認められる利用

(ii) use of the land where area of use is considered to be much smaller compared to that of land being used for the same or similar purposes in the neighboring area, in light of the development status of the land pertaining to the notification or buildings and other structures built thereon;

三 その届出に係る土地に係る建築物その他の工作物の利用の程度が、その本来の利用の程度に比し著しく劣っていると認められる利用

(iii) use of buildings and other structures built on the land pertaining to the notification whose number of usage is considered to be much fewer than that of their original number of usage.

(通常の経済活動)

(Ordinary Economic Activities)

第十八条の六 法第二十七条の八第一項第二号ニ（２）及びホ（１）の政令で定める通常の経済活動は、債権の担保又は代物弁済とする。

Article 18-6 Ordinary economic activities specified by Cabinet Order referred to

in Article 27-8, paragraph (1), item (ii), (d), 2. and (e), 1. of the Act are securing of a claim or an accord and satisfaction.

(買い取られた土地に関する権利の代替の用に供するために行われる土地に関する権利の移転)

(Transfer of Rights on Land Made to Substitute Purchased Rights on Land)

第十八条の七 法第二十七条の八第一項第二号ホ（２）の政令で定める土地に関する権利の移転は、その届出に係る土地に関する権利を移転しようとする者の行う区画形質の変更等の事業の用又はこれらの事業の用に供する土地の代替の用に供するために土地に関する権利を買い取られたその届出に係る土地に関する権利の移転を受けようとする者に対し、その買い取られた土地に関する権利の代替の用に供するために行われるものとする。

Article 18-7 Transfer of a right on land specified by Cabinet Order referred to in Article 27-8, paragraph (1), item (ii), (e), 2. of the Act is to be made in order to substitute for the rights associated with the land that has been purchased, and is to be made to a person seeking to acquire, by transfer, the right on land under the notification which have been purchased so that the land can be used in an undertaking that will alter, etc. its shape or quality and that the person seeking to transfer the rights associated with the land under the notification will undertake, or so that the land can be used in place of the land used for that undertaking.

(特別の事情)

(Special Circumstances)

第十八条の八 法第二十七条の八第一項第二号ホ（３）の政令で定める特別の事情は、災害その他やむを得ない理由により、その届出に係る土地についての区画形質の変更又は建築物その他の工作物の建築若しくは建設の事業を行うことが著しく困難又は不相当と認められることとする。

Article 18-8 Special circumstances specified by Cabinet Order referred to in Article 27-8, paragraph (1), item (ii), (e), 3. of the Act refer to circumstances where it is considered extremely difficult or inappropriate to change the shape and type of lots of land, to construct a building or other structure, or to operate a construction business pertaining to the notification, due to a disaster or other compelling reasons.

(報告の徴収)

(Collection of Reports)

第十八条の九 法第二十七条の九の規定により報告を求めることができる事項は、次のとおりとする。

Article 18-9 The matters on which a report may be requested pursuant to the provisions of Article 27-9 of the Act are as follows:

一 土地売買等の契約の相手方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

(i) name and address of a counterparty of a contract for land transaction, and in the case of a corporation, name of a representative thereof;

二 土地売買等の契約を締結した年月日

(ii) the date of a contract for land transaction;

三 土地売買等の契約に係る土地の面積

(iii) square measure of the land pertaining to a contract for land transaction;

四 土地売買等の契約に係る土地に関する権利の移転又は設定の対価の額

(iv) price for transfer or establishment of a right on land pertaining to a contract for land transaction;

五 土地売買等の契約に係る土地の土地に関する権利の移転又は設定時における利用状況及び当該移転又は設定後における利用目的

(v) status of use at the time when a right on land pertaining to a contract for land transaction is transferred or established and the purpose of use after the right thereof is transferred or established;

六 土地売買等の契約に係る土地が当該契約により移転され、又は設定される権利以外の権利の目的となつているときは、当該権利の種別及び内容

(vi) if land pertaining to the contract for land transaction is a subject of a right other than the right to be transferred or established under that contract, the type and details of the right;

七 土地売買等の契約に係る土地に建築物その他の工作物又は木竹が存するときは、当該工作物又は木竹に関する事項で国土交通省令で定めるもの

(vii) if any buildings, other structures or trees or bamboo plants exist on the land pertaining to a contract for land transaction, the matters concerning those structures or trees or bamboo plants specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(使用及び収益を目的とする権利)

(Right to Use and Profit)

第十九条 法第二十八条第一項の政令で定める使用及び収益を目的とする権利は、土地に関する地上権及び賃借権とする。

Article 19 A right to use and profit specified by Cabinet Order referred to in Article 28, paragraph (1) of the Act is a superficies right and a right to lease concerning land.

(法第二十八条第一項第三号の政令で定める要件)

(Requirements Specified by Cabinet Order Referred to in Article 28, Paragraph (1), Item (iii) of the Act)

第二十条 法第二十八条第一項第三号の政令で定める要件は、次の各号に掲げる要件のいずれかとする。

Article 20 The requirements specified by Cabinet Order referred to in Article 28, paragraph (1), item (iii) of the Act are either of the following requirements:

一 その土地が住宅の用、事業の用に供する施設の用その他の用途に供されていないこと。

(i) the land is not used for a residential house, or for a facility for business, or for other purposes;

二 その土地が住宅の用、事業の用に供する施設の用その他の用途に供されている場合（現に日常的な居住の用に供されている場合を除く。）には、その土地又はその土地に存する建築物その他の工作物の整備の状況等からみて、その土地の利用の程度がその周辺の地域における同一の用途又はこれに類する用途に供されている土地の利用の程度に比し著しく劣っていると認められること。

(ii) in the case where the land is used for a residential house or a facility for business, or for other purposes (excluding the case where the land is actually used for an ordinary residence), it is considered that area of use of the land is much smaller than that of lots of land in the neighboring area being used for the same or similar purposes, in light of the development status of the land or buildings and other structures built thereon.

（遊休土地の買取りの協議を行う法人）

(Corporations Holding Consultations on Purchases of Unused Land)

第二十一条 法第三十二条第一項の政令で定める法人は、第十四条に規定する法人（土地開発公社を除く。）並びに土地の造成及び処分の業務を主たる目的とする法人で国（国の全額出資に係る法人を含む。）又は地方公共団体の出資がその資本金、基本金その他これに準ずるものの二分の一以上であるものとする。

Article 21 Corporations specified by Cabinet Order referred to in Article 32, paragraph (1) of the Act are corporations prescribed in Article 14 (excluding land development corporations), and corporations whose main purpose is to undertake the development and disposal of land to which more than half of the stated capital, funds or others equivalent thereto are contributed by the national government (including corporations wholly owned by the national government) or local governments.

（遊休土地の買取り価格）

(Purchase Price for Unused Land)

第二十二条 法第三十二条の規定により遊休土地を買い取る時において当該遊休土地が規制区域内に所在する場合には、当該遊休土地の相当な価額は、第七条（第一項第五号及び第六号を除く。）又は第八条の規定に準じて算定した当該遊休土地の当該規制区域の指定の公告の時における価額に第十条の規定による算定の方法に準じて算定した当該買取りの時までの物価の変動に應ずる修正率を乗じて得た額とする。

Article 22 (1) When purchasing unused land pursuant to the provisions of Article 32 of the Act, if the unused land is located in a regulated area, a fair price for

the unused land is calculated based on the amount obtained by multiplying the price of the unused land at the time when the public notice on the designation of the regulated area is issued, which was calculated pursuant to the provisions of Article 7 (excluding paragraph (1), item (v) and item (vi)) or Article 8, by using adjustment factors corresponding to fluctuations in prices during the period from the issue date of public notice to the date of purchase, which was calculated in accordance with the calculation method under Article 10.

- 2 第七条第一項（第五号及び第六号を除く。）及び第二項の規定は、法第三十三条の規定により近傍類地の取引価格等を考慮して遊休土地を買い取る場合（その買取りの時に於いて当該遊休土地が規制区域内に所在する場合を除く。）の当該遊休土地の相当な価額を算定する場合に準用する。この場合において、第七条第一項第一号中「許可申請」とあり、「規制区域の指定の公告」とあるのは「遊休土地の買取り」と、「指定時標準価格」とあるのは「遊休土地の買取りの時の標準価格」と、同項第二号から第四号までの規定中「許可申請」とあり、「規制区域の指定の公告」とあるのは「遊休土地の買取り」と、同条第二項中「許可申請」とあり、「規制区域の指定の公告」とあるのは「遊休土地の買取り」と読み替えるものとする。

- (2) The provisions of Article 7, paragraph (1) (excluding item (v) and item (vi)) and paragraph (2) apply mutatis mutandis to the case where a fair price for unused land when purchasing unused land by taking into account transaction prices, etc. of similar lots in the neighboring area pursuant to the provisions of Article 33 of the Act is calculated (excluding the case where the unused land is located in a regulated area at the time when it is purchased). In this case, the terms a "request for permission" and a "public notice on the designation of the regulated area" in Article 7, paragraph (1), item (i) are deemed to be replaced with a "purchase of unused land", the term "standard price at the time when the regulated area is designated" is deemed to be replaced with a "standard price at the time when unused land is purchased", and the terms a "request for permission" and a "public notice on the designation of the regulated area" in item (ii) though item (iv) of that paragraph are deemed to be replaced with a "purchase of unused land"; the terms a "request for permission" and a "public notice on the designation of regulated area" in paragraph (2) of that Article are deemed to be replaced with a "purchase of unused land".

- 3 第七条第二項及び第八条第一項の規定は、法第三十三条の規定により公示価格を規準として遊休土地を買い取る場合（その買取りの時に於いて当該遊休土地が規制区域内に所在する場合を除く。）の当該遊休土地の価額を算定する場合に準用する。この場合において、第七条第二項中「許可申請」とあり、「規制区域の指定の公告」とあるのは「遊休土地の買取り」と、第八条第一項中「許可申請」とあり、「規制区域の指定の公告」とあるのは「遊休土地の買取り」と、「指定時公示価格」とあるのは「遊休土地の買取りの時の公示価格」と、「指定時標準価格」とあるのは「遊休土地の買取りの時の標準価格」と読み替えるものとする。

(3) The provisions of Article 7, paragraph (2) and Article 8, paragraph (1) apply mutatis mutandis to the case where a price for unused land when purchasing unused land based on the posted price pursuant to the provisions of Article 33 of the Act is calculated (excluding the case where the unused land is located in a regulated area at the time when it is purchased). In this case, the terms a "request for permission" and a "public notice on the designation of a regulated area" in Article 7, paragraph (2) are deemed to be replaced with a "purchase of unused land"; the terms a "request for permission" and a "public notice on the designation of a regulated area" in Article 8, paragraph (1) are deemed to be replaced with a "purchase of unused land", the term a "posted price at the time when a regulated area is designated" in Article 8 paragraph (1) is deemed to be replaced with a "posted price at the time when the unused land is purchased", and the term a "standard price at the time when a regulated area is designated" in Article 8 paragraph (1) is deemed to be replaced with a "standard price at the time when the unused land is purchased".

(土地調査員)

(Land Inspectors)

第二十三条 土地調査員は、都道府県の職員で土地利用又は不動産の評価に関して経験と知識を有するもののうちから、都道府県知事が任命するものとする。

Article 23 A land inspector is to be appointed by a prefectural governor from among officials of the prefectural government who have experiences and knowledge on land use and appraisal of real property.

(大都市の特例)

(Special Provisions for Large Cities)

第二十四条 第四条、第十三条、第十五条、第十七条の二及び前条の規定により都道府県知事の権限に属するものとされている事務は、地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市（以下この条において「指定都市」という。）においては、当該指定都市の長が行う。この場合においては、第四条、第十三条、第十五条、第十七条の二及び前条の規定中都道府県又は都道府県知事に関する規定は、指定都市又は指定都市の長に関する規定として指定都市又は指定都市の長に適用があるものとする。

Article 24 The administrative affairs over which a prefectural governor has authority pursuant to the provisions of Article 4, Article 13, Article 15, Article 17-2, and the preceding Article are to be administered by a mayor of a designated city (hereinafter referred to as a "designated city") referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) in the designated city. In this case, the provisions relating to prefectural governments or prefectural governors in the provisions of Article 4, Article 13, Article 15, Article 17-2, and the preceding Article apply to designated cities or

mayors of designated cities as the provisions relating thereto.

(国土交通省令への委任)

(Particulars Governed by Order of the Ministry of Land, Infrastructure,
Transport and Tourism)

第二十五条 法及びこの政令に定めるもののほか、法及びこの政令の実施のため必要な
手続その他の事項は、国土交通省令で定める。

Article 25 Beyond what is provided for in the Act and this Cabinet Order,
procedures and other matters necessary for the enforcement of the Act and this
Cabinet Order are provided for by Order of the Ministry of Land,
Infrastructure, Transport and Tourism.